PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 401

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-FIRST YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2002–03

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10 March 2003

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2001]

FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 401**

EIGHTH VOLUME OF SESSION 2002–2003

House of Commons

Monday 10 March 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

CULTURE, MEDIA AND SPORT

The Secretary of State was asked—

Digital Television

1. **Norman Baker** (Lewes): If she will make a statement on access to digital television. [101454]

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): I understand that you, Mr. Speaker, and the hon. Members for Maldon and East Chelmsford (Mr. Whittingdale) and for North Devon (Nick Harvey) have been informed that my right hon. Friend the Secretary of State is not able to be in the Chamber today.

Figures provided by the broadcasters and the Independent Television Commission indicate that there are now between 9.6 million and 9.9 million UK households with access to digital television. We continue to work with stakeholders towards meeting the two primary objectives set out in the digital television action plan: to make the UK the leader in digital television in the G7 and to achieve the criteria that will allow us to complete digital switchover.

Norman Baker: I am grateful to the Minister, but what does he say to my constituents who can receive neither digital terrestrial television, and hence the BBC's new services, nor access cable? They want to know why they have to pay twice, first through the licence fee for services that they cannot get, and secondly through Sky to access services that the rest of us get for nothing. What will the Minister do to ensure that the BBC rolls out services to those who do not have them before embarking on new provision?

Dr. Howells: There are two parts to that question. The hon. Gentleman asks me what I would say to his constituents. I would say exactly the same thing as I say to my constituents who also cannot get digital terrestrial signals: it will come. We are working with all broadcasters, including the BBC, to ensure that we achieve more than 80 per cent. coverage. Coverage for all six multiplexes is about 73 per cent., but by concentrating on the 80 main transmitters, we hope to increase coverage to 80 per cent. across the country; then, we will work on those areas whose topography makes them more difficult. I am confident that we will get there, and sooner than people have predicted.

Mr. Chris Bryant (Rhondda): Much as I hate to agree with a Liberal Democrat, there is a sense in many constituencies that the slowness of the BBC and Crown Castle's roll-out of digital terrestrial television is a problem. The Minister's constituency might fall within the 80 per cent. coverage, but I suspect that Rhondda does not, and my constituents would like to know when the Government hope they will get digital terrestrial television.

Another problem is that BBC 3 and BBC 4 are available only in digital form and cable television is still analogue in many parts of the country. Will the Minister permit the BBC to provide analogue BBC 3 and BBC 4?

Dr. Howells: I cannot envisage that happening, as my hon. Friend well knows. However, at least four wards in my constituency—which I suppose are classified as Rhondda wards, despite the fact that my hon. Friend's constituency covers only the northern part of the area—are similarly affected, and we, too, have a lot of steep hillsides. I am absolutely confident that at the point of switchover our constituents will not receive a service that is in any way worse than in any other part of the country. We shall certainly discuss the services he mentioned with the BBC.

Nick Harvey (North Devon): Does the Minister agree that until all homes have ready access to digital TV, many people's best chance to see digital TV sports coverage is in their local pub? Can he explain why a pub can entertain people with a large digital television set showing a pop concert, whereas, under his Licensing Bill, if it wants to offer small-scale live music, a licence will be required? Does he understand the anxiety felt by many people, including the readers of the *Western Morning News*, which is running a campaign on the issue, that the measure will imperil live music in pubs?

Dr. Howells: That is the most ingenious question that I have heard in three weeks.

David Cairns (Greenock and Inverclyde): Does my hon. Friend agree with me and our hon. Friend the Minister of State, Cabinet Office, that access to digital television is central to the Government's stated aim of e-delivery of Government services, and that my constituents, most of whom do not have a computer but almost all of whom have a television, are in grave danger of being left behind in the e-revolution? What message can I take to my constituents in Wemyss Bay and Inverkip, some of whom cannot even get Channel Five—although I have told them that they are not missing much—to persuade them that the Government take the matter seriously? Do the Govt acknowledge that the issue is not merely better television services, but the future of e-delivery of Government services?

Dr. Howells: The Government take e-delivery of Government services very seriously. Our work to get libraries and schools on stream is acknowledged everywhere as groundbreaking and revolutionary, and I am confident that there will be no deficit in terms of communities' access to the internet. My hon. Friend is right to speak of television as a means of accessing the internet. I am sure that he knows about the large amount of work being done by many companies at technical level to make the interactive element of television much more sophisticated and faster than it is now. I am confident that soon we will take great strides in that respect.

Digital Television

2. **Mr. Derek Wyatt** (Sittingbourne and Sheppey): When she will announce the date for analogue switch-off. [101455]

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): The criteria set for switchover are as follows: everyone who can currently get the main public service broadcasting channels in analogue form must be able to receive them on digital systems; switching to digital is an affordable option for the vast majority of people; and as a target indicator of affordability, 95 per cent. of consumers must have access to digital equipment. The objective of the digital television action plan is to ensure these criteria are met so that we can, if we choose, take the decision to proceed to full switchover by ordering the switching off by 2010 of analogue terrestrial transmissions.

Mr. Wyatt: I thank my hon. Friend for that rather difficult reply, given that he said earlier that 80 per cent. of consumers would receive digital terrestrial, but 95 per cent. must get digital television. Surely there is some mistake there. We said five years ago that switch-off would be between 2006 and 2010. People buy a new television set every eight years, on average. If we are to plan switch-off now, that means 2011 at the earliest. It is important that we keep a digital smart economy ahead of the rest of Europe and of America. Can my hon. Friend be more explicit about when he expects the switch-off to take place?

Dr. Howells: I am sure that my hon. Friend, who I know is very interested in these matters, knows the difference between digital terrestrial signals and signals that can come via satellite or cable. There is a difference. That is where the 15 per cent. of which he spoke is made up.

I am sure that my hon. Friend will acknowledge that even though people are buying sets that are designed to receive analogue transmission, most of them can also be used with set-top box receivers, which enable digital signals to be used by analogue sets. I am sure that even my hon. Friend would admit that the 500,000 free-view systems that have been sold in the past four and a half months are a sign that there is a real appetite on the part of the public and that we shall meet the targets sooner than has been predicted.

Regional Theatres

3. **Dr. Alan Whitehead** (Southampton, Test): What action she is taking to support regional theatres. [101456]

The Minister for Sport (Mr. Richard Caborn): As a result of the theatre review, Arts Council England invested an additional £12 million in theatre throughout England, in 2002–03. From April this year, it will increase to £25 million. I am sure that my hon. Friend will be pleased to know that an example is the Nuffield in Southampton, which has been allocated an increase in funding of about 38 per cent., or in monetary terms, £144,000.

Dr. Whitehead: I thank my right hon. Friend for that welcome news, especially about the funding for the Nuffield theatre, which is 350 yd from my house. Does he acknowledge the strong support that many progressive local authorities provide for the development and retention of regional theatres, and particularly Southampton city council's support for a new home for the Gantry theatre in the centre of the city, in a development that it is pursuing? Does my right hon.

Friend agree that his Department should liaise closely with local authorities where future funding is considered for regional theatre?

Mr. Caborn: Very much so. The increase that I have referred to following the review from 2000 to 2004 is a 72 per cent. increase in the budgets. That is the most significant single increase ever for an art form. The Gantry theatre is an example of a theatre becoming part of the synergy between the creative industries. The approach of local authorities and other partners is extremely good.

Mr. Peter Pike (Burnley): Does my right hon. Friend agree that as well as regional theatre we need to go down to local theatre to ensure that amateur and professional theatres, such as the Mechanics theatre in Burnley, survive? There is a link between local theatre and regional—and ultimately, national—theatre production.

Mr. Caborn: I cannot answer my hon. Friend's specific question. I know that he will write to me. The 72 per cent. increase in investment is not just about bricks and mortar, it is about children and young people, diversity and, probably more important than anything, new writers. Fifty organisations have been set up to encourage young people to become involved in writing for the theatre and, it is to be hoped, for film as well. This is a comprehensive approach to the theatre to see how it can drive into the modern arts and into the modern economy as well.

Olympic Bid

4. **Angela Watkinson** (Upminster): If she will make a statement on the Government's policy on a London bid for the 2012 Olympic games. [101457]

The Minister for Sport (Mr. Richard Caborn): The Government fully recognise the potential benefits of a bid to host both the 2012 Olympics and the Paralympic games, which are sometimes forgotten when we talk about the Olympic games. It is important that any prospective bid be subject to full and rigorous scrutiny to ensure that it covers all eventualities and makes sufficient allowances for contingencies, which is why we have conducted detailed work on the cost and benefits of hosting the games in London in 2012.

Angela Watkinson: Does the Minister agree that a successful bid would be a tremendous boost for tourism in London, specifically the regeneration of east London and the Thames gateway, part of which lies in the London borough of Havering? I urge him to announce as soon as possible the funding arrangements for the bid.

Mr. Caborn: I agree. We have been taking seriously inward investment in tourism and the impact on the Thames gateway. In fact, when submitting our proposals to the Cabinet we have had to consider carefully the effect on the 20-year plan for the Thames gateway, because we do not want expenditure priorities to affect that development. Equally, we do not want a bid to stop development, which could happen if the matter is not handled properly. It is therefore important to make sure that, if we make a bid, it dovetails with developments such as the Thames gateway.

Mr. Gareth Thomas (Harrow, West): Does my right hon. Friend accept that a further benefit of holding the 2012 Olympic games in London would be significant new investment in sporting facilities to help grassroots sport? What assessment have his officials made of the way in which such investment could be spread outside the immediate area of the games, perhaps as far as west London?

Mr. Caborn: On the regional development of sport, we are mindful that there must not be a diversion of funds from grassroots development into the submission of an Olympic bid. Yes, an Olympic bid may have regional benefits and, if a bid is made and we decide to go ahead, we will look at where we can get regional advantages both in running the games and hosting outside-London events such as sailing, shooting and football. Those are three sports that spring to mind where the regions could have an advantage and could be the sites of training camps before the Olympics.

Richard Ottaway (Croydon, South): May I urge the Minister not to be put off by arguments that because the dome was a flop so will the Olympics be? With the dome, people did not know what they wanted to put in it or what they wanted to do with it afterwards. If the capital city of the world's fourth largest economy cannot make a bid, that does not say much for Britain, does it?

Mr. Caborn: I think that the hon. Gentleman was Parliamentary Private Secretary to the President of the Board of Trade when the dome was discussed at length, and I fully agree that all the mistakes were made then. That apart, it is a great privilege for a country to host the Olympics so, if we make a bid, we will approach it seriously. We have the experience of the Commonwealth games, which were successful but had to be refinanced, as the hon. Gentleman knows. The plans on the bid submitted to the Cabinet will therefore be robust and deliverable. Besides the Commonwealth games, this weekend the International Association of Athletics Federations indoor world athletics championship is taking place in Birmingham, and we will show the world that we are very good at running major international events.

Jim Knight (South Dorset): Can my right hon. Friend expand on the regional role in any Olympics that may be held here in 2012? In particular, can he confirm what the British Olympic Association has told me—sailing, our most successful Olympic sport, would take place in Weymouth in my constituency; football would go on a tour around the country; and training camps, too, would seek homes all over the country?

Mr. Caborn: That is exactly what I said a couple of minutes ago. A number of areas need to be explored in relation to how UK Limited can gain from the Olympics. There are already indications that we could get some fairly major economic gain in terms of inward investment and tourism. First, however, we have to make the bid. The Cabinet has not yet made the decision to do so, but if we do, we shall set up powerful committees to ensure that all the advantages will be made available both to the regions and to London. I hope that the partnerships that have formed so far across the House and between the political parties will be maintained right up to 2012.

Mr. John Whittingdale (Maldon and East Chelmsford): Will the Minister join me in paying tribute to Barry Sheene, who did so much to make his own sport popular, and whose bravery both on and off the track was an inspiration to many people? Does the Minister agree that he demonstrated the power of sport to bring together people and, indeed, nations, and that that makes it all the more important that we should take a decision about the Olympics as soon as possible?

Mr. Caborn: May I associate myself with the hon. Gentleman's words about Barry Sheene? He was a tremendous sports person of the highest calibre. In terms of making the bid, let us be clear that what we are doing now is ensuring that the groundwork will be well covered and well prepared in the event of our making a bid. France has not even decided yet whether to put Paris into the ring. Moscow is about to make a decision, as are New York, possibly Madrid and probably a German city. The bids do not have to be in until July this year, and we want to ensure that what we present to the Cabinet is very good. We do not want to make the mistakes that were made over the [illegible], we do not necessarily want to go down the route of what happened at the Commonwealth games, and we are definitely not going to recycle Wembley and Picketts Lock. We are now saying that we are going to be strategy-driven rather than events-driven, and the preparation that we are making to present to the Cabinet will ensure that, if we do make a bid, it will be successful at every stage and we will not get into crisis management.

Mr. Whittingdale: We obviously understand the pressure on Ministers' diaries and on their time at this particular moment, but it is seven months since the Ove Arup report, four months since the Minister undertook his global tour of Olympic cities, and eight weeks since the Government's own deadline for taking a decision. The Minister has talked about not rushing into anything, and we agree with that, but is there not a danger that the Government are beginning to give an impression of dither and lack of commitment just at the time when our potential competitors are warming up on the starting blocks?

Mr. Caborn: I was in Copenhagen last week at the world anti-drugs agencies conference, and I spoke to Jacques Rogge of the International Olympic Committee. He, of all people, acknowledges the difficulties that politicians around the world are experiencing at the moment, involving some very serious issues that we hope can be resolved. Indeed, our Prime Minister is at the centre of that international stage, and we hope that he is making a positive contribution. To that extent, I believe that Jacques Rogge understood that the Olympics take second place at this time.

I reiterate that I have not seen anyone on the starting blocks yet. France has not yet put in a bid for Paris, and others are still considering the issue. When our Secretary of State phoned Jacques Rogge to say that the Cabinet was not going to take a decision a few weeks ago, he told her that he was very impressed by the groundwork that was being done. The Arup report suggested a figure of about £2.3 billion; we have now moved to a figure of £3.6 billion to ensure that all the contingencies that we believe are likely to arise over the next eight or nine years are covered. That is very important indeed.

Channel Five

5. **Mr. Chris Mullin** (Sunderland, South): What recent representations she has received regarding the clauses in the Communications Bill on the ownership of Channel Five; and if she will make a statement. [101458]

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): We received a number of representations on this subject from television and media companies and from members of the public. By removing ownership rules for Channel Five, we hope that new investment will allow it to grow and to provide more competition in terrestrial broadcasting.

Mr. Mullin: What is to stop Mr. Murdoch's News Corporation buying up Channel Five and using it, through vigorous cross-promotion in his other assets, as a Trojan horse to overtake ITV as the main commercial channel? If my hon. Friend is unwilling to reinstate the cross-ownership rules, will he at least consider putting the quality standards thresholds that will be expected of Channel Five on the face of the Communications Bill, regardless of who the new owner happens to be?

Dr. Howells: No. We have spent a great deal of time debating the creature that is to become Ofcom—it will be a powerful regulator. I cannot agree with my hon. Friend that there is an anomaly in doing what we are doing with Channel Five, given that, at the moment, Vivendi, Bertelsmann, Berlusconi or any such company may own it. They are all enormous corporations with big interests in American groups, and so on. It is a very outdated idea that, somehow, the arrangements that are in place will prevent Channel Five from remaining a vibrant and good company. I am absolutely convinced that it will grow, whoever owns it, if the regulatory environment is a good one, and we have created the best that we can possibly create.

Michael Fabricant (Lichfield): Has not Channel Five been underfunded for too long and if News Corporation were to acquire it, would it not provide good funding, as it has already done for Sky One and the Sky sports channels, to provide good programming? The Minister mentioned a number of European media companies that could take over Channel Five, but could not a number of European media porn channels take it over? Rupert Murdoch is far preferable to that.

Dr. Howells: I am not a paid-up member of the News International glee club, but I will say this to the hon. Gentleman: a lot of parody has been going on over the influence of various groups relating to the ownership of television channels and, indeed, of newspapers. There are sufficient controls in the proposed Ofcom, which we are in the business of creating right now, to ensure that abuses such as those the hon. Gentleman mentioned will not take place.

Mr. John Grogan (Selby): Given that the Secretary of State told the Westminster Media Forum that it would be open to Ofcom to ratchet up the public service obligations on Channel Five, are there not advantages for regulatory certainty in introducing a ratchet principle to the Bill, so that any purchaser of Channel Five would know clearly that, if its audience grew, there would be greater obligations to produce programmes, original productions and regional productions?

Dr. Howells: I rarely disagree with my hon. Friend about anything, but that is a curious question. He is saying that there ought to be so many ratcheting mechanisms acting on Channel Five that nobody would want to buy it and nobody would want to grow it. That is not what Channel Five wants, and it is not what I want. I want Channel Five to flourish and become a real competitor to ITV and every other company broadcasting in this country. I also want it to become a quality broadcaster, which it is starting to do. If it is to achieve that, it will have to find investment from somewhere. Perhaps we ought to discard some of these conspiracy theory scenarios that we are so fond of spouting in this place and understand that broadcasters need investment, just as other companies do.

Rural Libraries

6. **Mr. Anthony D. Wright** (Great Yarmouth): What plans she has to encourage local authorities to maintain and develop rural libraries. [101459]

The Minister for Sport (Mr. Richard Caborn): The Department recently published a 10-year vision for England's public libraries called "Framework for the Future". It is relevant to rural and urban settings, and draws on examples of good practice in country areas. We are working with Resource: The Council for Museums, Archives and Libraries and with library authorities to see how they might best deliver that vision. Twenty copies of "Framework for the Future" were sent to each of the 149 authorities in England.

Mr. Wright: I thank my right hon. Friend for that response and I am pleased to hear that we have that 10-year vision, which is completely different from that of the Tories on Norfolk county council, who recently announced the closure of one of my village libraries—Bradwell—for the princely sum of savings in the first year of £1,700. At the same meeting, they agreed to increase the hospitality budget from £28,000 to £[illegible]8,000. The comment "booze instead of books" certainly springs to mind.

Will my right hon. Friend join me in condemning the Conservatives for that miserly cut and the problems that it will create for the residents of the Bradwell parish council area? Will he also send the Government's support to the parish council, the Women's Institute, the mothers' union and county councillors, which are waging a campaign to keep that facility open and endeavouring to ensure that the library in the village of Bradwell has a future?

Mr. Caborn: My officials inform me that the letter of the law under the Public Libraries and Museums Act 1964 has not been broken, but perhaps the spirit of the law has been. "Booze instead of books" has a ring about it. I hope that all local authorities will take the "Framework for the Future" document seriously. It tries to reposition libraries in the 21st century as major centres of resource to help communities to develop. It does not view libraries in the traditional sense, as they were a decade or more ago. We are trying to upgrade libraries so that they can be a major resource for all communities, whether in rural or urban areas.

Mr. David Heath (Somerton and Frome): Does the right hon. Gentleman accept that those of us who live in country areas have as much interest in and entitlement to a public library service as anyone else? Will he ensure that the extra unit costs of providing small branch libraries and a peripatetic service are recognised in local government settlements? Will he also ensure that small public libraries have broadband, so that they can offer the modern range of services that we want them to provide? At the moment, broadband is not available in my constituency.

Mr. Caborn: I am sure that the hon. Gentleman would acknowledge that tremendous investment has been made in the infrastructure of libraries. I believe that 85 per cent. now have access to broadband, and another 13 per cent. have access to the internet in one form or another. Few libraries do not have such access, although I acknowledge the hon. Gentleman's point. There is a cost factor for rural libraries, but we will look into that. The speed at which we have been able to invest in the library structure to bring it up to date with e-development is considerable by any standards.

Lawrie Quinn (Scarborough and Whitby): My right hon. Friend has a great interest and expertise in the rural areas of Yorkshire, and he has just acknowledged the importance of broadband. Will he encourage a greater partnership with the regional development agencies around the country to ensure that there are links with the wider community and with business, so that they can make the most of the library service, which needs to be mobile in sparsely populated areas like mine, in the north York moors?

Mr. Caborn: My hon. Friend makes a good point. An investment of about £780 million is going into public libraries. The "Framework for the Future" document says that integration is necessary, and I believe that the RDAs should develop libraries in their areas to ensure that greater use can be made of them, especially by small and medium-sized businesses and for learning.

Mr. Malcolm Moss (North-East Cambridgeshire): Since they came to power, the Government have systematically rigged the funding of local authorities to shift resources from the rural shire counties to Labour metropolitan areas. It is hardly surprising that rural libraries are all too often the first casualties of

Government-induced pressure on resources. Given that rural library closures are on the increase, is the Minister content for his Department to preside over this diminishing but none the less priceless resource?

Mr. Caborn: That is not the case. The present Administration have now brought about fairness in local government financing. We inherited an unfair system of distribution, and now there is fairness. *[Laughter.]* Conservative Members are disagreeing with that. There has been investment in libraries, and the constructive dialogue with the library service has produced the 10-year vision in "Framework for the Future". That has been accepted by all of them as the right way forward; it will bring the library service into the 21st century. If the authorities to which my hon. Friend the Member for Great Yarmouth (Mr. Wright) referred put booze before books, that is a matter for them, and the electorate will make their own decision.

New Opportunities Fund

7. **Ms Meg Munn** (Sheffield, Heeley): Which neighbourhoods will be given greater priority in the review of children's play facilities for the New Opportunities Fund. [101460]

The Minister for Sport (Mr. Richard Caborn): No decisions have yet been made on that. The review is considering the needs of areas that have inadequate play opportunities and groups of children who have limited access to play. A report with recommendations about priorities for play provision will be published in the summer.

Ms Munn: I thank my right hon. Friend for his answer. Is he aware that the splash programme that took place last summer in areas such as Jordanthorpe and Batemoor was successful in demonstrating that constructive activities for young people can lead to a reduction in crime? I urge him to consider the lessons from that scheme by ensuring that neighbourhoods where there are few resources for play and where family incomes are low, which prevent children from being able regularly to go swimming and to access other more expensive activities, are taken into account in using this money to the maximum benefit.

Mr. Caborn: I very much agree. I hope that through the summer splash and splash extra programmes we will be able to continue to fund developments, not only over the summer period, but beyond that. They have proved to be an extremely good investment. They have taken young people off the streets and into creative activities, leading to a tremendous reduction in crime. The steering group—which is chaired by my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), who has been pushing this very hard—has been active in consultations in the regions, of which there have been nine. He has attended all but one, along with Tim Gill, the director of the Children's Play Council, who has been seconded to the Department to consider the areas in which children's play can be most effective.

Mr. Nick Hawkins (Surrey Heath): The Minister will be aware that the all-party sport and leisure group, of which I am deputy chairman, has long-standing concerns about the diminishing number of playing fields and children's play areas. At last week's meeting, the chairman of the National Playing Fields Association pointed out to hon. Members that the Government's much vaunted protection for play areas does not cover children who are under eight and, in addition, of the 202 fields that have been referred to his Department for consultation, permission for sale has been refused in only six cases. I know that the Minister shares my concern about that, so will he look urgently at his scheme's failure to work, especially in relation to the protection of playing fields and play areas for the under-eights?

Mr. Caborn: The hon. Gentleman paints a gloomy picture, which does not reflect the real world. First, we have introduced the revised PPG17, which is the first time that play areas and playing fields have been brought together in a planning guidance. That guidance, which is very proactive, asks each local authority to carry out a needs assessment of its play facilities.

As regards the 202 applications, the hon. Gentleman did not inform the House that those applications are often made in order to build a pavilion or other accommodation that would enhance the quality of the play area. *[Interruption.]* Hon. Members are challenging that, so I shall give an example. A rugby club that had several pitches but no proper changing facilities made an application that we approved, which was regarded as the closure, or part closure, of a playing area. One must be objective about the matter, not view it only on the basis of statistics.

Mrs. Betty Williams (Conwy): As part of the review, does my right hon. Friend have plans to consult the Welsh Assembly Government, and can he tell us how long the review is likely to take?

Mr. Caborn: In terms of the Welsh Assembly, the answer is yes. The planning guidance covers Wales, so it has to comply with PPG17. I hope that local authorities in Wales will respond positively.

Mr. John Greenway (Ryedale): How many responses did the Minister's Department receive in support of the idea of merging the New Opportunities Fund with the community fund? Is it not now obvious that the public have rumbled that NOF money is substituting Government funds for projects that should be paid for by the taxpayer? Would it not make more sense if the Government redirected more funding to the original good causes, such as the community fund and the sports lottery fund, which are better placed to make independent assessments about play and sports projects that would command the support of lottery players?

Mr. Caborn: We have consulted widely on modernising the lottery and the hon. Gentleman will know that we have received a considerable number of submissions.

Mr. Greenway: How many?

Mr. Caborn: I do not know the exact number but I will find out and supply the information to the Library.

We are trying to be more efficient with the New Opportunities Fund and the community fund. We believe that the case has been made for bringing them together. We will put that to Parliament and to all the funding partners. We believe that things can be streamlined and that the central idea of the National Lotteries Act 1993, which was to do with additionality, is maintained today, as it was in 1993.

Digital and Satellite Broadcasting

9. **David Taylor** (North-West Leicestershire): What steps she is taking to strengthen the public service requirements for major providers of commercial digital and satellite broadcasting services. [101462]

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): Through the Communications Bill, the Government are extending the requirements for subtitling, signing and audio description on digital terrestrial television services to digital cable and digital satellite services. Furthermore, all licensed broadcasters who meet threshold conditions will be required to promote training, equality of opportunity between men and women and between persons of different racial groups, and the fair treatment of disabled persons in relation to employment with them.

David Taylor: Further to the points raised by my hon. Friend the Member for Selby (Mr. Grogan), should not the Government introduce a ratchet requirement so that as the audience share of commercial, digital and satellite broadcasting services increases, so too should their public service obligation to produce a high standard of quality and content? Otherwise, are we not likely to be submerged in a tide of dire and facile transatlantic pap—plenty of Scooby-Doo, but a paucity of serious drama and substantial documentaries?

Dr. Howells: I do not agree with a word of that. If my hon. Friend cares to examine the wonderful magazine *Broadcast*, which I believe is weekly, he will see that the entire top 50 programmes were made in Britain and broadcast on terrestrial channels. Whether my hon. Friend likes it or not, they are the most popular programmes in this country. There is an almost complete dearth of the kinds of programmes that he mentioned—which I understand him to assume are made in America or Australia.

Kevin Brennan (Cardiff, West): On the subject of public service requirements on digital television services, can the Minister do anything about the size of the picture that is transmitted on the BBC Parliament channel on the freeview service? It takes up only about a quarter of the screen. At any time, there must be dozens of people around the country who are watching the Parliament channel. They would welcome the opportunity to see hon. Members in full widescreen.

Dr. Howells: Seeing hon. Members in full widescreen would at least keep children away from touching the screen.

Tennis

11. **Mr. John Bercow** (Buckingham): If she will make a statement on the extent of tennis practice and tuition in maintained schools. [101465]

The Minister for Sport (Mr. Richard Caborn): We do not collect detailed data on particular sports in maintained schools. Schools choose the precise activities and sports that they offer their pupils. Tennis may be taught as part of the games element of national curriculum PE; games is one of six areas of activity within the national curriculum PE and is compulsory for all pupils aged between five and 14. Pupils aged from 14 to 16 must choose two of the six areas.

Mr. Bercow: Frankly, that answer literally oozes complacency. It is nearly 67 years since Britain had a men's singles champion at Wimbledon and nearly 26 years since Britain had a female singles champion at Wimbledon. Does the right hon. Gentleman not agree that the dearth of tennis practice and tuition in schools is a serious problem? What discussions has he had with his hon. and right hon. Friends in the Department for Education and Skills about it? To increase participation in tennis, does the Minister have any plans to play some demonstration games himself?

Mr. Caborn: The hon. Gentleman ought to reflect on the last 18 years of the period that he describes, which were under his party's Administration. That was when the seeds of rot were sown. As the hon. Gentleman knows, since coming to power we have invested in sports colleges—of which we will be rolling out 400—and in 3,000 school sports co-ordinators. The Lawn Tennis Association has acknowledged and welcomed all of that. We have just given £9.3 million to the LTA to develop the club structure for tennis, along the lines of what we have done with football, rugby and other sports. We are having to clear up 18 years of mismanagement in sport and we are doing so very successfully indeed. If ever we go out of office, we will have champions—unlike Conservative Members, who undermined our champions.

Regional Museums

12. **Joyce Quin** (Gateshead, East and Washington, West): What plans she has for the development of regional museums. [101466]

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): We will be providing £70 million for regional museums from this year until 2005–06, which will represent a 200 per cent. increase in central Government funding by the end of the spending review period. The funds will be used to modernise and improve the quality of regional museums' services. Extra funding will also be made available to the national museums to enable them to work in partnership with regional museums. Additionally, there will be funds from the Department for Education and Skills to support museum education projects.

Joyce Quin: I welcome that news and the fact that Tyne and Wear Museums is one of the new pathfinder museum hubs. Is my hon. Friend aware that the British Library has made arrangements to show facsimile versions of the Lindisfarne gospels in two locations in the north-east, in Durham and on Lindisfarne? Although that is welcome, can he reassure me that that does not preclude the originals being on display in the region, at least from time to time and, hopefully, permanently, because that would give a big boost to the region's tourism industry and its economy generally?

Dr. Howells: I am sure that it must be a priority for the museums and our Department to work that out. I have long believed that we should make far greater use of travelling exhibitions of some of the great treasures that are held in our national museums. I am sure that that would benefit people who live in all parts of the country.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Employment Directives

20. **Andrew Selous** (South-West Bedfordshire): To ask the honourable Member for Middlesbrough, representing the Church Commissioners what recent representations the Church Commissioners have received concerning European Union employment directives as they affect churches. [101626]

Second Church Estates Commissioner (Mr. Stuart Bell): The Commissioners have received no representations. The Archbishops Council has had extensive conversations with the Department of Trade and Industry about the proposed implementation of the directives on employment and race agreed in the 2000 document, as set out in "Towards Equality and Diversity".

Andrew Selous: I thank the hon. Gentleman for mentioning that. Does he share the concern expressed to me by a number of my local clergy that they may be forced to employ people who are hostile to the aims of their churches? Does he also agree that that could be a problem for all faiths, not just for the Church of England?

Mr. Bell: I am grateful to the hon. Gentleman for that question. The Archbishops Council responded to the document on employment and race in January. I accept that the Church faces questions on occupation or employment. The hon. Gentleman and others can take up questions on doctrine with the Archbishops Council. I shall be glad to draw any comments or fears that he has to its attention.

Mr. Steve Webb (Northavon): Does the hon. Gentleman accept that the directives impinge not merely on parish churches, but on a wider range of organisations that the Church Commissioners support? Although it would be quite wrong to expect the Labour party to employ a card-carrying Conservative, church organisations are being expected to employ people who do not necessarily share their fundamental beliefs. Does he accept that analogy?

Mr. Bell: I would be surprised if the Church of England employed, or gave gainful occupation to, clergy who do not support the doctrines of the Church. There may be diverse differences on what that doctrine should be. The Church Commissioners would not be involved in those arguments, but I shall be glad to draw the hon. Gentleman's worries to the Archbishops Council.

Angela Eagle (Wallasey): May I caution my hon. Friend not to get too worried about that? As someone who was around when the directives were negotiated, I know that great protections are in place. Those who think that churches can be exempt from discrimination legislation and employment protection do the reputation of their churches no good. Will he take it from me that the directives allow for the exceptions that have been outlined?

Mr. Bell: I am grateful for the assistance of my hon. Friend on the matter and for the knowledge that she brings to the subject. Overall, the Church is concerned about so-called employment rights or occupation rights. That is seen in its reference to the Department of Trade and Industry discussion document on employment terms. We as a Church wish to observe good practice in the treatment of our clergy and we are moving rapidly to some consultation conclusions in that regard.

Lichfield Cathedral

21. **Michael Fabricant** (Lichfield): To ask the honourable Member for Middlesbrough, representing the Church Commissioners, if the commissioners will visit Lichfield cathedral in order to discuss the maintenance programme for the fabric of the building. [101627]

Second Church Estates Commissioner (Mr. Stuart Bell): As the Association of English Cathedrals maintains the dialogue with English Heritage on matters of fabric funding, the commissioners keep a watchful eye on that. The Church Commissioners are well aware of the tireless work at Lichfield and other cathedrals to meet the continuing challenges of maintaining these much loved buildings.

Michael Fabricant: May I invite the hon. Gentleman to visit Lichfield cathedral, perhaps during the period beginning 1 July, when we have our international arts festival, some of which is held in the cathedral and some of which will be held in our new Garrick theatre? Is the hon. Gentleman aware that we have just had to cough up £2.5million for a new organ, that we will have to find about £3 million to restore the Flemish glass in the cathedral, that it is a grade 1 listed building more than 800 years old, and that hardly any money is available from the Government to support the building? Is it not right that the hon. Gentleman should meet the administrators of Lichfield cathedral to discuss alternative ways of raising funds?

Mr. Bell: I am grateful to the hon. Gentleman; he makes me an offer that I cannot refuse. I will be happy to attend the Lichfield arts festival in July. I am aware that it is an internationally renowned festival and that it has broadcasts on BBC Radio 3, and I wish the festival well. I shall be happy to meet the administrators, so long as the hon. Gentleman does not require me to take a cheque for £2.5 million in my pocket.

Church of England Finances

22. **David Taylor** (North-West Leicestershire): To ask the honourable Member for Middlesbrough, representing the Church Commissioners, what assessment the Church Commissioners have made of the impact on the recruitment to the stipendiary ministry of the financial position of the Church of England. [101628]

Second Church Estates Commissioner (Mr. Stuart Bell): The Church Commissioners have made no assessment in those terms. The Church trains all candidates whose call to ministry is affirmed through the selection process, without imposing financial limitations. The majority of the funds needed to support the Church's ministry come from the generous giving of its members, and training is funded from this source.

David Taylor: Is it not the case that the amount of funds available per stipendiary minister varies widely from diocese to diocese? Is my hon. Friend concerned that in some rural dioceses, and in some inner-city ones, the cash available to recruit and appoint talented and well motivated men and women to the stipendiary ministry is disappearing fast? Does he fear that issues related to that will arise in the medium term?

Mr. Bell: I am grateful to my hon. Friend. May I say at the outset that we in the Church are very grateful for the giving that takes place throughout the country in different dioceses, both rural and urban? He will be aware that we have 9,500 stipendiary ministers engaged in the diocesan and parochial ministry. Although there are concerns about how they may be funded in the future, we are grateful for the giving by our members and by people who go to church on a Sunday. We hope to meet any concerns that my hon. Friend has in respect of rural and urban area ministries.

Sir Sydney Chapman (Chipping Barnet): Is it not a fact that the Church Commissioners make a significant, substantial contribution towards clergy pay and pensions? If they are to continue to do so, is it not equally obvious that they must be encouraged to make the best possible returns on their assets, within what I would describe as self-regulated ethical constraints?

Mr. Bell: I am grateful to the hon. Gentleman. As he knows, we have an ethical policy in the Church in relation to our investments. In 2001, the Commissioners provided some £160 million for the support of the Church. That was 20 per cent. of the Church's total expenditure of about £800 million. It is not often understood just how much money goes into the Church to meet its obligations to the clergy, to pensions, to the fabric of our cathedrals and even, with the help of the Government, for redundant churches.

SPEAKER'S COMMITTEE ON THE ELECTORAL COMMISSION

The hon. Member for Gosport, representing the Speaker's Committee on the Electoral Commission, was asked—

Postal Ballots

23. **Mr. Chris Bryant** (Rhondda): What assessment the commission has made of the likely effect of all-postal ballots for referendums. [101629]

Mrs. Angela Browning (Tiverton and Honiton): On this occasion, I have been asked to reply on behalf of my hon. Friend the Member for Gosport (Mr. Viggers), who apologises for not being in the House this afternoon. The Electoral Commission has made no such assessment.

Mr. Bryant: I thank the hon. Lady for that non-answer. I wonder whether she has noticed that a referendum in Malta this weekend had a 92 per cent. turnout and a very successful yes vote, about which all Labour Members are clearly delighted, despite several Conservative Members of the European Parliament campaigning against the yes vote for Malta to join the European Union. Would not it be a good idea for the Electoral Commission to consider the effect of postal ballots in advance of the euro referendum that we are likely to have later this year, so that it can recommend an all-postal ballot and we can get a really good yes result?

Mrs. Browning: If I can add flesh to the answer that I gave earlier to the hon. Gentleman, he will be aware that currently there is no provision in law for any UK national or regional referendum to be conducted by all-postal ballot. For mayoral referendums, the law provides that an all-postal ballot may be used at the discretion of the local authority. If he has an interest in such a ballot for other types of election, such as European elections, he may care to try asking a question of the Lord Chancellor's Department, which will be in a position to decide whether the House could make such a change in the law.

Voting Age

24. **Bob Spink** (Castle Point): What representations have been made to the commission regarding the reduction in age of voting to 16. [101630]

Mrs. Angela Browning (Tiverton and Honiton): The commission has received representations directly from the votes at 16 campaign. It is also aware that a number of parliamentarians, political parties and independent bodies established to look into democratic engagement have supported moves to reduce the voting age to 16.

Bob Spink: I thank my hon. Friend for that answer. I know that she shares with me an appreciation of the importance of encouraging young people to participate in the voting process. Will she share with the House the strategies that the commission is adopting to increase the participation rate? Does she agree that while reduction of the voting age is an important matter, it should be considered very carefully?

Mrs. Browning: I am happy to advise my hon. Friend that the commission has been involved closely with the work led by the Government's children and young people's unit to examine the cause of political disengagement among young people, and to find solutions to these problems. The commission now chairs a group of non-governmental organisations involved in encouraging participation by young people, the main focus of which is to ensure that recommendations from the CYPU report are taken forward by those to whom they are directed. The commission also published in July 2002 the results of a research project analysing the factors motivating young people in their electoral behaviour, and will continue to target young people through its advertising and PR campaigns and wider outreach programmes.

John Cryer (Hornchurch): I acknowledge what the hon. Lady said. Does she agree that when 16 and 17-year-olds can pay taxes, work, pay national insurance and join the armed forces, there can be no logical reason why they cannot vote, too?

Mrs. Browning: The hon. Gentleman may be interested to know that, on 27 February, the commission announced the start of work on a review of the minimum age for voting and candidacy in public elections in the United Kingdom. The timetable for that review envisages a period of consultation over the summer of 2003, with publication of a final report, with recommendations, in early 2004. The hon. Gentleman may want to make the point that he has made to the House this afternoon in response to that consultation—*[Interruption.]*

Mr. Speaker: Order. Can we have some order in the House?

Party Funding Legislation

25. **Martin Linton** (Battersea): What discussions he has had with the chairman of the Electoral Commission on his current review of party funding legislation. [101631]

Mrs. Angela Browning (Tiverton and Honiton): My hon. Friend the Member for Gosport (Mr. Viggers) has had no discussions with the chairman of the Electoral Commission about that matter.

Martin Linton: May I ask the hon. Lady to ask her hon. Friend to have some discussions with the commission chairman about that? When she does so, will she urge him to give priority to lower spending limits for elections, a cap on donations, and a greater degree of support for political parties in the work that they do that is not directly political, such as training, international work and youth work? Will she assure him that there will be cross-party support on the issue, given that the Conservative party has received more money from public funds than it has in cash donations in the latest quarter, according to Electoral Commission figures—

Mr. Speaker: Order. One question.

Mrs. Browning: I think that I have got the hon. Gentleman's drift, Mr. Speaker.

The hon. Gentleman will understand that, in fact, the whole Committee, not just my hon. Friend the Member for Gosport (Mr. Viggers), will have those discussions with the Electoral Commission, but I hope that he will be encouraged to know—this picks up several of the issues that he raises—that the commission has two reviews under way: a short review of electoral reform and the Registration of Political Parties Act 1998, which will be completed in May, and a more root-and-branch review of party funding, which will report by the first quarter of 2004.

Iraq and Israel/Palestine

3.30 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): With permission, Mr. Speaker, I should like to make a statement on Iraq and Israel/Palestine.

On Friday last, 7 March, I attended a ministerial meeting of the Security Council in New York—the fourth such meeting since late January. I have placed in the Library copies of the chief inspector's latest reports, together with the text of the speech that I gave to the Council, and a copy of the amended second resolution of which the United Kingdom is a co-signatory.

The Security Council's meeting on Friday took place four months after the adoption of Security Council resolution 1441, which gave Iraq a "final opportunity" to comply with a series of disarmament obligations. Significantly, during the hours of intensive debate last Friday, not a single speaker claimed that Iraq was in compliance with those obligations; neither did a single speaker deny that Iraq has been in flagrant breach of international law for the past 12 years.

Dr. el-Baradei's and Dr. Blix's reports were about the continuing work of the inspectors. As I did in New York last Friday, I should like to pay tribute to them and their teams for their work in very difficult circumstances.

First, let me deal with the ~~International~~ Atomic Energy Agency. As the House will be aware, nuclear facilities are intrinsically more difficult to construct and less easy to conceal than equivalent facilities for producing biological or chemical weapons. Dr. el-Baradei reported on Friday last that

> "after three months of intrusive inspections, the IAEA had found no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq."

That is welcome.

On UNMOVIC on the other hand, Dr. Blix reported movement in some limited areas: for example, the partial destruction of prohibited al-Samoud missiles. That is, however, only the tip of the iceberg of Iraq's illegal weapons programme. The full extent of that iceberg was revealed in a document compiled by UNMOVIC entitled "Unresolved Disarmament Issues: Iraq's Proscribed Weapons Programmes", which was made publicly available late on 7 March. I have also placed copies of that document in the Library. I commend it to all Members. It sets out, in 173 pages of painstaking detail, the terrible nature of the weapons that Saddam has sought with such determination to develop. It is a chilling catalogue of evasion, deceit and feigning co-operation while in reality pursuing concealment.

The sheer scale of Iraq's efforts to develop those weapons and to hide them can be grasped only by reading the whole document, as I have done. But, from the 29 separate sets of unresolved issues, let me give the House just one illustration: anthrax—easily inhaled and the death rate for untreated victims may be 90 per cent. or more. Only tiny amounts are needed to inflict widespread casualties. Contrary to Iraqi assertions, the inspectors found evidence of anthrax where Iraq had declared there was none. Again, contrary to Iraqi assertions, UNMOVIC believes there is a strong presumption that some 10,000 litres of anthrax were not destroyed in the early 1990s and may still exist. Iraq also possesses the technology and materials to allow it to return swiftly to the pre-1991 production levels for anthrax.

Let me now deal with the issues of inspections and more time. I fully recognise the temptation to believe that the inspections are working and all that is needed is more time. But Saddam Hussein is a master of playing for time. Frankly, as anyone can see from reading the UNMOVIC document, to continue inspections with no firm end date will not achieve the disarmament required by the Security Council. This is, however, the suggestion in the recent memorandum from France, Germany and Russia. As the memorandum itself acknowledges, that cannot be achieved without the fulfilment of a prior condition—namely, Iraq's full, active and immediate co-operation.

Once more last Friday, the Iraqi permanent representative to the United Nations claimed that Iraq had no more weapons of mass destruction. It is the same old refrain that we have heard from the regime for the past 12 years. Yet whenever the inspectors have caught the regime out, it has first protested, then conceded that narrow point, but then mendaciously claimed that there are no more.

The choice before us is whether we stand firm in pursuing our objective of disarmament or settle for a policy that, in truth, allows Saddam to rebuild his arsenal under cover of just enough co-operation to keep the inspectors tied down for years to come. We should not deceive ourselves. The alternative proposals before the Security Council amount to a return to the failed policy of so-called containment. But the truth is that containment can never bring disarmament, nor is it the policy of the United Nations as expressed in resolution 1441 and in all the preceding resolutions going back to 1991.

Dr. Blix reported on some further recent activity by Iraq in respect mainly of the al-Samoud missiles. We must ask: what has caused this further recent activity, albeit limited as it is? It is not our policy that has changed, nor international law, nor the degree of diplomatic pressure. The reality is that the only thing that has changed has been the willingness of the United States and the United Kingdom to deploy their armed forces for the sake of achieving the objective very clearly set out by the United Nations. The other reality is that Saddam responds only to pressure. The clear conclusion to draw from this is that we must further increase the pressure on him. We have to put him to the test clearly laid down by the United Nations.

The Government have made clear all along their desire to secure a peaceful outcome to this crisis. It is for this reason that I took the initiative in the Security Council last Friday to circulate a revised version of the UK-US-Spain draft second resolution. This specifies a further period beyond the adoption of the resolution for Iraq to take the final opportunity to disarm. Negotiations on its important detail have continued over the weekend and again this morning. We are examining whether a list of defined tests for Iraqi compliance would be useful in helping the Security Council to come to a judgment.

[Mr. Jack Straw]

What we are proposing is eminently reasonable. We are not expecting Saddam to have disarmed in a week or so—let me make that absolutely clear, as I did last Friday—but we are expecting the Iraqi regime to demonstrate by that time the full, unconditional, immediate and active co-operation demanded of it by successive UN Security Council resolutions since 1991. There is no reason whatever why, within a matter of days, Iraq cannot make clear its desire fully and actively to co-operate. There is no reason at all.

I profoundly hope that the Iraqi regime will, even at this late stage, seize the chance to disarm peacefully. The only other peaceful alternative would be for Saddam Hussein to heed the calls of a number of other Arab leaders for him to go into exile and to hand over to a new leadership prepared to conform with the Security Council's demands. However, if he refuses to co-operate, the Security Council has to face up to its clear responsibilities under the United Nations charter.

In the event that military action proves necessary, the international community will have, among many other duties, a duty to build a secure, prosperous future for the Iraqi people. Last Thursday, I met the United Nations Secretary-General, Kofi Annan, in New York to discuss the humanitarian position and UN involvement in any reconstruction of Iraq. At that meeting, I proposed on behalf of Her Majesty's Government that the UN should take the lead role in co-ordinating international efforts to rebuild Iraq, and that they should be underpinned by a clear UN mandate.

As the crisis enters this phase, there are fears that, in securing Iraq's compliance with international law, we may exacerbate tensions elsewhere in the region. Emotions are understandably inflamed by the position in Israel and the occupied territories, where, tragically, there appears to be no end to the spiral of killings. Since September 2000, more than 2,300 Palestinians and more than 700 Israelis have been killed. We mourn the loss of life on all sides.

However, we cannot allow the cycle of violence to destroy hope for a better future. There is ground for optimism. The international community today shares our vision of a lasting settlement as set out in a series of Security Council resolutions for a viable Palestinian state based on the 1967 boundaries, and an Israeli state free from terror, secure in its borders and recognised by the Arab world.

We are actively encouraging both sides to fulfil their obligations. We are playing a full part in the international effort to help the Palestinian Authority to do more to build democratic institutions and a sound civil administration. As hon. Members know, I chaired a meeting in London on 14 January to discuss those issues with Palestinian leaders. It was unfortunate that that happened through video link because they were prevented from travelling outside the occupied territories. The discussions also included representatives from the region and the Quartet—the UN, the European Union, the Russian Federation and the United States.

The United Kingdom hosted further meetings, which were attended by Palestinian representatives in person, between 18 and 20 February. I have spoken to Chairman Arafat of the Palestinian Authority twice in the past seven days. I greatly welcome his decision to nominate Abu Mazen, who is also known as Mahmoud Abbas, to the post of Prime Minister of the Palestinian Authority. I hope that the Palestinian legislative council approves that nomination.

Those who know Abu Mazen realise that he has a fine track record in peace negotiations with Israel and that he will lead the Palestinian Authority and the Palestinians well as putative Prime Minister. We hope that that appointment and other reform measures by the Palestinian Authority will help to restore a meaningful peace process, as set out in the road map that the Quartet devised.

Likewise, we look to Mr. Sharon, the Israeli Prime Minister, and his new team of Ministers to work with the international community in restoring hopes for peace. I shall talk to the new Israeli Foreign Minister, Silvan Shalom, tomorrow.

A lasting settlement in the middle east will remove one great threat to security in the region and the wider world. In confronting the danger from Iraq's weapons, the UN can remove another great threat. We must not let Saddam turn his "final opportunity" to disarm, as set out in resolution 1441, into endless opportunities to delay. The future not only of the region but of UN authority is at stake.

Mr. Michael Ancram (Devizes): I thank the Foreign Secretary for his statement and for giving me advance sight of it. It is a welcome report from last Friday, but I am sure he agrees that it cannot be regarded as a substitute for a proper debate and a vote.

I welcome the right hon. Gentleman's statement on Israel and Palestine. We also welcome the current constitutional changes that the Palestinian Authority is making. However, if the changes are to have a beneficial effect on the peace process, Mr. Arafat's future role should be more ceremonial and less politically engaged. That must be matched on the Israeli side by an end to settlement activity and a genuine readiness to engage in negotiation. We must also look for a cessation of violence on all sides, and press the Israeli Government to exercise maximum restraint in the occupied territories at this time. If the Muslim world is truly to believe that our argument with Saddam Hussein is not a fight with Islam, we must demonstrate that we mean what we say about pursuing two states west of the Jordan, a secure Israel and a viable Palestine. We would welcome immediate American diplomatic engagement to revive that process.

The Iraq situation outlined by the Foreign Secretary is grim. I have to say to him that many serious questions and doubts remain in the country as to whether the case for action has been made. I lay that at the door of the Government because they are the possessor of the information that can be deployed and I say earnestly that I hope that he will use the days that may remain before any action may take place to ensure that that case continues to be made and strongly so. He mentioned the written report from Dr. Blix that was published late last Friday. He gave us one example and I hope that he will take the opportunity in the days ahead to produce more of that information for the British people to absorb.

On Friday, Dr. Blix confirmed again that Saddam Hussein was not complying completely and immediately with resolution 1441 and that he remained in breach of it. There has been some grudging compliance, but will the Foreign Secretary again confirm that that is not the result of any change in the attitude of Saddam Hussein? That grudging compliance has resulted from the international community sending a clear and united message of its resolve to enforce resolution 1441 one way or another. Does he agree that, if there is a recklessness to be considered in the present context, it is in the sending out of confused and divided messages that allow Saddam Hussein once again to play for time and, in the end, to continue to re-arm?

The Foreign Secretary referred to Dr. el-Baradei's findings. Does he agree with those findings, and how do they sit with his previous statements, which suggested that there was a rather different situation in relation to the development of nuclear weapons? The written evidence presented to the Security Council is, as he says, chilling. I read a report this morning that it included information about a large undeclared unmanned aircraft. Will he explain what he knows about that and what danger that device would pose?

There has been talk of giving Saddam more time. Dr. Blix suggested that disarmament might take months not weeks. Am I not right in recollecting that, in the case of South Africa, once agreement to disarm had been reached with the United Nations, it was carried out not in months, but in a matter of days? Would that not also be the case if Saddam Hussein agreed proactively to disarm as he is required to do by resolution 1441?

In the event of an unreasonable veto on the second resolution, I believe that the Government's position has been made clear, but what would be their position in the event of, say, vetoes from three permanent members? Have the Government fully considered the long-term implications of such a situation or, indeed, of failing to achieve a majority for a second resolution at all? Those questions may be as yet unresolved, but the House has a right to share some of the Government's thinking on those matters.

The draft resolution introduces a deadline. I noticed that the Foreign Secretary did not mention what that deadline was; he was rather coy about mentioning a date. Will he confirm that the date remains what we were told it was last Friday? Is he suggesting that if Iraq has not fully complied with that deadline, military action will automatically follow? If so, who will assess whether that compliance has been effected?

I note the Foreign Secretary's meeting with Kofi Annan to discuss UN involvement in post-Saddam Iraq and I welcome it. What arrangements are being made in practice for urgent humanitarian assistance? What arrangements are there to ensure that a truly representative Administration is ready to take over in Iraq? Is he suggesting—this is quite important—that those arrangements will be underpinned by a United Nations mandate?

Resolution 1441 gave Saddam Hussein a final opportunity to disarm. That final opportunity cannot be open-ended, which is why we support the second resolution. However, we continue to demand that this House must have a substantive say on the outcome. Will the Foreign Secretary assure us that the vote in this House will not take place until the Security Council itself has voted, so that we will know what we are being asked to vote for or against?

Let us hope that, even at this late hour, Saddam Hussein will still see sense and make all this unnecessary; but if he does not, we must not falter in our resolve.

Mr. Straw: I am grateful to the right hon. Gentleman for his welcome for my statement. I have done my best throughout this crisis to keep the House fully and immediately informed, and I shall continue to do so. Of course, I accept that a statement is no substitute for a debate or a vote.

I note what the right hon. Gentleman correctly said about this not appearing to be a "fight with Islam". We are completely committed to doing everything that we can to secure an early settlement of the terrible conflict between the Israelis and the Palestinians. I want to see early publication of the road map that was agreed before Christmas, and this morning I discussed that issue, among others, with the US Secretary of State, Colin Powell.

It cannot be repeated often enough that all the conflicts in which British forces and the United Nations have been involved over the past 12 years happen to have been ones in which the victims of aggression were people of the Islamic faith and the people who were saved from that aggression were people of the Islamic faith. If, God forbid, force proves to be necessary in the Iraqi crisis, the same will be true in this case.

We look forward to Iraq's compliance. The right hon. Gentleman is right to say that when the UN Security Council is united in its message, there is a much higher chance of securing Iraq's compliance than there is when differences of opinion are expressed. He asked me about the report made by Dr. el-Baradei last Friday. I described the main conclusion of that report and said that I welcomed it. The whole point of the inspections was to raise concerns that we felt justified in raising. Dr. el-Baradei pointed out that he has not yet signed off the dossier, but I thought it only right to give the House the flavour of the overall burden of his report.

The right hon. Gentleman asked me about the references to unmanned vehicles, or UAVs as they are known. Those were late insertions into the 173-page report by Dr. Blix, which was published late last Friday. The 167-page version, which I read last week, did not include those references, which is why I did not refer to the matter at the Security Council. Page 14 of the longer version states:

> "Recent inspections have revealed the existence of a drone with a wingspan of 7.45 metres that has not been declared by Iraq. Officials at the inspection site stated that the drone had been test-flown. Further inspection is required to establish the actual specification and capabilities of these RPVs and whether Iraq has UAVs / RPVs that exceed the 150 kilometres limit as we believe they do."

The vehicles may also have a facility for launching chemical and biological weapons.

Finally, the right hon. Gentleman asked me about a second resolution. We have made it clear throughout that we want a second resolution for political reasons, because a consensus is required, if we can achieve it, for any military action. On the legal basis for that, it should be pointed out that resolution 1441 does not require a second resolution.

[Mr. Straw]

That issue was discussed ad nauseam in the eight weeks of negotiation for resolution 1441. France and others proposed a clause requiring us to go back to the Security Council for a second resolution, and they voluntarily dropped that proposal. In place of that, France agreed to paragraphs 4, 11, 12 and 13, which state that where there is a material breach—as plainly there already is, as the Council made clear last Friday—that can lead, within resolution 1441, to Iraq having to suffer serious consequences for its failure to meet its obligations.

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): Those on the Liberal Democrat Benches welcome the Foreign Secretary's statement, and I am grateful to have received a copy in advance.

The pressure on Saddam Hussein and his regime to disarm is intense, and progress is being made. As the chief weapons inspector, Hans Blix, stated on Friday, the destruction of missiles constitutes a substantial measure of disarmament. UNMOVIC is now drafting a work programme to tackle the unresolved disarmament issues, as Dr. Blix puts it. Clearly the weapons inspectors believe that they still have a worthwhile job to do, and they need more time to do it. Will the Foreign Secretary accept that there are still diplomatic and political options open to the international community and that the military agenda must not dictate the calendar for inspections? Will he confirm that he believes that war should be the last resort, based on clear objectives and an assessment of the likely consequences?

Nowhere will that be more important than in the middle east. We all seek an end to the sickening cycle of violence and we applaud the Prime Minister and Foreign Secretary's efforts to make progress, but will the right hon. Gentleman not recognise that steps to bring peace to the middle east and elsewhere will be damaged if, in prosecuting the case against Iraq, we threaten to ignore the United Nations and in so doing undermine the principles of international law in whose name we act?

Mr. Straw: Again, I am grateful to the hon. Gentleman for his remarks. He is entirely right to say that the pressure is intense, but that raises the question of why it is intense. I wonder what would have happened if there had been Liberal Democrat pressure—if that is not an oxymoron. There is a blunt reality about why inspections are now working and no one must resile from it. In last Friday's report, as in his previous reports, Dr. Blix made it absolutely clear when he spoke of "serious outside pressure". Yes, the pressure is serious; it is just outside, in Kuwait; it is the armed forces. It is important that the hon. Gentleman and his party understand that.

Of course war is a last resort—war should always be a last resort. I believe that that is the sentiment of every single Member of this House, whatever their party. No one has a monopoly of wisdom or of morality on this issue.

As for steps to bring peace to the middle east, I agree that we must not be diverted from our efforts to ensure peace in the middle east between the Israelis and the Palestinians as we have to make difficult decisions on Iraq. The purpose of my making a statement today on the twin subjects of Iraq and Israel/Palestine is to emphasise to the House, the country and the region our profound commitment to pursue peace in the middle east in any event. The matter is urgent. It would be urgent without Iraq, and it becomes even more urgent with Iraq. That is a point that I continue to emphasise with our American friends.

As for ignoring the United Nations, that is a canard—it is totally untrue. My right hon. Friend the Prime Minister has moved heaven and earth to ensure that the whole issue of Iraq is dealt with through the United Nations. It was he more than anyone else who ensured that the process of negotiation through the United Nations began in August and September and led to a satisfactory conclusion; and he, with many Foreign Ministers and Heads of Government, is seeking to ensure that there is a proper conclusion now.

Everybody in the United Nations has responsibilities under the charter—not only the United States and the United Kingdom among the permanent members, but all the other permanent and non-permanent members of the Security Council, all of whom have signed up to the charter, including chapter 7, which spells out that sometimes force is necessary where there is defiance of the clear obligations under chapter 7. In the present case, force may indeed be necessary.

Mr. Stuart Bell (Middlesbrough): Does the Foreign Secretary recall the statement of the French Foreign Minister that threats of force and diplomacy have brought Saddam Hussein to partial compliance? Is it not odd that the French now seek to block a final resolution under which diplomacy and the threat of force would converge, so that Saddam Hussein knew once and for all that, in the interests of Iraq and of the Iraqi people, he must comply fully?

Mr. Straw: I agree. Both diplomacy and a credible, but therefore rising, threat of force are needed. However, it is the credible threat of force that is making the difference. This is our best and only opportunity to resolve the issue in a peaceful way.

Sir Patrick Cormack (South Staffordshire): I thank the right hon. Gentleman for a statement that was the reverse of reckless. Is he aware that many of us who supported, without a United Nations resolution, action in the former Yugoslavia, believe that action is even more justified in this case?

Mr. Straw: I note what the hon. Gentleman has to say. I have already made clear our view about the legal base that is provided by resolution 1441, going back to resolutions 687 and 678. However, we continue to follow the route that we have outlined of securing a new consensus within the Security Council because it gives us a greater opportunity of resolving the issue in a peaceful way.

Mr. Michael Clapham (Barnsley, West and Penistone): I listened with interest to my right hon. Friend's reply to the Liberal spokesman, the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore), on the question of the United Nations second resolution. Given the arm twisting that we know is going on at the UN, could a second resolution ever give legitimacy to action? Does my right hon. Friend not think that the way forward, given that situation, is that we should be giving more time to Hans Blix and the inspectors?

Mr. Straw: It just happens that in international diplomacy there are some robust discussions. I am willing to speculate that my good friend Dominique de Villepin, who is currently perambulating round Africa, to Cameroon, Angola and Guinea, to take three countries at random—*[Laughter]*—is not just having a café and a little conversation with those he is meeting. I suspect he is reminding them about their loyalty to francophone Africa and how that loyalty can be both proved and disproved.

On the issue of time, if Iraq comes into compliance, and how it can do so realistically is set out clearly in the document, it can have all the time in the world, just as happened with the inspections in South Africa. Actually, it would not take very long. But if Iraq does not come into compliance, time is irrelevant. There will be time after time, and we will be back again having to face a decision about compliance. It is compliance first and then time, not the other way round.

Mr. John Maples (Stratford-on-Avon): I think that the Foreign Secretary knows that I support the Government's policy on Iraq, but like many people I am deeply worried about the damage that it appears to be doing to the western Alliance. We saw the difficulties in the run-up to UN Security Council resolution 1441. These things seem to have become much more difficult now with, as the right hon. Gentleman has described, the French Foreign Minister drumming up opposition to a resolution proposed by two of France's supposed main allies. At one level, I suppose that the Foreign Secretary would say that that is just French mischief-making, but is it not also a demonstration of a failure of diplomacy? Should we not have put much more effort earlier into building the coalition diplomatically before the policy was launched? What are the right hon. Gentleman and the British Government doing to rescue the damage that is being done to the western Alliance?

Mr. Straw: We are putting a great deal of effort into that. I greatly regret the impasse that so far has been reached. I still hope that we may be able to avoid it. However, on 8 November last, after intense negotiations, we achieved a 15-0 result on resolution 1441. The words meant what they said then, and they mean what they say today.

Mr. Tam Dalyell (Linlithgow): On Dr. el-Baradei's report and the question of uranium transactions between Iraq and Niger, Dr. el-Baradei said that

> "Based on thorough analysis, the IAEA has concluded, with the concurrence of outside experts, that these documents—which formed the basis for the reports of recent uranium transactions between Iraq and Niger—are in fact not authentic."

What does the Foreign Office know about "not authentic" documents?

Mr. Straw: What I would say is this—the idea of putting faith in inspectors is to put faith in inspectors. There were perfectly legitimate reasons—

Mr. Dalyell: Answer the question.

Mr. Straw: With great respect to my hon. Friend, I am answering the question. There were perfectly legitimate reasons for having the greatest suspicion about the possibility of Iraq having a continuing nuclear programme. After all, I remind my hon. Friend that Iraq did not exactly volunteer the existence of its nuclear programme in 1991 and onwards. It took defections before it did so. Dr. el-Baradei's report goes on to say:

> "However, we will continue to follow up any additional evidence, if it emerges, relevant to efforts by Iraq to illicitly import nuclear materials."

And they have not closed the dossier either.

Mr. David Tredinnick (Bosworth): When the Prime Minister came before the Liaison Committee recently, I asked him about the situation in Iraq if there was a war and what British forces would be doing afterwards. Can the Foreign Secretary confirm that it is quite likely that British forces would assume a disproportionate amount of the burden in a post-war Iraq? Can he further confirm that it is a commonly held view that one of the greatest failings of this Government has been their inability to sell their policy on Iraq to the people and to their Back Benchers?

Mr. Straw: British forces, as my right hon. Friend the Secretary of State for Defence has reminded me—I apologise, as I did not hear the end of the hon. Gentleman's question—will of course be available to share the burden of securing the peace as well as the burden of fighting in any military action that is required.

James Purnell (Stalybridge and Hyde): I welcome the work that the Foreign Secretary continues to do on the middle east peace process, particularly his commitment to security as well as a viable state for the Palestinians. However, does he agree that a more democratic regime in Iraq, given Saddam Hussein's role in funding suicide bombing, would make peace in the middle east more likely, not less likely?

Mr. Straw: I agree absolutely. While there has been speculation about the extent to which the Iraqi regime funds some terrorist organisations, there is no doubt at all about the fact that it has been funding and training rejectionist terrorist regimes operating in Israel and the occupied territories.

Dr. Jenny Tonge (Richmond Park): Despite the damage that the USA and the Government have already inflicted on the United Nations and the European Union, the Foreign Secretary now claims to be going down the United Nations route. Does that mean that he has dropped the concept of an unreasonable veto?

Mr. Straw: Oh God! I do not know what to say to the hon. Lady except that sometimes I give up with the

[Mr. Straw]

Liberal Democrats. I just say through you, Mr. Speaker, that I do not know what she thinks we have been doing for the past five months if not going down the United Nations route.

David Winnick (Walsall, North): If war comes, it will be the responsibility of Saddam Hussein, but is my right hon. Friend aware that many of us would wish to see the United States play an active role in a peace process between the Palestinians and the Israelis leading to a viable Palestinian state—a state no less viable than Israel itself? Is the United States willing to play such a role?

Mr. Straw: I entirely agree with my hon. Friend. I believe that the United States is willing to play such a role, but we wish to continue—I am glad that my hon. Friend has raised this—to push the United States for the earlier publication of the road map, which is in the interests of the Israelis and the Palestinians, as well as wider security in the region.

Mr. John Baron (Billericay): What is the Foreign Secretary's response to the increasing weight of legal opinion, both at home and abroad, that suggests that there is little that resolution 1441 in its own right can do to justify war against Iraq?

Mr. Straw: I have already given a detailed response in which I referred to 1441, going back to 687 and 678. I should also like to make it clear that Her Majesty's Government will always act, have always acted, and continue always to act within their obligations in international law. Nothing that we do will be contrary to those obligations.

Andrew Mackinlay (Thurrock): Can I take the Foreign Secretary back to his reply to my hon. Friend the Member for Walsall, North (David Winnick) a few moments ago? Can I tell my right hon. Friend, as I did in the Foreign Affairs Committee the other week, that he is too generous to the United States, which is being tardy in relation to the Quartet's road map on the resolution of the conflict between Palestine and Israel? We must ask him to use his good efforts and contacts to make it abundantly clear that the House of Commons expects the United States to get a move on and be proactive, as it is not at the moment. Finally, all of us who support and sustain the Front Bench believe in the basic elementary concept in the British constitution of Cabinet collective responsibility, and I hope that he will take that back to his right hon. Friends—there must be no more of the nonsense that we had last night on the radio.

Hon. Members: Hear, hear.

Mr. Straw: Thank you very much. I agree with my hon. Friend's last point, and I also agree with his first point. I do not think that I am being too generous to the United States. I am sometimes too generous to the Liberal Democrats, but that is a different matter. It is important that there should be maximum understanding in Washington about the impatience of Members on both sides of the House and in all parties for the road map to be published and I shall be very happy to pass that point on.

Mr. Robert Walter (North Dorset): The House will be pleased that the Foreign Secretary had discussions with the Secretary-General on the humanitarian consequences. Sixty per cent. of the Iraqi people are totally dependent for their food on the oil-for-food programme, which costs about $5 billion in any six-month period. Will the Foreign Secretary tell us who is going to feed the Iraqi people following the outbreak of a conflict, if there is no oil to pay for the food and no Iraqi Government to distribute it?

Mr. Straw: The Iraqi people will be fed, let me make that clear. There is money in the escrow accounts in the United Nations to pay for that. This has been a matter of the most intense discussion in Washington by my right hon. Friend the Secretary of State for Defence, by me and by many others, to ensure the absolute imperative that, while the conflict lasts, the Iraqi people are properly fed. The fact that 60 per cent. of them are dependent on the oil-for-food programme is but one further indication of the desperate nature of this regime.

Mr. George Howarth (Knowsley, North and Sefton, East): Does my right hon. Friend accept that for many Labour Members—and, indeed, for many people in the country—the key to unlocking the support for military intervention in Iraq is a second UN resolution? Does he also accept that if there are to be exceptional circumstances, it will be necessary that everyone fully understands exactly what those circumstances are and why they are important? I would be grateful if my right hon. Friend could give the House an undertaking on that.

Mr. Straw: I would say to my hon. Friend, whose position on this matter I greatly respect, that of course I understand the great preference that we all have for a second resolution, and the political desirability of such a resolution, because it would represent clear consensus in the international community. I have dealt with the issue of the legal base. What I want to aim for is the passing of that second resolution, and for that reason—with respect to my hon. Friend—I do not want to get drawn into issues of where we go. It might be helpful if I point out that the position adopted by Her Majesty's Government is identical to the position adopted by the Labour party in a statement by the relevant policy commission dated 27 January.

Mr. Mark Simmonds (Boston and Skegness): Will the Foreign Secretary confirm that there will be a debate and a vote on a substantive motion immediately after the vote of the UN Security Council on the second resolution?

Mr. Straw: Yes. If there is a vote and the matter comes to a conclusion, I am sure that the usual channels will arrange that. For the record, I enter the usual caveat that the only circumstances in which that could not take place would be if we thought that the safety of our troops would be put at risk. I also hope that hon.

Members have some faith in the Government's record on coming to the House immediately there is anything to discuss here.

Ms Oona King (Bethnal Green and Bow): Is it not the case that Israel has flouted UN resolutions, invaded its neighbours' territory and developed weapons of mass destruction without provoking any rebuke at all from George W. Bush, and that, despite George Bush using the words "viable Palestinian state", he has done nothing to make it a reality? What further pressure can the Government bring to bear on the American Administration, and what will we be pushing for, other than a speedier publication of the road map?

Mr. Straw: It is certainly true that Israel is in breach of a number of Security Council resolutions, but so too are the Arab states—it is a point that I have made often enough. I understand the debating point, although it is more than that, that is made here, but there is a difference between the resolutions in respect of Israel and Palestine, all of which ought to be implemented, but which impose complex obligations on a series of parties—the Palestinians, Israel and the Arab states—and the unilateral mandatory obligations imposed on Iraq under chapter VII.

At the risk of being castigated by my hon. Friend the Member for Thurrock (Andrew Mackinlay), I am afraid that I do not accept that the United States Government have "done nothing". As it happens, they have moved the policy on within the UN further than even the Clinton Administration, because they moved what became resolution 1397 and then resolution 1402, providing for the first time for there to be Security Council policy laying down that there must be a viable Palestinian state.

What we now have to do—we continue to press for it, and my right hon. Friend the Prime Minister does so particularly—is, in the words of my hon. Friend the Member for Bethnal Green and Bow (Ms King), make a reality of that much better policy. That is what we are doing.

Mr. James Clappison (Hertsmere): Is there not a real danger that Saddam Hussein might seek to widen a conflict, as he did in the first Gulf war when he launched 39 Scud missiles at Israel? Does the Foreign Secretary agree that there is an overriding need for all parties in the region to exercise restraint and that everything possible must be done to protect all those who live there from the evil predations of Saddam Hussein?

Mr. Straw: I agree entirely with the hon. Gentleman.

Ann Clwyd (Cynon Valley): I congratulate my right hon. Friend on what I thought was a robust and passionate speech that he made at the UN, but may I ask him why the case is not being made that there are strong grounds to intervene in Iraq on human rights grounds alone, as we intervened in Kosovo and Sierra Leone. I listen to spokesperson after spokesperson, and I remember resolution 688, which called for an end to repression of the public in Iraq, but the end to repression has not taken place. In fact, torture, ethnic cleansing and executions go on every day of the week in Iraq.

Mr. Straw: I am very grateful to my hon. Friend for what she said and, if I may say so, the very robust way in which she has prosecuted the case against Saddam Hussein on humanitarian as well as wider security grounds. There is, of course, a strong humanitarian case against Saddam Hussein. We concentrate on disarmament because of our subscription to international law. The basis for any military action in the region will be implementation of resolution 1441 and its predecessors, but of course my hon. Friend is right to imply that a consequence of that will be freeing the Iraqi people from the terrible burden and humanitarian catastrophe that is the Saddam Hussein regime.

Mr. Simon Thomas (Ceredigion): Will the Foreign Secretary please remind the House exactly of which part of resolution 1441 authorises war? Can he point to a similar resolution with the same wording under which war has been prosecuted and say which of the 37 UK Government vetoes were used unreasonably, and which uses of the veto by other countries were unreasonable?

Mr. Straw: I am delighted to do so. We start with paragraph 1, which says that the Security Council

> "Decides that Iraq has been and remains in material breach of its obligations under relevant resolutions, including resolution 687 . . . in particular through Iraq's failure to cooperate with United Nations inspectors and the IAEA, and to complete the actions required under paragraphs 8 to 13 of resolution 687".

We then go to paragraph 4, in which the Security Council

> "Decides that false statements or omissions in the declarations submitted by Iraq pursuant to this resolution and failure by Iraq at any time to comply with, and cooperate fully in the implementation of, this resolution shall constitute a further material breach of Iraq's obligations"—

obligations of which it is now in breach. We then turn to operative paragraph 13, in which the Security Council

> "Recalls, in that context, that the Council has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations".

The text of all those paragraphs is available in the Vote Office.

Mr. Robert N. Wareing (Liverpool, West Derby): Will my right hon. Friend explain to the House how the raining of death upon innocent men, women and children can be an acceptable alternative to a policy of containment that is working? Will he listen to the people of this country, who are fed up and tired of him appeasing the United States and the hawks in the White House?

Mr. Straw: If I thought that there was a viable policy of containment that could work to ensure Saddam's disarmament I would support it, but that is palpably not the case. It is still possible for this matter to be resolved peacefully, but sadly that is Saddam's choice, not ours. With respect, I remember my hon. Friend saying something similar against military action in Kosovo. In the end, that proved necessary and was also right.

Mr. George Osborne (Tatton): Does the Foreign Secretary agree with the International Development

[Mr. George Osborne]

Secretary's description of the Prime Minister's policy as "reckless"? If not, has collective Cabinet responsibility broken down?

Mr. Straw: Like all my right hon. and hon. Friends, I believe that the policy that Her Majesty's Government are following is right.

Mrs. Alice Mahon (Halifax): Have the Government estimated the number of civilian casualties there will be if the war against Iraq takes place and 800 cruise missiles are targeted on Baghdad, as spelled out in the US war plan "Shock and Awe"? Has my right hon. Friend drawn up contingency plans for the plight of the children, when they are subjected to such terror bombing with weapons of mass destruction?

Mr. Straw: If there is military action, people will be killed, and some of them will be innocent. In any case, I do not even want guilty people to be killed unless that proves absolutely necessary. That is the nature of military action. I respect the pacifist tradition, but I do not support it. Unless we are pacifists, we have to acknowledge, as does the United Nations charter, that military action is sometimes necessary in pursuit of a greater good. It is my belief that if military action proves necessary the prime responsibility for that will be on Saddam's head. Although sadly people will be killed, the number of people saved by military action will greatly exceed the number killed.

Mr. John Gummer (Suffolk, Coastal): The Foreign Secretary has helpfully characterised the second resolution as a mechanism for ensuring that there is no lack of clarity, and that there is no lack of a date or timetable to pressurise Saddam Hussein, because he will know that at that moment he will reap the whirlwind. Will the right hon. Gentleman give the House an assurance that, irrespective of the result of the United Nations vote, neither the United Kingdom nor the United States will pre-empt that timetable?

Mr. Straw: I have to speak for the United Kingdom Government: I do not speak for the United States Government, as I made clear in a television programme yesterday. I repeat the undertakings that I have given before, which are there for all to see. We have repeatedly come to the House, and we have introduced proper, substantive votes on these resolutions. That is entirely appropriate. Subject to the caveat that I have entered about the safety of troops, we will come back immediately there is anything to report—as I have done today, even though there is no conclusion to the current Security Council considerations—and when there is a substantive result or lack of result.

Mr. Tony Clarke (Northampton, South): Recently, the Prime Minister and President Bush have been dismissive of any use of the veto in the Security Council on a second resolution, yet on the Israel/Palestine question the USA has used its veto 34 times in the past 30 years. Given the USA's poor record on using its veto, is the Foreign Secretary happy about British support for military action in the face of a veto after a second resolution?

Mr. Straw: Our preference is clearly to get a second resolution, and plainly we can get that only without a veto. On many occasions, I have had to say that we reserve our rights as to what judgments we make if we cannot get a second resolution, but of course I understand that the authority of the United Nations will be one of the important considerations that we will have to take into account in any difficult decisions we then have to make.

Mr. Michael Portillo (Kensington and Chelsea): I have registered an interest.

What future does the Foreign Secretary believe NATO can possibly have now that the Foreign Secretary's good friend, dear Dominique, is touring Africa canvassing opinion against France's NATO allies, the United States and the United Kingdom?

Mr. Straw: I think that it has an interesting future. It certainly has a future—I am clear about that. These institutions, which have served, in the case of NATO, the western alliance and, in the case of the United Nations, the whole world, so well over the past 60 years are too robust to be undermined too far by temporary problems. We must all have a care, however, to ensure that those institutions continue to operate effectively.

Mrs. Louise Ellman (Liverpool, Riverside): I commend the very hard work that lies behind the Foreign Secretary's statement. Is he concerned, however, that the joint organiser of the anti-war marches and demonstrations is the Muslim Association of Britain, with its associations with the Muslim Brotherhood and Hamas, who are committed as a religious requirement to the annihilation of the state of Israel?

Mr. Straw: I know how strongly my hon. Friend feels about that. I have to say to her that in a free, democratic country, unlike Iraq, people come together in broad alliances to organise marches. I know from my long experience of being on marches that one sometimes finds oneself with the most curious of marching companions.

Mr. David Chidgey (Eastleigh): The Foreign Secretary says in his statement that he profoundly hopes that the Iraqi regime will, even at this late stage, seize the chance to disarm peacefully. I am sure that we all recognise that sentiment. However, the right hon. Gentleman has also said on several occasions that it is in fact impossible to find Saddam Hussein's weapons of mass destruction in a country the size of France without his support and without his offering them up for verification. So my question is: what is the yardstick? Should the event arise whereby he does offer to disarm, how do we measure his compliance? Is it against the list that we had in 1998 or the future projection? How can we be sure that he has actually disarmed should he offer to do so?

Mr. Straw: The hon. Gentleman raises a really important question, which I touched on, but only lightly, in my statement. There are two issues here: first, how one measures whether Saddam has, over a matter of days, come into compliance; then, when and if he has come into compliance, how one measures whether he has disarmed completely. One measures whether he has come into compliance on whether he is co-operating with the 29 separate clusters set out in this very detailed UNMOVIC report. As I indicated in my statement, we are discussing whether some of those can be distilled into a few possible markers or tests by which the Security Council would be able to make a judgment about whether there was compliance.

To take the issue of interviews, for example, anybody who feels that they should give the Iraqi regime the benefit of the doubt need only to look at the record in this report and in the successive reports of Dr. Blix and Dr. el-Baradei concerning the point-blank refusal of the Iraqi regime to facilitate any free interviews outside Iraq whatsoever, notwithstanding the very clear requirements of 1441. So if they were suddenly to say, "Yes, we are going to comply with that and co-operate", and the relevant people appeared, and their relatives and friends were not murdered, that would be one indicator among a number. If we got to that point, the inspectors would go in and could have the time that they needed—I made that point to my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham). It would then be a matter of the inspectors saying, "Well, we have gone through each of these areas of the dossier and each of these clusters of issues, and they have dealt with what is required of them over a period of time." First, however, they have got to show that they are in compliance.

Mr. Peter Kilfoyle (Liverpool, Walton): Rather than cherry-pick the bits of the reports that bolster what is, to many of us, a wholly unconvincing Government case, and further to the question by the Father of the House, will the Foreign Secretary now confirm that the forged evidence on uranium purchases that was submitted to the IAEA was provided by the United Kingdom? Will he also confirm, given his comments on anthrax as an alleged biological weapon in Iraq, that the anthrax was provided by the United States, as set out in Senator Riegle's report?

Mr. Straw: I have to say gently to my hon. Friend that I do not know quite where he is coming from, because the Iraqis had an illegal nuclear weapons programme that they did not initially disclose. Far from cherry-picking the report, I felt it my duty to make clear the burden of what Dr. el-Baradei was saying, which I duly did. For information on anthrax, my hon. Friend needs to read section a. in chapter IV, on biological clusters, of the lengthy report. There, set out in detail, he will see the charges against the Iraqi regime. Contrary to Iraq's assertions that no other facilities had been used to produce anthrax, UNSCOM found evidence of anthrax in two places. Details of that are given. The report says:

> "Based on all the available evidence, the strong presumption is that about 10,000 litres of anthrax was not destroyed and may still exist."

As far as I know, that anthrax did not come from the United States. However, even if it did, while it would have been wrong of the United States to supply it, it would have been even worse of Iraq, in complete defiance of the United Nations, to continue to hang on to it and to maintain facilities to produce it.

Mr. Patrick McLoughlin (West Derbyshire): How does the Foreign Secretary expect to get public support when a senior member of the Cabinet has described his policy as "reckless"?

Mr. Straw: We have had that question. [HON. MEMBERS: "Answer."] The answer is that I would describe the policy that we are following as fully in accordance with United Nations policy, and right.

David Cairns (Greenock and Inverclyde): Is one of my right hon. Friend's grounds for optimism the repeated findings of opinion polls of ordinary Israeli citizens that show that 70 per cent. or more of them consistently support a two-state settlement, including the removal of most, if not all, of the settlements? Given that fact, should the United States not move forward with that process? Far from abandoning Israel, as some have claimed it would be doing—and which I do not want it to do—the United States will be ensuring that the will of ordinary Israeli citizens comes to pass.

Mr. Straw: I acknowledge what my hon. Friend says about Israeli public opinion. However, it also has to be said that Israeli public opinion was expressed in a recent general election, with a slightly different indication in the result. The United States Government have to take account of such indications of public opinion, as do we. What I know for sure is that establishing a democratic Palestinian Authority with sound public administration and good people running it—as we now have—and ensuring that such a move is properly reciprocated by the Israeli Government, are two steps that can lead towards peace in the occupied territories and the beginnings of democracy, and peace in Israel, which is in the interests of both communities.

Mr. David Cameron (Witney): Will the Foreign Secretary confirm that, in the event of the House of Commons having a vote on a decision to commit British troops to a war in the Gulf, the Government will treat that vote as an issue of confidence?

Mr. Straw: We will treat that vote as the issue laid down in the resolution.

Mr. Doug Henderson (Newcastle upon Tyne, North): If the further resolution fails to obtain a majority, or is vetoed in the Security Council, how will my right hon. Friend, in the event that Britain then goes to war, demonstrate to the British public that we are taking the UN route? Is there not a danger that the British public will see that we are in favour of the UN when it suits us, and not when it does not?

Mr. Straw: I have already set out to the House our understanding of the legal base for any such action. I know that my hon. Friend has strong opinions on this issue, but if he goes through all the resolutions—from 1441 back to 687 and 678—he will see beyond peradventure why Iraq is in material breach, why the ceasefire provided for by those earlier 1991 resolutions

[Mr. Straw]

is not operative, and why serious consequences may follow. I repeat that our preference is for a second resolution. That is what we are working to achieve.

Mr. John Wilkinson (Ruislip-Northwood): Is it not the case that UN resolution 1441 gives all the criteria and more against which to set the non-compliance of the Iraqi regime? That being the case, may I say to the Foreign Secretary that he should not be dissuaded by any outcome over a second resolution in the event that French diplomacy, for example, is successful? Should he not bear in mind the fact that President Mugabe was recently fêted and hosted by the French Government, and that the French Government are in danger of looking like a friend of murderous dictators?

Mr. Straw: I am very clear that the Government of France have no better opinion of the Iraqi regime than we do. They supported 1441 and said back in November that Iraq was in material breach of it. The issue between us is not whether it is a hateful regime, but how we deal with that hateful regime. I regret the position that the French Government have taken on the merits, because that is less likely, not more likely, to lead to a peaceful resolution of the crisis.

David Hamilton (Midlothian): May I push the Minister on the following point? Time and time again he refers to how we must support the United Nations, but if one, two or three permanent members reject and veto our position—or, indeed, if a majority are against us—will we still go ahead with America and the conflict in Iraq?

Mr. Straw: I spelled out the background to, and the legal base and details of, 1441. The Security Council of the United Nations is a political institution. We are working to achieve a second resolution. We have to reserve our position on what decisions we may take if we cannot achieve that, but we will not make those decisions unless and until we have to face them.

Several hon. Members *rose*—

Mr. Speaker: Order.

ESTIMATES

Resolved,

That this House agrees with the Report [6th March] of the Liaison Committee.—*[Mr. Jim Murphy.]*

Orders of the Day

Local Government Bill

[2ND ALLOTTED DAY]

As amended in the Standing Committee, further considered.

New Clause 1

VALUATION: CONFLICTS BETWEEN JUDICIAL AND ADMINISTRATIVE MATTERS

'In the event of any conflict between the Valuation Tribunal Service and a valuation tribunal over what is an administrative matter within the jurisdiction of the former and what is a judicial or other matter within the jurisdiction of the latter, the Service, a valuation tribunal or its president may request the President of the Council on Tribunals to appoint a qualified person to arbitrate between them and he shall do so.'.—*[Mr. Clifton-Brown.]*

Brought up, and read the First time.

4.36 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following:

New clause 2—*Valuation tribunals: immunity*—

'A member of a Valuation Tribunal or a clerk officiating at a tribunal hearing shall not be liable for anything done or omitted in the discharge or purported discharge of his functions as a tribunal member unless the act or omission is shown to have been in bad faith.'.

Amendment No. 1, in clause 105, page 60, line 17, leave out 'of, and clerks to' and insert—

'and staff of (including clerks to)'.

Mr. Clifton-Brown: We have just 24 minutes in which to discuss four major groups of amendments. We must get to grips with timetable motions. The way in which the Government's business managers have handled the timetabling of the Bill is an utter disgrace to democratic debate in the House.

New clause 1 is relatively technical and relates to the Valuation Tribunal Service. Perhaps it will help if I explain how the system works. In contrast, the Valuation Office Agency is an Executive agency of the Inland Revenue. It has 85 offices spread throughout England and Wales and employs about 4,000 people. It operates under a framework document agreed with Treasury Ministers and reviewed every five years. The most recent review is published in its report of 13 September.

The main function of the VOA is to compile and maintain business rating and council tax valuation lists for England and Wales. The Valuation Tribunal Service is an independent judicial body that has the power to deal with appeals relating to non-domestic rating and council tax. There are 56 valuation tribunals in England. They are independent of the valuation officer and the billing authority. They usually sit with three members, although sometimes with two by agreement, and they have a clerk who is a paid employee of the tribunal and who advises on points of procedural law.

The valuation tribunals have been subjected to pressure on administrative grounds that sometimes infringes the conduct of their judicial activities. Those pressures come from central organisations, such as the Valuation Tribunal Service. Valuation tribunals want a means of protection against misuse of the word "administrative". It must be remembered that a valuation tribunal is a tax tribunal. It is understandable that an organisation such as the VOA may want procedural ways to make the collection of rates—nowadays a national tax—more efficient, but there is a difference between administrative ways and legal methods of collecting tax. But the VOA is also a party to almost all non-domestic rating cases heard by the valuation tribunals, which must act with judicial impartiality between the parties—the VOA and the taxpayers.

New clause 1 deals with the conflicts that may arise. An officer of the valuation tribunal management board, the existing precursor of the Valuation Tribunal Service, issued a valuation tribunal guidance note, No. 5, criticising a tribunal's reasons for its decision, which can be appealed against in the High Court and the Lands Tribunal, and advocating that valuation tribunals should not comment on the legislation that they were reviewing. The valuation tribunal, which consists of three people acting in a voluntary capacity, had said that by law it must decide against the appellant, but pointed out that the legislation unduly restricted appeals. By issuing that guidance, the Executive was purporting to tell the judiciary what it should say, and that has not been accepted since 1688. The guidance was ignored, but is still remembered.

New clause 1 states that, in the event of any conflict between the Valuation Tribunal Service and a valuation tribunal over what is an administrative matter within the jurisdiction of the former and what is a judicial or other matter within the jurisdiction of the latter, a qualified person will be appointed to arbitrate between them. It makes sense that there must be a satisfactory way of resolving conflicts between the different parts of the valuation system.

For administrative convenience, I shall deal with amendment No. 1 before new clause 2. The amendment corrects what appears to be a simple drafting error in the Bill. The word "clerk" has two meanings. It can mean the principal officer of a whole valuation tribunal, who should be a member of the IRRV—the Institute of Revenues, Rating and Valuation—which is the independent examination board and a professional body, not a trade union, but most professional clerks are not members. Some were in post before the professional exams came into existence and some did not bother to take them. That is being attended to, but in the meantime there is the old core. The number of such clerks is decreasing as tribunals are grouped for administrative purposes.

Then there is a second type of clerk. As I said, each hearing is heard by three voluntary tribunal members, and a clerk in the second sense. It may be a clerk in the first sense, but it is more usually a tribunal tabling officer qualified to be a clerk in the first sense, but who is not one. They may or may not be IRRV-qualified, but it is important that they should be so qualified. The management board will pay all the fees and allow time off for staff to encourage them to train. The wording in line 14, which includes other staff, is right, but the wording in line 17 leaves out other staff. That is clearly a drafting error. I hope that the Government will accede to our amendment No. 1, if not to new clauses 1 and 2.

New clause 2 relates to members' liability. Members of tribunals are protected by judicial immunity at common law. Section 29(1) of the Arbitration Act 1996 states:

> "An arbitrator is not liable for anything done or omitted in the discharge or purported discharge of his functions as arbitrator unless the act or omission is shown to have been in bad faith."

Clearly, if he has acted in bad faith, he should be liable. As that applies to an arbitrator, why does it not apply to the three members of a valuation tribunal? It is far better for that to be enshrined in statute than for it to be part of common law.

4.45 pm

Mr. David Borrow (South Ribble): Can the hon. Gentleman give examples in which the new clause has been needed, and in which the system has not worked correctly, that would give reason to amend the law as he suggests?

Mr. Clifton-Brown: I am grateful to the hon. Gentleman for his intervention. The matter was brought to our attention by the National Association of Valuation Tribunals. Although it has not supplied me with specific examples, there have no doubt been such examples, or it would not have urged me to press the matter. The hon. Gentleman, who has professional experience in this field, may have such examples, although I do not know whether he supports the new clause.

I was interrupted while reading out our new clause, which states:

> "A member of a Valuation Tribunal or a clerk"—

let us remember that some clerks can operate in a voluntary capacity, too—

> "officiating at a tribunal hearing shall not be liable for anything done or omitted in the discharge or purported discharge of his functions as a tribunal member unless the act or omission is shown to have been in bad faith."

As the House can see, the wording of the new clause does not reinvent the wheel but is simply lifted from the Arbitration Act 1996 as it applies to arbitrators, who often act in a voluntary capacity, although they are sometimes paid. There seems no reason at all why members of the valuation tribunal, who nearly always act in a voluntary capacity, should not have that immunity enshrined in statute rather than having to rely on immunity in common law. I await with interest what the Minister has to say.

Mr. Edward Davey (Kingston and Surbiton): The Liberal Democrats support the new clauses and amendment tabled by Conservative Members. We, too, have been contacted by the National Association of Valuation Tribunals, which set out the reason behind its wish to see the error in clause 105(2)(a)(v) corrected, and the addition of the two new clauses: to sort out the conflicts between judicial and administrative matters, and to clarify once and for all the issue of immunity.

Unlike the hon. Gentleman, I obtained a further briefing from the association, including examples, which I could quote at length. It was produced by a learned

[Mr. Edward Davey]

counsel, Ronald Barham, and discusses at length why the association thinks that the changes are necessary. I will not quote it, however, as the hon. Member for Leyton and Wanstead (Harry Cohen) has an important set of amendments to consider, as do we, and I do not want to take up the House's time further. I hope that the Minister will give the new clauses and the amendment fair wind.

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Christopher Leslie): Valuation tribunals are extremely important to the operation of council tax and business rates across the country. Part 8 of the Bill creates a new Valuation Tribunal Service, a non-departmental public body, to be the employer of all valuation tribunal staff and to improve customer service delivery. The new service will not, however, interfere with the judicial decision-making function of valuation tribunals. We believe that it is important to create the new body to strengthen the identity and capacity of valuation tribunals, spread best practice across them, and give them increased independence. We anticipate it coming into force from around April 2004, which is a significant move that is widely welcomed by local government and those in the Valuation Tribunal Service.

New clause 1 proposes a statutory duty for the president of the Council on Tribunals to, if asked, appoint somebody to arbitrate between the new Valuation Tribunal Service and valuation tribunals over what is or is not a judicial or administrative matter. The Valuation Tribunal Service, as we envisage it, would give advice only on procedure in relation to proceedings. Clause 105(2)(b) sets out that that will be the case. Disputes will, in our view, be so rare and minor that it would be entirely disproportionate to have a whole convoluted resolution mechanism, especially were it included in the Bill. In any case, valuation tribunals will be governed by the law and the Valuation Tribunal Service cannot force valuation tribunals to follow its advice.

The new burden that new clause 1 would place on the president of the Council on Tribunals is unnecessary and out of proportion, not least because, as far as I am aware, there is no such post; the Council on Tribunals has a chairman, currently Lord Newton of Braintree. However, to be helpful and conciliatory, the Government are considering drafting an agreed dispute resolution procedure in the new Valuation Tribunal Service management statement to address any points as they may arise. With that, I hope that the hon. Gentleman will see fit to withdraw new clause 1.

New clause 2 would ensure that members or clerks of valuation tribunals would not be liable for the reasonable consequences of their duties. There is no need for that new clause. Those who hold judicial office in this country have public policy immunity from acts of negligence in any case and similar protection already extends to members and clerks of valuation tribunals through the standard procedures governing the relationship between any non-departmental public body and sponsor Departments, and there are other protections as well.

Mr. Clifton-Brown: There may be protection at common law, but that is difficult to enforce. If the Minister accepts the principle, will he explain why immunity should not be enshrined in legislation?

Mr. Leslie: The reason is that there is no need to do so, as all judicial office holders already automatically have public policy immunity. It would be inconsistent for us to enshrine such an arrangement in the Bill, but not to do so for the other judicial posts that exist in our constitution. In any case, Departments usually and typically give an undertaking that they will indemnify members, as well as staff, of valuation tribunals against personal civil liability incurred in the execution of official functions provided that they have not acted irresponsibly. That gives adequate protection, so new clause 2 is not necessary.

Finally, amendment No. 1 would change clause 105(2)(a)(v), so that the list of functions and services provided by the Valuation Tribunal Service would not just include training for members of, and clerks to, tribunals, but instead explicitly allow training for members and staff of tribunals, including clerks to tribunals. Staff training is, of course, essential to the Valuation Tribunal Service in carrying out duties under clause 105 to secure the efficient and independent operation of valuation tribunals.

Clause 105(4) explicitly says that the Valuation Tribunal Service can do anything to facilitate those functions, so staff training is covered adequately by the wording of that clause. However, we want to be helpful today to expedite business, and I have looked carefully at amendment No. 1, tabled by the hon. Member for Cotswold (Mr. Clifton-Brown). Perhaps despite the eloquence of his argument, I believe that we must make it clear that staff are essential and important from the very outset and that there may be benefits in making it explicit that staff must be included in the training provision, so I am happy to say on this rare, but important occasion that the Government are happy to accept amendment No. 1.

Ms Joan Walley (Stoke-on-Trent, North): In view of what the Minister says about accepting amendment No. 1, will he look closely at amendment No. 63, tabled in my name, which I do not think we will have an opportunity to discuss, and perhaps return to me with similarly favourable comments?

Mr. Leslie: If we reach that stage, I will listen carefully to my hon. Friend's arguments.

I urge the hon. Member for Cotswold to withdraw new clause 1 and not to press new clause 2 for the reasons that I have given, but we can accept amendment No. 1.

Mr. Peter Lilley (Hitchin and Harpenden): On a point of order, Mr. Deputy Speaker. I am sorry to interrupt the debate, but I want to make an important point. The Foreign Secretary has just made a statement in which he based his case on a document entitled, "Unresolved Disarmament Issues: Iraq's Proscribed Weapons Programmes", which was produced by UNMOVIC. He said that copies of the document had been placed in the Library and he commended it to all hon. Members. He said that it set out in 173 pages of painstaking detail the terrible nature of Saddam's weapons.

I have just been to the Library and asked for a copy. I was told that I could not have a copy to take away but would have to sit and read all 173 pages in the Library. This is a very important document: it is the basis on which war may be declared within days. It is impossible for us to queue up and read it in the Library, but we do not have permission to take it away to our rooms. I would be grateful if you, Mr. Deputy Speaker, could have words with the Library or with the Foreign Office, so that copies are made available and so that, as the Foreign Secretary said, all hon. Members may have access to the document.

Mr. Deputy Speaker (Sir Michael Lord): Ministers are responsible for the statements that they make in the House and for making sure that what they say is carried out. The Library will have heard the right hon. Gentleman's point of order, as will the whole House. No doubt, the Library will take note of the situation. I hope that the problem will be remedied.

Mr. Clifton-Brown: I assume that the Minister has concluded his remarks, but I hope that he will intervene to provide me with further clarification. He said that he would accept the principle of amendment No. 1. Does that mean that he will table an amendment in another place?

Mr. Leslie *rose—*

Mr. Clifton-Brown: Before the Minister intervenes on that, will he clarify another matter? I believe that he inadvertently referred to clause 105(2)(a)(iv) instead of to sub-paragraph (v). Will he ensure that the provisions in sub-paragraphs (iv) and (v) are consistent? Clarification would be helpful.

Mr. Leslie: I am pleased to tell the hon. Gentleman that I am happy to accept amendment No. 1. That means that we will support it despite his arguments. I realise that that is a great achievement for him.

Mr. Clifton-Brown: I am grateful for small mercies. We had half a loaf in Committee; now we have a full loaf. Before I say anything else, I refer to the fact that I am a fellow of the Royal Institution of Chartered Surveyors and declare certain property interests that may be affected by the Bill.

I apologise to the House for the incorrect drafting of new clause 1. There is no such person as the

> "President of the Council on Tribunals".

The new clause should have referred to the chairman and, had it done so, I would certainly have pressed it to a vote. Because it is incorrectly drafted, I shall not, but instead seek to press new clause 2. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 2

Valuation Tribunals: Immunity

'A member of a Valuation Tribunal or a clerk officiating at a tribunal hearing shall not be liable for anything done or omitted in the discharge or purported discharge of his functions as a tribunal member unless the act or omission is shown to have been in bad faith.'.—*[Mr. Clifton-Brown.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 158, Noes 295.

Division No. 107] **[4.58 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burns, Simon
Burnside, David
Burt, Alistair
Cable, Dr. Vincent
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Cormack, Sir Patrick
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*

Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George

Tellers for the Ayes:
Mr. Desmond Swayne and Hugh Robertson

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Galloway, George
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
Mahmood, Khalid
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, rh John

Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Fraser Kemp and
Mr. Phil Woolas

Question accordingly negatived.

It being after Five o'clock, MR. DEPUTY SPEAKER, *pursuant to Order [25 February] put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 105

THE VALUATION TRIBUNAL SERVICE

Amendment made: No. 1, in page 60, line 17, leave out 'of, and clerks to' and insert

'and staff of (including clerks to)'.—*[Mr. Clifton-Brown.]*

Mr. Davey: On a point of order, Mr. Deputy Speaker. The House may need to be aware that as amendments and new clauses have fallen, neither the Committee nor the House has debated five areas of part 8, chapter 1, which includes important clauses on charging and trading, which will leave many people in local government very disappointed. Have you been approached by any representatives of the Government about making more time available to debate those clauses?

Mr. Deputy Speaker: I understand the hon. Gentleman's concerns about the fact that the House has been unable to debate those matters. Unfortunately those matters have already been decided by the House in its programme motion, and there is nothing that the Chair can do about that at this stage.

New Clause 11

REPEAL OF SECTION 2A OF LOCAL GOVERNMENT ACT 1986

'The Secretary of State shall lay before Parliament within 24 months of the coming into force of section 119 and at intervals of 24 months thereafter a report containing information on the effect of the operation of that section on—

(a) the adherence to guidance issued under section 403(1A) of the Education Act 1996 (c. 96);

(b) the operation of the provisions of section 404 of that Act; and

(c) the numbers of parents withdrawing their children from sex education pursuant to section 405 of that Act.'.—*[Mr. Clifton-Brown.]*

Brought up, and read the First time.

Mr. Clifton-Brown: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following:

Amendment (a) to the proposed new clause, in line 7, leave out 'and'.

Amendment (b) to the proposed new clause, in line 9, at end add,

'; and

(d) the operation of guidance issued in relation to section 403(1A) of that Act in relation to bodies established by local authorities pursuant to section 508(2) of that Act.'.

New clause 17—*Sex or relationship education in facilities established pursuant to s508(2) of Education Act 1996*—

'.—A local authority may not provide financial support to any facilities established pursuant to s508 (2) of the Education Act 1996 unless that local authority is satisfied that any sex or relationship education or guidance offered within that facility complies with the guidance issued by the Secretary of State pursuant to s403 (1A) of that Act.'.

New clause 21—*Presentation of issues of sexual morality*—

'In the Local Government Act 1986 (c. 10) there is inserted after section 2—

"Issues of sexual morality

2Z (1) The local authority, in the exercise of any of its functions in relation to people under the age of eighteen years, shall take such steps as are reasonably practicable to secure that where issues relating to the morality of sex outside of marriage are brought to the attention of persons under the age of eighteen who are—

(a) in attendance at a maintained school, or

(b) taking part in extracurricular activities which are provided or organised for registered pupils at the school by or on behalf of the school

they are offered a balanced presentation of opposing views.

(2) In this section "maintained school" includes a maintained special school established in a hospital.".'.

Amendment No. 8, in page 70, line 41, leave out Clause 119.

Amendment No. 14, in page 110 [Schedule 7] leave out lines 27 and 28.

Amendment No. 15, in page 110, line 29 [Schedule 7], leave out 'Sections 28 and' and insert 'Section'.

Amendment No. 16, in page 111 [Schedule 7], leave out line 41.

Amendment No. 17, in page 112 [Schedule 7], leave out lines 2 and 3.

Amendment No. 18, in page 112 [Schedule 7], leave out lines 20 and 21.

Amendment No. 10, in page 72, line 34 [Clause 125], leave out '115 and 119' and insert 'and 115'.

Amendment No. 11, in page 72 [Clause 125], leave out lines 38 and 39.

[Mr. Deputy Speaker]

Amendment No. 12, in page 73 [Clause 125], leave out lines 3 to 5.

Amendment No. 13, in page 73 [Clause 125], leave out line 8.

Amendment No. 37, in page 73, line 9 [Clause 125], at end insert—

> '(2A) Section 119 shall come into force two months after the day on which the Secretary of State certifies that—
>
> (a) appropriate guidance has been issued under section 403(1A) of the Education Act 1996 (c. 56); and
>
> (b) an appropriate mechanism has been established for consulting parents of registered pupils by ballot about the contents of any written statement made in pursuance of section 404(1)(a) of that Act.'.

5.15 pm

Mr. Clifton-Brown: Many misapprehensions and misnomers have been expressed on the subject of repealing so-called section 28, and it may help the House if I go through the current legal position on sex education in schools. Let me say at the outset that the Conservative party regards these as matters of conscience. We will therefore have completely free votes on the whole of this part of the Bill. I urge Ministers and spokesmen for other parties to confirm when they reply to the debate whether the same procedure will apply to their colleagues.

This debate is entirely about protecting our children in schools. All of us can argue about the content of sex education, but few would argue that there should be no sex education at all. The question is simply how it should be carried out. The question is important, especially in the light of some of the statistics that I shall give on unwanted teenage pregnancies.

Let me set out the legal history. As everyone knows, section 28 of the Local Government Act 1988 inserted new section 2A into the Local Government Act 1986. The words of the provision are well known by many hon. Members, but it is worth quoting them. New section 2A states:

> "(1) A local authority shall not—
>
> (a) intentionally promote homosexuality or publish material with the intention of promoting homosexuality;
>
> (b) promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship."

Subsection (2) is important. It states:

> "Nothing in subsection (1) above shall be taken to prohibit the doing of anything for the purpose of treating or preventing the spread of disease."

Parliament then passed the Education Act 1996, clause 403 of which states:

> "The local education authority, governing body and head teacher shall"—

I shall paraphrase—take steps to ensure that sex education is given in such a manner as to encourage pupils to have due regard to the moral considerations and the value of family life. Few would argue with that. That Act, in section 404(1)(a), provided for a written statement to be made and kept up to date, and it defined a maintained school. Importantly, section 405 provided the statutory basis for exemption, stating:

> "If the parent of any pupil in attendance at a maintained school requests that he may be wholly or partly excused from receiving sex education at the school, the pupil shall, except so far as such education is comprised in the National Curriculum, be so excused accordingly until the request is withdrawn."

Any parent who is not happy with any of the sex education provided at any maintained school may withdraw their child from that sex education at the school in so far is it does not form part of the national curriculum. That is clearly enshrined in legislation, and it is an important safeguard.

The Learning and Skills Act 2000 is important to sex education in schools, too, because it modifies section 403 of the Education Act 1996 by inserting new subsection (1A), which states:

> "The Secretary of State must issue guidance designed to secure that when sex education is given to registered pupils at maintained schools—
>
> (a) they learn the nature of marriage and its importance for family life and the bringing up of children, and
>
> (b) they are protected from teaching and materials which are inappropriate having regard to the age and the religious and cultural background of the pupils concerned."

New subsection (1B) provides that

> "In discharging their functions under subsection (1) governing bodies and head teachers must have regard to the Secretary of State's guidance."

It is important to note that section 148(3) specifically omits the words "local education authority". Colleagues can see that sex education in schools and guidance are now the responsibility of the governing body and the head teacher, not of the local authority as defined under section 2A of the Local Government Act 1988. In a sense, section 28 has become something of a misnomer in law.

The guidance extends to about 30 pages and was issued in July 2000 under reference DfEE 0116/2000. If any colleague has not read it, I would urge him or her to do so. I think that it is written in a moderate, balanced and sensible way. When we debate new clause 11, it will be seen that one of the main planks of our policy is to enshrine this guidance even more strongly in statute than it is now.

Michael Fabricant (Lichfield): Does my hon. Friend accept that no matter how clear or unclear the guidance may be, the effect of section 28 is to stop teachers trying to prevent homophobic bullying? It means that many schools cannot explain effectively what homosexuality is all about. In this modern day and age, there needs to be openness in schools, as in society in general.

Mr. Clifton-Brown: I entirely agree with the last sentence of my hon. Friend's intervention. There must be complete openness in schools. I think that colleagues will recognise, when I quote relatively selectively from the guidance, how well written it is. If it is strictly adhered to, I cannot see that there would be a great problem with sex education in schools. The problem comes when some of the things to which my hon. Friend alluded happen. I shall come back to that, but first I shall concentrate for a moment on the guidance.

Colleagues will have noted that new clause 11 requires the Secretary of State to

"lay before Parliament within 24 months of the coming into force of section 119"—

that is, the section that abolishes section 2A—a report about

"the adherence to guidance",

about

"the operation of the provisions of section 404"—

that is, the written statements and materials—and about

"the numbers of parents withdrawing their children from sex education pursuant to section 405",

which I have already read out. If colleagues vote for the Bill to remain as it was when it emerged from consideration in Committee—that is, in the absence of section 2A—we want to see some strengthening of the position.

I shall quote from the guidance. It is introduced by three points, and starts by saying:

"Sex and relationship education should be firmly rooted in the framework for PSHE".

That means personal social health education. It continues:

"Effective sex and relationship education is essential if young people are to make responsible and well informed decisions about their lives . . . The objective of sex and relationship education is to help and support young people through their physical, emotional and moral development . . . The new PSHE framework will help pupils to develop the skills and understanding they need to live confident, healthy and independent lives"—

in response to the intervention of my hon. Friend the Member for Lichfield (Michael Fabricant), I would almost add "open lives".

The document continues:

"It will play an important role, alongside other aspects of the curriculum and school life, in helping pupils deal with difficult moral and social questions."

It adds:

"This is the first time that schools have had a national framework to support work in this area. As part of sex and relationship education, pupils should be taught about the nature and importance of marriage for family life and bringing up children. But the Government recognises . . . that there are strong and mutually supportive relationships outside marriage. Therefore people should learn the significance of marriage and stable relationships as key building blocks of community and society."

The document also says:

"Effective sex and relationship education does not encourage early sexual experimentation. It should teach young people to understand human sexuality and to respect themselves and others. It enables young people to mature, to build up their confidence and self-esteem and understand the reasons for delaying sexual activity."

That is very important; we can begin to see how reasonably written the document is.

Page 9 says:

"Materials used in schools must be in accordance with the PSHE framework and the law. Inappropriate images should not be used nor should explicit material not directly related to explanation. Schools should ensure that pupils are protected from teaching and materials which are inappropriate, having regard to the age and cultural background of the pupils concerned."

Clearly, what is appropriate at secondary school age would be entirely inappropriate at primary school age. I shall give a few examples that amply demonstrate that.

The document also says:

"The Department recommends that all primary schools should have a sex and relationship education programme tailored to the age and the physical and emotional maturity of the children."

Finally, page 15 of the guidance document says:

"In England in 1998 there were over 100,000 conceptions to teenagers, of which over 8,000 were to girls under 16".

Of these teenage pregnancies, 38 per cent.—almost 39,000—ended in abortion. We have to get sex education in schools right.

Kali Mountford (Colne Valley): If the hon. Gentleman wants to enshrine that guidance in law, I find it difficult to accept his argument. The guidance gives parents, governing bodies and teachers the flexibility to take account of the very things that he says are important, such as cultural background, age and the religious affiliations of the area. Would it not be difficult to recognise those differences in pupils' culture and religion if the hon. Gentleman tried to enshrine the guidance in law as he suggests?

Mr. Clifton-Brown: I take the hon. Lady's point, but it is important that we try to get the subject right. It should be taught on a national basis, and best practice in sex education should be adopted by all schools. One way of achieving that is making sure that the guidance is largely adhered to.

I shall give the House one or two examples of how things can go wrong. I give the Minister notice that I want to press him on what is meant by the Learning and Skills Act 2000 which, via new section 403(1C) of the Education Act 1996, states:

"Guidance under subsection (1A) must include guidance about any material which may be produced by NHS bodies for use for the purposes of sex education in schools."

At the moment the position is very unclear indeed—I shall come back to that in a minute.

Some of the material produced by health authorities is inappropriate. A rather nasty booklet has been produced by an organisation called PHACE West. I shall not subject the House to its contents except to say that it refers to practices called rimming and scat—I do not know what they mean. PHACE West is partly funded by public funds, and its booklet is available to children as young as 12. Such material is inappropriate for young children. I am pressing the Minister hard for the meaning of subsection (1C), because his colleagues the Education Ministers certainly seem to be unclear about its meaning.

Another booklet was produced by the Scottish Executive and entirely funded by public funds. I accept that the law in Scotland is slightly different, and shall not subject the House to some rather nasty bits of that booklet. Suffice to say it talks about teaching children aged seven to 11 about anal intercourse, masturbation, all about the clitoris, lesbianism, oral sex and bisexuality. That is another example of where things have gone wrong. Another rather nasty booklet was produced by Avon health authority, but I shall spare the House the gory details. However, we need to know what is meant by health authority guidance in subsection (1C).

[Mr. Clifton-Brown]

My hon. Friend the Member for Gainsborough (Mr. Leigh) has done the House a great service in tabling amendments that demonstrate the ragged edges caused by the Government's getting rid of section 2A of the Local Government Act 1986. As Conservative spokesman, I have said that the issue is one of freedom of conscience, and shall abstain from voting on my hon. Friend's amendments, to demonstrate strict neutrality on the Front Bench. None the less, there are some ragged edges.

Sir Patrick Cormack (South Staffordshire): If this is a genuine free vote—and I believe that it is—why should my hon. Friend be inhibited from voting?

Mr. Clifton-Brown: I am not inhibited from voting one way or another. I just think that it would be wrong, in proposing our compromise new clause—to which I shall now turn—to indicate which way I feel section 2A should go. There will be colleagues who have strong views either way, and I respect those views. I respect the strong views of my right hon. Friend the Member for Haltemprice and Howden (David Davis) and I respect my hon. Friends who hold the opposite view. From my own point of view, I shall maintain a strict neutrality and not vote either way.

Mr. Nigel Waterson (Eastbourne): I am following closely what my hon. Friend is saying and he is making his arguments very carefully and concisely. Does he agree, however, that if examples of this material exist, and if there are clear indications that abuse could occur, and if section 28—as it is colloquially known—is swept away by the Government with Liberal Democrat support, the onus should be on the Government to come up with an alternative method of protecting our children, rather than that being left to the official Opposition?

Mr. Clifton-Brown: I entirely accept what my hon. Friend says. I have no idea whether the Government are going to accept my new clauses or not, but if they are not, there needs to be further negotiation. If no such further negotiation takes place, I am sure that our noble Friends and colleagues in another place will wish to take the matter up. I do not expect this to be the last word on the subject.

Mr. Julian Brazier (Canterbury): My hon. Friend has made a powerful case for our Front-Bench amendments. May I say, however, that the most important single thing to arise out of the case that he has just made is the need for the House to vote on new clause 21—also tabled by my hon. Friend the Member for Gainsborough—which specifically identifies the sexualisation of children as the central issue? That issue is independent of homosexuality or heterosexuality, as many of the examples given by my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) show.

5.30 pm

Mr. Clifton-Brown: I entirely accept the sincerity of the views that my hon. Friend, and many of my other hon. Friends, hold on this subject. New clause 21 is an excellent new clause; it is very similar to my own new clause 11. Unfortunately, new clause 11 comes first, and I suspect that it will be the first to be voted on. Colleagues might wish to call for other votes, however. I have no idea what they might wish to call for.

Mr. Edward Davey *rose—*

Dr. Brian Iddon (Bolton, South-East) *rose—*

Mr. Clifton-Brown: May I move on? I have an important point to make. I challenged the Minister to give the House an answer on the health guidance, and I wish to take that matter further because, having given the House examples that come from health authorities, I believe that there will be a lacuna in the law. We need the Minister to clear this matter up tonight. My hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) helpfully wrote to the Secretary of State for Education and Skills on this subject on 24 January, saying:

> "I cannot, however, find anything within this publication that discharges the Secretary of State's obligation under Subsection 1C."—

that is the one that I read out—

> "The only reference, so far as I am aware, to the material produced by the NHS is in paragraph 1.8 which indicates that the Department of Health will be issuing guidance to Health Authorities to the effect that any materials developed by them must be in line with DFEE guidance. This does not discharge the obligation under Subsection 1C."

My hon. Friend received a reply from the Under-Secretary of State for Education and Skills, the hon. Member for Enfield, Southgate (Mr. Twigg), on 10 February. The first paragraph states the legal position, as I have done, in relation to how the guidance is enshrined in the Education Act 1996 and exactly what the guidance is. Then, bizarrely, the Minister goes on to say:

> "Materials intended for use in schools should be pre-tested with teachers, parents and governors, to ensure they are acceptable and appropriate. In producing materials for schools, Health Authorities must also have regard for the Department for Education's Sex and Relationship Education Guidance. Copies of the document may be obtained from the Department of Health website".

We need a much stronger position than that. If the House votes this evening to leave the Bill as it is—that is, to remove section 2A—the Government will need to attend to this matter, and I urge them to use the earliest legislative opportunity to clarify the measure.

I am going to use an unconventional parliamentary technique—for which you will probably call me out of order, Mr. Deputy Speaker—and hand the letter across the Dispatch Box. I ask the Minister to clarify the matter when he sums up.

Dr. Iddon: Just for the record, will the hon. Gentleman make it clear whether the material that he has been waving about this evening and in Committee is for the use of children, or to prepare teachers in case they get awkward questions from the children? It is important to make clear what the literature is intended for.

Mr. Clifton-Brown: The hon. Gentleman cannot be so naïve as to presume that material produced for teachers is not automatically given to the children. One knows what children are like: even if the teacher does not give the material to them directly, it is likely that it will be left lying around and children will get hold of it. Everybody knows that. *[Interruption.]* Labour Members may make a huge fuss, but what matters is not whether the material is given to the children or the teacher, but the content of the material. If the content is unsuitable, it does not matter whether the children get the material or not. It is unsuitable for children of the age that it is aimed at—full stop. I shall move on.

Mr. Davey: I want to be helpful to the hon. Gentleman. His hon. Friends will want to know that he did the honourable thing in Committee and voted to get rid of section 28. Therefore, can he explain to the House why he will be neutral and not oppose amendment No. 8 if it is pressed to a vote?

Mr. Clifton-Brown: I have made my position clear. I will not vote one way or the other if amendment No. 8 is pressed. I shall vote in respect of our compromise proposal. *[Interruption.]* I have made the position clear, but the hon. Gentleman looks shocked. I can do no more than emphasise what I have said from the Dispatch Box.

I wish to move on to one or two other aspects that must be considered, because the whole thing is fairly untidy and jagged. Here I pay great tribute to my hon. Friend the Member for Gainsborough and urge the House to consider not only his amendment No. 8, which has just been referred to by the hon. Member for Kingston and Surbiton (Mr. Davey), but, for a start, my hon. Friend's amendment No. 16, which relates to paragraph 5 of schedule 1 to the Education Act 1996, and pupil referral units.

Through the repeals section of the Bill, the Government are removing paragraph 5, but the problem is that they are not removing paragraph 7, which involves offences relating to section 2A and being able to exclude people from a pupil referral unit. Whatever happens, the Minister must consider that particular jagged edge. This is a serious matter, and amendment No. 16 relates to it. Paragraph 5, entitled "Application of Local Government Act 1986", states:

> "A pupil referral unit is a maintained school for the purposes of section 2A(1)(b) of the Local Government Act 1986 (prohibition on promoting homosexuality)."

That is entirely consistent with the Bill as it left Committee and entirely right, but paragraph 8, entitled "Sex education, political indoctrination and political issues", states:

> "Sections 403, 406 and 407 (sex education, political indoctrination, and treatment of political issues) apply in relation to pupil referral units as they apply in relation to county schools."

It seems to me that leaving in paragraph 8 would be untidy. The Minister shakes his head. That is fine, but perhaps he will explain why it would not be untidy, as I am sure that my hon. Friend the Member for Gainsborough will press that point in addressing amendment No. 16.

Another of my hon. Friend's proposals, amendment No. 18, would repeal section 104 of the Local Government Act 2000, which says:

> "In section 2A of the Local Government Act 1986 (prohibition on promoting homosexuality by teaching or by publishing material), at the end of subsection (2) there is inserted; 'or
>
> (b) prevent the headteacher or governing body of a maintained school, or a teacher employed by a maintained school, from taking steps to prevent any form of bullying'."

Bullying, whatever form it takes, is an important matter. My hon. Friend has done the House a service. That section will be repealed if the Bill goes through, and we need to know from the Minister what will take its place. Bullying in schools, whether homophobic or whatever else, is a serious matter.

Mr. Michael Fallon (Sevenoaks): The strength of the examples that my hon. Friend has given are not quite reflected in the strength of his new clause 11. Does he intend to say anything about his new clause 17? Merely calling for a report may not improve the situation.

Mr. Clifton-Brown: I am grateful to my hon. Friend for raising that matter. I was coming to that. For administrative convenience, I want to deal with amendment No. 37 first; then I shall return to new clause 17.

Amendment No. 37 is the second part of our compromise. I have already elucidated the first part in some detail, which is to enshrine the guidance in statute. We feel that the guidance, sensible though it is, should not be able to be amended unless it comes before the House as a statutory instrument under the affirmative resolution procedure.

The second important part of our compromise is that parents should be able to test whether the head teacher and school governing body have adhered to that guidance. We propose that parents should be able to exercise their vote in a ballot if they are dissatisfied with the material and with the written statement under the statute. If at least 5 per cent. of parents so decide, they could trigger a ballot. The majority of parents registered at a school would vote, and if they voted that the material did not conform to the guidance, the head teacher and governing body would have to rewrite it. There would be the possibility of triggering a further ballot, and if parents again voted against the material produced by the school, the default position would be for the Secretary of State to issue his own guidance and statement.

In that way, the parents in a school would have two safeguards. First, under section 405 of the Education Act 1996, they could withdraw their children from school. Secondly, they could trigger a ballot, and a repeat ballot if they thought that the material produced by the school's governing body or the head teacher did not conform with the guidance. We believe that that is a strong compromise, and I hope that my hon. Friends will see that.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): If a second ballot were lost by 1 per cent., what would happen next?

Mr. Clifton-Brown: That is clear. We believe in democracy, as I am sure the hon. Gentleman does. If the

[Mr. Clifton-Brown]

second ballot were lost even by one vote, the parents would obviously be dissatisfied with the material, so the matter would go to the Secretary of State. That seems to me exactly the right thing to do.

The final lacuna in the Bill is that section 2A applies only to pupils in maintained schools, as I stated clearly in my longish summing up of the legal position. It emerged in Committee that there is a lacuna, as the provision does not apply to youth clubs. I have referred to the nasty little document that is circulating among children as young as 12 in youth clubs. If section 2A is abolished, there will be nothing in the law to cover that situation.

It was difficult to make sure that the new clauses would be in order, because we are trying to amend an Education Act by means of a Local Government Bill. We propose that section 508 of the Education Act 1996 should be included in any guidance. I shall give my hon. Friends an idea of what section 508 covers. It provides that a local authority may

> "establish, maintain or manage . . . camps, holiday classes, playing fields, play centres, and . . . other places, including playgrounds, gymnasiums and swimming baths not appropriated to any school or other education institution",

and may organise games, expeditions and other facilities. So we say, through new clause 17, that it is incredibly important that all facilities and organisations, where they are in any way funded by the local authority, should be brought within the guidance.

Mr. Andrew Turner (Isle of Wight): Will my hon. Friend confirm that the section covers youth clubs?

5.45 pm

Mr. Clifton-Brown: I am as satisfied as I can be in that respect. My hon. Friend brought up the matter in Committee, and I am grateful to him for trying to assist by tabling amendments (a) and (b). He obviously feels that the section would apply to youth clubs.

Kali Mountford: If what the hon. Gentleman describes as a nasty little document is available in youth clubs, why is it not prohibited under section 2A?

Mr. Clifton-Brown: Because, as I have tried to explain to the hon. Lady, section 2A applies only to maintained schools. That is precisely the point.

Mr. Chris Bryant (Rhondda): So why not vote to get rid of it?

Mr. Clifton-Brown: The hon. Gentleman asks why we do not vote to get rid of it. We have to ensure that safeguards are put in place. If the House votes to get rid of section 2A, as I suspect it will, hon. Members must be aware of the lacunae that will still exist. One of the difficulties that I mentioned to the Minister, who undertook to consider it, is that boys and girls who go to youth clubs when they are relatively young will be left unprotected. That is an unsatisfactory position. If the Bill emerges without any amendments or new clauses, the Government will have to consider that aspect, among others.

Mr. Borrow: Will the hon. Gentleman give way?

Mr. Clifton-Brown: I will not give way any more; I have given way enough.

The Minister needs to address three major issues, apart from the whole issue of sex education and guidance: the material that is produced by health authorities, and how the guidance applies to them; bullying and how to deal with it; and, in particular, youth clubs.

We are all concerned to protect children and we are having an important debate about that. I suspect that the House will vote to leave the Bill as it is. That means that sex education in schools is moving on, so appropriate safeguards must be in place. The beginnings are there, but substantial problems remain. The compromise measures that we propose in new clauses 11 and 17 and amendment No. 37 would address that situation. I urge hon. Members to vote for them.

Mr. Bryant: I am grateful for the opportunity to speak. I shall talk about only one of the many amendments that are before us—amendment No. 8—for the simple reason that it strikes to the heart of the debate, which essentially concerns the morality of the society in which we live and the way in which we choose to incorporate that into law.

Every society is constituted by its mores, the pattern of which forms the morality by which we all live our lives. Sometimes those mores are simply customs such as shaking hands or kissing somebody when you greet them; sometimes they are commonly held assumptions that everyone believes that everyone else holds; sometimes they are intellectual assertions that are propounded by teachers, educationists or the authorities of the land, and are often fiercely contested. It is rare, however—at least in modern democratic societies—that those mores are enshrined in law. In the modern world, it tends to be only theocratic states that have retained the enshrinement of mores in law.

Mr. Andrew Turner: What does the hon. Gentleman mean by mores, in this context? Many of our morals are enshrined in law—such as, "Thou shalt not kill."

Mr. Bryant: I do not want to get into a lengthy discussion on the ten commandments, although they would clearly form part of the mores of any society. However, mores stretch across a wide range of issues. In this country, it might be thought immoral for two men to greet each other by kissing; in Argentina, it would be thought very peculiar for two men to greet each other not by kissing.

David Cairns: I know that my hon. Friend does not want to get into a discourse on the ten commandments—neither do I—but we would not dream of legislating, to bring into law and enshrine in statute, that people had to honour the Sabbath. My hon.

Friend is right to suggest that these are complex matters. Does he agree that simply parroting out the ten commandments does not get us anywhere?

Mr. Bryant: Indeed. I do not think that any of the ten commandments touch on the matters that we are discussing tonight.

Often, the mores on which a society's morality is built are based on myths—myths that were held in days gone by but that have subsequently been proven incorrect. The most common myth about homosexuality is that it is a choice—that somebody has chosen to be homosexual. Some people's interpretation of the Old and New Testaments may be that those who have chosen to be homosexual are acting outside the law of God, whereas those who have no choice about their sexuality, and for whom their sexuality is something to be discovered, are not acting outside that law. That view has often been preached by the Archbishop of Canterbury. In the late 20th century and now in the 21st century, most people have accepted that people do not choose to be homosexual but discover that they are homosexual.

Andrew Selous (South-West Bedfordshire): The hon. Gentleman is making a thoughtful contribution, but does he accept that the sexual orientation of young children can be influenced, and that sex education can play a part in that?

Mr. Bryant: The hon. Gentleman is tending towards the argument that homosexuality is an illness that can be caught. From experience, I know that the pressures of modern society are so strong that nobody would choose to be homosexual unless they felt that it was absolutely inevitable, that being homosexual was an integral part of who they were, and that they could do no other. For many years—from Jung onwards—psychiatric opinion has contested the idea that homosexuality was an illness that could be cured by aversion therapy, by electric shock treatment and by a whole range of other treatments.

Miss Ann Widdecombe (Maidstone and The Weald): I want to press the hon. Gentleman on the point that was raised by my hon. Friend the Member for South-West Bedfordshire (Andrew Selous). Does the hon. Gentleman accept that teaching a child encompasses an element of influence? Is it not therefore important, when teaching children, that a way of life that—as the hon. Gentleman has just admitted—can cause problems in adult life should not be promoted?

Mr. Bryant: The right hon. Lady once told me on Radio 4 that I was "gambling with eternity" because of the way in which I led my life. The right hon. Lady makes a common mistake. She believes that the influence that can be brought to bear on a young person can so transform their sexual leanings that they will become homosexuals. From my experience as a youth worker in the Church of England, when I assisted youth organisations all round the diocese of Peterborough, I know that that is not the case. If it were possible for somebody to catch homosexuality or to be influenced into becoming homosexual, I think that Oscar Wilde's children would have been gay. They were not.

Homosexuality cannot be caught. One of the myths that is perpetuated in common parlance is that homosexuality and paedophilia are more or less the same thing. Sometimes, in the debate on this issue—especially in the House of Lords, where it has been referred to many times—there has been an enormous conflation that is both ignorant and profoundly unhelpful.

There are two myths than can easily be dispelled. They strike perhaps a slightly lighter note. One is that no clergy are gay. That was the firm belief of the Bishop of Oxford who, three weeks after ordaining me, said that he had never laid hands on a gay man. Either he did not know, or he chose to ignore it. It is one of the profound sadnesses of the past 50 years that, although the Church of England has had many gay clergy who have served it extremely well—especially in many inner-city parishes where many clergy with children would not want to serve—the Church has pretended that those people have not served it well. That has been a great disservice to the Gospel.

The second myth is that no married people are gay. I cannot count the number of times I have heard somebody say, "Oh, no, he can't be gay, because he's married with children." I have already mentioned Oscar Wilde but I am sure that there are many others—some of whom have been Members of this House—who could prove that myth untrue.

I have always felt section 28 to be immoral because of the profound damage that it has done to enormous numbers of bruised individuals. The number of young men who have committed suicide when they have started to understand their own sexuality is phenomenal. The more tolerant attitudes in many other countries have made it far more possible for people to come to understand themselves and to grow into adults who play an important part in society.

Section 28 was not brought in to protect children; it was brought in to make a declamation—that homosexuality was abnormal, immoral and wrong. That has caused profound damage, not only to homosexual men but to literally millions of wives. How many women, because their men have felt, in the society in which they lived, that they had to get married to cure themselves somehow of their homosexual tendencies, have ended up leading a miserable married life because they never really knew the person to whom they were married? I do not want to mention any particular people, but if any hon. Member doubts what I have said, they should watch the film "Far from Heaven", which is a dramatic version of a story that literally millions of people have gone through. Millions of wives have had their lives destroyed. For that matter, millions of children of homosexual men have never been able to know their father properly. Those men have sought to marry but have done so against what they probably knew to be their proper nature. Their children have often inherited denial as a psychiatric pattern, which has affected the rest of their lives and given them further problems.

A declamatory law that says that homosexuality is not to be promoted. because in some way or another it is abnormal or immoral, leads to a greater sense that it is okay to bully somebody because they are homosexual. Section 28—as it was called in 1988 and as many of us still think of it—is purely a declamatory law. The

[Mr. Bryant]

hon. Member for Cotswold (Mr. Clifton-Brown) has already said that it has no effect in modern law. Law that has been drafted means that the section has been sidelined in a way that is marked. There has not been a single prosecution since section 28 was brought in, despite all the things that the hon. Gentleman referred to.

Andrew Selous: I want to correct the hon. Gentleman on that point. He is probably aware that, in the case of Glasgow City Council, there was a judicial review as a result of section 28, although the section has since been repealed in Scotland.

Mr. Bryant: I know that the hon. Gentleman is making a point, but we are talking not about the way that legislation will affect Scotland but about the way that it will affect here.

Kali Mountford: I am grateful to my hon. Friend for giving way as it gives me an opportunity to clarify what was said earlier by the hon. Member for Cotswold (Mr. Clifton-Brown). Is it not the case that section 28, as it is known, applies to local education authorities and therefore to youth clubs that are run by them, so any material that is produced for or by youth clubs would be covered by the Act as it now stands?

Mr. Bryant: To be honest, the single most important reason for getting rid of section 28 is its declamatory effect. The words that many gay men, lesbians and bisexuals find profoundly offensive are those that state that a local authority shall not

> "promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship."

I cannot imagine how anyone could have vritten that from any perspective, whether it be profoundly Christian or Muslim, without deliberately intending to be offensive.

Mr. Brazier *rose—*

Mr. Llwyd *rose—*

Mr. Bryant: I will give way, but I am being particularly generous.

6 pm

Mr. Brazier: The hon. Gentleman is being generous and his speech is courageous, but what does he think about new clause 21? Without mentioning either homosexuality or heterosexuality specifically, it would dissuade local authorities from sexualising young children.

Mr. Bryant: I said that I only wanted to speak about one aspect of the subject. New clause 21 is ambivalent and is merely a smokescreen for those who want to pretend that they are in the nice party when really they are not.

Mr. Llwyd: Surely the best case for the repeal of section 28 is that it is obsolete. The hon. Gentleman is right to say that no one was prosecuted under it. The hon. Member for South-West Bedfordshire (Andrew Selous) referred to a civil process in Scotland. As far as I know, there has never been a criminal prosecution.

Mr. Bryant: The hon. Gentleman makes a good point.

My problem with such a declamatory law is that it leads to an assumption of prejudice. Some hon. Members may believe that there is hardly any prejudice left against homosexuality in this country. Homosexuals are in nearly every soap opera on television and many celebrities feel able to come out. Indeed, many hon. Members on both sides of the House are honest about their sexuality and see it as something to be celebrated. But prejudice is alive and well. Many children speak of bullying. Being called a poof or a queer can be devastating for young people and they will do everything in their power to prevent that from being levelled at them if they happen to be homosexual. If they are not, it might not matter so much.

Everyone who guesses the number of homosexuals comes up with a figure of their own, but perhaps between one in 20 and one in 10 are by nature homosexual, as they will discover by the age of 18, 21, 28, 34 or whenever—it will happen at some point in their life. For many of those people, that bullying can be profoundly bruising, and the bruises can sometimes be very real. There are more than a dozen cases every year of serious queer bashing in which individuals are killed or beaten for their sexuality and for doing something that other people would find entirely normal—perhaps for going to a bar or for kissing someone whom they love. It is not many years since the bombing of the Admiral Duncan pub in Old Compton street. Very few people in the gay community in London or, I suspect, across the country were not as profoundly touched by that experience as the Afro-Caribbean and Asian communities were when bombs were let off in their communities.

In addition, gay men or lesbians have to think twice about many thoroughly normal things that are part of an ordinary person's life. They have to think twice before booking a hotel room because the woman on the desk at the hotel might say, "Sorry. We don't allow homosexuals in this hotel", when they turn up. They have to think twice before taking out a mortgage in case the woman falls off her chair when someone says that his partner is a man, not a woman. However, gay and lesbian people do not have to think twice when they write their wills, but three, four or five times because of the difficulty of constructing a will that allows their partner to live in the home for which they may have paid throughout their life. They have to think twice before going abroad because a large number of countries, including many in the Commonwealth, have legislated against homosexuality and the penalties are severe. For that matter, they have no right to attend the inquest of the person with whom they may have lived and shared their life for 20, 30 or 40 years and whose funeral they may have organised.

Mr. Clifton-Brown: I am sure that the House has considerable sympathy with the points that the hon. Gentleman makes, but how do his remarks relate to sex education in schools and section 28?

Mr. Bryant: I am sure, Mr. Deputy Speaker, that you would have ruled me out of order had I steered away from the Bill's content. My point is simple, however. At the moment, the section is obsolete. It only exists as a declamatory law and it makes people feel all right about being prejudiced against homosexuals in society. If we are to have a declamatory law on homosexuality, it should proclaim that everyone is equal under the law and has an equal right to live and love.

Many of us presume that this House will come to one view on the matter and that the other place will come to another. A friend of mine who sits in the House of Lords told me that her first day there was spent in a debate on section 28 which she found perplexing because she had never heard so many medical terms in her life. I profoundly hope that as a result of, I think, four free votes in this House, the House of Lords will honour the views of the democratic Chamber.

Mr. Edward Davey: The House is indebted to the hon. Member for Rhondda (Mr. Bryant). He put his case powerfully and sensitively. Some of the real-life examples that he gave reminded me of gay friends of mine who faced huge prejudice and difficulty when they decided to declare to their family and friends how they really felt about their sexuality. When I spoke at length on the issue in Committee, I mentioned a colleague of mine who was at university with me. When he realised his sexuality in his late teens, rather than face his family, he hanged himself in a toilet in our university. That is the reality of the prejudice and discrimination that many people experience, and that is why it is wrong to have a prejudiced piece of legislation on our statute books.

I shall be brief because the Liberal Democrats position on section 2A has been clear for a long time. We voted against it when it was first proposed and it has been party policy in successive manifestos to repeal it. Liberal Democrat MPs have voted against it time and again. It was our privilege to move an amendment in Committee, with cross-party support, to remove the section. In particular, I give credit to the hon. Members for Colne Valley (Kali Mountford) and for Buckingham (Mr. Bercow) and the right hon. Member for Skipton and Ripon (Mr. Curry) for their support.

Andrew Selous: My hon. Friend the Member for Cotswold (Mr. Clifton-Brown) confirmed that the Conservatives will have a free vote and the Minister confirmed by nodding earlier that that is also the case for Labour Members. Do we take it that the Liberal Democrats will not have a free vote?

Mr. Davey: The hon. Gentleman can take it that that is case. It is party policy and has been in three, if not four, manifestos.

David Cairns: I commend the hon. Gentleman's party on that choice. I am sure that the vast majority of my hon. Friends will support his case. We would not dream of allowing a free vote on issues of race discrimination or gender discrimination. I understand the history but, frankly, would prefer my party to take the same stance as the Liberal Democrats.

Mr. Davey: I am grateful for that comment. The hon. Gentleman is right to say that it is a matter of party policy and demands that approach.

We tried to get cross-party consensus on the amendment when we moved it in Committee and it is extremely important that the House gets consensus tonight. In yet another vote, we need to give a clear signal to the other place that the mind of the democratic House is made up. It needs to know that we have voted time and again on the issue and that it no longer splits the parties. Hon. Members on both sides of the House have made up their mind on it—indeed, some have even changed their mind. We must send a powerful message to the other place, so that it does not try to obstruct the democratic House on the issue yet again. It is time we got rid of the legislation.

In Committee it was noticeable that the majority of members from all parties voted to delete section 28, or section 2A, whichever one wants to call it. The hon. Member for Cotswold (Mr. Clifton-Brown), the right hon. Member for Skipton and Ripon (Mr. Curry), and the hon. Members for Wycombe (Mr. Goodman) and for Poole (Mr. Syms)—all Conservative Members—voted to delete section 28. They were right to do so, and I believe that their example will be followed by many other Conservative Members tonight. I hope we can maximise the Conservative vote tonight. People outside and in the other place know where the majority of Liberal Democrats and Labour Members stand. It is important that we get rid of the issue by as many Conservative Members as possible voting for the amendment. That will be the best way of getting rid of the discrimination once and for all.

Mr. Graham Brady (Altrincham and Sale, West): Perhaps I can help the hon. Gentleman towards consensus. Many of us have considerable sympathy with the points made by the hon. Member for Rhondda (Mr. Bryant), but would vote for the deletion of section 28 only if appropriate other safeguards were in place. If the hon. Member for Kingston and Surbiton (Mr. Davey) wants consensus and wants members of all parties to support his argument, it would be nice to hear him supporting the idea that parents might have some say about what their children were taught.

Mr. Davey: I am grateful for that intervention, which brings me on to my next point. There are already many safeguards to protect children and give parents the power. The Learning and Skills Act 2000 makes it clear that local authorities are not responsible for sex education in schools. The Sexual Offences (Amendment) Act 2000 makes it clear that there is a framework for protecting children. It is a strong framework that had support from all parts of the House. The Education Act 1996, as the hon. Member for Cotswold said, gave parents the right to remove their children from sex education lessons in school if they so wished. The sex and relationship education guidance published by the Government in July 2000, which was so powerfully supported from the Conservative Front Bench, is very clear. It is difficult to understand what further safeguards are required. They are strong and they work.

Sir Patrick Cormack: Has the hon. Gentleman any conception of what it is like for a child to be withdrawn

[Sir Patrick Cormack]

deliberately by the parents from any formal instruction? That child is immediately isolated and is often treated in a rather unpleasant way by the rest of the children.

Mr. Davey: That argument is fallacious. It would be easy to ensure that the removal of the child was done in a sensitive way if the parents spoke to the teacher and the head teacher. There should be no problem about that.

The Conservative amendment, No. 37, which proposes another approach to give parents choice—through ballots—is one of the most odious amendments to come before the House in a long time. Can the hon. Gentleman imagine what would happen? There would be ballot after ballot led by homophobes trying to change the sex education policy of school after school. It is a recipe for homophobic behaviour on a grand scale. It would not give parents any real choice; it would give homophobes a choice. We should oppose it vigorously.

Mr. Andrew Turner: As the hon. Gentleman knows, I did not support the amendment in Committee, and I find it odd that he should believe that democracy is right when democrats would agree with Liberal Democrats, but not right at other times. However, his earlier point was that there was no need for any new safeguard. Will he concede that section 28 covers the organisations covered by section 508, which my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) read out earlier, including youth clubs, and that no other legislation covers those institutions?

6.15 pm

Mr. Davey: I shall give the hon. Gentleman two answers. *[Interruption.]* He made two points, so he deserves two answers. His first point was that Liberal Democrats do not like democracy in these circumstances. We are Liberal Democrats; we believe in liberal democracy. That means, as the hon. Gentleman as a Member of the House ought to know, that the interests of minorities should be protected under the law. We stand firm and square for that, and I am surprised that he does not.

On new clause 17, as the hon. Member for Cotswold said, section 28 does not apply to youth clubs. We are concerned about new clause 17 because of the way it could apply. Does it take account of the voluntary sector? Would it apply where a local authority gave some small support to a voluntary-run youth club, possibly scouts or a church club? One of the major flaws in the new clause is that children and young people attend youth clubs on a voluntary basis, according to their parents' wishes. That is quite different from attending school, which is compulsory by law. The parents can decide, after discussion with those running the youth club, whether their children should attend. New clause 17 goes into dangerous territory for the Conservative party, infringing the rights of parents and voluntary groups. I am surprised to see it tabled in the name of Conservative Members.

Mr. Clifton-Brown: The hon. Gentleman was present in Committee and he will have discovered that there is a lacuna in the Bill. If the existing section 2A is abolished, there will be no provision for guidance to youth clubs and other bodies. Our new clause specifically refers to those funded by local authorities. Those are public sector bodies. Does the hon. Gentleman accept that there needs to be guidance to youth clubs and other such bodies?

Mr. Davey: The hon. Gentleman does not seem to have grasped the point that there are many voluntary youth clubs throughout the country, often scouts and guides, that receive taxpayers' money from local authorities. Many local authorities help the uniformed organisations and voluntary-run organisations and would fall foul of the new clause.

I shall take no more of the time of the House, as we want to hear from other right hon. and hon. Members. It is time the House grew up, realised how our constituents are living out there, stopped hiding in the past, and removed this odious legislation from the statute book once and for all.

Kali Mountford: As the hon. Member for Cotswold (Mr. Clifton-Brown) rightly said, the essence of the debate is the education, protection and care of children. That is what we should focus on—how we nurture children's minds so that, as adults, they can operate properly in society. That is the aim of education, of growing up, of youth clubs, of voluntary sector organisations, of parents, governors and teachers. The problem with section 28 is that that is not its aim. Section 28 has been bypassed by subsequent legislation and by society's increasing acceptance of difference.

When we deal with difference, we need to be honest with children. As sure as eggs is eggs, children will notice if we are not telling them the truth. Any parent knows that if a child asks us a question and we try to sidestep it rather than dealing with it directly and honestly in a way that he or she can understand, he or she will not only not believe us on that occasion, but will probably not believe anything we say ever after. That means that as early as a child asks, "Why is uncle Fred living with uncle George?" we have to tell them. As early as a child says, "Mummy, I've just seen two men holding hands," or, "That girl just kissed that other girl," if we do not tell the truth about the reason behind it, the child will never believe us on that or on anything else. Education must be in the context of the world we live in, not the world we would like to live in. Where a school is in a community, the education from that school must reflect not only the ethos of the school but the community and families from which pupils of that school are drawn. If parents have the opportunity to choose a school—we must all accept that that choice is not available to everybody, for a variety of reasons, such as ability to travel, and, in some circumstances, ability to pay—to some extent, they have a voice within that school. That is what many hon. Members are concerned about. It has been said that hon. Members would feel more comforted in supporting the withdrawal of section 28 if some other protection were in place. I ask those Members to consider carefully what they think is happening, what is really happening, and what might be the effect of proposed legislation.

What is happening now? In schools, the curriculum committee that is required of every governing body of every state-funded school must include a teacher, a parent and other members of the governing body, and it must approve the curriculum of the school. If parents are not happy with the curriculum devised, not only can they remove the child if they want to do so but they can object to the curriculum overall. That curriculum needs to be agreed by the school, and that is part of what we do now.

Mr. Brady: How many parents examine the material that is used in schools in sex education? Surely the hon. Lady cannot imagine that the system works as well as possible, and that parents are always making an informed decision in that process.

Kali Mountford: The hon. Gentleman raises an interesting point. I have experience not only as a parent but as a grandparent: I have three grandchildren in primary education, and I also have a child aged 19 in education, so I can see the whole range of education in my family. If a child came home with a story about something inappropriate that had happened at school, I cannot imagine the parents not noticing. The prospect of sending curriculum material to every parent for approval would be dire. Curriculum bodies allow representatives of parents to represent the view of the community to the governing body. That is the purpose of setting up the governing body in that way.

My problem with amendment No. 17 is that it would ask every parent to vet curriculum material—on an annual basis, I presume, as curriculum material changes all the time—which would be a nightmare. I cannot see how that could work. The representation of parents on governing bodies is working well and has been working well for some time. The evidence that it is working well is that we do not have a flood of parents knocking on our constituency office door saying, "Good heavens, my child has been looking at this material today, and I object strongly." If a parent did so, I would represent their view, but it has never happened.

The proof of that is in the experience. Since section 28 was introduced, people have not been bringing forward such material. That is not because of the protection of section 28, because, as we know, section 28 has been overtaken by events. The protection has been the good sense of the parents, teachers and governors on the governing body who decide the curriculum. That has worked well for a long time, and it has been enhanced still further by the guidance that has been produced. Hon. Members may want to enshrine that guidance in law, but I think there are difficulties with that. Such an approach does not recognise the very thing that is special about schools—the fact that they are founded in the communities in which they are placed. In a predominantly Muslim area, the curriculum may be taken in a particular direction suited to the community. A predominantly Christian area or Christian school may have a particular direction for their education, too. That is to be welcomed, and it recognises the breadth of culture, religion and diversity that we have in communities.

Enshrining that in legislation becomes extremely difficult. At the moment, a school can reflect the ethos of the community in which it is based, but enshrining that in legislation would fix that at the point at which we are now, and would not allow for the constant changes in communities. We are living in a dynamic society that changes constantly, and we must recognise not only the changes in society overall but changes in education and what is thought appropriate. What we thought 50 years ago, and what we thought when I was at school, is very different from what we think now. Parliament can set out certain broad objectives that a school might want to achieve, but I have never thought that Parliament is the right to place to decide on the day-by-day aspects of a school's curriculum. That level of detail, and that level of imposition on family life, seem profoundly wrong.

That kind of decision should not be taken in this place, because it strips out all the usefulness of the contact between parents and schools. We should treasure that contact, which is not achieved through a bureaucratic process and a ballot. Balloting on these issues does not bring out the best in everybody. All that happens when we have ballots is that entrenched positions develop on either side and debate is polarised, and groups with different sets of values pull the community apart. It is not about cohesion or bringing people together, and that is very wrong, certainly for children. I would not want my children to be placed in a school in which such debates started to divide communities.

These are questions for the family. The morality that I want in my family—we have, I hope, very high moral standards—comes from the family, what we believe, and what we discuss at home. It is sad and a shame that there are some families in which such discussions do not take place. We cannot say that the proper place for all that discussion is school. We must not be directive to that extent. I have strong feelings about how I want my children to be: I want them to be caring, open and accepting of other people. I do not want them to go to a school that closes down their minds in relation to accepting and caring for different kinds of families

Angela Watkinson (Upminster): Does the hon. Lady not accept that the nub of this debate is not about accepting or tolerating but about promoting, which is a different thing altogether?

Kali Mountford: I am sad that that has been raised, as it relates to the differences between what people believe and what is true. The fact that someone believes something does not make it true. It is a complete myth that sexuality can be promoted. Members of my family are gay, straight and transsexual, too. Are we saying that any of those people have a lesser or greater place in the family or in society? Of course we are not. If someone were to beg me, on their knees, to be gay, I could not be, because I am not gay. No more could I say to anyone I know who is gay, "You must be straight." It is not possible to promote a particular sexuality as having a greater value than another. I strongly and firmly attest and believe that one's sexuality is as much a part of oneself as any other aspect.

We can no more lop off an arm than change our sexuality—it would be a denial of oneself. It is wrong-headed and a complete myth to suggest that sexuality can be promoted. If it could, everyone would be straight because, when we go to school, to be gay is to be different and normality is promoted—whatever a normal family is. Two parents married for all time with two children and everyone living happily ever after is the preferred and promoted state in schools, and that is supported by guidance, yet people are gay.

6.30 pm

Mr. Brazier: Does the hon. Lady not accept that, among children, it is wrong to promote sexuality at all and that when a child of 12 becomes pregnant, as has happened in the village next to mine, it suggests that there is too much encouragement of sex among people who are years under the age of consent? I ask the hon. Lady to consider new clause 21, which addresses that wider issue.

Kali Mountford: I would happily go some way with what the hon. Gentleman says about the sexualisation of children, but the new clause that he appears to support would not do much about it. The sexualisation of children is not happening in schools, or even necessarily youth clubs; it is happening in a wider sense, and I deplore it. I do not like the idea of little children wearing adult clothes and behaving in an adult way; that is quite wrong, but it is not happening in schools, and it is certainly not being promoted in them. If it were promoted in the schools where my children are taught, I could imagine that fleets of parents would go down to the school saying, "What on earth are you doing telling my five-year-old that Barbie is an essential part of life and that little girls of five should be like Barbie?" That is not the way that we expect our schools to behave now.

Mr. Bryant: Is not the truth of the matter that children are talking about sex day in day out, and that, rather than promoting anything, it is often a case of answering their questions and correcting some of the myths?

Kali Mountford: My hon. Friend, as ever, is entirely right, and what he says takes me back to the beginning of my remarks: children will always, and should always, ask questions. Without asking questions, how can they know anything? If we do not tell the truth, they will make things up, and the myths about how children are born will continue. I do not want to make the House any more squeamish than it has been made by earlier remarks, but I recently read that some teenagers believe cling film is an appropriate form of contraception. I will not go into how the cling film is used; hon. Members can use their imaginations. That sort of problem leads to what the hon. Member for Canterbury (Mr. Brazier) rightly pointed out—too many teenage pregnancies—but that can be dealt with only by answering the questions that young people ask about their own feelings, their own relationships and how they fit in.

Very often, peer group pressure, rather than a teacher trying to instil an idea into a child, is the greatest problem. Those ideas are already being propagated all the time in the playground, after school and wherever young people congregate on street corners, and we must be empowered to challenge them. We must be able to say to young people that some behaviour is not appropriate in a relationship—it is not loving, caring or responsible—and that males and females are not respecting each other's bodies or the child that might result.

All sorts of things are included in the guidance that the hon. Member for Cotswold rightly commended to the House, but I differ with him about enshrining such things in law for the very difficult reasons that I have mentioned. My problem is that the guidance would be rigid and fixed for all time.

Mr. Clifton-Brown *rose—*

Kali Mountford: If the hon. Gentleman wants to tell me how he could change the guidance, he may.

Mr. Clifton-Brown: First, I said that the guidance could be changed by statutory instrument under the affirmative procedure, which is how we would enshrine it in law.

Secondly, does the hon. Lady accept that the written statement will sometimes depart from the guidance? In those circumstances, how are parents supposed to make their views known in their children's school, other than by withdrawing them from the sex education in that school, which is not desirable, as I am sure the hon. Lady would admit? Our mechanism of having a ballot—I expect that it would be used very rarely—would provide those parents with that safeguard.

Kali Mountford: The hon. Gentleman says that the measure would be used very rarely. Thank goodness for that, as it shows that the good sense of teachers and governors, which I have already outlined, will prevail. I cannot imagine how the measure would be used at all because the current system is working well.

It has been established in Committee and repeated on the Floor of the House today that section 28 is obsolete. The hon. Member for Cotswold has accepted that many times in debate. If the guidance is working well now, and since hon. Members have not been able to cite a single complaint from parents who have not been able to influence the school, what is section 28 for? Why not allow the variety of education that exists to continue, so that education can be as dynamic as we would want it to be?

Mr. David Wilshire (Spelthorne): I speak in favour of amendment No. 8. It is a long time since I have said anything in public about section 28. Although I tabled the related amendment to the Local Government Bill in 1987, I have kept out of the debate for some years now. In view of all that has happened and all the things have been said in the past 15 years and again this evening, I thought it might be helpful if I could try to get the debate back to the reality of section 28 and away from the assertions and assumptions that have been made ever since.

I listened with great care to the impassioned speech made by the hon. Member for Rhondda (Mr. Bryant), and I pay my respects to him for saying what he said. He said that the Bishop of Oxford was wrong and he knew it. May I say, as gently as I possibly can, that the hon. Gentleman's views of the purposes behind section 28 are wrong? I tabled it, and I hope that he will accept that none of the assertions that he has made were in my mind in the time.

When I arrived in the House for the first time in 1987, I had spent 11 years in local government at a time when various councils and councillors were wasting huge sums of public money and using large sums of public money to achieve social change that the overwhelming majority of people in this country did not want.

Michael Fabricant: Will my hon. Friend give way?

Mr. Wilshire: I will not because of time, if my hon. Friend will forgive me.

I was enthusiastically opposed to what I saw as a misuse of money then, and I remain so now.

I suffered the fate of all new Members of Parliament; I was unceremoniously dumped on to a Standing Committee. No one took the trouble to tell me that, as a Government Back Bencher, I was not supposed to say or do anything, so I tabled an amendment. Little did I realise what I was unleashing when I did so. I doubt that many other MPs have been accused of causing people to abseil from the Public Gallery on to the Floor of another place. I do not think that many other MPs, at least not in the past century, have been blamed for a siege of Parliament. Indeed, I got a fair amount of hate mail and a fair amount of publicity, most of it unflattering.

It might be relevant to say, perhaps in my own defence, that I gave an interview to a newspaper called *Capital Gay*. I do not know whether it still exists, but on 5 February 1988, it published the outcome of that interview and the start of the article is as relevant now as it was then.

It says:

> "David Wilshire is not a bigot. I repeat: David Wilshire—the man who introduced Clause 28 into Parliament—is not a bigot.
>
> Confused, ignorant and illogical—Yes. Stupid, even. But bigoted he is not."

To this day, I protest that section 28 has nothing to do with bigotry, and it certainly had nothing to do with bigotry when I introduced it.

My focus 15 years ago was on the use and misuse of taxpayers' money. It had nothing to do then—and it has nothing to do now—with lifestyles or making moral judgments.

Mr. Bryant: Will the hon. Gentleman give way?

Mr. Wilshire: Forgive me, but many other Members wish to speak.

At that time, councils were intentionally attempting to promote homosexuality. It may be argued that one cannot promote it, but councils were trying to do so at that time. There were plenty examples of that. Some councils portrayed alternative families as the same as the ones that we all know. Councils were using taxpayers' money to do that. All that section 28 said then and all that it says now is, "You simply mustn't use taxpayers' money to do that sort of thing." Section 28 passed no judgment on individuals. It left them free to do whatever they wished. I defend their right to do that. I agree totally with almost all that the hon. Member for Rhondda said. I have no problems when it comes to an individual issue. It is the use of taxpayers' money that concerns me.

Mr. Bryant: Will the hon. Gentleman give way?

Mr. Wilshire: Yes, as I have now mentioned the hon. Gentleman twice.

Mr. Bryant: I accept that the hon. Gentleman considers himself not to be a bigot, but the phrase that many people find profoundly offensive and bigoted is "pretended family relationship". Does he not accept that?

Mr. Wilshire: I understand what the hon. Gentleman says. If we were to get into a debate about lifestyles, that point would apply. However, all that I was saying then and all that I am saying now is that one must not use taxpayers' money for such things. Fifteen years later, I am still opposed to the use of taxpayers' money in that way. I believe that section 28 was necessary because money was being used for those purposes. I believe that section 28 has worked, because the things that were happening stopped. If local government has no wish to promote or to attempt to promote homosexuality, what is the fuss all about? All the add-on issues and concerns that the hon. Gentleman and others have raised have nothing to do with section 28. There is an ethical debate to be had, but section 28 should not be used as the vehicle for that debate.

I hope that, you, Mr. Deputy Speaker, will allow for a vote to be held on amendment No. 8. I certainly want one, as does my hon. Friend the Member for Gainsborough (Mr. Leigh) who tabled the amendment. I make that formal request now. On balance—I stress the phrase "on balance"—I have no regrets at what I did 15 years ago. I believed then that what I was doing was right, and I believe that, by voting for the amendment, I will be doing what I still believe to be right.

6.45 pm

Mr. Borrow: I am grateful for the opportunity to speak after the hon. Member for Spelthorne (Mr. Wilshire), who explained the heart of the problems that we are debating. It is the assumption that homosexuality can be promoted and therefore that, by spending public money, one can increase the proportion of the population that is homosexual. In itself, that statement is totally stupid; there is no evidence for it whatever.

The hon. Gentleman's proposal that central Government should legislate in specific areas to stop local government wasting money is rather stupid. Local government wastes money in many other areas, and we rely on the electorate to boot out councillors who waste public money. Parliament does not introduce individual clauses year after year to stop individual councillors wasting a bit of money here and there.

The hon. Gentleman assumes that section 28 was all about preventing the waste of public money. That may have been the reason why he introduced it and he may not be a bigot. However, I was deeply offended when section 28 was passed and, in my first year as a member of Preston borough council, I was able to persuade the council to pass a resolution against the provision. For me and many other gay men and lesbians, section 28 and, in particular, the reference to "pretended family relationship" is deeply offensive. I regard my relationship with my partner in the same way as my sisters would regard their relationships with their married partners. To enshrine in legislation something that is so partial and so deeply offensive to a minority of the population should cause every hon. Member to think deeply about whether that is what we are sent here to do.

[Mr. Borrow]

I look forward to the removal of section 28. I also smiled somewhat at the assumption that sexuality can be promoted. I went to school in the west riding of Yorkshire in the 1950s and 1960s, and the concept that homosexuality existed was unknown to me. I was totally unaware that an alternative to marriage existed. Sex education should be taught in such a way that adolescent boys and girls who are struggling with their sexuality feel that they can have a happy future if they turn out to be gay. I hope that the vast majority who turn out to be heterosexual will grow up to be tolerant, caring and loving to everyone and that prejudices and bigotry will not be supported by legislation, however innocently that legislation may have been introduced in the first place.

Mr. Edward Leigh (Gainsborough): Many exaggerated claims have been made about section 28. Some say that it prevents any discussion of homosexuality in the classroom, that it prevents teachers from tackling bullying and that it is a "hate clause". None of that is true. The circular that was issued to accompany the provision in 1988 makes it clear, for example, that objective discussion of homosexuality is not affected by section 28.

Section 28 is about the use of local authority money for the active promotion of homosexuality. Certain subjects in our society are controversial. Politics is one and religion is another. Sexuality is a controversial subject on which people have differing views. We hear a lot of talk about respect when the subject is raised. I am concerned that there should be respect for the views of parents.

I am very relaxed about what people do in private. That is their own business. I do not seek to condemn people for what they do. Like most of the British public, I am realistic about these things. However, most people do not want homosexuality promoted to children in school or elsewhere. We are not extreme people. Like most people, I am tolerant of homosexuals. Those who simply hate homosexual people are, thankfully, in a tiny minority. I doubt whether a single person in the House falls into that category.

I use the word "tolerant" deliberately. Most British people are tolerant of homosexual people. They may know homosexuals and they like them as people, as I do. However, whether we like it or not, many people in this country—their views should not be dismissed—think that homosexual practice, with the emphasis on the word "practice", is wrong. That is what tolerance means—putting up with something that one believes to be wrong.

I have tabled an amendment to retain section 28 partly because I believe that there should be a debate on the subject. If I had not tabled it, there would have been no debate on a matter that is important to the British people, whatever their views. I tabled it also because I believe that section 28 is right and represents the wishes of the majority of the British public. We must be careful when legislating on such a contentious subject and dealing with whether council tax payers' money is spent on promoting views that many people find controversial.

Should local authorities tell children to try experimenting sexually with boys and girls to ascertain with whom they feel most comfortable? Some local authorities recommend materials that advise exactly that. Should sex education in schools be conducted in a moral vacuum? My answer is no. Protection such as section 28 should exist. There is anxiety about what schools teach about politics and religion; sex education is the same sort of subject. Some appalling materials should not be promoted for use in our schools.

We should be careful and consider not simply what politically correct views dictate, or the wishes of a specific minority group, but the genuine wishes of ordinary people who have children. They want their children to be protected and to know that local authorities will do nothing in schools, youth groups or elsewhere to undermine the moral values that they have attempted to instil in their children.

One reason for retaining section 28 is that it works. If it did not, the Government would not have spent so much parliamentary time and political capital on trying to repeal it. If it were truly redundant, as some allege, it could remain on the statute book, unused and forgotten. However, gay rights supporters and the Government want to repeal it because they know that it works.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): Will the hon. Gentleman give way?

Mr. Leigh: I shall do so later, but others want to speak and I want to make my point. However, if the hon. Lady wishes to intervene later, I shall give way to her.

Gay rights groups want to repeal section 28 because they want public subsidy for their work. They know that they would not receive much money if they promoted their cause in the high street. People will give to charities that look after the poor and so on, but they will not knowingly fund the promotion of homosexuality or any other sexual special interest group. Public money has breathed life into groups, which, if left alon[illegible] would make little headway and would not survive. [illegible] groups need public money. Gay rights groups kno[illegible]t some councillors are sympathetic to pushing public cash their way. Section 28 stops them doing that. Extreme local authorities that would like to promote homosexuality often do not do so because they are afraid of section 28.

In 1992, only four years after the provision was introduced, Peter Tatchell of the gay rights group Outrage! complained that he knew of at least 35 instances of self-censorship by local authorities that feared prosecution under section 28. Councillors know that if they approve ultra vires expenditure, they can be forced to pay back council tax payers' money out of their pockets. That is a sobering thought. They also know that a council tax payer who objects to the unlawful use of his money can seek judicial review.

In Scotland in 2000, a nurse sued Glasgow city council for breach of section 28. She succeeded in stopping a council-funded youth group, with members as young as 12, that used extremely explicit homosexual pornography. The council was forced to ensure that its grants were not used to promote homosexuality. The nurse's case was so strong that even when the action had to be dropped because the Scottish Parliament deleted section 28, Glasgow city council agreed to pay its legal costs.

Some councillors do not want to fund gay groups, but hide behind section 28. They fear the vitriol that the gay rights lobby might pour on them for refusing to support them. They say, "I'm sorry. I'd like to fund your gay rights venture but I simply can't because of section 28." If that is one of the ways in which the provision operates, that is fine—its purpose is fulfilled.

The current law works. It prevents the promotion of a lifestyle with which many disagree. The wording is clear; *parents understand it and that it is why they like it. It* reassures them about what their local authority is teaching their children, especially in schools. Gay rights groups know what it means. That is why they dislike it. It means that the statute book states that promoting homosexuality is undesirable.

Mrs. Brooke: Is the hon. Gentleman worried by the fact that many teachers dislike section 28 because they have felt inhibited about giving essential guidance to troubled adolescents?

Mr. Leigh: Nothing in section 28 prevents a balanced discussion in the classroom of sexuality, homosexuality or anything else.

Let me deal with the Conservative party because it is important to understand our position. Conservative Front-Bench Members fear that, if they support section 28 they will be perceived as acting against a minority, and that that will lose us support in the country. I do not believe that. The only people who raise gay rights issues at election time are gay rights activists. On the doorstep, voters are worried about crime, education and health.

Homosexual people vote Conservative because they believe in Conservative values and not because the party plays up to a minority rights agenda. We cannot appease every interest group. Tory Members could vote en masse for repeal today but I doubt whether it would sway more than a few hundred voters in the country. In my experience, those who are most stridently critical of traditional Tory party policy on section 28 would not vote Conservative anyway.

Some people hold conventional views and like section 28, but believe that it should go because it is a totem to others. Such arguments have been made today. They perceive that a small minority has strong personal feelings about the provision. That is undeniable, but it is not a good enough reason to change a law. Some people feel strongly that recreational use of cannabis should be legal, but that is not enough for Parliament.

I stress, especially to my hon. Friends, that we must make a moral judgment. I hear the sound of hackles rising, but we make moral judgments all the time in the House. We decide that it is moral to tax people and threaten them with criminal proceedings unless they pay. We force people to pay income tax because we believe that it is moral to do that to fund public services. We disagree about the extent of taxation but we cannot deny that we make a moral judgment. We do so all the time.

We make moral judgments about criminalising people. We will shortly consider the Sexual Offences Bill, which will criminalise some forms of incest for the first time. It will provide that a person who has any sexual contact with someone who is under 16 commits a criminal offence. Most hon. Members support that. However, it is a moral judgment.

In the past, some hon. Members laughed when I said that I have friends who are homosexual. I mention that to rebut the calumny, which is often thrown at people with views such as mine, that we are hateful, spiteful, prejudiced or bigoted and that we openly or secretly wish homosexual people to suffer. We are accused of condoning physical violence against homosexual people or stirring up such violence, and of being equivalent to racists. We are nothing of the sort. We are simply making a judgment that is based on our religion or our moral beliefs about the family. It is based on profound conviction. We make a judgment about people's actions, not their inherent, inborn traits, the colour of their skin or their genes. I accept that we make a moral judgment, but I believe that we are entitled to make it.

Those who are open and honest about their moral judgments do not hate the people who engage in the act of which they disapprove. That would be thoroughly unchristian. However, they believe that the act is wrong. Sometimes in this House, we have to have the moral courage to stand up for what we believe in. When we are talking about protecting children and young people, we must stand up for what we believe to be right.

7 pm

Section 28 is a statement that there is no moral equivalence between homosexuality and heterosexuality. I make that moral statement. I know that it is controversial and that it is not accepted by many people in this House, but I make it in the knowledge that many other people in this country believe it to be true. It is the view of very many parents who are interested not in the gay rights agenda, but in bringing up their children, just as I want to do, to be moral, responsible, self-controlled and right-thinking members of society. They care about preserving the values that are important to them. Why should they be called names just for doing the right thing for their children?

I commend amendment No. 8 to the House.

Mr. Shaun Woodward (St. Helens, South): The hon. Member for Spelthorne (Mr. Wilshire) spoke about getting the debate back to reality. I say this to the hon. Gentleman, who is not in his place: it may be that his intentions were honourable and related to saving taxpayers' money, but the unintended consequences of the legislation have been appalling. My hon. Friend the Member for Rhondda (Mr. Bryant) set out the reality of the position from one perspective. As a trustee of Childline, I have to tell the House that I have heard the reality from kids speaking at the end of a phone line about the lack of protection that they have received because of the uncertainty in their schools.

The hon. Member for Cotswold (Mr. Clifton-Brown) spoke about the importance of protecting children from bullying. He is absolutely right to talk about that, but section 28 was a charter to allow some bullying to take place on the ground of homophobia. However much Opposition Front Benchers shake their heads about that, I simply say to them that they should come and listen to the children whom we talk to at Childline and hear about the pain that they suffer. He may stick to his principles and believe that the measure could not possibly have that effect, but the reality is that it did.

This issue is not about wasting taxpayers' money. Indeed, Childline has to raise money and is one of a number of charities that have to do so to fund work to

[Mr. Shaun Woodward]

clear up the damage done by pernicious measures such as section 28. The reality is that section 28 passed judgment. That was most brilliantly—if one can use those words to mean "in a shining sense"—shown in the words "pretended family relationship". That phrase caused huge hurt and, indeed, it was intended by some to do so. That was at the heart of section 28 and it has damaged people. One of the finer things that we will be doing this year in our legislation is ridding the statute book of this nasty and pernicious measure.

The word "promotion" was a very clever one to use. That may not have been the intention, but it was unintentionally very clever. Why? Those of us who thought that section 28 was a bad measure had to say, if we supported its repeal, that we wanted homosexuality to be promoted. If we wanted it to be repealed, it apparently followed that we wanted homosexuality to be promoted. That is why the provision was so clever and why some of the press that I enjoyed three years ago was so unpleasant about me, as, apparently, I wanted to promote homosexuality.

I do not want the promotion of homosexuality or heterosexuality. What I want is responsible teaching in our schools to help children to cope with growing up. I say to the hon. Member for Cotswold that it does not help to take pieces of guidance for teachers in Scotland, deliberately to twist the way in which they were intended to be used and say that such material would be absolutely terrifying if it fell into the hands of schoolchildren. He knows that it was not intended to fall into the hands of schoolchildren and there is no question about that. Of course, such an approach can pervert the way in which we talk about the issue. Once again, it is tragic to see, when so many Conservative Members have now changed their minds—

Andrew Selous: Will the hon. Gentleman give way?

Mr. Woodward: I shall not.

Many Conservative Members have changed their minds for all the best of reasons, but, unfortunately, underneath it all, among some members of the Conservative party, there is still a willingness to say, "Somewhere underneath all this, teachers really want to promote this stuff and it's all very nasty."

The hon. Member for Gainsborough (Mr. Leigh) constantly spoke about being a parent, so I shall do so in return. I have a son and three daughters. One of them may grow up to be gay or they all might not be gay. What I know is that, because of their ages, they are all passing through periods of growing up and are becoming adults and going through sexual experiences in changing from a child to an adult. I am glad if teachers are encouraged to gain understanding. The hon. Member for Cotswold referred to the word "clitoris". I have an 11-year-old daughter, a nine-year-old daughter and a six-year-old daughter. I am not ashamed that that word is contained in guidance to teachers. If my 11-year-old child, who is experiencing the passage of growing up, can talk with her teachers about such things and not feel ashamed and scared about it, that is a good thing and the hon. Gentleman should not be afraid of it.

I say to the hon. Member for Cotswold and his party that they lecture the Labour party on not trusting teachers and tell us that we give them too much red tape and guidance, but at the first opportunity for a free vote, they immediately want to invent guidance, regulations and red tape to tell teachers what to do in the classroom. I am prepared to trust teachers on his issue. When I was in the Conservative party, I was told that this issue was all about family values. I have always felt that it is about family values, because I do not think that family values are simply the ones that some in his party would wish to say that families were about. Families are complex things. They come in all shapes and sizes. The important thing is the love, attention and nurturing that we give to our children.

Mr. Alan Duncan (Rutland and Melton): There is a crucial issue that the House has not discussed today. Is it not the case that, in passing the Adoption and Children Act 2002, we last year institutionalised in law homosexual parenthood as an actual family relationship? Therefore, if a council were to look for gay parents under the law that this House has passed, it could fall foul of section 28. There is a conflict.

Mr. Woodward: Over the years since my little local difficulty with the Conservative party, the hon. Gentleman and I have not always seen eye to eye, but he is absolutely right on this one. Once again, the crucial issue is the love that can be provided by one or two people, whether they are of different sexes or the same sex, for a child. That must be reflected in the school environment, local authorities and everywhere else where a child is brought up.

This issue is not about tolerance, as some hon. Members have said. As long as it is seen as being only about tolerance, we have not moved very far. It is about fairness and equality. It is about equality because we are all capable of loving each other, although that may happen for different reasons and in different circumstances. The hon. Member for Gainsborough said—I think that he denigrated his argument by doing so—that the issue was all about the gay rights special lobby. Frankly, there is every reason for those in that lobby to undertake special pleading about some of the devastatingly cruel things that have been done to people who are gay, but the issue is not about special pleading. It is simply about saying, "Let's all treat each other in the same way." There is no special pleading; it is about fairness and about everybody being equal under the law.

Mr. John Bercow (Buckingham): Will the hon. Gentleman take it from me that, in an age of pervasive cynicism about Punch and Judy politics, it is important not to oppose, criticise or formulate alternative policies for the sake of doing so? I will vote for repeal and against the obnoxious amendments, and I shall also be against other risible amendments that are really designed to save face.

Mr. Woodward: I agree with the hon. Gentleman; this issue is not about political correctness, but fairness. In that sense, I agree with the hon. Member for Gainsborough that it is about a moral judgment—the moral judgment to be fair and to allow everybody to be treated equally.

That is what is at the heart of getting rid of this very nasty measure. It is about scrapping those who would use it to hide their prejudices and fears, because they have nothing to be fearful about. What people have to fear is prejudice out there doing harm. When my hon. Friend the Member for Rhondda mentions the 12 people who are on the end of being gay bashed and murdered each year, year in, year out, the hon. Member for Gainsborough should think about that. If the legislation before us saves one life, let alone 12 lives—or 120 in 10 years—it will be a very good thing that we do tonight.

Section 28 is a dreadful measure, and we should get rid of it. Let us hope that if anything is infectious, it is the spirit of Conservative Members who will vote to do so tonight. Let us hope that they can pass on their enthusiasm to their colleagues in another place.

The Minister for Local Government and the Regions (Mr. Nick Raynsford): We have had a mixed debate, including a number of passionate, impressive speeches revealing deep understanding of the complex, sensitive issues with which we are dealing. We have also heard speeches that seemed curiously redolent of a previous era when prejudice, stereotypes and divisiveness were in the ascendancy.

Our debates on this subject send important messages about our attitudes to tolerance, fairness and inclusion. Those messages are relevant both to the wider public and to the other place. This evening's debate will receive a great deal more attention from the wider public and the media than did our debate in Committee, which was generally a high-level and impressive debate. The outcome in Committee was that a majority of Members in each of the political parties voted to repeal section 28. There was an overwhelming vote of 19 to two in favour of repeal. Fourteen Labour Members voted for repeal, and none voted against.

Mr. Paul Goodman (Wycombe): Will the Minister give way?

Mr. Raynsford: I ask the hon. Gentleman to restrain himself. I was about to refer to him.

Four Conservative Members voted for the repeal of section 28. Two, including the hon. Gentleman, did not. One Liberal Democrat Member voted for repeal. In total, 19 Members were in favour of repeal and only two were in favour of retention. That sends a powerful message that I hope will be echoed in this debate and listened to very carefully in the other place. I give way to the hon. Gentleman.

Mr. Goodman: Will the Minister concede that the debate in Committee was extremely brief, and that not all Members who wanted to speak got the chance to do so?

Mr. Raynsford: We had a long debate; it lasted almost a whole sitting of the Committee. There were frequent interventions, including some from the hon. Gentleman. I certainly did not get the impression that the debate was curtailed in any way, and the issues were covered thoroughly, as they have been tonight.

There are several amendments and new clauses in this group, and I shall begin with those that seek to disturb the substantial degree of agreement on the principle of repeal. Amendment No. 8 and amendments Nos. 10 to 18 seek to remove clause 119 and the associated consequential amendments, thereby preserving section 28. I do not intend to go over all the ground on the principle of repeal. The Government's position on that is clear: section 28 is an unnecessary measure that many people find deeply offensive, because it stigmatises certain lifestyles. We are committed to tackling actual and perceived discrimination on the grounds of sexual orientation, and section 28 is widely perceived as discriminatory. We should remove that unnecessary measure; it has caused offence and confusion for long enough.

The other amendments and new clauses seek to introduce purported safeguards or to delay implementation, based on concerns about the possible effect of repeal. They are not necessary and they would have no beneficial effect.

Mr. Bercow: I agree with the Minister that section 28 has caused too much pain to too many people for too long. Is he, as the Minister for Local Government and the Regions, interested to hear that I was informed by the Department for Education and Skills last week that it is not aware of having a received a single complaint in the last six months about the sex and relationship education guidance issued in July 2000? Is it not a case of game, set and match?

7.15 pm

Mr. Raynsford: That is clear important evidence that the current arrangements work well, and that there is absolutely no need for a change. As I shall go on to make clear, section 28 is wholly irrelevant to what is taught in schools, and the hon. Gentleman's point is valid.

Interestingly, many of the amendments appear to be based on the continuing misconception that section 28 has an impact on sex education in schools, which is a clear illustration of the confusion that the measure has engendered. Local education authorities have no say in what is taught in schools. The Education Act 1996, as amended, places the responsibility for sex education in schools firmly on teachers and governors. It gives the Secretary of State a statutory duty to issue guidance on sex and relationship education. It explicitly states that parents should be involved in developing a school's policy. Local authorities do not determine schools' sex education policies, so none of that is affected by the repeal of section 28.

Section 405 of the 1996 Act provides a further safeguard by enabling parents to withdraw their children from the non-statutory elements of sex education in schools—that is, the parts of the national curriculum that are not covered through science. Few parents see the need to make use of that safeguard. As the hon. Gentleman rightly pointed out, the Department for Education and Skills has received no complaints about the issue in the past six months. Indeed, since the guidance was introduced, the level of parental withdrawal has stood at well under 1 per cent. That represents an overwhelming endorsement of the framework that has been in place for nearly three years.

[Mr. Raynsford]

New clause 11 would require the Secretary of State to report every two years on the effect of the repeal of section 28 on a number of issues: adherence to the guidance that I have mentioned, the operation of the requirement for schools to make their policies available for inspection by parents, and the number of parents withdrawing their children from sex education lessons. That measure is simply not necessary. The fundamental point remains that, as I have said, local authorities have no locus in determining schools' sex education policies, and we have in place a robust framework, which will not be affected by the repeal of section 28. Surely there is no need to report on a measure that will have no effect.

The amendments to new clause 11 tabled by the hon. Member for Isle of Wight (Mr. Turner) would add a requirement to report on the operation of guidance for bodies established by local authorities for recreation and social and physical training. I believe that the hon. Gentleman is focusing on youth clubs in particular. Authorities have a duty to ensure that education provision in their area includes adequate facilities of that kind. They may choose to provide those directly, or others may provide them. The amendments are technically flawed because section 508 of the 1996 Act enables local authorities to provide such facilities, which is very different from establishing bodies, as suggested in the amendment; I shall deal with the wider issue of those facilities under new clause 17. However, I do not want to argue simply on technicalities; I regard the amendments as inappropriate.

New clause 17 would prevent local authorities from providing financial support to such facilities unless the authority was satisfied that any sex or relationship guidance offered by the facility complied with the sex and relationship education guidance issued by the Department for Education and Skills. That is an unnecessary bureaucratic burden, which the Opposition seek to foist on to local government and the voluntary sector. It shows that the purported concern with greater freedom for local government that we heard Opposition Members voicing in Committee is as flimsy as we always suspected. Indeed, the new clause could well put at risk the continued operation of valued youth centres and similar projects.

Let us consider a scenario in which a local authority is presented with a malicious unfounded complaint against a youth club operated by a voluntary agency, so it feels inhibited from giving any financial support to that body until the investigation has been completed. In the meantime, the organisation could cease to exist or be put out of business. That would be the consequence of the new clause; indeed, it would be the consequence of many of the elements associated with section 28. It would encourage homophobia and prejudice and allow bigots to interfere with proper service delivery. We should have no truck with that.

Mr. Andrew Turner: It is perfectly open to the Minister to present the extreme argument about an organisation collapsing for want of support during an investigation. He shakes his head at the word "extreme", but his argument does seem to me extreme. Does he concede that without new clause 17 there will be nothing to cover such organisations?

Mr. Raynsford: No, for the reasons that I shall give—but first let me put it on record that I was not presenting an extreme scenario. Having worked for many years in the voluntary sector, I know only too well how difficult life is for voluntary organisations that are dependent on local authorities. If malicious complaints are made about voluntary organisations and their funding is withdrawn, their whole operation can be threatened.

The position in relation to youth clubs is important, and I undertook to make it clear. The guidance issued by the DFES is primarily for schools. There are clear reasons for that. Parents have a right to expect a framework to exist to provide adequate protection for their children while they are in school. By contrast, attendance at youth clubs and other facilities providing recreation and social and physical training is voluntary. Many are run by Churches and voluntary organisations, and it is for parents to decide whether they wish their children to attend them. Nevertheless, the guidance specifically refers to youth workers and other professionals.

The guidance makes it clear that schools should work in partnership with the wider community and that health professionals, social workers, youth workers and peer educators working in schools should abide by the school's policy on sex education. The guidance also states that it would be inappropriate for any professional providing sex education to promote a particular sexuality. To quote paragraph 6.7 of the guidance:

> "It is inappropriate for youth workers, as with any professional, to promote sexual orientation. They will be expected to respect this guidance when dealing with school age children. Individual views should not affect the independent advice given to the young person concerned."

The guidance has been the subject of plaudits from hon. Members on both sides of the House. The hon. Member for Cotswold (Mr. Clifton-Brown) emphasised the fact that it is well written and balanced. Guidance to youth workers is also available from other nationally recognised bodies. For example, the National Youth Agency has produced materials that can help to inform sexual relationship education work by youth workers.

The position that I have described is the correct and responsible one. Guidance sets out what we expect of those who deal with children, while reflecting parents' role in deciding whether their children attend youth clubs and other facilities provided outside schools, many of which are not provided by local authorities. In our view, authorities should act as community leaders. They know what is expected of them and they should act responsibly. They should not promote any specific lifestyle choice, but they should be able to provide services that meet local needs and support organisations that meet the needs of their communities. The new clause is misguided and unnecessary.

New clause 21 would require a local authority, in exercising any of its functions in relation to school age children, to ensure that there was a balanced presentation of views in any case in which the morality of sex outside marriage was raised as an issue. That is an unnecessary proposal. I have already made the basic points. Local authorities have no say over what sex and relationship education is taught in schools. The guidance to which I have referred was described as reasonable and balanced by the hon. Member for Cotswold. As I have already said, we expect professionals operating in non-school settings to respect the guidance when working with young people of school age. There is no evidence that those arrangements are not working satisfactorily, and the House should reject this inoperable and unnecessary proposal.

Amendment No. 37 is palpably a delaying mechanism designed to defer commencement of the repeal of section 28. It proposes that before repeal happens, the Secretary of State should certify that sexual relationship education guidance has been issued—that seems curious, given that I have a copy here and it has been available for three years—and that a mechanism should be established to allow parents to be balloted on the school's policy. The first requirement is wholly redundant. As for the second, the Education Act 1996 requires that schools work with parents in devising their sex education policies and that schools' statements on their policies are made available to parents. The guidance specifically addresses the issue of parental involvement and makes it clear that that should be ongoing, saying that it is "essential" that parents be regularly consulted on sex education in schools, especially when the contents are being reviewed. Those arrangements are between schools and parents. Section 28 has no bearing on them.

In the light of that, and of parents' ability to withhold their children from sex education lessons, we believe that balloting parents, quite apart from being bureaucratic, costly and potentially divisive, is an unnecessary requirement. An effective sex and relationship education programme is not a matter for crosses on ballot papers, which could, as the hon. Member for Kingston and Surbiton (Mr. Davey) rightly said, turn out to be a recipe for homophobia.

We have established a successful and robust framework that ensures that clear guidance is in place, allows for some local discretion on the part of governors and head teachers in consultation with parents to ensure that what is taught reflects local cultural traditions, and draws on the professionalism of teachers and others who work with children. In the evidently very rare cases in which parents feel that the approach to teaching about sex and relationships is unsuitable for their child, they can withhold their child. There are sufficient protections in place.

The case for repeal of section 28 is clear. It serves no useful purpose, it is a relic of a less enlightened age, it is offensive and it should go. There is no need for further delay. I hope that the House will overwhelmingly reject these inappropriate amendments and approve clause 119, which repeals section 28.

Mr. Clifton-Brown: There have been some strong and impassioned speeches expressing sincerely held views. It is clear that the House will be asked whether to retain section 2A. If it votes to retain the Bill as it emerged from Committee, without section 2A, it is clear that some safeguards are needed—[HON. MEMBERS: "No."] I have made it clear that material emanates from health authorities, circulates and can be accessed by children of an inappropriate age. One of the key points in the guidance is that material should be suitable for children of a particular age. We are talking about the protection of children. Children's welfare and their moral upbringing should be paramount.

Mr. Bercow: May I say politely to my hon. Friend that he offered not a scintilla of evidence that the material to which he objects is being used by teachers in schools? Does he accept that the danger of the ballot proposal is that it goes way beyond the right to withdraw one's own child from sex education, and creates a new right at which most people would baulk—that one should be able to vote to deny other people's children the sex education they deserve?

Mr. Clifton-Brown: I am sorry that my hon. Friend made that intervention. He of all people should respect the pluralism represented by the ballot box. If a majority of parents in a ballot express the view that the materials are unsuitable, that is democracy working and the material should be taken away and rewritten. If they do so again, it is wholly right that the Secretary of State, who writes the guidance that my hon. Friend admires so much, and about which there have been no complaints in the past six months, should replace that guidance and those national materials.

If section 2A is to be abolished, the safeguards in place are not strong enough. The Minister did not make out a strong enough case regarding protection in youth clubs. He says that they are included in the guidance already laid out in connection with the Education Act 1996, but section 403 of that Act refers specifically to maintained schools, not to other bodies funded by local authorities, so they are not covered. Attendance at them might be voluntary, but they are not covered. If youth clubs started to use the type of materials to which I referred, they would not be outside the law. There is a lacuna, and the right hon. Gentleman must address it.

The Minister should also examine the health guidance. He arrogantly refused to look at the letter that I gave him. If he does so—I will write to him enclosing a copy of that letter—he will see that he must provide clarification. I am sure that my colleagues in another place will take up the matter. There is a muddle. Section 403(1C) says:

> "Guidance under subsection (1A) must include guidance about any material which may be produced by NHS bodies for use for the purposes of sex education in schools."

The law is unclear.

Finally, the Minister did not deal properly with abolishing section 104 of the Local Government Act 2000, which relates to bullying. If there is no safeguard in that respect, we will be in great difficulty.

My hon. Friends will make up their own minds—there will be a free vote—but there are still problems to be dealt with and more safeguards that must be established. If those safeguards are not put in place, I have no doubt that my noble Friends in another place will send the matter back to this House.

Question put, That the clause be read a Second time:—

The House divided: Ayes 127, Noes 356.

Division No. 108] **[7:29 pm**

AYES

Amess, David
Ancram, rh Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Benton, Joe *(Bootle)*
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter*(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burnside, David
Burt, Alistair
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Crausby, David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan Smith, rh Iain
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, rh David
Hedry, Charles
Hepburn, Stephen
Hoban, Mark *(Fareham)*
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Pickles, Eric
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Mr. Desmond Swayne and
Hugh Robertson

NOES

Ainsworth, Bob *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beith, rh A. J.
Benn, Hilary
Bennett, Andrew
Bercow, John
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Burstow, Paul
Cable, Dr. Vincent
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cox, Tom *(Tooting)*
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Curry, rh David
Dalyell, Tam
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dorrell, rh Stephen
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*

Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Nick Ainger and Derek Twigg

Question accordingly negatived.

It being after half-past Seven o'clock, MR. DEPUTY SPEAKER, *pursuant to order [25 February],* then proceeded to put forthwith the Question necessary for the disposal of business to be concluded at that hour.

Amendment proposed: No. 8, in page 70, line 41, leave out Clause 119.—*[Mr. Leigh.]*

Question put, That the amendment be made:—

The House divided: Ayes 77, Noes 368.

Division No. 109] **[7:43 pm**

AYES

Ancram, rh Michael
Baldry, Tony
Baron, John *(Billericay)*
Benton, Joe *(Bootle)*
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Burnside, David
Burt, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Cormack, Sir Patrick
Cran, James *(Beverley)*
Crausby, David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan Smith, rh Iain
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Francois, Mark
Gale, Roger *(N Thanet)*
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Grieve, Dominic
Hague, rh William
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Hepburn, Stephen
Hoban, Mark *(Fareham)*
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*

Hunter, Andrew
Knight, rh Greg *(E Yorkshire)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Mawhinney, rh Sir Brian
Mercer, Patrick
O'Brien, Stephen *(Eddisbury)*
Pickles, Eric
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Swayne, Desmond
Swire, Hugo *(E Devon)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Turner, Andrew *(Isle of Wight)*
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wilkinson, John
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*

Tellers for the Ayes:
Andrew Selous and
Mr. Bill Wiggin

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beith, rh A. J.
Benn, Hilary
Bennett, Andrew
Bercow, John
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Burstow, Paul
Cable, Dr. Vincent
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridg[illegible]*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cox, Tom *(Tooting)*
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Curry, rh David
Dalyell, Tam
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H.
Doran, Frank
Dorrell, rh Stephen
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Duncan, Alan *(Rutland)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
[illegible]ord, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Evans, Nigel
Fabricant, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibb, Nick *(Bognor Regis)*
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Goodman, Paul
Green, Matthew *(Ludlow)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendry, Charles
Hermon, Lady
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kennedy, Jane *(Wavertree)*
Key, Robert *(Salisbury)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackay, rh Andrew
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Andrew *(Sutton Coldfield)*
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*

Murphy, Jim *(Eastwood)*
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, George *(Tatton)*
Ottaway, Richard
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Spring, Richard
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Syms, Robert
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Yeo, Tim *(S Suffolk)*

Tellers for the Noes:
Derek Twigg and
Mr. John Heppell

Question accordingly negatived.

Mr. Philip Hammond: (Runnymede and Weybridge): I beg to move amendment No.2, in page 70, line 32 leave out Clause 118.

Mr. Deputy Speaker: With this it will be convenient to discuss the following:

Amendment No.26, in page 110 [Schedule 7], leave out lines 16 to 18.

Amendment No.27, in page 72, line 22 [Clause 125], leave out '118'.

Amendment No.28, in page 72 [Clause 125], leave out lines 25 to 28.

Amendment No.29, in page 74, line 31 [Clause 126], leave out '113 and 118(a)' and insert 'and 113'.

Amendment No.30, in page 74, line 33 [Clause 126], leave out from 'the' to 'section' in line 36 and insert

'entry in Schedule 7 relating to'.

Mr. Hammond: The context in which the House is considering these changes to the Fire Services Act 1947 is well known: the rumbling dispute between the Fire Brigades Union and the fire service employers that flared into action in the last quarter of last year and which, sadly, looks as though it might re-ignite in the near future, if press speculation is to be believed. From that dispute stemmed the Government's commissioning of the Bain report on the modernisation of the fire service, and I shall return in a moment to the question of what modernisation means.

The Government's view is clearly that subsections 3 to 8 of section 19 of the Fire Services Act 1947—the parts of the Act that provide for the Secretary of State to give his approval to certain aspects of establishment schemes—should cease to have effect. Clause 118 of the Bill will effectively remove a large chunk of section 19 of the 1947 Act and place at least the notional power to change deployments of fire appliances and fire fighters, to close fire stations and open new ones, and to alter manning levels, into the hands of local fire authorities. I should like to make it clear at the outset that Conservative Members have absolutely no wish to stand in the way of the genuine modernisation of the fire service. There is consensus among fire service employers that there is a need to remove section 19, for many of the reasons that the Minister will no doubt outline in a few moments.

The reason for tabling amendment No. 2 is a rather technical one, but it will be clear to anyone who has read the Standing Committee proceedings. When the Government introduced what is now clause 118, which will scrap section 19 of the Fire Services Act, the Minister made it clear that an understanding of the Government's intentions would depend critically on the draft guidance that would be issued to fire authorities on how they should go about developing their integrated risk management plans, and how they should consult the local community and stakeholders on those draft plans.

As the Minister was unable to let the Committee see a draft at that stage, the Committee was unable to do its duty of scrutinising the Government's intent—the words in the Bill are not terribly informative.

8 pm

The Minister gave a commitment in Committee to do his best to ensure that he could place the draft guidance at the disposal of the House before we considered the clause on Report. My hon. Friends and I tabled

[Mr. Hammond]

amendment No. 2 simply to allow the House to debate the issue, consider the draft guidance and discuss the issues arising from a review of it. I shall raise some specific issues in a moment, but I ask the Minister—no doubt he intends to do this anyway, but we should avoid any doubt—to make clear to the House what discussions have taken place between the Government, the employers and the FBU on the draft guidance, which he placed in the Library of the House last Wednesday and which will form the basis of the development of integrated risk management plans.

Amendment No. 2 has attracted the signatures of what I can describe only as a wide cross-section of opinion in the House, ranging from my hon. Friends and I to Labour Members who are not normally noted for their inclination to agree with Conservative Front Benchers on many issues. I have made it clear that, through tabling the amendment, we intend to allow proper consideration of the Government's guidance. *[Interruption.]* As the Minister has helpfully reminded me, some of those Labour Members are not always known for their willingness to agree with the sentiments expressed from the Government Front Bench, either.

Our purpose is clear—to allow proper consideration and debate in the light of the draft guidance—but other Members, in adding their names to the amendment, may have other intentions. They will no doubt make them clear in due course. I am extremely grateful to Labour Members for tabling all the consequential amendments, which I would otherwise have had to work out and table for myself. I do not know whether they are responsible for the amendments or whether they had outside assistance, but what they have done is extremely welcome.

The revocation of section 19 of the 1947 Act could have been a tidying-up exercise in the context of an agreed settlement of the wider dispute, which has been rumbling on for the best part of a year, but, after seeing the reaction to the offer tabled by the employers last week—it looks set to be rejected by the FBU—it seems that the dispute is not about to end and there is a clear possibility of further strikes in the near future, including during military action, which may occur in or around Iraq.

If I may, I shall put two specific questions to the Minister, and I hope that he is prepared to deal with those wider issues. First, in the circumstances that the country finds itself in, are the Government now prepared to make a commitment to use the powers available to them either under the Trade Union and Labour Relations (Consolidation) Act 1992, although they have disputed that that power is available to Ministers, or through the medium of the declaration of a state of emergency to ensure that no fire strike, which would place additional burdens on our military, naval and air forces, is allowed to take place while military action is under way in the Persian gulf?

Conservative Members believe that it is deplorable that any trade union would even consider, or certainly threaten, such irresponsible action at a time like this, when military forces would have to provide cover to protect the civilian population in the event of a strike and against the threat of any terrorist or enemy action at home during any military action abroad. I urge the Minister to make an unequivocal statement of the Government's intentions.

Secondly, will the Minister deal with press reports, which Members on both sides of the House have read, of refusals by the FBU in some areas to allow training on and commissioning of decontamination units, which have been bought at considerable public expense to protect the public in the event of a chemical or biological attack on this country? Can he confirm whether those press reports are true and that the FBU has prevented work on those things from going ahead in some areas? What action will he take to ensure that such risks to preparedness for a terrorist attack are eliminated?

In the absence of a settlement of the dispute, the revocation of section 19 becomes one more step in the conduct of that dispute. It was about pay—the FBU originally claimed a 40 per cent. increase—but it became linked to the Government's modernisation agenda, although there is a clear difference of opinion about what modernisation really means. What is clear is that the Government see local risk-based redeployment of resources as the key to modernisation of the fire service. For that reason, they wish to remove the section so that the Secretary of State would no longer have a role in sanctioning such locally determined reallocations of resources.

However, one of the principal problems throughout that long-running dispute—the proposal to scrap section 19 simply underlines it—has been local fire authorities' notional responsibility for running the fire service and dealing with the fire service employees—the fire workers, as we have come to call them in the House. The reality is that effective control is exercised by central Government through their control of the purse strings. We saw that clearly in the early hours of Friday 22 November, when the Government pulled the plug on a settlement that the fire service employers had offered to the FBU and which the FBU was apparently minded to accept.

Immediately after that, we heard the Deputy Prime Minister and the Prime Minister going on the record to declare that any settlement above the 4 per cent. inflation-linked settlement that had already been offered had to be self-financing through modernisation of the fire service. I urge Members to remember those words of the Prime Minister and the Deputy Prime Minister—"self-financing through modernisation".

The fire service employers are apparently responsible for negotiating a settlement of the dispute. Now, with the integrated risk management plans, local fire authorities are, apparently, supposed to make risk-based assessments as the basis for identifying the resources required to provide appropriate community safety and fire cover in their areas. That is what the Government guidance tells us, but the Prime Minister himself has already made it clear that the settlement of the fire service dispute must be financed through modernisation.

Thus the Prime Minister has corrupted not only the word "modernisation", which is the word that has been most corrupted by new Labour over the past six years, but the process of risk assessment, which the Government guidance document is all about, by preordaining the outcome. If a higher-than-inflation settlement of the firefighters' pay claim is agreed, the integrated risk management plans, which are supposed to be risk based rather than resource driven, must conclude that fewer resources are required.

What would a cynic—not that there are any in this place, Mr. Deputy Speaker—make of clause 118 and the proposal to abolish section 19? A cynic would fear that local politicians are to be invited to take responsibility from the Secretary of State for the politically unpopular cuts in services that are possibly to be dictated by a central Government finance settlement based on the Prime Minister's and the Deputy Prime Minister's declaration of the need for any settlement to be self-financing through modernisation.

Dr. Nick Palmer (Broxtowe): I am trying hard to follow the hon. Gentleman, but with some difficulty. Is he opposed to a 16 per cent. settlement being mainly self-financed? Is he opposed to the risk-based assessment producing savings? Or is he trying to blame the Government either way?

Mr. Hammond: I would certainly not be opposed to a risk-based assessment producing savings if that is what a risk-based assessment produced. Before implementing the risk-based assessment programme, the Prime Minister and Deputy Prime Minister said that the settlement must be self-financing through modernisation. I suggest that they are defining modernisation as a reduction in real resources available to the fire service. In a moment, I shall invite the Minister to disabuse the hypothetical cynic of the view that he may take of this whole process.

The fear is that politically unpopular cuts in service that are dictated from the centre will have to be implemented by local politicians. If that hypothetical cynic were to read the draft guidance on how the locally produced integrated risk management plans are to be developed, his fears would not be allayed. We are told in the guidance that the Government will helpfully provide guidance notes that fire authorities

> "will wish to take into account in the development of integrated risk management plans."

Moreover, the Government will make available Her Majesty's fire service inspectorate to advise fire authorities, so as to ensure the

> "implementation of a consistent approach."

Indeed, paragraph 2.7 says that Her Majesty's fire service inspectorate

> "on behalf of Government, should also be consulted on the draft integrated risk management plan."

The draft guidance gives what can only be described as some not very subtle steers on this locally based programme of risk assessment. Paragraph 3.5.6 says:

> "The policies needed to deliver some improvements could relate to the terms and conditions on which staff are employed as well as to operational matters. How those could be brought into effect is outside the ambit of this guidance. Even if it is currently unclear how or when these could be effected, it is still important to identify them where they are an essential component of delivering improvements to the community."

Paragraph 3.5.8 says:

> "Before deciding on the emergency response standards to set, you"—

the fire authorities—

> "will first need to consider whether there are any categories of calls, or circumstances, in which an attendance would be deemed to be inappropriate."

In paragraph 3.6.1, fire authorities are told that they will wish to

> "consider the appliances and crews you will need to deliver your goals, policies and standards. The properties currently used to house them, i.e. the fire stations, do not in themselves contribute to the emergency response provision ... Fire authorities may wish to consider using other opportunities to meet these needs, particularly in view of the greater flexibility likely to be adopted in some areas".

It goes on to say rather controversially:

> "The provision of fire stations in every locality to accommodate appliances that may only be in the area for a few hours would clearly be wasteful."

My cynic would see that as an example of prejudging the review that the guidance is supposed to set up. Paragraph 3.6.2 tells local fire authorities:

> "You may also wish to consider whether some special services might be provided on a re-chargeable basis."

All that may be true, and fire authorities may indeed wish to consider these matters, but setting them out in the guidance suggests to some people that the Government have prejudged the likely outcome of these reviews.

In paragraph 3.6.2, the document says categorically that fire authorities should

> "only make changes where it is clear that the overall net effect will be to improve community safety."

That is flatly contradicted in paragraph 3.2 of the second draft guidance notes, which talks about the public being most interested in those aspects that impinge directly on the service provided to them. It says:

> "This will include those instances when proposed changes will improve the service provided as well as when the reverse occurs, e.g. when resources are redeployed from one location to another".

That clearly presumes that not all the changes will be in accordance with the exhortation in paragraph 3.6.2 that authorities should make changes only when it is clear that the overall net effect will be to improve community safety.

The reality for fire authorities, as they embark on this process, is, first, that central Government controls the funding; secondly, that central Government have shown themselves determined to set the parameters for any settlement to this dispute; thirdly, that the Prime Minister and the Deputy Prime Minister have both said that any settlement has to be self-financing; and fourthly, that the understandable conclusion of many observers is that there is a presumption that these integrated risk management plans must call for fewer resources. It would be understandable if an observer were concerned about the transfer to local fire authorities of the power to implement this modernisation, which is likely to be politically painful and controversial if the overall real resources deployed are to be cut.

The facts are these. A 16 per cent. pay increase by July 2004 was recently offered, presumably with the approval of the Office of the Deputy Prime Minister. I know that officials from the ODPM monitor the negotiations closely. That will not be paid for by staff reductions over that period, especially given the pledge of no redundancies. All the Government have offered the fire

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service employers is a £30 million transitional funding loan that will be clawed back out of future funding allocations, thus requiring an even greater ultimate reduction in the level of real resource.

The Government have been silent on allocation issues. The cost of a settlement of this dispute will have an impact on all fire brigades, but the scope for savings through the modernisation programme and the implementation of risk-based management plans will be largely concentrated in the metropolitan and urban area brigades.

I have five simple questions to put to the Minister in order to assess the genuineness of this process. Are the Government budgeting for the service to cost more or less in total after the introduction of the integrated risk management plans? Will the resource requirements of any properly developed integrated risk management plan be reflected in the formula grant for the local authority that implements it? I hope that this is not the case, but if the Government's proposal merely replaces a national dispute over modernisation and pay with local disputes over specific proposals for resource redeployment, will the Government underwrite the cost of military fire cover for authorities involved in individual disputes? During the national dispute, the Government have met that cost. Indubitably, none of the fire authorities could have afforded to fund the military cover that has been provided if they had been forced to meet that out of their own budgets. It is difficult to see how the Minister expects fire service employers to be able to negotiate appropriately at a local level if the Government will not back them with Government-supported military cover if a dispute unfortunately occurs.

Will there be a robust regime for measuring the performance of brigades under integrated risk management plans, and how will it work, given that there will no longer be standard performance indicators and therefore no immediate comparability between brigades? If so, will the Government commit themselves to achieving some testing targets for reduction in fire deaths? If they really believe that these risk management plans will deliver greater community safety, can they reassure the public by setting testing targets to show that they have genuine faith in the process on which they have embarked? Otherwise, the watching public may prove to be as cynical as my hypothetical observer.

Conservative Members will support modernisation and the integrated risk management plans if they are genuinely about improvements to the service, but when the Prime Minister and the Deputy Prime Minister said that the settlement had to be self-financing through modernisation, they undermined the case for genuine modernisation. Eighty-five per cent. of the cost of the fire service consists of wages and salaries. That gives rise to a genuine fear that more pay equals fewer jobs and fewer appliances in fire stations. The fear is that the Government have prejudged the review that they are setting in progress. There are real concerns that integrated risk management programmes will not be risk based, but will be driven by cuts in the real resources available as higher pay is financed by lower manpower and fewer appliances. In those circumstances, the local consultation to which the Minister has committed the Government would be a charade. We are well disposed to genuine modernisation, but the Minister must seek to dispel our concerns.

John McDonnell (Hayes and Harlington): I know that several hon. Members wish to speak, so I shall try to be brief.

First, I disabuse any hon. Member of the idea that there has suddenly been an alliance of the socialist Campaign group with elements on the other side of the Chamber. We tabled the amendment unwittingly, not knowing that the other amendment had been tabled.

For the benefit of those who did not have the enjoyment of serving on the Committee, I want to go through the genesis of the amendment and the background to how it came about. When the Fire Services Act 1947 was introduced, section 19 was identified as a mechanism whereby the Government would be able to ensure that minimum standards of fire cover were maintained by fire authorities, and subsequent guidance ensured that there would be full consultation with local communities prior to any changes in provision. That meant that section 19 ensured that the Secretary of State would need to be consulted on any significant changes and to approve them. However, that applied only in cases where there would be a reduction in cover; no approval would be required if a fire authority wished to increase cover. Approval was required for station closures and changes in practices whereby full-timers, part-timers or pumping appliances would be removed from individual fire stations. The system worked in such a way that no trivial matters were referred to the Secretary of State. It was not about replacing fire stations on existing sites, but about significant changes in local fire cover practices. The same applied in relation to staffing matters—the system was concerned with reductions in firefighter posts, which is of concern to local communities. Time scales were set—usually six weeks—within which the Secretary of State would be required to come back with a decision, or at least an explanation of why the decision had not been made in that time.

Pertinent to the whole process—I quote from the circular that the Government issued in 1992—was that potential changes should be sufficiently widely publicised in sufficient detail with adequate time to ensure that any interested parties would be able to make representations, and that such representations should be considered by the fire authority. What then happened, of course, was that the Secretary of State became the longstop in terms of any right of appeal for a local community. MPs, local authorities, fire authorities and members of the local community recognised that the Secretary of State could intervene if the local fire authority was trampling over their wishes.

Changes in the professional environment then followed. In May 2000, the Central Fire Brigades Advisory Council agreed to set up a task group to look at section 19 procedures and to develop a strategy for dealing with section 19 applications resulting from any changes in fire cover standards as the service—yes, even at that point—developed its discussions about modernisation. The first meeting of that group was convened by the Home Office on 19 December 2000. It agreed its terms of reference, and there were four meetings. At its final meeting on 20 December 2001, the fire policy unit said that it would produce a report on whether the circular should be amended or replaced and on how, if the risk-based standards were introduced, section 19 procedures would then be either sustainable or changed.

Dr. Palmer: Can my hon. Friend tell me on how many occasions since 1991 the Home Secretary has overturned a proposal?

John McDonnell: It has been very rare for applications even to reach the Secretary of State, because fire authorities operated in the knowledge that they would ultimately have to be accountable to the Secretary of State. That is the effectiveness of an appeal mechanism.

The task group was established specifically to review section 19 and the fire policy unit was to produce the report, yet no report was produced, although the chairmanship and the secretariat was in the hands of the Government. The fire cover review produced by the task group concluded that section 19 was not a barrier to the introduction of risk-based emergency cover. Included in that task group were representatives from Government, Her Majesty's inspector of fire services, the employers' organisations, the Chief and Assistant Chief Fire Officers Association and, of course, the Fire Brigades Union.

Then, Bain came along. The Government's proposal to amend the legislation comes directly from Bain. It drives to the heart of the contradiction of the Bain inquiry and report, because Bain is either a considered assessment and proposed programme of reform of the organisation and management of the fire service or it is part of the negotiating process to settle a pay dispute—it cannot be both. The tragedy of Bain is that it is being used for both purposes, ultimately not particularly effectively. Bain made several recommendations and proposals concerning the planning and future provision of fire cover. It recommended the establishment of new institutions to consider risk management, to advise Secretaries of State, and to bring forward a level of expertise in that advice through the fire service college and a new role for the inspectorate. Bain said that the move to allocate resources according to risk would not require legislation. Then, Bain moved beyond being a body that recommended improvements in fire cover and professional management into the negotiating process, saying that if full efficiency gains are to be unlocked by the use of new models of fire cover, the Government must repeal section 19 of the 1947 Act.

That is the crux of tonight's debate. Bain's recommendation was not about the introduction of risk management to improve the overall service; it stemmed from the Government's demand from Government for resource-driven reform. That meant that Bain had to come up with some process by which those resources, through supposed modernisation savings, were identified rapidly. The Bain report had to deliver the removal of what the Secretary of State would describe as "encumbrances" to achieving cuts. It is appalling that that recommendation has been brought forward before all the other Bain recommendations. We were promised—and Bain recommended it—that a White Paper giving a new legislative base for the fire service would be published by Easter. Most of us have been arguing for that for a long time. The FBU was involved in discussions with Government on a draft White Paper. It was not published but Ministers commended the fire service for its exemplary modernising practices over the years.

8.30 pm

We now have one section of Bain being brought forward before a comprehensive analysis of what new fire safety legislation should look like. Why? Because Bain has to find £140 million of cuts in the pay bill. That is what this is all about. For opportunistic reasons, we are dragging a proper assessment of the reform of the fire service into the mud of a pay negotiation. If we are to have reform of the fire service, let us have a proper and appropriate process. Let us establish bodies to consider the professional practices that we want. Let us consider changes proposed in a White Paper or new legislation; but, Oh Government, do not come here and seek to bounce through the sorts of changes in this Bill. They will result in cuts in fire cover, in firefighters' posts and, indeed, in the numbers of fire stations.

Mr. Davey: The hon. Gentleman knows that my hon. Friends and I disagree with much of what he is saying, but there is one point of agreement. Is it not ironic that the Deputy Prime Minister told the House that he would be willing to use powers to impose a settlement from Whitehall, but that tonight he is trying to remove the Secretary of State's powers in other areas?

John McDonnell: It is ironic that, at the same time as the Minister was waxing lyrical about reform that would place devolved power in the hands of the local fire authorities, as I note he did in one of the meetings of the Committee, the Secretary of State was interfering in the dispute to prevent a settlement—which but for his intervention would have been arrived at last November.

David Hamilton: Does my hon. Friend agree that, in effect, we are talking about national negotiations and conditions? Local authorities have no choice but to consider the 15 per cent. that they are left with, which can only mean various cuts in, for example, fire boards.

John McDonnell: I fully agree with my hon. Friend. It is clear that the changes to the Fire Services Act 1947 that the Government have proposed will result in local fire authorities seeking to introduce practices in the fire services that will demand local negotiation. Thus it will be sought to break the power of a union that has represented its members well and has worked effectively with the Government, up until this dispute, to promote reform of the fire service that would deliver increased professionalism and effectiveness.

Our anxiety as MPs was to ensure that Government listened to the wishes of our local communities. We were told in Committee that guidance would be produced to ensure that local consultation would continue. That guidance was placed in the House of Commons Library three working days ago. I believe that most people only picked it up today. The guidance has no teeth. It says what it expects of fire authorities, but nothing more. There is no legal requirement for consultation. We are told that, if a local fire authority acts unreasonably, the

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local community can seek judicial review. Judicial review costs, on average, £15,000 just to get cases into court—and that is not to mention the possible subsequent costs. Judicial review is no remedy for the local working-class community that is about to lose its fire station and needs a voice or a protector against a fire authority, under the cosh because of Government cuts, that wishes to close services.

The Government should give us time to consider the guidance. They should pull back from their position and allow this amendment to go through. They should give us time to consult properly on the guidance, as they promised. We want national uniformity and consistency of standards. However—and we say this clearly to the Government—individual MPs in individual communities will not stand by and allow their local fire stations to be closed. They expect Government to work with them. They expect the Secretary of State to protect communities. I find it bizarre that the Secretary of State wants to give up his role in vetoing outrageous local policies for the fire services, but that central Government, as we heard last week when debating local government finance, are trying to retain their power to control the level of rates that local authorities can set.

Tonight we are asking Government to hear the message that local communities should retain a voice. We need to have a right of appeal to the Secretary of State. We have such a right in education, when schools are threatened with closure; we have it in health when hospitals are threatened with closure; but we do not have it in the police or ambulance services. There were horrendous problems, especially in the ambulance service, in my constituency and London overall. We needed Government intervention to protect local communities, but they did not have the powers. The provision gives rise to the suspicion that it clears a path for the Government to implement a massive cuts package as a result of the wage negotiations. I will not be a party to that and will not allow them to introduce proposals that aid and abet something that is driving down the working conditions and the wages of firefighters.

Mr. Edward Davey: Liberal Democrats have many concerns about the way in which the Government have dealt with the fire dispute. We have often questioned them about their role—in particular how they will handle transitional funding. We have been concerned about the fact that Ministers have said different things and have sometimes not spoken with one voice. I agree with some of the remarks made by the hon. Member for Runnymede and Weybridge (Mr. Hammond) and hope that the Minister responds to him. In particular, I am interested to learn who would fund military cover if local disagreements lead to local industrial action by the FBU.

We are concerned that the Government are, to an extent, prejudging the integrated risk management programmes by setting them in stone. If the analysis shows that more money is required to maintain or increase community safety in an area, they need to be clear that that money will be forthcoming. Equally, however, we are worried about the FBU's behaviour throughout the dispute. It did not accept the latest offer on the table although it was reasonable, and I hope that it will not go ahead with strikes, especially at this time.

I was concerned to read in the FBU's briefing note sent to Members of Parliament tonight that if we maintain clause 118

> "This will mean the withdrawal of the right of local communities, local councillors, and local MPs to have a say on the closure of local fire stations, the removal of fire-engines and cut-backs on the number of firefighters."

If that were true, I would have voted against it in Committee and would vote against it tonight, but we have to make our decisions on the basis of truth and what information is available to us. I have read guidance notes 1 and 2 and it is clear that there will be full and open consultation. Let me set out what form that will take because, although we have not discussed it so far, it is germane to the debate. The consultation is vital. If there were no consultation—no due process—to consider a change in the configuration of local fire services, that would be a huge problem. It would mean that those of us who want to campaign against the closure of a fire station or the removal of a fire appliance in our constituency would have no mechanism to represent our communities if they were concerned about such proposals; but from my reading of the guidance notes that is not the case.

Relevant sections of the guidance notes show that consultation is required. Guidance note 1 is sent to chief fire officers. Paragraph 2.4 states:

> "Consultation with the community you serve and your staff will be an essential element in the preparation of"

the integrated risk management plan. In the guidance note on consultation itself, the Government go into detail on how that should be undertaken and they set out who should be consulted and on what. The guidance covers the draft integrated risk management programme, the annual action plans and changes to them, examples of proposals for changes, who should be consulted on them and the best way to consult. I refer hon. Members to the note because it sets out exactly what consultation there must be. The hon. Member for Hayes and Harlington (John McDonnell) implied that the consultation could take place if the fire authorities choose to do that, but in fact there is a statutory requirement for them to do so. I looked up section 3 of the Local Government Act 1999—the best value authority legislation. It requires best value authorities—fire authorities are defined as a best value authority in section 1 of that Act—to undertake consultation. The guidance note refers to that. There is clear protection for our communities and for us as Members of Parliament in the requirement that consultation must take place.

Although I agreed with some of the remarks of the hon. Member for Runnymede and Weybridge, I thought that at times he quoted selectively from the guidance notes. Paragraph 3.6.2 of guidance note 2 provided me with some reassurance. The hon. Gentleman might suggest that I am naïve to be reassured, but if we in this place cannot trust what is in a Government document, we had better give up, as we cannot have proper debate. Paragraph 3.6.2 makes it clear that in the event of any changes resulting in a reconfiguration of the fire service, there must be no reduction in community safety. It states:

> "You should only make changes where it is clear that the overall net effect will be to improve community safety."

That is a clear safeguard. If it had not been in place, I would have been on my feet tonight asking where it was.

Mr. Hammond: I am not sure what the hon. Gentleman means by selective quoting—I quoted exactly the piece that he has just read out to the House.

Mr. Davey: Indeed. The hon. Gentleman then chose one or two other excerpts, which did not make his point fully. He should have quoted the full paragraph from which they were taken. He asked, rightly, how national standards would be measured in future. The guidance note refers to national performance measures. That reflects the 1999 Act, which allows the Minister to put forward performance measures—output measures, in the jargon—that fire authorities would have to meet. If they did not, they would be failing in their legal responsibilities. That clearly underpins the framework.

Dr. Palmer: Will the hon. Gentleman give way?

Mr. Davey: No, I will not give way. The hon. Gentleman's Whip has just told me that I must shut up in a second, so I shall bring my remarks to an end.

I have some questions to the Minister, to which I should like answers to reassure me that the framework that he is setting in place is sufficient. The guidance notes are fairly clear about what will happen in the first round of integrated risk management plans. However, clause 118 will get rid of the safeguard for all time, or until another Parliament seeks to restore it, so what about future integrated risk management plans? What is the process for future consultation on those? What consultation on national performance measures is envisaged by the Minister? The guidance note refers to a future guidance note, but we do not have that in front of us, and those national performance measures will be important.

The guidance notes say little about the post-consultation period and what will happen with respect to decisions taken by the local fire authority, how it will held to account, and how those decisions will be published. If there is to be local accountability, as we agreed with the Minister that there should be, he needs to say more about the post-consultation period than the one paragraph in the current guidance notes. Can he confirm, as I asked him in Committee, that if a consultation process does not follow the guidance notes and the 1999 Act, the FBU and local communities could seek judicial review of that decision? That is an important safeguard. I know that judicial review costs a lot of money, but the FBU is more than capable of funding such a review. If its members were prepared to forgo a few dinners, they could afford it without difficulty.

David Hamilton: Will the hon. Gentleman give way?

Mr. Davey: No, I will not give way. I am trying to bring my remarks to a close. I was concerned that the guidance did not include more requirements for greater collaboration—

8.45 pm

Ms Walley: On a point of order, Mr. Deputy Speaker. Many people wanted to speak in this debate, and we are fast approaching the time when wind-ups will take place. Will you look again at our arrangements so that, when we have pure discussions of this kind, Members who wish to get involved have opportunities to contribute?

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Lady will understand that that is determined by the Programming Committee, and that the general question of allocation of time must be tackled through the usual channels.

Mr. Davey: The hon. Lady will know that I am taking less than half the time that was taken by the Conservative Front Bench.

My final question to the Minister on the guidance notes is in relation to collaboration between local fire authorities and, for example, bodies that are involved in providing transport or bodies that are involved in community safety partnerships. A lot of the improvement in the fire service, in terms of community safety and prevention, will come through such collaboration. The guidance notes are very weak on that aspect, and they must be tightened up when they are finalised.

In conclusion, the Liberal Democrats support the inclusion of clause 118 in the Bill, which gives a greater decentralist flavour to the way in which we will run local fire services in future. I hope that the Minister will give proper answers, both to my questions and to those of the hon. Member for Runnymede and Weybridge (Mr. Hammond), so that we can be assured that proper consultation measures will be in place.

Mr. Raynsford: I shall do my best to answer the many questions that have been raised. If time gets the better of me, and I cannot deal with everything tonight, I shall write to all hon. Members who raised questions.

Ms Walley: Will my right hon. Friend give way?

Mr. Raynsford: I have just begun. I will give way to my hon. Friend in a moment, but I should make a little progress.

We have had a useful debate, as we did in Committee, about this important element in the overall package of reform for the fire service recommended by the independent review. Before I deal with the details of the repeal of part of section 19 of the Fire Services Act 1947, I would like to put that in the context of the current dispute. Following discussions at ACAS, the local authority employers tabled last Thursday an offer that holds out the prospect of a 16 per cent. increase in average pay by July 2004 in exchange for modernisation of working practices. That is, by any measure, a generous offer, and goes to the very limit of what local authorities can afford. Indeed, it offers substantially more to firefighters than the 7.8 per cent. deal over two years accepted by other local authority employees last year.

I sincerely hope that, despite the views being expressed by the Fire Brigades Union executive, the union's membership will recognise that this is a good

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deal. They have nothing to gain by refusing the offer. Indeed, refusal would risk another unproductive period of conflict from which no one can gain, and which would inevitably impact adversely on the public. At this particularly sensitive time, I cannot believe that any reasonable person could want such an outcome.

Some of those who oppose a settlement have suggested that the necessary reforms to existing working practices, which make possible a pay increase significantly ahead of what would otherwise be available, involve unacceptable changes—

John McDonnell: On a point of order, Mr. Deputy Speaker. If the Government wish to make a statement on the Fire Brigades Union dispute on the pay issue, may I suggest that they bring forward a statement at the appropriate time, rather than abusing the process of this Bill procedure?

Mr. Deputy Speaker: Order. As far as I can rule on this matter, the debate appears to be in order. I am sure that the Minister will have heard what the hon. Gentleman has to say.

Mr. Raynsford: Indeed, I did, and I also heard the comments of the hon. Member for Runnymede and Weybridge (Mr. Hammond), who specifically asked me to respond on this issue. I am only surprised that my hon. Friend does not want to hear these important points.

It is simply not the case that the reforms of working practices would involve unacceptable changes to firefighters' terms and conditions. The proposed changes allow a more flexible approach that will enable fire authorities to respond more effectively to today's risks and challenges. That will not mean tearing up all the terms and conditions enjoyed by most firefighters. Firefighters would continue to work, as they do now, an average 42-hour week. The majority could continue on the same shift system that applies now. Some would have the option of changing working patterns: for example, to work days only, as some wish to do. Some would be able to work overtime if they wanted. Nor will local fire chiefs be free to impose draconian changes on firefighters without regard to national considerations, as some who are hostile to a settlement suggest.

As I will make clear in a moment, we will issue guidance on how local fire authorities can best approach the development of integrated risk management plans. Her Majesty's fire services inspectorate will take a close interest, and the Office of the Deputy Prime Minister will work closely with the Local Government Association to ensure fair implementation of the new arrangements.

Those are commonsense reforms in line with what is happening in almost every other sector of our economy, and they would ensure a better service to the public, as well as enabling firefighters to receive a substantial pay increase. I hope that the deal will be accepted and that the FBU will engage constructively in the reform and modernisation process, as it is both necessary and inevitable.

I turn now to specific subject of the debate. The purpose of clause 118 is to remove the requirement in section 19(4) of the Fire Services Act 1947 for fire authorities to seek the Secretary of State's approval before making any reduction, no matter how minor, in the number of firefighting posts, or before closing fire stations or withdrawing fire appliances.

David Hamilton: The Minister refers to the 7.5 per cent. offer that has been made, but does he agree that 16 per cent is far short of the 22 per cent. increase that was given to teachers in Scotland, along with a modernisation deal?

Mr. Raynsford: My hon. Friend will know that Scottish matters are devolved—I cannot speak for Scotland and do not intend to—but by contrast with the offer made to local authority employees in England, the offer made by the employers to the FBU last week is generous.

The proposed repeal is a key element in the replacement of the existing, outdated and over-centralised framework for fire cover. That framework is out of keeping with the aim of a modern fire service, where resources are flexibly deployed to meet locally identified risks to life and property. Repealing section 19 and the early introduction of a new risk-based approach to fire cover, recommended by Bain, offer a real prospect of reducing the incidence of fire, and deaths and injuries from fire.

Dr. Palmer: Although I do not agree with the savage attack on the FBU made by the Liberal Democrat spokesman, I share the concern that, in removing the Home Secretary's theoretical power, we might weaken the power of local councillors and Members of Parliament to react to proposals. Can the Minister reassure us on that point?

Mr. Raynsford: I will cover precisely that point in a moment if my hon. Friend will bear with me.

Decisions should be taken by democratically accountable fire authorities, acting on the professional advice of chief fire officers and after taking account of the local community's views. The Government do not believe that the Secretary of State should take those decisions in a modern fire service. I heard the comments of my hon. Friend the Member for Hayes and Harlington (John McDonnell), but the most recent case that came to us involved a proposal to transfer a station from one location in the area to another; there was no change in the number of appliances or in crewing. That disproves his claim that section 19 was not about unnecessary or trivial matters being referred to the Secretary of State.

Ms Walley: It is important that the Government do not go ahead with something that is premature, that does not provide the flexibility that will be needed and that could pre-empt achieving a joint partnership agreement to resolve the firefighters dispute. Surely a decision on all that should be taken at one time; it should not pre-empt an agreement.

Mr. Raynsford: The Bain review explored all those issues in considerable detail and made a series of recommendations that has been widely welcomed by almost every fire interest in the country, apart from the FBU. As we are faced with a clear recommendation from the Bain inquiry, it would be extremely perverse to ignore it and not to proceed rapidly to repeal section 19. That is why we are acting now.

In the fire service of the future, a flexible risk-based approach to fire cover will be achieved through the implementation of locally determined integrated risk management plans, within the framework of national guidance. I explained in Committee that Her Majesty's fire services inspectorate was preparing guidance on the implementation of such plans, including arrangements for local consultation. I gave an undertaking that, barring unforeseen circumstances, hon. Members would have access to that draft guidance before considering the Bill on Report, and I am pleased to have been able to satisfy that commitment.

The fire service is widely respected for its performance in meeting the attendance times set out in the national standards for fire cover, but that will not necessarily deliver the reduction in deaths and injuries that should be our priority. Indeed, as recently published statistics show, the number of deaths and serious injuries caused by fire sadly increased in the last 12 months reported—the 12 months ending in March last year. To reverse that trend, we need to move beyond the 1947 standards. Those standards have their origin in the Riverdale committee of 1936 and were recommended to fire authorities more than 50 years ago. They are based on the characteristics of property and buildings in an area, not on the risk of death and injury from fire.

The current standards do not, as Bain noted, reflect the changes in our cities since 1947: the falling population in town centres, the growth of suburbs and the movement of people to city centres in daytime and returning to the suburbs at night. They do not reflect the changing nature and location of industry or more effective fire safety measures. For example, smoke alarms and sprinklers are now found in many buildings. For much of the time, the current standards determine that fire service resources are targeted on protecting unoccupied buildings and not on ensuring the most effective response to the needs of people who might be at risk.

The current standards are also based on inputs. The Bain review recommended rightly that we need, as a matter of urgency, to move away from this inflexible and formulaic approach to one that puts the emphasis on outputs and outcomes in terms of lives saved and injuries prevented, that is responsive to locally identified risks and needs, that is concerned with a wide range of threats to community safety and that accelerates the move from intervention to prevention.

The repeal will not alter a fire authority's statutory responsibility to provide an efficient service. That will remain by virtue of section 1 of the 1947 Act. Nor will it mean that fire authorities will no longer consult about the deployment of resources. One of the more regrettable features of the propaganda against our proposals has been the suggestion—repeated by the FBU in its brief to Members that the hon. Member for Kingston and Surbiton (Mr. Davey) quoted—that the repeal of part of section 19 will mean no consultation with the local community. There is absolutely no truth in this claim, as he made clear.

The guidance provides the national framework under which fire authorities will be able to prepare local integrated risk management plans that are tailored to the risks and safety needs of the local community. We shall consult in the immediate future on the draft guidance, and we would very much welcome an input from the key stakeholders. Comments made by hon. Members tonight will certainly be taken into account when we consider the responses to the consultation.

Following the consultation, we envisage that the definitive guidance should be published in June, that fire authorities should produce a draft integrated risk management plan in September and that they should consult their local communities, employees and other interested parties over the following three months. There are a number of safeguards in the new arrangements to ensure consistency of approach, without inhibiting local flexibility and decision making. The integrated risk management plans are, as I explained, being drawn up within a framework of national guidance. Her Majesty's fire services inspectorate will be one of the bodies consulted by fire authorities, and it will establish a specialist team to provide advice, training and support to authorities. It will also examine and disseminate examples of innovation and good practice and continue to monitor the performance of authorities in providing effective fire cover arrangements.

In addition, fire authorities must have regard to their general duty, under the best value provisions of the Local Government Act 1999, to secure continuous improvement in the way that their functions are exercised. That is the response to the question from the hon. Member for Runnymede and Weybridge about how we will ensure that there are proper standards. I have covered much of the ground, but I have not been able to answer several questions. I will write to hon. Members on those points.

The new approach that we are seeking to introduce will deliver a fire service that is better placed to deliver community safety and one that offers a real prospect of reducing the incidence of fire, and deaths and injuries from fire. I hope that hon. Members will endorse that approach and support clause 118.

Mr. Hammond: I am grateful to the Minister for offering to write to me with replies to the questions that he did not manage to answer. As I said earlier, Conservative Members are disposed to support the modernisation process. We are dismayed only because it has become mixed up with financing a pay settlement. The Deputy Prime Minister and the Prime Minister will have only themselves to blame if the public become suspicious of the motives for modernisation.

We support genuine modernisation and we acknowledge the fire employers' support for clause 118. I shall not press the amendment. However, we will watch closely as matters unfold. We shall not hesitate to cry foul if it becomes clear that my hypothetical cynical observer is right and the process becomes resource rather than risk driven.

I beg to ask leave to withdraw the amendment.

Hon. Members: No.

Question put, That the amendment be made:—

The House divided: Ayes 22, Noes 318.

Division No. 110] **[8:59 pm**

AYES

Barnes, Harry
Burnside, David
Clapham, Michael
Cohen, Harry
Cryer, John *(Hornchurch)*
Dismore, Andrew
Ewing, Annabelle
Hamilton, David *(Midlothian)*
Lewis, Terry *(Worsley)*
Llwyd, Elfyn
McDonnell, John
Mahon, Mrs Alice
Marshall-Andrews, Robert
Murphy, Denis *(Wansbeck)*
Price, Adam *(E Carmarthen & Dinefwr)*
Sedgemore, Brian
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Thomas, Simon *(Ceredigion)*
Wareing, Robert N.
Weir, Michael
Williams, Hywel *(Caernarfon)*

Tellers for the Ayes:
Mr. Neil Gerrard and
Mr. Kelvin Hopkins

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beith, rh A. J.
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Burstow, Paul
Cable, Dr. Vincent
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Gregory *(E Lond'y)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chidgey, David
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Cook, rh Robin *(Livingston)*
Corston, Jean
Cotter, Brian
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris

Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Ward, Claire
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Gillian Merron and
Mr. Jim Murphy

Question accordingly negatived.

It being after Nine o'clock, Mr. Deputy Speaker, *pursuant to Order [25 February], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Remaining Government amendments agreed to.

Order for Third Reading read.

9.13 pm

Mr. Raynsford: I beg to move, That the Bill be now read the Third time.

The Bill has been extensively debated in Committee, on Report last Wednesday and today, and on Second Reading in January. We have had a wide range of interesting, detailed debates on the large number of varied subjects that are the characteristic of the Bill, which covers an enormous range of issues of concern to local government.

This is an important deregulatory measure that extends significant new freedoms and flexibilities to local authorities, as well as removing unnecessary red tape and bureaucracy. The new prudential regime, which provides for a fundamental change in the capital borrowing powers of local authorities and introduces new freedom and flexibility for authorities to undertake capital projects, has been widely welcomed. Indeed, local government is particularly keen for the Bill to be enacted in time for those measures to be introduced from April 2004. There are other important new freedoms, such as new powers for local authorities to charge for discretionary services and to trade. The better a local authority's performance, the more freedom it will have.

New ways in which local authorities can work in partnership with business to improve the environment for their local community are being made possible through the Bill's provisions on business improvement districts. Businesses will also benefit from the new financial incentives being given to authorities to promote business growth, and we are making life easier for small businesses through provisions for small business rate relief.

We have had the opportunity to make important reforms on topical issues of real concern to hon. Members. In particular, this evening's debate on section 28 demonstrated that there is a substantial majority in favour of abolition. That was confirmed by the votes in the House tonight and in Committee: there was an overwhelming majority in favour of reform in both. I regret that the Leader of the Opposition chose to vote against that important reform, which will remove an offensive piece of legislation that causes deep concern to many people in this country.

We have also made important changes in relation to the fire service, with reforms designed to focus on outputs and outcomes in terms of saving lives and preventing injury. Our objective is to provide a new fire service that is properly related to modern circumstances and in which local decisions can inform the development of the service to respond to local needs. That is our objective not only for the fire service, but for all local services.

In the words of the Local Government Association,

> "the proposals in the Bill represent significant new freedoms for local councils and will help them deliver improved services to their communities."

I believe that the Bill will be seen as another important step in improving opportunities for local authorities to deliver high-quality services to their communities. Our objective is to help local authorities to do more and to do better, recognising the huge importance of the services that they perform. I commend the Bill to the House.

9.17 pm

Mr. Clifton-Brown: At the start of our consideration on Report, we had only 24 minutes in which to discuss four important groups of amendments, which dealt with important topics such as staff transfer matters, including terms and conditions and issues relating to the Transfer of Undertakings (Protection of Employment) Regulations 1981, and local authority charging and trading. We had hardly any time, and we dealt with only one group of amendments. That is an affront to democracy, and the business managers, especially those on the Government side, must look into it.

It is unacceptable to our constituents that large chunks of the Bill have not been discussed. For example, in a letter sent on 3 January to my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles), Mr. Doug Benjafield, the managing director of Cleanaway, a firm in my hon. Friend's constituency, said of charging and trading:

[Mr. Clifton-Brown]

> "It seems to us that Clause 95 could jeopardise the whole process of competitive tendering by enabling such authorities to set up what would be an 'in-house' company to retain or take over certain functions or services".

He continued:

> "If local authority 'best value' companies are able to cream off successful undertakings, there is a real danger that private sector companies will find it uneconomic to bid for some of the less profitable services, and 'best value' will simply cease to operate in practice."

Perhaps the Minister would like to intervene, given that the subject has not been discussed by hon. Members, either in Committee or on the Floor of the House.

Mr. Benjafield asks several questions:

> "First, how does the concept of 'best value' local authorities being able to set up companies to carry out certain functions or services tie in with the process of competitive tendering?
>
> Second, what safeguards does the Government intend adopting to ensure that such companies do not receive preferential treatment? Will they be obliged to compete with private sector companies on a 'best value' basis for each contract? How will the Minister ensure a level playing field if they do and will the same criteria be used to assess their performance as is currently used for private sector companies?"

Those are important questions. Perhaps the Minister will assist the House and facilitate proper consideration of the Bill by answering those questions in a letter to me, and placing a copy in the Library.

Mr. Raynsford: I will try to help the hon. Gentleman by giving an instant response. The whole thrust of the legislation is to improve local authorities' ability to work with business, among other groups. We discussed business improvement districts, growth incentives and a range of other measures designed to encourage good relations between local authorities and business. However, we also aim to improve local authorities' efficiency and effectiveness.

I am surprised that the hon. Gentleman should be suggesting on behalf of the official Opposition that they oppose the idea of giving power to local authorities that can trade well in services that they deliver efficiently. Are they saying that those authorities should be prevented from doing so? Surely we should all welcome greater efficiency on the part of local authorities delivering services.

Mr. Clifton-Brown: I am grateful to the Minister for his explanation. I raised the matter on Second Reading, and we think that there could be an element of unfair competition affecting private sector companies facing publicly subsidised councils carrying out their own functions. *[Interruption.]* Perhaps the Minister will undertake to see a delegation from Cleanaway with my hon. Friend the Member for Brentwood and Ongar; that would be extremely helpful—and he is nodding his head.

Mr. Edward Davey: Will the hon. Gentleman give way?

Mr. Clifton-Brown: I shall give way, but only once.

Mr. Davey: Does the hon. Gentleman agree that if there were proper safeguards in respect of accounting practices, his concern could be easily dismissed?

Mr. Clifton-Brown: We did not have time to discuss the matter thoroughly, and I am not sure that the hon. Gentleman is right. Cleanaway is one of the best run waste disposal companies, and I am grateful to the Minister for agreeing to see a delegation with my hon. Friend the Member for Brentwood and Ongar. Let us see whether we can clear up some of the problems. That would be helpful.

The Bill materially alters the capital finance regime for local authorities. There is the combination of pooling capital rights and the botched handling of the withdrawal of local authority social housing authority grant. I gather that local authorities, despite all our protests, have not yet been notified of the withdrawal of that grant. The message to debt-free authorities from the Bill and from the Government is that the writing is on the wall.

That, combined with the controversial measure for the repayment of overhanging debt, for which £800 million is allocated this year for highly indebted authorities in the north—in effect to provide them with a bribe to ensure that they transfer their housing authority stock and have the debt paid off at the same time—is a massive transfer of local authority finance from the south to the north.

There are other measures in the Bill that we think are deleterious, too. For example, there are the alterations to the non-domestic rating regime. There is the fact that the regime has to be self-financing in each financial year. Transitional relief will have to be paid for within each financial year. Underfunded under-phasing will take place for businesses, large and small, that have lower revaluations. That will put them at a disadvantage.

Combining all that with a transfer of subsidy from the housing revenue accounts of authorities that are in surplus and well run to authorities in a negative position is a swingeing measure of financial redistribution. I am not sure how much some tenants in the south, who will be subsidising tenants of poorly run councils in the north, will like this provision.

Perhaps the most controversial measure of all is the amendment to the council tax regime. The Bill heralds regular revaluations for council tax, together with the extension of the number of council tax bands, with no relationship between the top and bottom bands. This will turn what used to be a relatively small item of household expenditure into an extremely significant item, unrelated to the ability to pay.

I came across some statistics in preparation for yesterday's television programme on the council tax. One third of all the pension increases that pensioners have received during the past six years of the Labour Government will be soaked up in the increases in council tax that the Government have imposed. That is a shocking statistic. When we introduced the tax, it was part personal and part property. It is now becoming a pure property stealth-wealth tax, and there is no relationship between what people pay and their ability to pay. In combination with the acknowledged additional council tax supplement for all the regional bodies that the Government are to introduce, that will mean an extremely nasty stealth tax—one of the biggest that the Government have introduced.

There are some measures in the Bill that we welcome, including prudential borrowing. Provided that it is done with safeguards, that is wholly in line with our policy of devolving policy down to the lowest possible level, and is an example that can be followed. With reservations, we support the BID—business improvement district—regime, although it is probably limited in effect. In America, such schemes are low value, and work well because the rating system is based on property tax. In Committee we explored the way in which benefit may accrue to property owners, while tenants and lessees will pay.

Mr. Raynsford: On the subject of BIDs, the hon. Gentleman has just commented favourably on the American system of local taxation, which is based on property tax. Will he try to explain how that fits in with his earlier comment attacking the council tax—which, incidentally, was introduced by his party and is a mixture of a property tax and a tax relating to people's receipt of local services? Why is a property tax acceptable in America but not here?

Mr. Clifton-Brown: That was a mischievous intervention by the Minister, and one of his poorer efforts. As he knows, council tax applies to private individuals who occupy and own houses. We are talking about businesses, so the scenario is entirely different. We want some mechanism by which BIDs can work. We are concerned that there is a substitution affecting what the taxpayer should pay for and what is additional in the BIDs process. Under the timetable imposed by the Government, we did not have a chance to discuss our concerns about the mechanism of council vetoes in BIDs. We would have liked the veto to operate before the vote, as it is unnecessary to go through a complicated ballot only to find that the local authority vetoes the outcome. If we had had sufficient time, without the programme motion, we would certainly have liked to explore that in greater detail.

We did not have any time to discuss the change of the date of European and local government elections in the Bill—an important matter that was simply squeezed out by the restrictive timetable. Gerrymandering the timing of those elections is quite wrong.

Mr. Raynsford: Oh, come on.

Mr. Clifton-Brown: Does the Minister believe in democracy or not? Perhaps he will tell me.

Mr. Raynsford: Will the hon. Gentleman tell the House what is gerrymandering in presenting an option that has been the subject of widespread consultation and brings together local government and European elections in 2004 to try to encourage a higher turnout than the deplorably low turnouts in recent European and local elections?

Mr. Clifton-Brown: That is gerrymandering because when a term is set for a council it should be adhered to. If one lengthens or shortens it, one is interfering with the democratic right of elected councils to carry out their mandate for a full term. If it is shortened, they do not have an opportunity to complete their mandate. Once the gerrymandering principle is established, what will we gerrymander next? Will the Government extend the term of this Parliament? Whatever next? The principle is poor, and we never had time to discuss it.

The Bill is a highly centralising measure. It is typical of this socialist Government that they want to try to control everything from Whitehall, from the Secretary of State's office. They simply do not trust local authorities to make their own decisions on finance or anything else. This is a bad Bill, and I shall encourage my hon. Friends to vote against it on Third Reading.

9.29 pm

Mr. David Lepper (Brighton, Pavilion): I welcome the Bill. Many of us spent many hours in Committee discussing its provisions, but there were some aspects that we did not have time to discuss. I particularly welcome the decisive cross-party vote tonight on the repeal of section 28. I hope that the cross-party nature of that vote will be noted in another place when it comes to debate this issue, so that we will now see an end to this iniquitous piece of legislation. Before I came to this place, I was a secondary school teacher, and since being elected to Parliament, I have heard from former students how their fear and uncertainty over section 28 added to the misery that they experienced by making them reluctant to seek protection from homophobic bullying when they needed it most. Let us end this regime here and now tonight and through the further passage of the Bill.

My main point is that I would like to commend part 4 of the Bill, which deals with business improvement districts. As my right hon. Friend the Minister has said, this legislation will help to bring councils and their business communities together in a new partnership, with guaranteed funding for at least five years, to improve the appearance and prosperity of their areas. As chairman of the steering group overseeing the business improvement districts pilot project, I know the enthusiasm with which more than 20 areas across the country are now preparing schemes which they will get off the ground as soon as the legislation is in place.

I commend the draft guidance on business improvement districts produced by a score of national organisations and agencies, co-ordinated by the Association of Town Centre Management. That guidance deals comprehensively with such vital issues as the financial management of business improvement districts, and the balloting process for setting them up. Some official Opposition Members found their copies of the guidance document somewhat elusive during our debates in Committee, and some other hon. Members lost their copies through lending them to others. Nevertheless, I know that this full and comprehensive guidance has been much welcomed by all those in the 20-plus constituencies in which BIDs projects are now being prepared, and I know how helpful they have found it when taking forward what I believe to be a bold venture in partnership between business and local authorities.

9.32 pm

Mr. Edward Davey : I wish to raise three concerns before I go on to say why my hon. Friends and I will be voting in favour of the Bill. First, some mistakes remain in it, despite our best efforts to amend it. Secondly, there are some omissions from it. Thirdly, there has been a lack of debate on certain crucial parts of it. The mistakes, particularly those in clause 11 that relate to pooling, have been widely debated, and the Liberal Democrats do not accept the Government's arguments. There will be a serious impact on debt-free authorities in particular, especially with money being taken away from them so that they will be unable to tackle the problems of shortages of affordable housing in their areas. The Liberal Democrats, working with the Conservatives, have tried to persuade the Government of this. The Government came forward with a modest package of measures to try to provide some transitional relief, but we do not think that it went far enough.

We are concerned about some aspects of the Bill that retain a degree of centralisation, especially in regard to the reserve powers retained by the Government with respect to borrowing and the reserves of councils. I also have concerns—some may suggest that they are esoteric—about clause 31, which gives the Government a wide-ranging power to provide grants for local authorities. We are very worried about that; it takes financial powers away from the House and is therefore greatly to be regretted.

My second area of concern relates to the omissions. When the Government published the draft Bill, they said that it represented an historic change for local government and that there would be a real revolution in the relationship between central and local government. I am afraid that, for many of us, the reality is very timid when set against that rhetoric. Far greater powers need to be given down, and we need to see that happening to restore civic pride and encourage more people of good will and competence to go into local government, whether as councillors or as officials. We also need to see electoral reform in local government, to ensure that it becomes more representative and to prevent the corruption and the monopoly of power associated with one-party local government. Only proportional representation through the single transferable vote system can break that monopoly of political power.

We need to go far further with our local government finance reforms, and this party wants council tax to be abolished. I find it bizarre that the hon. Member for Cotswold (Mr. Clifton-Brown) has criticised the Government's timid reforms of council tax, which will make it a little fairer, because Conservative policy is to retain that incredibly unfair tax. For him to say at this moment—council taxes are going up so much—that he wants to retain the unfairness in the system is extraordinary.

I make this recommendation to the Minister: if the Government are to propose more local government reforms, they would do well to read material coming from bodies such as the Local Government Information Unit, which produced a good document called "Commission on Local Governance" to which my hon. Friend the Member for Bath (Mr. Foster) contributed. It made far-ranging proposals that had cross-party support in local government and which really would have represented major change with respect to relations between central Government and local government.

Mr. Clifton-Brown: I am becoming a little weary of the Liberal Democrats proposing their local income tax system without putting a figure on it every time we have such a debate. Will the hon. Gentleman put a figure on the average local income tax he reckons would be needed to replace council tax; and what redistribution system would he adopt to redistribute money raised from the richer areas to the poorer?

Mr. Davey: We will certainly do that in due course, but if I went down that road tonight, Mr. Deputy Speaker, you would rule me totally out of order. In terms of getting weary of other people's speeches, the incoherence and inconsistency that we have had to endure from Conservative Front Benchers throughout the Bill's passage has been particularly tiresome.

My next concern is the lack of debate in Committee and on Report on key aspects, particularly the trading and charging proposals in clauses 93 to 100. While the Government must take some blame for the lack of debate due to the various programme motions, the Conservatives should share the blame. Those who bother to read the reports of proceedings in Standing Committee will see how much time that Conservative Front Benchers wasted on trivial points, preventing us from dealing with the more serious issues.

The Government have serious questions to answer with respect to the trading and charging clauses. For example, they have used one model for local authorities to operate new powers to trade and charge—the company model. That might be restrictive, as local authorities could undertake many types of trading, which would effectively be at the very margins of their activities and also be unsuitable for setting up a legal structure as detailed as a company.

Mr. Raynsford: I put it to the hon. Gentleman that the arrangement for discretionary charges, which will also be available under the Bill, covers those marginal circumstances. In response to the issue raised by the hon. Member for Cotswold involving a level playing field in relation to private sector firms that might trade in the same area, it is important for local authority trading to be on a proper basis, which is why we propose the company structure.

Mr. Davey: The Minister may have made an important point for those people who will read the report of our debate, which shows why we needed more time to discuss those particular clauses. The understanding of many people in local government, having read the Bill, is that the powers under clause 93 with respect to charging link to powers in clause 95 with respect to trading. If he is saying that local authorities could get involved with and charge for some marginal activities without setting up a company structure, that is welcome clarification. We need more time—possibly an Adjournment debate or a debate elsewhere—to explore other aspects of those clauses. Perhaps some fears held by people in local authorities could be put to rest.

Let me make one other observation, which represents a real concern for local authorities. It involves how the comprehensive performance assessment categories have been tied to freedoms in the Bill, especially with respect to trading. The concern is that a local authority could set up a company to trade, working in partnership with the private sector and the other partners, only for a future assessment under the CPA framework to change its category. That would prevent it from trading, because different freedoms and flexibility would apply and old freedoms would be taken away. If that is to be the position in law, it will create great uncertainty when a company to trade or a partnership is established. That could prevent those partnerships and that trading from happening in the first place.

Mr. Raynsford: The Audit Commission will consult in the near future on proposals for the refreshment of CPA. We have been discussing with the Audit Commission a mechanism to ensure that, if there is a change in the category applicable to a local authority, there should be appropriate transitional arrangements, so that there is no immediate disruption of arrangements such as he has identified. There may be a period of grace for the authority to improve its performance, so that it can continue to exercise those responsibilities.

Mr. Davey: The Minister was trying to be helpful, but unfortunately he was not helpful enough. I understood that that was what the Government were consulting on, but it may not be sufficient, especially if the local authority wants to set up a robust trading arrangement with the private sector involving, for example, private investment capital. If there is the danger of an Audit Commission review, even with a period of grace, the possibility of ending the trading arrangement could prevent the private capital from being advanced in the first place. I hope that the Minister will reconsider that issue. We tabled new clauses to deal with that problem, but unfortunately we were not able to debate them. I hope that the Minister will give that point particular attention, and will accept our amendments in the other place.

I have dealt with our concerns about the mistakes in the Bill, the omissions and the lack of debate on key clauses, especially on trading and charging. In my concluding remarks, I want to focus on the provisions on which we agree with the Government, because they are the reason why we will support the Government in the Lobby tonight. The prudential borrowing regime that the Bill puts in place is an issue on which Liberal Democrats have campaigned for many years. Although it is not perfect, it is a major step forward and deserves the support of both sides of the House.

Business improvement districts represent a real opportunity for local authorities to work with business, and for businesses to set the agenda and set the pace of improvements in our town centres. I was proud to be at the launch of Kingston First only two weeks ago. Kingston town centre management is working with the London Development Agency and the local private sector. Kingston may be one of the first town centres to benefit from this legislation, so people in our area particularly welcome that provision.

We agree with the Government over their council tax reforms. As the Minister will know, we want to go a lot further, but these are steps in the right direction to make an appallingly unfair tax slightly less unfair.

Finally, we have made sure that section 28 will be removed from the statute books. That is a real step forward, and it had huge support in the Lobby. It is to be regretted that the Leader of the Conservative Opposition decided that he would change his position yet again. He has previously been on the record implying that it was now time that section 28 was removed from the statute book. He has now done another volte-face, and he has flip-flopped and gone the other way. The Conservative party is incredibly divided on this and many other issues. Only 77 Conservative Members of Parliament were in the Lobby with the Leader of the Conservative Opposition, which shows that he was unable to take even half the members of his parliamentary party with him.

The Bill has much to commend it, and the House should give it a Third Reading. I hope that the other place will make the amendments that the Liberal Democrats tried to make, but we were unfortunately unable to persuade the Government of their merits.

9.44 pm

Dr. Iddon: This is a complex Bill. We sat for 14 two-and-a-half-hour sittings, one of which was extended. I listened to the hon. Member for Cotswold (Mr. Clifton-Brown) complain about the lack of time, but much of that was due to the fact that the Opposition laboured some of the points, especially in the early stages of the Committee. In my view, they only have themselves to blame for not having the time to discuss some of the clauses that he complained about. Any hon. Member who is any doubt about the complexity of the Bill should have a look at clause 64. I still cannot get my head around the algebra for calculating the non-domestic rate multiplier. I have to confess, as a member of the Committee, that there are similar clauses that I still do not understand.

Local authorities have welcomed, and will welcome, the ability to borrow, the ability to trade, the relaxation in business rates, the introduction of improvement districts, and even, dare I say it, the controversial matter that we are discussing—the relaxation in local controls on fire brigades. I understand that it is a difficult time to announce the latter measure, given what is going on, but I am sure that in the end it will be welcome.

I want particularly to mention the ability to trade. As my right hon. Friend the Minister knows, I was chairman of housing in Bolton for 10 years, and we had

[Dr. Iddon]

a great deal of trouble buying double glazing from private firms. For example, the windows fell out because they were not secured properly, and burglars could easily get in. I could give a long catalogue of our troubles with private firms selling us double glazing and ripping us off into the bargain. Many householders also suffered from that. We therefore decided to set up our own double glazing production unit, which was greatly welcomed by tenants. Former tenants who had bought their houses wanted to buy the same double glazing product from us, but we were restricted from selling it to them by the Government who were previously in control. The ability to trade on a level playing field—not to have any advantages, but to trade equally with the private sector—has never existed before, and the independence that it offers to local authorities is very welcome. I assure hon. Members that Bolton's double glazing product would knock the spots off any private sector product. My colleagues in local authorities would say that it does not go far enough, but it is a huge step in the right direction.

I turn to housing finance. In Committee we had a big wrangle—the hon. Member for Cotswold mentioned it again tonight—about the pooling of capital receipts in housing. I am amazed that the hon. Gentleman does not recognise the difficulties that we face in the north. He criticised, as he criticised in Committee, the pooling of capital receipts in order to spend them where they are most needed. Houses in the south and south-east of England, especially here in London, are sold for huge amounts of money. In the north, we cannot get such high capital receipts. And what do Conservative Members want to spend them on? Keeping their council taxes down. I suggest to the hon. Gentleman that the conditions in which people in the north live—in council houses and in private sector houses—are so bad that he should come and have a look at them. I am in favour of pooling capital receipts and spending them on housing, not on keeping council taxes down in the south and south-east of England.

Mr. Clifton-Brown: I am grateful to the hon. Gentleman for giving way, as he criticised me. He knows full well that the rules prevent capital receipts from housing being used to subsidise council tax—that simply cannot happen. The other factor is that if one takes money away from councils that have sold their housing, they will not be able to build any more houses, so people in those local authorities will suffer.

Dr. Iddon: As the hon. Gentleman knows, there are ways and means of spending capital receipts—I have not got time to go into them. He knows the ways around the rules as well as I do.

I very much welcome the separation of housing benefit from the housing revenue account, which makes the housing revenue account completely transparent for the first time. When I asked my right hon. Friend the Minister in Committee whether that was the end of the double whammy whereby council house tenants pay for the housing benefit of their neighbours through council house rents, then, like the rest of us, pay again through the taxation system, he agreed that it was.

I welcome the end of section 28. I listened to the debate in Committee and I have listened to it again tonight. People have become passionate for the right reasons. We have spent an awful lot of time on this—and, to be frank, I wonder whether it was worth while spending so much time on it. We just wanted a quick end to section 28. It has not happened quickly; indeed, it has not happened yet. There will, of course, be a battle in the other place.

I do not understand the Conservative Opposition's amendments this evening. They have been criticising the Government for bureaucracy in local government and education, yet, if one considers their amendments closely, one sees that they would increase bureaucracy. They wanted ballots—albeit on a small number of occasions—and they wanted schools to report on various things. They have to get their act ready. Either they want a reduction in bureaucracy or they want the increase in bureaucracy that they have been arguing for this evening.

I congratulate the Minister for Local Government and the Regions, my right hon. Friend the Member for Greenwich and Woolwich (Mr. Raynsford), and the Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Shipley (Mr. Leslie), on the hard work that they have done. In the early Committee stages, I saw the Minister under considerable pressure for the obvious reason that he had other matters to deal with. On one occasion at least, I wondered how much sleep he had had. I congratulate my right hon. Friend and my hon. Friend.

9.50 pm

Angela Watkinson: I was not a member of the Committee that worked on this Bill but I have listened carefully throughout the Report stage and have heard some informed and constructive contributions. I want to say how bitterly disappointed I am about the result of the vote on section 28. The House has made a serious mistake.

Section 28 was repealed in Scotland about two years ago. The results of that should have served as a valuable lesson to this House. Some of the lesson plans and publications that I have seen—which are intended for education in schools and which will become permissible for use should the Bill complete its passage through Parliament—have shocked me by their explicit content. This is not education; it is information—and far more information than is necessary or beneficial for young minds. I have learned things that I had reached this great age without knowing or needing to know; indeed, I would be far happier not knowing them. Pupils need protection from graphic descriptions and illustrations of inappropriate sexual information in publications that could encourage experimentation.

Several hon. Members have justified the repeal of section 28 by reference to homophobic bullying. I am a governor of two secondary schools. They have good policies on bullying, as most schools now do. Those policies are not on specific types of bullying and they are not for all sorts of bullying except homophobic bullying. Homophobic bullying is perfectly adequately covered by the policies, along with every other sort of bullying. I therefore do not see that the repeal of section 28 can be justified on bullying grounds.

Letters that I have received have told me that the majority of parents want to keep section 28. It gave them confidence and it curbed the content of teaching materials and publications, ensuring that vulnerable, young and immature—by their very nature—people are not influenced, in their formative years, into experimenting with what can be presented to them as a lifestyle choice.

Over the years, we have come a long way from the days when homosexuals were commonly subjected to violent assault. Great efforts have been made to change public attitudes from hostility to tolerance and acceptance. So successfully has that been done that an adult's sexual preference is no longer a matter for comment or even interest. However, we have a duty to protect school pupils and young people in youth organisations from the active promotion of homosexuality, which is quite a separate thing from tolerance and acceptance. There is a world of difference between, on the one hand, tolerance and acceptance, which should be encouraged, and, on the other hand, approval, which is a matter of personal judgment, and promotion, which is not only unjustified but a serious encroachment into an area of child development that more properly rests in parental responsibility. The Government have failed in that important duty to protect schoolchildren.

I am also concerned about the repeal of section 19 of the Fire Services Act 1947. I do not have a declarable interest, but one of my daughters is a firefighter in the London fire brigade, as is my son-in-law who is married to another daughter. The connection means that I am regularly contacted by serving firefighters who want to funnel their views through me. They are extremely worried about the effect that the risk review could have on firefighters. It could even lead to the closure of fire stations. Indeed, I held a meeting with my local chief fire officer on that subject.

Upminster does not have the benefit of a fire station. It has to rely on Romford, Hornchurch and Wennington. In an e-mail to me, a serving firefighter said:

> "It is not only Section 19 which is a worry, but some of the other recommendations in the Bain report . . . regarding fire cover. Some of these included reducing fire cover at night, when although there are less fires there are more deaths due to these fires . . . There are high possibilities that Romford will be made a 1 appliance station, and that Hornchurch or Wennington will be made Day Manning",

which is full cover during the daytime only. It went on to say:

> "Bain also spoke about having retained (part-time) firefighters working with wholetime",

which is also a possibility for Hornchurch and Romford. The e-mail then stated:

> "In fact there are numerous permutations, and they all lead to reduced fire cover, greater chance of death, and delayed attendance times."

I understand that the density of building in Upminster and the fact that it has had a fairly stable population over a long period mean that there should be no significant change in fire cover in the area. I want to be reassured about that so that I can pass that on to the many firefighters who contact me.

9.57 pm

Mr. Bob Blizzard (Waveney): Clause 117 deals with two of the greatest problems that confront this country: litter and dog fouling. Any hon. Member who thinks that they are not that important is not knocking on enough doors. Although people are exercised about the international situation at the moment, week in, week out, month in, month out, they talk about litter and dog fouling because they are angry about it. I am delighted that the clause addresses that. The measure to allow councils to keep the revenue that they raise from fixed penalty fines by enforcing the litter laws already on the statute book is long overdue. I first proposed the idea at 5 am in this Chamber in 1999 and have since introduced two private Member's Bills to that effect, one of which is timetabled for discussion on 4 April. I hope, however, that the Government's Bill will make my Bill unnecessary.

I want to give local authorities the means to enforce the law. We know that the laws are not enforced. Only about 50 of 450 authorities employ litter wardens and only about £70,000 a year goes to the central Exchequer from litter fines. Members would have to roam far and wide in their constituencies before finding someone who has been fined. In recent months, authorities have carried out pilot schemes and those that have taken their scheme seriously have had great success.

I hope that the Government will issue guidance to local authorities so that they take their new responsibilities seriously. By enforcing the laws, we will make the polluter pay. Taxpayers pay £450 million a year in a culture that allows people to drop litter, to walk around in it, to pay a lot of money to have it cleared up and then to moan when it has not been cleared up properly. I hope that when the Bill passes its Commons stage tonight and goes to another place, it will go a long way towards finally ridding the country of a nuisance with which people are fed up, but which nobody has tackled. I congratulate the Government on bringing the measure, long promised, to the statute book.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 349, Noes 136.

Division No. 111] **[10:00 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allan, Richard
Allen, Graham
Armstrong, rh Ms Hilary
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barnes, Harry
Barrett, John
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beith, rh A. J.
Benn, Hilary
Bennett, Andrew
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell*(Dumfries)*
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Burstow, Paul
Cable, Dr. Vincent
Caborn, rh Richard

Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Corston, Jean
Cotter, Brian
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi

Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Gillian Merron and
Mr. Jim Murphy

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burnside, David
Cameron, David
Campbell, Gregory *(E Lond'y)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Pickles, Eric
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Mr. Desmond Swayne and
Hugh Robertson

Question accordingly agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CLIMATE CHANGE LEVY

That the draft Climate Change Levy (Use as Fuel) (Amendment) Regulations 2003, which were laid before this House on 4th February, be approved.—*[Derek Twigg.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

SOCIAL SECURITY

That the draft Social Security (Contributions) (Re-rating and National Insurance Funds Payment) Order 2003, which was laid before this House on 5th February, be approved.—*[Derek Twigg.]*

Question agreed to.

SOCIAL SECURITY

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That the draft Social Security (Contributions) (Amendment No. 2) Regulations 2003, which were laid before this House on 24th February, be approved.—*[Derek Twigg.]*

Mr. Deputy Speaker (Sir Michael Lord): I think the Ayes have it.

Hon. Members: No.

Division deferred till Wednesday 12 March, pursuant to Orders [28 June 2001 and 29 October 2002].

SUPREME COURT OF ENGLAND AND WALES

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That the draft Maximum Number of Judges Order 2003, which was laid before this House on 6th February, be approved.—*[Derek Twigg.]*

Question agreed to.

INDUSTRIAL DEVELOPMENT

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

[Hon. Members]

That the draft Financial Assistance for Industry (Increase of Limit) Order 2003, which was laid before this House on 30th January, be approved.—*[Derek Twigg.]*

Question agreed to.

DRAFT CORRUPTION BILL (JOINT COMMITTEE)

Ordered,

That the Lords Message of 12th February relating to a Joint Committee of both Houses to consider and report on any draft Corruption Bill presented to both Houses by a Minister of the Crown be now considered.

That this House concurs with the Lords in their Resolution relating to the said Joint Committee.

That a Select Committee of seven Members be appointed to join with the Committee appointed by the Lords to consider any such draft Corruption Bill.

That the Committee shall have power—

(i) to send for persons, papers and records;

(ii) to sit notwithstanding any adjournment of the House;

(iii) to report from time to time;

(iv) to appoint specialist advisers;

(v) to adjourn from place to place within the United Kingdom; and

That Vera Baird, Mr Edward Garnier, Mr John MacDougall, Mr Mark Oaten, Mr Richard Shepherd, Mr Paul Stinchcombe and Dr Desmond Turner be members of the Committee.—*[Derek Twigg.]*

STANDING COMMITTEE ON REGIONAL AFFAIRS

Motion made, and Question put forthwith, pursuant to Standing Order No. 117 (Standing Committee on Regional Affairs),

That—

(1) the matter of progress in developing the role of the Government Offices in the Regions (GOs), being a matter relating to regional affairs in England, be referred to the Standing Committee on Regional Affairs;

(2) the Committee do meet at a quarter-past Two o'clock on Thursday 3rd April at Westminster to consider the matter referred to it under paragraph (1) above; and

(3) the proceedings at the meeting be brought to a conclusion at a quarter-past Five o'clock.—*[Derek Twigg.]*

Question agreed to.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Ordered,

That Phil Sawford be discharged from the Environment, Food and Rural Affairs Committee and Alan Simpson be added.—*[Keith Hill.]*

PETITION

BAE Systems (Brough)

10.16 pm

David Davis (Haltemprice and Howden): This petition is from the work force at BAE Systems, Brough, where the Hawk aircraft is manufactured. They have faced savage job losses in the past few years, and again face another 400 to 450 redundancies in the coming few months, partly as a result of delays in the ordering of the aircraft by the Ministry of Defence. The petition states:

> The Petitioners therefore request that the House of Commons urge Her Majesty's Government do all in its power to ensure that negotiations concerning the future of BAE Systems Brough, and the manufacture of Hawk aircraft, are resolved as quickly as possible, so as to ensure the continued viability of the facility and the protection of their jobs.
>
> And the Petitioners remain, etc.

To lie upon the Table.

Post Offices (Sutton)

Motion made, and Question proposed, That this House do now adjourn.—*[Derek Twigg.]*

10.17 pm

Mr. Paul Burstow (Sutton and Cheam): I am grateful for the opportunity to raise the subject of the future of post offices in my constituency and in the borough of Sutton. I hope that, in this brief debate, my hon. Friend the Member for Carshalton and Wallington (Tom Brake), will catch your eye, Mr. Deputy Speaker, and have the opportunity to make one or two points about post offices in his constituency.

When I last raised the issue in an Adjournment debate just over two and a half years ago, the threat hanging over the sub-post office network in my constituency was just that—a threat. Today, the threat is turning into a reality. Post offices are closing in my constituency. The closures are piecemeal and cloaked in secrecy. My constituents have been left with the strong impression that the Post Office is paying lip service to consultation and just going through the motions when it comes to closing post offices.

During my previous Adjournment debate on the matter, I pointed out that, based on parliamentary answers, the local impact of

> "the switch from pension book to credit transfer will mean that at least one in three of the 16 sub-post offices in my constituency will be under threat, because more than 40 per cent. of their business comes from work for the Benefits Agency."—*[Official Report*, 5 June 2000; Vol. 351, c. 134.]

Five sub-post offices are therefore at risk of closure in the borough of Sutton in my constituency. Since the previous debate on the subject, two sub-post offices have closed and the future of another is in question. Yet another is due for the chop through a formal consultation process.

Let me outline what has happened in the past year. On 23 July, Mr. Drew McBride of the Post Office national consultation team wrote to tell me of the plan to close the Collingwood road sub-post office in my constituency. Residents and I had until 23 August to respond. I hope that the Minister agrees that consulting over the summer, when many people are on holiday and elsewhere, is poor practice. It denies people the opportunity to have their say. In his letter, Mr. McBride pointed out that there were three post offices in a half a mile radius of the Collingwood road branch: Sutton post office in the St. Nicholas centre; Oldfields road post office on the Sutton bypass, and the Grove road post office.

It is as if Mr. McBride and his team did no more than draw a circle on a map. He did not bother to factor in simple facts, such as half a mile up a hill being different from the same distance on the flat. Getting to the Grove road post office necessitates such a climb. He also neglected to consider the fact that one of the alternative post offices was on the other side of a busy dual carriageway. Despite the short notice of the consultation and the holiday period, more than 100 people signed the petition calling for the Collingwood road branch to remain open. The residents received the all-party backing of the local authority.

Insult was added to injury when the closing date for consultation was set at 23 August. Mr. McBride wrote on 30 August to tell me that the closure would go ahead on 23 September. The closure appears to have been pre-planned, pre-programmed and pre-determined. It took Mr. McBride only seven days to weigh up and reject the representations of the local community, the council and me.

The closure programme progresses. On 24 February, Mr. McBride wrote to tell me about the proposed closure of the Oldfields road post office. However, six months ago, he wrote:

> "Of course, customers have a choice as to the Post Office branch they wish to use in the future. However, I believe that the nearest, most convenient branches are located at High Street, Sutton and Oldfields Road."

Words fail me. The Post Office offers the prospect of a specific post office only to snatch it away from constituents.

Such behaviour prompts the question, "Which post office will close next?" It is time for the Post Office to be much more open and honest about its plans. Will the Minister supply a list of the post offices that are earmarked for closure in the borough of Sutton so that we can scrutinise the process more carefully?

I hope that the Minister will undertake to ensure that the Post Office consultation team apologises to the community around the former Collingwood road post office for misleading it about the possibility of using the Oldfields road post office. People had it for only six months. In his letter, Mr. McBride points out that the nearest post offices are Sutton post office in the St. Nicholas centre, which is 7.7 miles away from the Oldfields road branch, and Gander Green lane post office, which is 0.4 miles away.

The Post Office is supposed to ensure that 95 per cent. of its customers live within half a mile of the nearest post office. That is no longer the case for many residents in Collingwood road or on the Cheam Park Farm estate. The piecemeal closures will result in growing gaps in the network. The elderly, the disabled and families who rely on post office services will suffer. Simply drawing circles on maps, with no local knowledge, will not benefit people.

Will the Minister ensure a proper mechanism to take account of the local factors that I have outlined? One driver for closures is loss of business due to plans for electronic transfer of benefits and pensions into bank accounts. The thrust of the information campaign surrounding the change downplays the option of the Post Office card accounts.

The implementation of such accounts is even more worrying. It appears as if they have been set up to fail. Why will not the trials of the new computer system finish until five days before the system is due to go live? Where is the margin for error? What are the contingency arrangements if the IT fails? If it works, will customers be able to use it?

During the Christmas Adjournment debate, I raised several anxieties about the Post Office card account on behalf of my local Age Concern. In a letter to Postwatch, Marion Harper, the chief officer of Sutton Age Concern, wrote:

> "We are very concerned about the entire concept of changes to pension collection, but we would welcome an explanation as to how the new system will affect older people with mobility problems, particularly arthritis, and older people who are visually impaired or blind."

[Mr. Paul Burstow]

Postwatch's reply was very disturbing. Despite pressing the Department for Work and Pensions for an answer, it remained unclear how collections of benefits or pensions would happen where a person did not have a regular carer or helper and was taken ill suddenly. Giving out the PIN would be considered a breach of the terms and conditions of their account, so they will go without their pension.

How will that problem be dealt with? When I asked Pensions Agency staff that question during a recent meeting of the Sutton Seniors Forum, they were unable to offer an answer. Can the Minister tell us tonight how people who become ill will be able to access their pension using a card account? When I raised those matters in the Christmas Adjournment debate, I was told that I would receive a response in writing from the Ministers who are responsible. To date, I have not received that response and I hope that we can obtain some answers tonight or get something in writing as soon as possible.

Local post offices play a vital role in our community. They are one of the building blocks of our economic vitality and shopping centres. On the basis of my experience of the closure programme in my area so far, I have no confidence whatever that the Post Office is really listening to the concerns of local authorities, residents or MPs in its consultation. I hope that the Minister will take that on board and make a change in that process for the future.

10.25 pm

Tom Brake (Carshalton and Wallington): I should like to thank my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) for giving me the opportunity to speak in this debate.

Post offices are a lifeline in many rural communities, but their value to urban and suburban communities should not be underestimated either. When it seemed that Roundshaw post office was going to close, local people, many of whom do not have access to a car, were distraught. Fortunately, that particular battle has been won, as a very sensible solution was arrived at involving the post office sharing space with a new supermarket.

I am glad that we won that battle, but what alarms me is that there are other battles to be fought regarding future local post office closures and we do not know where the enemy lines are or what the rules of engagement are. We hear rumours that a particular post office may be under threat of closure, but as the Post Office is not forthcoming with its planned programme of closures, such rumours cannot be disproved or confirmed.

That is why I shall ask the Minister just one thing—to guarantee that there will be no more post office closures in the borough until a meaningful consultation process is put in place that will allow residents to put their case in a meaningful way. That is the guarantee that my constituents and those of my hon. Friend are seeking and that I hope that the Minister can deliver.

10.27 pm

The Minister for E-Commerce and Competitiveness (Mr. Stephen Timms): I congratulate the hon. Member for Sutton and Cheam (Mr. Burstow) on securing this debate. I know that he is assiduous in his attention to issues that are relevant to elderly people in particular, and I welcome the opportunity to respond to the points that he and his hon. Friend the Member for Carshalton and Wallington (Tom Brake) have made during this short debate.

Both hon. Members set out the concerns of their constituents about proposals in their area. The hon. Member for Sutton and Cheam referred to the proposed closure of Oldfields road post office. That proposal is indeed part of the Post Office's programme for restructuring the urban post office network. I understand, however, that the proposal for that particular office has been suspended to enable Post Office Ltd. to recheck some of the data relating to it. Once that has been done, it is envisaged that the consultation will start again from scratch. It is helpful that I can point to that fact, which makes it clear that, contrary to what he said, the process is not on tram lines, but is being taken forward very carefully and in a very thoughtful way in order to ensure that the integrity of the post office network, and access to it in every part of the country, are maintained.

Mr. Burstow: On the notification of the suspension of the consultation process, can the Minister indicate when the decision was made?

Mr. Timms: I am afraid that I do not know exactly when the decision was made. I understand that the data on the closure that have been published and put into the public domain were correct and accurate, but that some of the information supplied to Postwatch was not. The Post Office took the view that it should do the right thing, check the data and then go right back to the start of the consultation process, which helpfully, from my point of view, demonstrates that the process will be fair and proper, as it should be.

The rationalisation and modernisation of the urban network is part of the process of maintaining a viable nationwide network of post offices. We need to go through that process if we are to maintain a good level of accessibility in every part of the country and provide a wider range of better quality services to post office customers, as we must. Both hon. Members complained about the proposed closures, but they did not suggest alternative closures. For the reasons that I am about to set out, it is essential to reduce the number of post offices.

It was a key recommendation of the performance and innovation unit's report about the future of the post office network, which was broadly supported by Liberal Democrat Members, that if the Post Office decided that fewer offices were needed in some urban areas, the Government should consider providing financial assistance to the Post Office to ensure that the sub-postmasters affected could be adequately compensated for the loss of value of their business.

Last November, following parliamentary approval of the funding, Post Office Ltd. initiated its programme. I should emphasise that the development of closure proposals, the consultation process and subsequent decisions on closure are operational matters for Post Office Ltd. rather than for the Government. However, it is important that the process be undertaken properly and thoughtfully, and, in particular, that the consultation should be well managed.

It is important to understand why the post office network in urban areas needs restructuring and why its income has declined. The reasons go back over 20 years. Past under-investment is certainly one factor, but greater mobility and changes in shopping and financial habits have also sharply reduced customer numbers. Of course the Post Office is not alone in having had to deal with such changes; other networks, such as those of the retail banks, have been scaled back as well. Post office networks in other countries have been through similar changes; for example, I understand that in Germany, to achieve consistent profitability, the number of post office branches was reduced from 30,000, a much higher number than in the UK, to 13,000, significantly lower than the current UK number. Many other countries have embarked on a similar process.

Some factors have had a particularly big impact in the UK. Post office income here has been heavily dependent on benefit payments, but over 42 per cent. of benefit recipients now access their benefit payments via bank accounts, compared with only 26 per cent. in 1996. That substantial reduction results from people changing the way in which they want to keep their money.

If we compare the 2001–02 financial year with that of five years previously, we find that the number of retirement pensions and widows benefits paid by order books and giros had dropped by more than 1 million, from just over 6 million to fewer than 5 million, even though the total number of pension recipients went up by more than 1 million. Child benefit payments made in that way dropped from just under 5 million to fewer than 4 million. Payments of incapacity benefit at post offices fell even more dramatically, from more than 2.5 million to fewer than 1 million. All that was the result of decisions made by benefit recipients.

Mr. Burstow: Will the Minister consider the principal concern that my hon. Friend and I have put to him tonight—the piecemeal nature of the process that we have seen in our borough so far, which means that we are unable to see the totality of the plans and therefore to comment on them intelligently on behalf of our constituents? The plans proposed closing the Collingwood road branch and cited Oldfields road as being available, but now that is closing as well.

Mr. Timms: I shall certainly address that issue. It is important, however, that I set out for the House why the process is necessary, and, indeed, in the interests of our communities and of the post office network.

The number of people receiving their benefits at the post office has sharply fallen. The total number of people receiving jobseeker's allowance has fallen, which is good news, but that has reduced post office income. Girobank transactions at post offices fell by 37 per cent. between March 1997 and March 2002. National Savings transactions fell by 24 per cent., telephone bill payments by 25 per cent. and postal orders by 13 per cent. Those reductions have been only modestly offset by increases in the number of transactions for motor vehicle licences, lottery sales and bureau de change services.

The consequence is that in the constituency of the hon. Member for Sutton and Cheam and many urban areas throughout the country, there is now too little business for the number of post offices. The Post Office has the biggest retail network of any organisation in Europe, with 50 per cent. more branches than all the UK banks put together. More than 1,000 of the 9,000 urban sub-post offices have at least 10 other post offices within a mile. The volume of business through the network is simply no longer sufficient to support so dense a network.

The Post Office programme is intended to restore the urban network to commercial viability, which all of us want to achieve. It aims to restore the confidence of the sub-postmasters, making it possible to attract much needed new investment. Earlier this evening, with my right hon. Friend the Deputy Prime Minister, I met a deputation from the National Federation of Sub-Postmasters. The federation has recognised and made it clear that

> "There is an urgent need for re-structuring. . . . Tough decisions must be made in order to ensure a viable network for the future to create bigger, better and brighter post offices."

I agree.

The programme relates only to the urban network. Our commitment to ending avoidable closures in the rural network remains, and in the last quarter of last year the net closure figure for rural offices nationally was nil—the first time that anyone can remember there not being a reduction in numbers. However, Post Office officials will progressively visit every urban area to make a careful study of the configuration of the offices and of local factors such as public transport availability, demographics and geography in order to decide whether a particular office that the postmaster wishes to close can be allowed to do so.

Tom Brake: To what degree does the Minister think elected Members, councillors and the local community should be involved in the formulation of those decisions?

Mr. Timms: I will come to that precise point, if the hon. Gentleman bears with me. It is a requirement of the process that the Post Office has established that all the parties he mentions be consulted—indeed, Members of Parliament will be written to at the start of the consultation process. It is important that that takes place.

Initially, the programme is to focus primarily on smaller urban offices where sub-postmasters are under the greatest pressure. Many sub-postmasters want to close their business and receive fair compensation, as the package offers. That is our starting point. I am almost certain that in the constituency cases that the hon. Gentlemen highlighted, the starting point of the process has been that the postmasters have wanted to close their office.

The Government will meet the costs of compensation to a total of £180 million over the next three years. We are providing a further £30 million for modernising and adapting the offices that remain. The key to improving standards in the remaining offices will be the increased volume of business that they can expect, but the grants of up to £10,000 for each office expecting to take on a significant number of additional customers—which must be matched by the same sum from the postmaster—will also provide an important boost. This is the first time that the Government have undertaken a

[Mr. Timms]

programme of investment in urban sub-post offices. The measure is additional to the PIU report recommendations, which in general were warmly welcomed.

As part of the package, the Post Office will generally require the receiving offices to improve their facilities and extend their opening hours. To an increasing extent, we will be able to expect sub-post offices to maintain the same hours as the associated retail businesses, and to improve their service to customers. Thus the quality of service that people can expect from their local post office will be improved.

The properly managed programme on which the Post Office has embarked is far preferable to the alternative of unmanaged closures resulting from falling income, which would cause much greater disruption to customers. At the end of the programme, more than 95 per cent. of people living in urban areas will still be within a mile of a post office. I think that the hon. Member for Sutton and Cheam mentioned half a mile, but one mile is the measurement used—and the majority will still be within half a mile.

The hon. Gentleman has talked about the other post offices close to Oldfields road. The programme that is being taken forward will follow the code of practice agreed between Consignia and the consumer watchdog, Postwatch. For every proposed closure, merger or relocation, there will be an independent consultation process lasting at least a calendar month, which will be extended to allow for Bank holidays. The consultation will be conducted by Post Office Ltd., but will closely involve Postwatch. To pick up the point made by the hon. Member for Carshalton and Wallington (Mr. Brake), I can add that it will include the local Member of Parliament, who will be written to at the beginning of the process. To ensure that the needs of all customers, including the elderly, disabled people, those on low incomes and others, have been properly considered, Post Office Ltd. will, in developing its proposals, take account of factors such as accessibility, viability of the remaining post offices, transport links—where the bus stops are—opening hours and numbers of counter positions.

The hon. Member for Sutton and Cheam asked me whether I could provide the entire list of post offices that are being considered for closure. I cannot do that because there is no predetermined list of post offices that will be considered. No arithmetical formula is being applied to determine the number of closures in an area. The closures in an area will be determined by the present density of offices in close proximity to one another, current and future business volumes, the preferences of individual sub-postmasters—an important consideration—and the public consultation process, which will take place in respect of every proposal, whether it is for closure, merger or relocation.

In some cases, a sub-postmaster may have indicated a wish to close. However, taking account of the position and prospects of neighbouring offices, it will be concluded that closure of that particular office is not acceptable. If the sub-postmaster still wishes to leave, that will need to be on the basis of a commercial sale of the business. One of the consequences of the programme should be a revival of the commercial market for sub-post offices, which has declined in recent years.

Proposals on the future of any individual office will not be taken in isolation but will be drawn up in the context of other offices nearby. The Post Office wants to continue to provide services in convenient locations readily accessible to its customers, which will have the capacity to deal with future levels of demand and will provide improvements. Improving the quality of what is provided at local post offices is an important objective of the programme.

At the start of the programme—the stage that we are in at the moment—all the closures will be in response to requests from those running sub-post offices. Towards the end of the three-year programme there may need to be a small number of involuntary but compensated closures to finalise the shape of the urban network. We are not at that stage yet.

More than 1,800 urban sub-post offices in the UK are in the 10 per cent. most disadvantaged wards in the indices of deprivation 2000. I want to make it clear that, other than in exceptional circumstances, the scope of the urban reinvention programme will not extend to any post office in one of those deprived urban areas that are more than half a mile from the next post office. They are often the last retail outlet of any sort in the area. We want to improve and sustain post offices in deprived urban districts by means of a separate scheme to provide funding for investment and improvement to post office branches that are at risk of closure.

The Office of the Deputy Prime Minister announced at the end of last year the details of a £15 million scheme for England to support core post office services and the development of associated retail facilities in those areas. The compensation being paid under the Post Office's programme will be based on terms agreed between Post Office Ltd. and the National Federation of Sub-Postmasters. The payment will be equivalent to 28 months of the remuneration of an outgoing sub-postmaster, but based on the best annual remuneration for a financial year since 1999. That is based on long-standing arrangements through the joint discretionary fund. Payments are subject to certain conditions, such as a requirement that sub-postmasters at closing branches offer active support for customers transferring to surrounding branches that remain open.

The hon. Gentleman asked about the move to automated credit transfer of benefit payments. I expect that to start on schedule in April, as we always said it would. Over two years, there will be a carefully managed programme of transition from current arrangements, which are essentially based on ration books, to a system based entirely on ACT for benefit payments. We are committed to making sure that people will continue to be able to collect their benefits in cash from the post office if they wish. There will be post office access to a range of bank accounts. Customers will have three account options when deciding how they want to be paid: an existing standard bank or building society account if that account is with one of the banks or building societies that has a commercial agreement with the Post Office; a bank or building society basic account for those who are new to banking and just want to pay money in, get cash out, and perhaps pay bills automatically; and the Post Office card account, which is a much simpler account just for the receipt of benefit and pension and tax credit payments. The card account is more limited than the others, but is undoubtedly the account of choice for a significant number of benefit recipients.

Good progress continues to be made on universal banking services, which are on track, as I said, for delivery in April. An investment of £0.5 billion has been required from the Government to put in place the technology platform to support universal banking. On that platform, the Post Office will be able to build a range of banking services which, we hope, will attract many new customers to their local post office, and so build for sub-postmasters, the people running post offices, and Post Office Ltd., the company running the post office network, a successful and attractive commercial future that will assure the long-term well-being of post offices. In the long term, because of the Government's substantial investment in improving the technology, there is a good future, but we need to make short-term changes to ensure that the configuration of post offices in urban areas is commensurate with current business levels.

Mr. Burstow: Could the Minister ensure after today's debate that I get a reply to the points that I made in the Christmas Adjournment debate on the introduction of PIN numbers and their use when someone is ill?

Mr. Timms: I apologise for the fact that the hon. Gentleman has not received a letter yet, and shall certainly make sure that he receives one from me addressing the points that he made in that debate.

Question put and agreed to.

Adjourned accordingly at thirteen minutes to Eleven o'clock.

House of Commons

Tuesday 11 March 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Index of Multiple Deprivation Report

1. **Mr. David Marshall** (Glasgow, Shettleston): What plans she has to meet the Scottish Executive to discuss the Scottish index of multiple deprivation report; and if she will make a statement. [101095]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): Both the Government and the Scottish Executive are committed to the fight against poverty. Publication of the index and other indicators reflects our determination to measure the impact of our policies and the progress achieved.

Mr. Marshall: I thank the Minister for her reply. Is she aware that 16 of the 20 most deprived areas in Scotland are in the city of Glasgow? Does she agree that the only way in which Glasgow's deprivation and poverty problems can be tackled successfully is if the United Kingdom Government and the Scottish Executive get together, agree that Glasgow is indeed a special case and allocate resources accordingly? Will she and my right hon. Friend the Secretary of State do all that they can to ensure that that comes to pass?

Mrs. McGuire: There is a great deal of collective working in Glasgow through social inclusion partnerships and the better neighbourhood services fund. UK Departments contribute to, and are involved in, some aspects of that work. The Scottish Executive have certainly contributed to a city growth fund of £40 million for better neighbourhood services in Glasgow and, as I said, the social inclusion partnership. My hon. Friend may well have ideas about more collective and cohesive working, and I would certainly be pleased to discuss that with him afterwards with a view to giving information to UK Ministries and colleagues in the Scottish Executive.

Annabelle Ewing (Perth): Can the Minister explain to the people of Scotland why, after nearly six years of a Labour Government in London and four years of a Labour Government in Edinburgh one in three children in Scotland are being brought up in poverty, and one in four of our pensioners are living in poverty?

Mrs. McGuire: That is rather a myopic question. The hon. Lady has failed to take into account the impact on poverty of the national minimum wage, the working families tax credit and children's credits. Before she bandies figures around in the House, she would do well to look at the actual figures on the proportion of Scottish children in low-income households which, using the absolute measure, fell by 21 per cent. in 2001—13 percentage points better than in 1997 and significantly better than it would be if we had to deal with a £4.5 billion hole in Scottish finances because we had divorced from the United Kingdom.

John Thurso (Caithness, Sutherland and Easter Ross): The Minister will know that the income deprivation indices for the economy are largely made up of figures on benefit take-up, including working families tax credit. The Government have not released any figures, but is she aware that the Library estimates that approximately 100,000 people in Scotland who are eligible for working families tax credit have not taken up their entitlement? With the introduction of the new regime in three weeks, what will the Government do to ensure that that inadequate take-up is improved?

Mrs. McGuire: I share the hon. Gentleman's views on the importance of take-up. It is Government policy to try to encourage people to take up tax credits, and I encourage hon. Members to promote those tax credits, as they have access to local media and community groups, which could do much to promote the beneficial aspects of Government policy on which most of us in the House agree.

Mr. Ian Davidson (Glasgow, Pollok): May I bring to the Minister's attention the concentration of poverty and deprivation in Glasgow? While considerable cuts in unemployment in Glasgow have gone a great way towards alleviating deprivation, does she accept that there is a substantial need for additional funding for the city? Those of us who are city Members do not want to call for independence for Glasgow, but we want additional resources for the city, both from Westminster and the Scottish Executive. Does my hon. Friend agree that partnership working is undoubtedly the way forward in the city, but it must be fully funded and must involve elected representatives at all levels?

Mrs. McGuire: I agree that partnership working is important, and I am pleased that my hon. Friend also recognised the importance of the drop in unemployment and, by implication, all the measures that we put in place to alleviate poverty. In view of the fact that two of my colleagues from Glasgow have highlighted specific issues relating to the city, I would be delighted to meet them and discuss some of those issues further as we have only a short time this morning.

Sir Archy Kirkwood (Roxburgh and Berwickshire): May I tell the Government that we welcome the fact that the indices are much better than they were? With those better figures, policy makers are better armed to deal with some of the problems. However, there are still problems concerning rurality, as some parts of the country face depopulation, which is not reflected in the indices as currently cast. If the Minister is generously offering to meet Members to discuss what, I accept, are real problems in Glasgow will she extend the favour to those of us who represent rural areas?

Mrs. McGuire: As a Member from a rural area, I offer to meet myself and any other rural Members who wish to meet me, in both capacities.

Mrs. Jacqui Lait (Beckenham): As the hon. Lady has—rather plaintively, I thought—invited us to sell the child tax credit to our constituents, and as she has said that she is prepared to talk to UK Ministers, will she take up the issue of the simplification of means-tested benefits, so that the many people, including pensioners, who are entitled to them can find their way through the benefit forms and claim them?

Mrs. McGuire: The Government are constantly looking at ways in which to improve the form-filling involved, but the message that I am giving today is that I hope that hon. Members recognise that these benefits are of great value to our constituents and that they really ought to exercise just a little leadership in going out and making people aware of what they are entitled to.

Postal Services

2. **Mr. Alan Reid** (Argyll and Bute): What discussions she has had with Royal Mail concerning (a) postal services and (b) post offices in Scotland. [101096]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): My right hon. Friend the Secretary of State and I met Allan Leighton, the chairman of Royal Mail Group, in November to discuss postal services and post offices in Scotland.

Mr. Reid: There is widespread concern that many rural post offices will be forced to close when the Government introduce the new method of paying pensions and benefits in three weeks' time. Will the Minister assure the House that the rather sinisterly named customer conversion centres will give unbiased information to pensioners? Will she also ensure that automated credit transfer will not be introduced until the computer systems have been properly tested? Finally, will the Government run a high-profile campaign to promote the new Post Office card account before it is introduced?

Mrs. McGuire: May I reassure the House that the net figure for post office closures in Scotland in 2001–02 was 26, compared with 63 in the previous year? That is a 59 per cent. reduction. I hope, therefore, that the hon. Gentleman will accept that the Government have invested a great many resources in trying to maintain the network. What we are trying to do with the new way of paying benefits is to institute a far more secure—and, in many ways, easier—system, particularly for pensioners. If anyone suggests that the Government are somehow hiding this new initiative under some kind of collective bushel, I would ask them to look at some of the information that is out there in the post offices in the communities, and to be more positive about the move. The single most important message is that pensioners will still be able to collect the same money from the same place at the same time, but they will have more choice when they do so.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Is not the truth that most post offices close because the postmasters or postmistresses retire, and it is then incumbent on the Post Office to find someone to take over? That involves a great responsibility for the local Member of Parliament. In Carrick, Cumnock and Doon Valley, the local Member of Parliament liaises very closely with the Post Office, and tries to find someone to take over. If Opposition Members did that instead of coming along here and whingeing, there might be fewer post offices closing.

Mrs. McGuire: I could not have put it better myself.

Mr. Peter Duncan (Galloway and Upper Nithsdale): I know that, given the way things are going for the Government, the Minister will have given some thought to how, where and when her benefits will be paid in retirement. Does she appreciate, however, that Scots are increasingly finding it easier to open a bank cash card account than a Post Office card account? What exactly is the Scotland Office doing to preserve the future of these vital small businesses throughout Scotland, to which the right hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) referred? Do she and the Secretary of State consider the key target of Government policy to be the maximisation or the minimisation of benefits being paid through post offices?

Mrs. McGuire: Speaking as someone who collected her family allowance through the post office every week on the button for many years, I have a strong commitment to the continuing service that the post offices provide. May I reassure the hon. Gentleman that, as recently as last week, I spoke to Ministers from the Department for Work and Pensions to highlight some of these concerns, and sought the reassurances that he seeks. The reality is, however, that people are voting with their feet in terms of the collection of benefits. More and more people are moving towards bank transfers, and we are trying to ensure that those people who are outside the banking system are brought into it. I would have thought that he would have supported that.

Mr. Michael Weir (Angus): What would the Minister say to the pensioner in my constituency who received information from the Department for Work and Pensions regarding her pension, found the small part that referred to the Post Office card account, phoned the helpline and asked about opening such an account, and when it was discovered that she had a bank account, was pressed to have her pension paid into that account, rather than at the post office? Why do the Government seem so hell-bent on transferring business from post offices to banks?

Mrs. McGuire: One of the aims behind the move to the new banking system is to end financial exclusion. *[Interruption.]* Having asked a question, the hon.

Member for Angus (Mr. Weir) ought at least to listen to the answer. The Department for Work and Pensions helpline is trying to guide people to the account that would be best for them. In some circumstances, the Post Office card account may not be the best option for a pensioner. I am sorry that hon. Members are seeking to pursue a panic agenda on the move to a far simpler system for paying benefits.

Friends of Scotland Initiative

3. **John Robertson** (Glasgow, Anniesland): If she will make a statement on progress with the Friends of Scotland initiative. [101097]

The Secretary of State for Scotland (Mrs. Helen Liddell): Friends of Scotland has so far attracted some 250 opinion formers from more than 20 countries around the world. They are already promoting a better understanding of contemporary Scotland. Our website is proving very successful in highlighting Scottish achievements and success in the fields of culture, education and business. In the past month, there were just under 300,000 hits and nearly 9,000 visitors to the site, of whom three quarters accessed the site information from overseas locations.

John Robertson: Does my right hon. Friend agree that the relationship between the Scotland Office and the Scottish Executive is now paying dividends? If so, what are the benefits of reaching out to the millions of Scots overseas?

Mrs. Liddell: The partnership that exists in that setting is proving very useful. Through Friends of Scotland, we are able to access key opinion formers, Prime Ministers, governors-general—for example, those of both Australia and New Zealand—Ministers and senior politicians, all of whom can be of huge value, not least to the Scottish Executive, but particularly to GlobalScot, the ground-breaking initiative of the Scottish Executive to sign up business leaders to act as mentors to inward investors. Those are key ways to bring jobs to Scotland. If only 1 per cent. of the 40 million people around the world who have some connection with Scotland were to visit Scotland, Glasgow's convention and tourist activity would be even bigger than at present.

Mrs. Jacqui Lait (Beckenham): I hardly think that 250 Friends of Scotland are 1 per cent. of the 40 million Scots around the world. Can the right hon. Lady tell us the total cost of her time per Friend of Scotland, and her Department's expenditure on that programme?

Mrs. Liddell: The total expenditure of the Department comes out of its running costs of about £250,000 per annum. As the hon. Lady was never able to win a seat in Scotland, lives outside Scotland and makes occasional visits, I am sure that we would be delighted to sign her up as a Friend of Scotland.

Sunday Working

4. **David Cairns** (Greenock and Inverclyde): What discussions she has had in the course of her consultation on the rights of Sunday shop workers in Scotland. [101098]

The Secretary of State for Scotland (Mrs. Helen Liddell): My hon. Friend the Under-Secretary and I have had discussions with various business and retail organisations and trade unions in the course of the consultation on Sunday working in Scotland.

David Cairns: Has my right hon. Friend met a single individual who can justify Scottish shop workers having fewer rights than shop workers throughout the rest of the United Kingdom? Does she agree with the statement made by my right hon. Friend the Prime Minister, who said:

> "we should fully protect the rights of those who work on Sundays in order that we may shop then . . . employee protection must go hand in hand with the freedom to shop."—[*Official Report*, 29 November 1993; Vol. 233, c. 822.]?

Mrs. Liddell: My hon. Friend makes an important point. I congratulate him on introducing a private Member's Bill to ensure that Scottish workers have the same protection as workers in England and Wales. If businesses had been prepared to honour the voluntary agreement that was put in place at the time of deregulation in England, the problem need not have arisen. I am happy to report that almost all the workers from Argos who lost their jobs in Aberdeen have reached a satisfactory settlement with the company, and I pay tribute to all my hon. Friends who made that possible.

Andrew Selous (South-West Bedfordshire): Is the right hon. Lady concerned that many supermarket workers in England and Wales have to put up with five-out-of-seven-day contracts and that there is not much choice for any of them? Is it part of her brief, perhaps at some time in the future, to examine [illegible] rights of workers other than shop workers in that regard?

Mrs. Liddell: I would say to the hon. Gentleman that that is a very clear sign of why people should join trade unions. Indeed, at the forefront of the campaign to ensure equality between Scottish and English shop workers has been the Union of Shop, Distributive and Allied Workers. In a fair society, it is right that the sort of employment protection that this Government have developed should ensure that people have equal rights both north and south of the border. That is something to which the Government give priority.

Asylum Seekers

5. **Mr. Tam Dalyell** (Linlithgow): If she will make a statement on recent discussions with the Scottish Parliament on Government policy on asylum seekers. [101099]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): I have regular discussions with both Scottish Executive Ministers and Home Office Ministers on asylum and refugee policy.

Mr. Dalyell: What thought is being given to the possible influx of asylum seekers from Iraq?

Mrs. McGuire: I thank my hon. Friend for his question. I advise the House that last year, out of 85,865 applications for asylum in the UK, 14,940 were from Iraqis—more than double the number that applied in the previous year. The plans for dealing with the full range of potential consequences of armed conflict overseas are kept constantly under review. I have already indicated the number of Iraqi citizens currently seeking asylum, and Home Office officials routinely revise contingency plans to deal with increases in the number of asylum seekers. At present, there are no specific plans to take refugees from Iraq.

Mr. Alex Salmond (Banff and Buchan): Does not the Minister see a contradiction between the declared policy of the First Minister in his speech in Edinburgh last month about attracting skilled workers and the practices of the Home Office in Scotland? Let us take, for example, the Chernov family, my constituents. Mr. Chernov is a skilled and highly qualified engineer, Mrs. Chernov is working and their son is at Fraserburgh college. They are a conscientious, hard-working, extremely popular and skilled family who have won a judicial review against deportation, but the Home Office wants to go back through the process to get them out of the country. Why is the Home Office spending vast amounts of public money trying to expel from Scotland exactly the sort of people whom the First Minister says that he wants to attract into the country?

Mrs. McGuire: I am not aware of the specifics of the case to which the hon. Gentleman referred, although I would be willing to discuss it with him later. May I advise the House, however, that the Home Office has increased the number of work permits for immigrants coming into Scotland and the United Kingdom to attract those very people about whom, in general terms, he spoke? If he wants me to discuss with him the specific issue that he raised, I shall be delighted to do so.

Sir Patrick Cormack (South Staffordshire): Reverting to the question asked by the Father of the House, is it not likely that, if the Prime Minister's admirable policy towards Iraq succeeds, which I am sure it will, there will not be much need for Iraqis to seek asylum anywhere?

Mrs. McGuire: I would hope that many Iraqis would feel safe about going home to their own country.

Defence (Employment)

6. **Jim Sheridan** (West Renfrewshire): How many jobs in Scotland are (a) directly and (b) indirectly related to defence. [101100]

The Secretary of State for Scotland (Mrs. Helen Liddell): The most recently available estimates are that a total of 30,400 jobs in Scotland are directly related to defence and a further 10,640 jobs are indirectly related to it. The number of directly dependent jobs includes both MOD personnel and jobs in related industries directly dependent on defence procurement.

Jim Sheridan: I thank my right hon. Friend for that response. Will she estimate the cost to the Clyde and Rosyth of the cancellation of two aircraft carriers? Does she agree that the implications of Scotland divorcing itself from the rest of the UK and adopting the bow and arrow defence policies of others would be devastating?

Mrs. Liddell: I am glad that my hon. Friend has drawn attention to the aircraft carrier contracts that will benefit both the Clyde and Rosyth. The point that he makes is very valid. For many years ahead, security of employment is now available for shipyard workers in Scotland. That would be jeopardised by the policies of the Scottish National party, one of whose members has already said "Oh well, we'll just have one aircraft carrier" without even being able to say how it would be paid for. In these uncertain times, it is important that we have stability and a defence industry that continues to contribute to the excellence of Scottish employment.

Sir Robert Smith (West Aberdeenshire and Kincardine): The Secretary of State knows of the quality and talents of the many companies that work in the North sea oil and gas industry. They could benefit the defence industry and the Ministry of Defence. What is she doing to encourage the Ministry of Defence to look wider so that those companies can broaden their base of commercial talent?

Mrs. Liddell: I have held discussions with Lord Bach, the Minister responsible for defence procurement, specifically about the Nigg yard, where there is a great opportunity if the alliance can take it. The hon. Gentleman makes an important point that is especially relevant to heavy engineering and at the high-tech end of the marketplace. Opportunities exist and I am sure that the aircraft carrier contract means the creation of many jobs that will attract back to heavy industry many people who previously worked in shipbuilding and related employment. The Eurofighter helmet is an example of the way in which great engineering skill can make Scotland a centre of excellence. All Scots should be proud of it.

ADVOCATE-GENERAL

The Advocate-General was asked—

Human Rights

15. **Mr. Tam Dalyell** (Linlithgow): How many human rights matters have been referred to her in the last four weeks. [101092]

The Advocate-General for Scotland (Dr. Lynda Clark): Since 4 February, I have received intimation of 36 devolution issue minutes, all of which concerned human rights matters.

Mr. Dalyell: Is thought being given to the delicate human rights problems that would surround any influx of asylum seekers from Iraq, of whom some might be henchpersons of Saddam Hussein?

The Advocate-General: The Government always give serious thought to human rights issues. That is why we introduced the Human Rights Act 1998. The Government are dealing with the position.

Devolution

16. **Miss Anne McIntosh** (Vale of York): What devolution issues she has advised on since 4 February. [101093]

The Advocate-General: Since 4 February, I have examined devolution issues on a wide variety of topics including: challenges by life prisoners to fixing the punishment part of life licence hearings; the criminal liability of corporate bodies; pre-trial delay and whether the requirement on the defence to disclose that it plans to raise sexual history evidence breaches the accused's right to a fair trial.

Miss McIntosh: The hon. and learned Lady knows that partnership law remains a reserved matter. Does she realise that during the passage of the Agricultural Holdings (Scotland) Bill through the Scottish Parliament, the Scottish Executive tabled amendment No. 169, which would interfere with partnership law? Should not she tell the Scottish Executive not to interfere, and to allow this House to continue to enjoy its reserved powers over partnership law?

The Advocate-General: Without specific notice of the amendment to which the hon. Lady refers, I cannot give her a chapter-and-verse answer. In general, the question whether a partnership issue is reserved or devolved depends on the way in which it is introduced. The Scottish Parliament can table any amendment that it wishes. However, I ultimately have four weeks in which to consider the Bill and decide whether it is within competence. I am entitled to take a view about the matter at that stage.

Human Rights

17. **Mr. Alan Reid** (Argyll and Bute): What human rights issues she has dealt with since 4 February. [101094]

The Advocate-General: I refer the hon. Gentleman to the reply I gave some moments ago to the hon. Member for Vale of York (Miss McIntosh).

Mr. Reid: Does the Advocate General know that, during the investigation into the incident at Dunoon pier, about which I asked her four weeks ago, the Maritime and Coastguard Agency has interviewed only three passengers and eye-witnesses? Given that there were 28 passengers and also eye-witnesses on the pier, will the hon. and learned Lady advise the agency that it should publicise the inquiry and contact details so that more witnesses can have the opportunity to give evidence? That would protect ferry passengers' rights.

The Advocate-General: My parliamentary and statutory duties do not cover such matters. General policy issues on such a subject are a matter for my right hon. Friend the Secretary of State for Transport. It is up to the agency to observe its duties. It might become a devolution issue if anyone is dissatisfied and wants to challenge the way in which the agency does that.

SCOTLAND

The Secretary of State was asked—

Energy White Paper

7. **Malcolm Bruce** (Gordon): If she will make a statement on the impact on Scotland of implementing targets in the Energy White Paper. [101101]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): There are both reserved and devolved responsibilities relevant to the delivery of the objectives set out in the White Paper "Our energy future—creating a low carbon economy". The White Paper acknowledges the continuing need for co-operation between the Government and the Scottish Executive to address the energy challenges that we face.

Malcolm Bruce: Given that Scotland lost out to Denmark on the technology for wind development, what steps is the Minister taking to ensure that Scotland takes the opportunity presented by the White Paper in order to become a world leader in new technology for wave power, wind power and biomass? What is she doing to ensure also that Scotland's economy benefits from the export of renewable energy to the rest of the United Kingdom, and that the host communities have a direct stake in that?

Mrs. McGuire: I trust that the hon. Gentleman and his party will make their own contribution to the White Paper consultation.

There have been significant developments in wind technology recently. My hon. Friend the Member for Western Isles (Mr. MacDonald) has welcomed a potential new project in his area, and I think that the hon. Member for Argyll and Bute (Mr. Reid) will have welcomed the Vestas project in Campbeltown.

LORD CHANCELLOR'S DEPARTMENT

The Parliamentary Secretary was asked—

Court Service

18. **Mr. John Bercow** (Buckingham): If she will make a statement on the efficiency of the Court Service. [101887]

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): The Court Service annual report sets out full details of Court Service performance and audited accounts. The Court Service has demonstrated steady improvement in a series of areas, including reductions in delays in both civil and criminal cases.

Mr. Bercow: That soothing bromide of a reply really does not meet the needs of the case. Does the hon. Lady not understand and accept that one of the real inefficiencies in the Government's changes to the Court Service in rural areas is the fact that witnesses and defendants must sometimes travel long distances, very inconveniently, as a result of the closure of more than 200 magistrates courts since the Government took office? Does she not recognise that the closures have dramatically undermined the whole principle of local justice?

Yvette Cooper: The hon. Gentleman should withhold some of his righteous indignation. Decisions about magistrates courts are, in fact, made by local magistrates courts committees. They take account of a wide range of factors, including witness facilities in the local courts, access to justice and the use of courtrooms.

The number of courtroom closures has fluctuated from one year to another. Last year there were six; during the last year of the Tory Government, there were 21.

Caroline Flint (Don Valley): Does my hon. Friend agree that it is important, in the interests of justice, for those who provide our court service to liaise effectively with the police, local authorities, social services and others? What is her Department doing to ensure that a dialogue takes place between the agencies responsible for delivering justice to the many victims in our communities?

Yvette Cooper: My hon. Friend is right about the inefficiencies and ineffectiveness that can arise from a lack of communication between the different criminal justice agencies. That is why I strongly support the establishment of the criminal justice boards, in which the Court Service and magistrates courts will play a central role—in particular, in reducing the number of ineffective trials.

Mr. David Heath (Somerton and Frome): Is not the key area for reform of the Court Service that of judicial appointments? Has the hon. Lady had an opportunity to read today's recommendation by Sir Iain Glidewell in his report to the Bar Council? He says that the Lord Chancellor's position is politically unacceptable. That recommendation builds on the recommendation of Sir Colin Campbell, who asked for a wide-ranging debate, and a debate in the other place on Friday which, nemine contra, suggested that the Lord Chancellor's salary should be reduced. Is it not time for us to debate the Lord Chancellor's position, his role in judicial appointments and, indeed, a wide range of other subjects?

Yvette Cooper: As the hon. Gentleman will know, the Lord Chancellor has done much to increase the openness and transparency of the appointments system. That includes the appointment of Colin Campbell to examine the overall position. We will of course consider the Glidewell report when it is published.

David Taylor (North-West Leicestershire): I am a member of the Magistrates Association, and last week, at the Coalville courthouse, I had a meeting with the clerk, the chairman and senior members of that bench. They advised me of major blunders by the Court Service in calculating the £385 million in Government grant for 2003–04 that is distributed to magistrates courts committees. Is it true that there is no intention to correct those mistakes, which are depriving poorly funded magistrates courts committees such as Leicestershire's of several hundred thousand pounds? Can the Minister look again at this wrongful distribution and remedy this injustice?

Yvette Cooper: I shall certainly look at the position in Leicestershire. It is true that a new formula has been introduced this year to establish a far fairer system for distributing resources across the country. Some magistrates courts committees have been treated unfairly in the past, and have not received their fair allocation. We have also made it clear that it will take time to move towards a fair allocation and an improved system. That process is under way, and I shall certainly happily look again at the case that my hon. Friend raises.

Magistrates Courts

19. **Andrew Selous** (South-West Bedfordshire): What recent representations the Lord Chancellor has received about the reopening of magistrates courts. [101888]

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): The decision to reopen magistrates courts is a matter for the independent magistrates courts committees. The Lord Chancellor's Department is working in partnership with local MCCs and local councils in several areas to build new magistrates courts.

Andrew Selous: I thank the Minister for that reply, but could she give the House some assurance about the situation in towns that are growing rapidly? The magistrates court in Leighton Buzzard, which is in my constituency, has been closed. The town's population is increasing from about 35,000 to 50,000, and it will become the second largest town in Bedfordshire. Given that huge increase, will the Minister offer me an assurance that her Department will look into establishing a mechanism to assess whether the magistrates court can be reopened, for the benefit of victims and of witnesses?

Yvette Cooper: I shall pass on the hon. Gentleman's concerns to the local MCC. It is for the MCC to assess local need and circumstances, and the requirements for magistrates courts in that area. I certainly agree that magistrates courts committees need to look ahead in their planning, and to examine population developments.

Mr. Nick Hawkins (Surrey Heath): Does the Minister not recognise that her disingenuous answers to my hon. Friends the Members for South-West Bedfordshire (Andrew Selous) and for Buckingham (Mr. Bercow) disguise the fact that it is her Department's guidelines that box in magistrates courts committees? Ever since this Government came to power, month after month she and her predecessors have mouthed sweet platitudes at the Dispatch Box about this Government's supposed support for the lay magistracy. In fact, month in, month out, local magistrates courts are closing—indeed, more than 200 have closed since her Government came to power.

There is increased centralisation, and in rural areas witnesses and defendants have to travel many miles. That is not an efficient way to run the Court Service. At the same time, the Magistrates Association is being undermined, and the penny is starting to drop: from the way in which this Government have suffered defeat after defeat—

Mr. Speaker: Order.

Yvette Cooper: I thank the hon. Gentleman for his speech. Let me remind him of what happened in 1996, when 21 magistrates courts closed—considerably more than closed in the past year. As I have said, such numbers fluctuate, but in 1996 courts closed in Bromley, in Mansfield, in Hornsea, in Howden, in Market Weighton, in Old Street, in Halstead, in Biddulph, in Cheadle, in Kidsgrove, in Tonbridge, in Colwyn Bay, in Bedale—I could go on. The hon. Gentleman should realise that magistrates courts committees need to take responsible decisions about improving the facilities that they provide, and about improving access for witnesses, including disabled witnesses. It is their responsibility to do that, and that is what they are doing.

20. **Angela Watkinson** (Upminster): What plans the Department has to open new magistrates courts. [101889]

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): The Lord Chancellor's Department is working on a series of new court developments with magistrates courts around the country.

Angela Watkinson: The Minister will be as concerned as I am at the amount of court time that is wasted through the non-attendance of witnesses. Does she agree that ensuring that local magistrates courts are indeed local, and ensuring short journey times for witnesses, are the best ways to overcome that problem?

Yvette Cooper: The hon. Lady is right. Travelling times must be taken into account when considering magistrates and other courts. Improvements to county courts are aimed at increasing the number of local hearing venues by 15 per cent., to improve local access. In fact, the unified administration will provide the opportunity for MCCs and the Court Service to look closely at areas in which they can provide better local access. MCCs often have to take into account difficult issues, and it is their job to do so.

Dr. Brian Iddon (Bolton, South-East): Is my hon. Friend aware that communities in Bolton are pleased by the decision that the magistrates court will be retained—and in a much improved building?

Yvette Cooper: My hon. Friend is right. Both Bolton and Salford will benefit from new investment in magistrates courts. New courthouses are also up and running in Hull, Beverley, Bridlington, Hereford and Worcester, and investment programmes have been set up for new courthouses in Manchester, Derbyshire, Liverpool, Avon and Somerset and other areas, to improve the facilities in courtrooms for witnesses and victims, to whom it can make a real difference.

Mr. A. J. Beith (Berwick-upon-Tweed): The Minister referred to the benefits of the unified courts administration. If that is put in place, will she encourage magistrates to make use of county court centres for hearings, where available, and vice versa, so that the gaps in both systems can be filled?

Yvette Cooper: The right hon. Gentleman makes an important point. In some areas, the Court Service and the MCC are working together to improve the use of buildings. In some cases, either court on its own might not be viable, but by working together they can preserve or even increase the services in an area. We want to see that happen more often, as part of the unified administration.

Dr. Andrew Murrison (Westbury): What value does the Minister put on local and accessible justice, especially in connection with Trowbridge magistrates court, and when can the people of west Wiltshire expect to have a decision on the future of that courthouse?

Yvette Cooper: The hon. Gentleman has met me to make his points about the Trowbridge magistrates court. I have asked for additional information about both the Trowbridge and the Devizes magistrates courts. As he will be aware, the MCC has proposed that they should be closed. The local council has appealed against the decision. It is for the Lord Chancellor's Department to determine that appeal and I will let the hon. Gentleman know as soon as the decision has been taken.

Gareth Thomas (Clwyd, West): Will the Minister accept, from someone who has practised as a lawyer in many rural courts, that the case against closure of those courts is often exaggerated? What must really be taken into account is the need for properly resourced, good buildings for the convenience of all concerned, not least witnesses and victims.

Yvette Cooper: My hon. Friend is right, and several issues must be taken into account. For example, if witnesses or victims have to sit in a corridor next to the family of the defendant, they can feel intimidated. Having the resources to invest in separate facilities for victims and witnesses is important to delivering justice—which is, in the end, what the courts should be about.

External Advisers

21. **Mr. David Ruffley** (Bury St. Edmunds): What recent representations the Lord Chancellor has received regarding his Department's annual expenditure on external advisers. [101890]

The Parliamentary Secretary, Lord Chancellor's Department (Ms Rosie Winterton): The Lord Chancellor has received no recent representations on this subject. Parliamentary questions on this subject from the hon. Members for Buckingham (Mr. Bercow) and for Yeovil (Mr. Laws) were answered on 16 January and 24 February 2003 respectively.

Mr. Ruffley: The Minister will be aware that under Labour her Department's annual bill for external consultants and advisers has increased from £400,000 a year to £2.5 million—a sixfold increase of which Cardinal Wolsey himself would be proud. Given that the Department has lost control of its running costs, will she apologise to the British taxpayer?

Ms Winterton: The use of external consultants costs less than 0.5 per cent. of the Department's overall budget. External consultants are used only when we do not have the relevant expertise or skills in-house, and when their use provides value for money. The hon. Gentleman may not be aware of the July 2001 National Audit Office report, which looked at the use of external consultants in all Departments. It found that the Lord Chancellor's management of external consultants was pretty good. However, we also have an internal audit review to make sure that all the recommendations of the NAO report are carried out and implemented effectively.

Mr. Boris Johnson (Henley): Have the external consultants to the Lord Chancellor's Department made any attempt to earn their crust by pointing out the grave damage done by the closure of magistrates courts, to witnesses who may be deterred from turning up and to local papers that are deterred from reporting cases? Does she agree that it is vital for local justice that there should be public reporting of cases? What steps will she take to ensure that local newspapers receive advance notification of upcoming cases?

Ms Rosie Winterton: I congratulate the hon. Gentleman on getting his question on magistrates courts into this question. External consultants have been used in the courts and tribunals programme, whose aim is to improve services to people using the courts and to make accessibility easier. However, the official solicitor, for example, has also used external consultants to ensure that services to very vulnerable clients and children are improved. That is the sort of use that we want to make of external consultants, when their use is necessary and represents value for money. We want to improve the services that we give to the people who use the courts services and the other services of the Lord Chancellor's Department.

PRIVY COUNCIL

The President of the Council was asked—

Electronic Voting

27. **Mr. John Bercow** (Buckingham): If he will make a statement on his proposals for electronic voting in the House. [101896]

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): Any change to electronic voting would require a consensus among hon. Members, and the survey of their opinion in the last Parliament did not produce a majority for change. I understand the value that hon. Members place on the opportunity for contact with colleagues in the Division Lobbies, and I would need to be persuaded that there is a settled will for change before departing from the present practice.

Mr. Bercow: In his glittering parliamentary career, that statement from the President of the Council will certainly rank as one of the highlights. Does the right hon. Gentleman accept that any electronic voting system would be costly and almost certainly open to abuse unless it involved the use of fingerprinting or was televised? Given that, does he accept that the late Lord Falkland's wise dictum—that that which it is not necessary to change it is necessary not to change—should be followed?

Mr. Cook: The hon. Gentleman is generous in his remarks. He does not encourage me to think again in respect of the position that I have outlined to the House. I am sure that no hon. Member would wish to abuse any voting system. I am confident that if a new system were introduced, its use would proceed in a calm way. However, there is a fundamental problem of topography when it comes to introducing electronic voting in the Chamber. We are almost unique among western democracies in that hon. Members do not have fixed seats. Almost every place that has introduced electronic voting has done so on the basis that there are fixed seats. I do not anticipate that hon. Members would want to depart from the present arrangements in the Chamber.

Mr. David Kidney (Stafford): I assure the Leader of the House that he is wrong on that. It is curious that there are not even enough seats in the Chamber to allow every hon. Member to be here at the same time. If there were—*[Interruption.]* I have listened in silence to other hon. Members' points of view. I should like them to listen to mine. If there were sufficient seats there could be sufficient buttons for each hon. Member to press for each vote, personally, in sight of all their colleagues. We could save something like 14 minutes per vote, which would allow considerably more debate on Report, when we are considering amendments and scrutinising legislation.

Mr. Cook: I am justly rebuked by my hon. Friend for the error of my conclusion. I understand that some Members will see some attraction in his proposal, but it would alter the character of this Chamber for all time. For instance, the Chamber would have to be much larger.

I am also conscious that, if we were to vote from our seats, there would be less of the free milling around and contact that we presently have in the Division Lobby. I know that Members value that immensely—although it may not always be equally valued by Ministers who are exposed to lobbying. Nevertheless, the Lobby is an important point for Parliament to come together.

Mr. Greg Knight (East Yorkshire): We on this side of the House welcome the Leader of the House's robust answer. Does he agree that the main justification for any system of electronic voting is that it enables an elected Member to vote from his or her place? Any system that involved walking to an electronic machine would therefore be pointless. Does he accept that a proper electronic system could be introduced here only if we demolished this Chamber or, at any rate, altered it substantially? In view of that, does he agree that any further discussion and investigation of this matter is rather a waste of time?

Mr. Cook: I would not wish to go down in history as the Leader of the House who demolished the Chamber. The right hon. Gentleman is correct to say that the work required to accommodate change would be formidable. We should also be clear about the extent to which time would be saved. I presume that we would still ring the Division bells for some eight minutes before Members came in, so the time that we would save would be the next area for discussion.

I can see a case for electronic voting when there are multiple Divisions. However, most Divisions arise during the passing of legislation. From our recent visit to the Scottish Parliament, the right hon. Gentleman will be aware that, even though the Scottish Parliament uses electronic voting, MSPs do not vote without waiting for the results of earlier votes when passing legislation.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that another idea is floating about? If, perchance, electronic voting came in—and I would not vote for it—we would need a different system for different people. For instance, all those moonlighters on the Opposition Benches, who work outside this building making money on the side, would have to have a special little device, like a pager, so that when they went into their City stockbroking firms they could press their button there. I hope that my right hon. Friend has studied this issue carefully, because change would cost a hell of a lot of money. If that happens, we should charge those Tories for using those devices.

Mr. Cook: As I understand him, my hon. Friend agrees with the Conservatives in opposing electronic voting—although, in his own way, he has managed to find grounds for disagreement with them. If we were to make any change to the voting system, I am sure that the House would insist that, whatever the method, Members should vote in person. I fear that this afternoon's exchange has confirmed my impression that there is not a settled will for change.

Modernisation

28. **Bob Spink** (Castle Point): What recent representations he has received on the modernisation of the House of Commons. [101897]

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): I continue to receive a number of representations from Members of Parliament and of the public. It would be a fair summary that nearly all possible views on modernisation are expressed in those representations and I regret that they are not all mutually consistent.

Bob Spink: In the light of our experience last evening when a number of clauses were passed without any debate at all, does the right hon. Gentleman not find that the mood of the House has changed substantially? Would it not be in all our interests for this matter to be brought to the House for a vote, perhaps in September or at the end of this Session, rather than waiting until the end of this Parliament before we revisit it?

Mr. Cook: When the House considered this matter in October and took its decision, it took its decision for the rest of this Parliament. That seems to me an entirely fair period for which to reach an assessment. However, I must correct the hon. Gentleman about his comments on yesterday. There was no reduction in the time for debate on the Local Government Bill or any other Bill yesterday. The Bill received the same amount of debate as it would have done under the previous hours, by virtue of the fact that the debate continued until 10 o'clock, it being a Monday. However, the Bill would have received the same amount of debate time had it been a Tuesday or Wednesday, stopping at seven o'clock.

Mrs. Anne Campbell (Cambridge): Many of us on the Labour Benches appreciate the modernisation and reforms that my right hon. Friend has initiated. Reforms such as putting a greater emphasis on pre-legislative scrutiny do a great deal to enhance the reputation of this House. I fear that taking a step backwards at this stage would not be in anybody's interest.

Mr. Cook: I am grateful to my hon. Friend for her support for the changes that we have made. We should not lose sight of the fact that the bulk of the changes have consensus support in the Chamber. I think that all Members of the House welcome the fact that Question Time can now be more topical as a result of the sharp reduction in the period of notice required. The introductory cross-cutting question session in Westminster Hall was generally agreed to have been a great success, especially by the representatives of the youth organisations who attended and by the record number of Members who attended Westminster Hall on that occasion. All Members appreciate the distribution of the text of statements immediately after the Minister has completed making the statement.

Many of the modernisation measures have full support so it would be premature for the House to revisit those areas that have yet to command the same degree of consensus.

Mr. Paul Tyler (North Cornwall): Have the Leader of the House, or indeed the Modernisation Committee, which he chairs, considered suggestions that Parliament should have a more specific role in authorising the Government's use of the royal prerogative? Is it not ironic that the American President has to go to Congress for specific consent to permit American troops to go to war, while the British Prime Minister has no constitutional responsibility to the House in similar circumstances? It seems that President Blair is more presidential than President Bush.

Mr. Cook: I think that we could get too hung up on what may be the legal niceties of the situation. As I said at the start of the present Iraqi crisis, it is inconceivable that any Government could commit their troops to action without the support of Parliament. That remains my position; that remains the position of the Government. Of course, any Government must reserve the right to act immediately if the safety of our troops is at risk but, subject to that obvious reservation, a decision in this place should come first and I attach the highest importance to the right of the Commons to vote on the matter before there is any conflict.

Mr. Peter Pike (Burnley): Does my right hon. Friend agree that the main objective of programming was to ensure better scrutiny of legislation both in the Chamber and in Committee? Is he surprised, therefore, to learn that on many occasions the Opposition parties believe that because the knife falls at 5 o'clock, debate should finish at 5 o'clock and not continue after that time? Do we not need to look in more detail at trying to get an agreed system on times so as to ensure that Committees work better and Bills receive proper scrutiny?

Mr. Cook: As a member of the Chairman's Panel, my hon. Friend speaks with authority on experience in Committee. He will be aware that the Modernisation Committee, of which he is also a member, has agreed to keep the experience of programming under review, and we may have an opportunity to examine some of those points of detail later in the Session.

Sitting Hours

29. **Sir Nicholas Winterton** (Macclesfield): What assessment he has made of the impact of the House's new sitting hours on scrutiny of Government business. [101898]

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): It would be premature to attempt an assessment of changes that the House introduced for the remainder of this Parliament. My own impression is that the parallel measures of modernisation have enhanced Parliament's role of scrutiny, especially through Question Time becoming more topical. I hope that the other measures that we introduced will command the same degree of support.

Sir Nicholas Winterton: The right hon. Gentleman has led the Modernisation Committee with considerable distinction and a great deal of commitment, and we respect him for that. However, will he accept from hon. Members, like myself, who have had considerable experience over many years, that there is a problem for a large number of Members of Parliament adequately to scrutinise legislation because of the many other things that are going on outside the Chamber? When we are squeezing the full week into two and a half days, it is difficult for Members to find time adequately to cover debates in this place—something that remains important. Will the right hon. Gentleman look at the matter again and perhaps consider holding a debate on, or a review of, the new rules and sittings before the end of the current Session?

Mr. Cook: I certainly do not accept that we have a two and a half day week. As Leader of the House, when I programme business I do so for the full four days and I expect Members to make themselves available for those full four days. Long before the hours were changed, Select Committees and Standing Committees frequently met at hours during which the House itself was sitting—normally after 4 o'clock. Committees now have the opportunity to sit earlier in the afternoon. There may be a particular problem at present, due not to the change in hours but to the large volume of legislation and the large number of Standing Committees. However, that problem will ease as the months proceed and I anticipate that, as that happens, some of the present difficulties will resolve themselves.

Helen Jackson (Sheffield, Hillsborough): Does the Leader of the House agree that the hours issue was part of the overall modernisation package, which was designed to improve scrutiny, and that some hon. Members focus on hours because they find fundamental change difficult in their own personal way of doing their jobs and working? Indeed, is it not the case that some hon. Members suggested that they could not cope with the change after only two or three weeks? May I fully endorse the view that they will need some time to become totally accustomed to the new hours and that those hours should be considered in the wider context of scrutiny, which now involves using the whole Palace of Westminster—Westminster Hall, Select Committees, Standing Committees and the Chamber—more effectively?

Mr. Cook: My hon. Friend is right to draw attention to the very important work that is done by hon. Members in Select Committees, Standing Committees and Westminster Hall, and I personally regret that that very important work does not attract the same attention as work in the Chamber. I would add that I fully agree with my hon. Friend that the point of changing the hours was not to make life more convenient for us, but to make the Chamber more representative of those in the world outside who elect us.

I welcome the fact that, by moving our hours earlier, we are able to set the media agenda earlier in the day. There certainly have been at least a couple of occasions in the past few months when our votes at 7 o'clock have been much more fully recorded in the next day's papers than they ever would have been if they had taken place at 10 o'clock in the evening.

Mr. Patrick McLoughlin (West Derbyshire): If the Leader of the House is so confident that his new hours have met with wide approval, why will he not give the House another opportunity to vote on them, rather than saying that they should be revisited only in the next Parliament?

Mr. Cook: I am saying that precisely because that is what Parliament itself agreed to last October and, certainly in the case of Tuesday sittings, by a very large majority indeed. *[Interruption.]* I am sorry—Thursdays. I have seen no evidence to suggest that, if the matter were put to the House again, there would a majority for abandoning the 7 o'clock end.

Point of Order

12.31 pm

Sir Teddy Taylor (Rochford and Southend, East): On a point of order, Mr. Speaker. I seek your help and advice on an issue of real significance to the House of Commons. On 3 March I asked the Secretary of State for Defence, on Question 1, whether he would seek to establish from the United States authorities which weapons of mass destruction had been provided to Iraq, so that we could assess the problems that our troops might encounter if we entered into armed conflict. The Secretary of State advised me that the US had "categorically denied" making any such items available to Iraq.

Later the same day, I gained access to a Senate committee report, written in May 1994, which set out in great deal the materials related to biological warfare that the US had provided to the Iraqi Government and the Iraqi Atomic Energy Commission. Those items included things such as anthrax, histoplasma, clostridium and other materials that have frightening potential. I tabled three written questions for answer on the named day of 6 March, asking for details. On that day, to my surprise, was I advised that a Minister would seek to answer my questions as soon as possible, but I still do not have the answers.

My question to you, Sir, is whether there is any time limit on the period for which Ministers can keep the House waiting for answers on important questions that have been tabled for answer on a named day. As I believe it is vital that the House should have that information before a decision is made on possible conflict, can you give me any assurance about the period that we might have to wait for information?

Mr. Speaker: I am grateful to the hon. Gentleman for giving me notice of his point of order. I understand his frustration that his questions have not received a substantive reply. The rule is that an answer to a named question must be given on the day named by the Member, but if that answer is a holding answer, there is no rule about when the eventual substantive answer should be given. However, I am sure that the hon. Gentleman's point of order has been noted by Ministers.

Specialist Schools (Selection by Aptitude)

12.34 pm

Mr. David Chaytor (Bury, North): I beg to move,

That leave be given to bring in a Bill to repeal the provisions of the School Standards and Framework Act 1998 enabling specialist schools to select pupils on the basis of aptitude; and for connected purposes.

First, this is not a Bill that in any way seeks to criticise the concept or purpose of the secondary specialist school—far from it, as the Government's recent decision to make specialist school designation available to all schools has been widely welcomed. The Bill is solely concerned with a relatively obscure part of the school admission arrangements, which enables certain specialist schools, and other schools that consider themselves to have a specialism, to select up to 10 per cent. of their pupils on the basis of aptitude. The School Standards and Framework Act 1998 introduced the concept of testing for aptitude, the 1999 regulations described the means of implementation, and the new school admissions code of practice, published last month, provides further guidance. My Bill proposes to end the power to select by aptitude, on the grounds that it will increasingly be used as a back-door method of selection by ability.

This is a unique Government policy, and the main argument given to justify it by Ministers, officials and advisers is that the policy is rarely used. Can anyone think of a parallel? Would we, for example, defend the policy of the inclusion of children with special needs in mainstream schools by arguing that few schools did anything about it? If selection by aptitude is a good policy, consistent with the Government's other objectives, why are all schools not strongly encouraged to use it? The silence on the issue speaks volumes. The latest available figures indicate that about 6 per cent. of specialist schools choose to select by aptitude. The figures clearly indicate, however, that the majority of schools that select are foundation schools—former grant-maintained schools—or voluntary aided schools, and those schools are their own admission authorities.

In addition, schools that select tend to have far fewer children on free school meals than the national average, and take far fewer children with statements of special needs than the national average. Although it is true that that 6 per cent. represents a comparatively small number of schools at present, when all 3,500 English secondary schools become specialist, if the figure remains at 6 per cent., that will equate to more than 200 schools. That will mean a 150 per cent. increase in the existing number of grammar schools that select explicitly on the grounds of ability.

Consequently, a deep concern exists that selection by aptitude has become, and will continue to develop, as yet another means by which schools whose intakes are already comparatively privileged will seek to reinforce their position in the local hierarchy of schools. Some schools have used, and some are still using, selection by aptitude to increase further their intake of able and well motivated pupils, thus increasing the concentration of less able and less well motivated pupils in neighbouring schools. The twin pressures imposed on head teachers by pupil-related funding and the publication of league tables make the process almost inevitable.

Selection by aptitude will lead to a reinforcement of the local hierarchy, a widening of inequality between schools and the creation of more schools that simply cannot recruit that critical mass of able and motivated children that all schools need in order to progress. That was precisely the issue identified as one of the great problems of the English education system in the recent OECD report on secondary school performance, and it would be perverse to continue with policies that make the problem worse.

Secondly, selection by aptitude is now unnecessary because of the Government's welcome changing policy on specialist schools. The earlier rhetoric in the debate on specialism was couched in the language of specialist schools delivering better results, becoming individual centres of excellence and therefore offering greater consumer choice for parents. It was then pointed out that only schools that were already performing well could become specialist schools, that the £600,000 of additional funding probably played some part in the delivery of better results, that the Government's evidence on results was itself highly selective and disputed by some experts, and that in most parts of the country there was no increase in parental choice, only in parental preference. By definition, selection by aptitude, like all forms of selection, restricts parental choice precisely because it is the school that does the choosing.

The Government have now sensibly developed the policy in a new direction, so that specialist schools are now expected to work in collaborative networks and share their expertise with others. Specialism is seen as a means of school improvement for all schools, not as a means by which the few can gain an advantage over the many. In this framework, it becomes less important for parents to seek out a specialist school to match the alleged aptitude of the child, because not only will all schools have a distinct specialism but they will develop their expertise across the curriculum and benefit from the specialisms of neighbouring schools. As the specialism becomes a means to an end and not an end in itself, the argument for selecting pupils to attend particular schools becomes increasingly irrelevant.

Thirdly, there is the question of what exactly constitutes aptitude, how it can be measured and how it relates to ability. No one has yet has been able to provide a satisfactory definition. Previously, Ministers have equated aptitude with potential, but when they were pressed to clarify what kind of potential, the discussion always reverted to the concept of potential ability. Of course, Government policy is opposed to increasing selection by ability. The confusion between aptitude and ability, and the confusion caused by using the word "potential" as a noun rather than an adjective, are obvious.

There has been some attempt to argue that aptitude relates only to sport and the arts. The idea that some 11-year-olds have an aptitude for sport or the arts that is distinct from their general level of ability, and that they should be given special help to develop it, is superficially attractive. However, the justification for that argument always reverts to the need to identify and promote young talent and future high achievers—that is, young people with ability. Again, aptitude is used as a proxy for ability.

Another attempt to define aptitude is contained in a recent ministerial reply that refers to

> "pupils who, for example, show a capacity to be trained or developed".—[*Official Report*, 4 March 2003; Vol. 400, c. 964W.]

The new schools admissions code of conduct defines a pupil with aptitude as

> "one who is identified as being able to benefit from teaching in a specific subject".

If the overwhelming majority of pupils entering secondary school do not show a capacity to be trained or developed, or if they are not able to benefit from teaching in a specific subject, we have some serious problems. The real issue is not whether pupils can benefit from teaching, but the extent to which they can be trained and developed. Once again, this brings us back to the question of their ability.

There is also the question of how accurately aptitude can be assessed at the age of 10 or 11. I do not intend to go into the dubious practices that some schools have used to enhance their pupil intake, but that might be a useful subject for a future Adjournment debate. It has been well documented most recently in research by the London school of economics. All I I shall say now is that schools that are their own admissions authorities can operate in ways that are not altogether transparent, and aptitude testing simply provides another means of selection by ability, without even having the justification of the objectivity that most specific tests of ability will provide.

During the past three years, I have asked representatives of England's examining boards, head teachers and Ofsted officials about aptitude tests. The answer is always the same: there are no standardised tests available that satisfactorily assess aptitude without reference to ability. At a recent meeting of the Select Committee on Education and Skills, I put a question to Sir Cyril Taylor, the chair of the Specialist Schools Trust Council and adviser to eight successive Secretaries of State, and the author of the specialist schools policy. In his reply, he said:

> "I personally think it is really only of use in areas where you can clearly identify aptitude: music, sport perhaps, maybe maths. Most so-called aptitude tests are also intelligence tests . . . Most tests in subjects would measure both aptitude and intelligence."

That is exactly the point. Can anyone explain how we could test aptitude in mathematics without reference to ability, or test in music or technology? Are we seriously saying that we want a new generation of plumbers who have an aptitude for using a blowtorch but no ability to fix a leak? I want—

Mr. Speaker: Order.

12.44 pm

Mr. Graham Brady (Altrincham and Sale, West): It is always a great pleasure to oppose what the hon. Member for Bury, North (Mr. Chaytor) has said in the Chamber. However, that puts me in a slightly awkward position, because I know that opposing him is helpful to Ministers in the Department for Education and Skills. In a week in which we have all grown used to reading stories about divisions in the Labour party over international matters, he is introducing a Bill that highlights one of the key divisions in the Labour party on an important aspect of domestic policy.

[Mr. Graham Brady]

The Bill is at the core of the Government's education policy. I give the hon. Gentleman credit for being consistent. Only a few months ago, he tabled a Bill that would have had an almost identical effect on reducing the amount of selection possible in specialist schools. As someone who takes an interest in education policy, I was concerned that not only did Ministers sit on their hands throughout the debate, but when it came to a Division, the Government allowed no fewer than six Parliamentary Private Secretaries, who are members of the Government, to vote against Government policy and support the hon. Gentleman's proposals.

In opposing the Bill, I am conscious of providing an opportunity for the Government Whips, who have been experiencing some difficulty of late, to test their new strategies. We will be interested to see whether they choose to exercise on this policy the variable geometry allowed to members of the Cabinet on international affairs, or whether they want to revert to instilling discipline within the Labour party, especially as selection by aptitude is one of the more sensible parts of the Government's education policy.

Given that Ministers have been silent on the issue, I took the precaution a couple of weeks ago of tabling a written question to the Department for Education and Skills asking the Secretary of State about the Government's policy on the Bill. I shall again be perhaps uncharacteristically helpful by acting as a mouthpiece for the Minister for School Standards, who is sitting silently at the Dispatch Box. In his candid response, for which I thank him, he said:

> "The Bill seeks to repeal the provisions of the School Standards and Framework Act 1998, which enable schools with a specialism, not just those designated under the Specialist Schools Programme, to give priority to up to 10 per cent. of pupils".

He went on:

> "We do not believe it is necessary nor desirable to remove the flexibility which enables the admission authorities for schools with a specialism, where they wish to do so, to give limited priority to pupils with a particular aptitude for the relevant specialism."—[*Official Report*, 4 March 2003; Vol. 400, c. 964W.]

As the Minister went on to say, that applies in particular to an aptitude for sport and the ability of music and ballet schools—which are close to the heart of my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan)—to select by aptitude. The Bill would destroy that ability and do significant damage.

Given the Minister's splendid response to my written question, I trust that when the House divides he will join us in the Lobby to support what is clearly explicit Government policy and vote against those on the Labour Benches who choose to deviate from that policy, so setting back progress in our schools. The Opposition support specialist schools and accept that there is a role for selection in raising standards—something that Ministers also accept. That is true of both partial and full selection. Northern Ireland has a wholly selective system and GCSE results there are 14 per cent. better than in England. Yet in spite of that, with direct rule in place, the Government are persisting in the policy previously pursued by Mr. Martin McGuinness of trying to destroy that system.

In the past few days I received another written answer confirming that it is not just grammar schools that do well in a selective system. Selective systems as a whole show benefits for educational performance—

Mr. John Bercow (Buckingham): As in Buckinghamshire.

Mr. Brady: Indeed, and in the borough of Trafford—*[Interruption.]* I am being urged to add Kent to that list.

We have clear evidence that wholly selective areas outperform the national average by 4 per cent. in terms of the number of children getting A* to C grades in all the core subjects of English, maths and science. Areas that are wholly comprehensive underperform against that average.

We urge the Minister and his colleagues to join us in the Lobby in support of one of the more sensible parts of Government policy. He should accept that selection has a role to play in raising standards. If we have a quibble with Ministers on this subject, it is that they have been far too timid. They could go much further and free schools even more to harness the energy that would come from there being far greater diversity and choice among them. That is the way to raise education standards; the Minister knows it, and the answers that he has given me prove it. He should now act on what he has said and come into the Lobby with us to oppose the Bill.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 135, Noes 92.

Division No. 112] **[12:50 pm**

AYES

Adams, Irene *(Paisley N)*
Allan, Richard
Barnes, Harry
Barrett, John
Battle, John
Begg, Miss Anne
Bennett, Andrew
Betts, Clive
Borrow, David
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Bruce, Malcolm
Bryant, Chris
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, Ronnie*(Blyth V)*
Challen, Colin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Cohen, Harry
Cotter, Brian
Cox, Tom *(Tooting)*
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
David, Wayne
Davidson, Ian
Davis, rh Terry *(B'ham Hodge H)*
Dismore, Andrew
Eagle, Angela *(Wallasey)*
Edwards, Huw
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Don *(Bath)*
Francis, Dr. Hywel
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Green, Matthew *(Ludlow)*
Griffiths, Win *(Bridgend)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Henderson, Doug *(Newcastle N)*
Hinchliffe, David
Holmes, Paul

Hopkins, Kelvin
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Kilfoyle, Peter
Lamb, Norman
Laws, David *(Yeovil)*
Lepper, David
Lewis, Terry *(Worsley)*
Llwyd, Elfyn
Lyons, John *(Strathkelvin)*
MacDonald, Calum
McDonnell, John
MacDougall, John
McKechin, Ann
Mackinlay, Andrew
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Martlew, Eric
Mole, Chris
Mullin, Chris
Oaten, Mark *(Winchester)*
Olner, Bill
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pound, Stephen
Prentice, Gordon *(Pendle)*
Pugh, Dr. John
Purchase, Ken
Rapson, Syd *(Portsmouth N)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stevenson, George
Stinchcombe, Paul
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Trickett, Jon
Turner, Dr. Desmond *(Brighton Kemptown)*
Tyler, Paul *(N Cornwall)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Webb, Steve *(Northavon)*
White, Brian
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wright, David *(Telford)*

Tellers for the Ayes:
David Taylor and
Lynne Jones

NOES

Ainsworth, Peter *(E Surrey)*
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bercow, John
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brazier, Julian
Burns, Simon
Burt, Alistair
Cameron, David
Campbell, Gregory *(E Lond'y)*
Chapman, Sir Sydney *(Chipping Barnet)*
Clifton-Brown, Geoffrey
Collins, Tim
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Hawkins, Nick
Hayes, John *(S Holland)*
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Howarth, George *(Knowsley N & Sefton E)*
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Maples, John
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Munn, Ms Meg
Murrison, Dr. Andrew
Osborne, George *(Tatton)*
Ottaway, Richard
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Roe, Mrs Marion
Sayeed, Jonathan
Sheerman, Barry
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Swayne, Desmond
Swire, Hugo *(E Devon)*
Taylor, John *(Solihull)*
Tredinnick, David
Trimble, rh David
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George

Tellers for the Noes:
Andrew Selous and
Mr. Bill Wiggin

Question accordingly agreed to.

Bill ordered to be brought in by Mr. David Chaytor, John Austin, Andrew Bennett, Valerie Davey, Mr. Huw Edwards, Jeff Ennis, Mr. David Hinchliffe, Glenda Jackson, Mr. Tony Lloyd, Mr. Chris Mullin, Mr. Kerry Pollard and Jonathan Shaw.

SPECIALIST SCHOOLS (SELECTION BY APTITUDE)

Mr. David Chaytor accordingly presented a Bill to repeal the provisions of the School Standards and Framework Act 1988 enabling specialist schools to select pupils on the basis of aptitude; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 11 July, and to be printed [Bill 69].

HOUSE OF COMMONS PARLIAMENTARY DEBATES (HANSARD) ● 2002-03

CHADWYCK-HEALEY Vol. 401 cols. 173 - 364 10 - 21 March 2003

ESTIMATES DAY

[2ND ALLOTTED DAY]

SUPPLEMENTARY ESTIMATES, 2002–2003

Foreign and Commonwealth Office

War Against Terrorism

[Relevant documents: Second Report from the Foreign Affairs Committee, Session 2002–03, on Foreign Policy Aspects of the War against Terrorism, HC 196, and the Government's response thereto, Cm 5739; and the Foreign and Commonwealth Office Annual Report 2002, Cm 5413.]

Motion made, and Question proposed,

That further resources, not exceeding £144,807,000, be authorised for use during the year ending on 31st March 2003, and that a further sum, not exceeding £26,460,000, be granted to Her Majesty out of the Consolidated Fund for the year ending on 31st March 2003 for expenditure by the Foreign and Commonwealth Office.—*[Jim Fitzpatrick.]*

Mr. Speaker: Before I call the right hon. Member for Swansea, East (Donald Anderson), I inform the House that there is a limit of 15 minutes on Back-Bench speeches, but that does not include the right hon. Gentleman.

1.3 pm

Donald Anderson (Swansea, East): I am grateful both for that information, Mr. Speaker, and the opportunity to open the debate.

Estimates days are always based on something of a fiction—in this case, the relevant estimate is the provision of about £5 million to be spent on increased security for posts in the middle east. The report by the Select Committee on Foreign Affairs, however, ranged far more widely—hence there is a double fiction, as I anticipate that much of today's debate will focus on the crisis in Iraq.

As a Welshman, I like to begin with a text, and the appropriate text today is attributed to Voltaire:

> "Doubt is uncomfortable, but certainty is ridiculous."

Our first report on foreign policy aspects of the war against terrorism was published in June 2002, and focused on intelligence before 11 September; the formation of the international coalition and military action in Afghanistan; and post-Taliban reconstruction. In my speech in Westminster Hall on that report on 31 October, I promised the House that the Foreign Affairs Committee would keep the issue high on the agenda; hence our second report in the series, published in December, and today's important debate. Our second report, like all reports produced by the Committee during this Parliament, was unanimous, which shows the readiness of colleagues of all parties serving on the Committee to work together to reach a consensus. I pay tribute to the expertise, dedication, and focus of my Committee colleagues for their sustained commitment to that cause.

In 2001, about 3,000 people lost their lives because of terrorism. The action taken in Afghanistan has certainly disrupted the al-Qaeda network, but no one can be in any doubt that it still has the capacity to inflict great damage. In just two weeks last autumn, over 300 people were killed. The Committee's view is that

> "al-Qaeda and associated organisations continue to pose a grave threat to the UK and its interests abroad".

We cannot afford to be complacent.

I shall explain how our inquiry was carried out. Since the war against terrorism began on 11 September 2001, we have visited New York and Washington on three occasions, most recently in October 2002. On all our visits, we held meetings with UN officials and representatives of member states in New York, and US officials at the State Department, the Pentagon and the National Security Council. We also met a number of our colleagues and friends on Capitol Hill. Indeed, doors opened wide for us—the special relationship has become a reality—so we are grateful to the US Administration, the State Department and Congress, as well as our own Foreign Office. Our visit to Copenhagen in July enabled us to discuss EU measures on counter-terrorism with our Danish colleagues. In January this year, we met the Greek presidency and learned of the astonishing co-operation between the Greek intelligence agencies and our own which led to the identification of the N17—17 November—suspects, responsible, it is said, for the murder of our defence attaché, Brigadier Saunders.

In the course of our inquiry, we heard oral evidence from academics and other experts, including two professors of international law, and from former US officials, who spoke about Iraq's weapons of mass destruction. Recently, we held a particularly interesting evidence session on Iran, and took evidence from the Foreign Secretary. Our wide-ranging report deals with multilateral developments, developments in US foreign policy, al-Qaeda, Iraq and the anticipation of war. I shall highlight two key aspects.

First, it is hardly surprising that the issue of Iraq figured prominently in our inquiry. We considered the threat, the question of disarming, and the possibility of military action. I remind the House that the report was published on 17 December—obviously, there have been major developments since, particularly at the United Nations Security Council and, indeed, there was a debate in the House on 26 February.

The Committee reached some key conclusions. The possibility that Saddam Hussein might employ terrorist methods must be taken seriously, but there is no compelling evidence linking the Iraqi regime to al-Qaeda.

Llew Smith (Blaenau Gwent): Does my right hon. Friend believe that the Government have got their priorities wrong, as they seem to have set aside £1.75 billion to fight a war against Iraq or, as they say, against terrorism, although it now seems to be a blank cheque, yet they can find only £100 million to deal with humanitarian emergencies, not just in Iraq but worldwide?

Donald Anderson: I anticipate that, if the commitments of the Government and of our major allies are proved true and if there is a war, there will certainly be ample funds available for the reconstruction of Iraq.

The evidence of Iraq's retention and continued development of weapons of mass destruction is compelling and a cause for considerable concern. Again, we drew attention to the failure to address the threat from Iraq's weapons of mass destruction, which could pose very high risks to the security of British interests in the middle east and the Gulf region. We said that Iraq must not be permitted to continue to defy the authority of the United Nations. We cited the unanimous adoption of Security Council resolution 1441 on 8 November, which states that the obligation to disarm is absolutely clear, and that this is "a final opportunity". It also set out the tests of immediate and unconditional co-operation.

Mr. Stephen McCabe (Birmingham, Hall Green): When the Committee said that Iraq should not be allowed to continue to defy the United Nations and that this was a final opportunity, what kind of time scale was it thinking about? Did it think that Iraq should not be allowed to continue to defy the United Nations for several months, or for years, or into the dim and distant future? Did the Committee think that "final" meant something other than "final", or was it absolutely clear about the words that it was using? Did it understand this to mean that defiance should cease, and that "final" should mean the last opportunity?

Donald Anderson: My hon. Friend will recall that any so-called second resolution will be the 18th resolution, and so long as "immediate" is not defined as "immediate", and "final" not defined as "final", the Security Council will lose credibility for its own resolutions.

I commend the Government's commitment always to work within international law. We recommended that they should do their utmost to ensure the adoption of a further Security Council resolution, as, in our judgment, resolution 1441 would not provide unambiguous authorisation. International law rarely appears to give absolutely clear direction.

Joan Ruddock (Lewisham, Deptford): I am most grateful to my right hon. Friend for giving way. Perhaps I interrupted him a little too quickly. I think that the phrase involved here is "all necessary means", which I believe is diplomatic-speak for going to war. Does he know whether the resolution currently being circulated in the United Nations includes the phrase "all necessary means", and would he consider that a legal basis for action?

Donald Anderson: "Serious consequences" is the phrase in the relevant paragraph of resolution 1441, which also contains a number of other phrases that have special meaning for diplomats and which may mean something other than the ordinary observer might think. Perhaps the Minister can enlighten us on this later, but there has been a whole series of draft resolutions, and I genuinely do not know what is in the latest one now before the Security Council.

Mr. Alex Salmond (Banff and Buchan): Will the right hon. Gentleman give way?

Donald Anderson: I must make some progress. I will give way later.

In our judgment, the Government are right to take a robust stance in the face of the continued defiance of Security Council resolutions by Saddam Hussein. Saddam's defiance does indeed damage the credibility of the United Nations—it also threatens British interests—but the Government must maintain a position consistent with international law. Any military action against the Iraqi regime must be legally justified, and should only be taken

> "on grounds other than"—

Iraq's

> "past or current involvement with the al-Qaeda network."

I do not intend to digress into speculation on what will or will not happen during the current intense negotiations in New York. The subject was debated fully in the House on 26 February and we hope for an early debate within the next few days.

The second area that I would like to tackle is the doctrine of pre-emptive self-defence. For me, this was one of the most important parts of the report, and it is highly relevant to the Iraq situation. I do not apologise to the House for dwelling on this, because I do not think it has been given sufficient consideration.

We began to investigate the US Administration's thinking on pre-emptive self-defence early in 2002, the President having first outlined the doctrine in January. The doctrine was spelled out more clearly in the national security strategy, which was published shortly before we visited Washington in October last year. In the strategy, the Administration explained:

> "We must adapt the concept of imminent threat to the capabilities and objectives of today's adversaries. Rogue states and terrorists do not seek to attack us using conventional means . . . they rely on acts of terror and, potentially, the use of weapons of mass destruction—weapons that can be easily concealed, delivered covertly, and used without warning."

The Administration therefore saw a

> "compelling case for taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack."

Accordingly,

> "To forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act pre-emptively."

Two experts in international law appeared before the Committee. They were lawyers with major reputations as academics and practitioners. Professors Brownlie and Greenwood appeared before us on 24 October. It was a fascinating session, we were most grateful to them, and I commend their evidence to colleagues. It does something of an injustice to the sophistication of their arguments to summarise them, but their contribution was so valuable that it must have some mention. Both referred to the famous Caroline dispute, which is the classical definition of the right of self-defence in international law. In 1837, British forces took action in Canada against a US merchant vessel which Canadian rebels and American sympathisers had used as a base for attacks on the British.

Professor Brownlie took the more conservative position. For him, the Caroline case raised the question: what is the level of necessity? He suggested that pre-emptive action was open to abuse, and mentioned the danger that could have arisen if the doctrine had been applied during the cold war in 1962, for example. He believed that is was better not to invent a new umbrella of subjective action, and stated in his memorandum that pre-emptive attacks, as envisaged in US policy statements, would be in violation of the United Nations charter.

[Donald Anderson]

Professor Greenwood, on the other hand, took a more expansive account of international law. He believed that we had to take into account the military developments since Caroline. That incident involved a group of men with rifles, which are very different from the chemical, biological or nuclear weapons available today. Obviously, such weapons are much more difficult to detect, it is more difficult to determine the time scale involved in their use, and it would be far more damaging if the threat were to materialise. We agreed that we must start with article 51 of the United Nations charter, but according to Professor Greenwood, it must be interpreted in the light not only of what went before and of the drafters' intentions, but of its interpretation by states since 1945 and of common sense.

Professor Greenwood quoted Judge Higgins, who said:

> "Common sense cannot require one to interpret an ambiguous provision in a text in a way that requires a state passively to accept its fate before it can defend itself."

The professor argued that there must be a right of anticipatory self-defence, and that we need to find a balance between too loose a definition, which every state could use as a licence for action, and a definition so restrictive that it would not fit the conditions of today. The problem, as always, resolves itself into where to draw the line.

The Committee was concerned about precedent, and that there would be a risk of other, less law-abiding states using the doctrine to legitimise aggressive force. For example, could India cite the right to take military action against Pakistan, or vice versa? Could China use the doctrine to justify an invasion of Taiwan? At the same time, we recognised the implications of new threats. At paragraph 161 of the report, we concluded that the notion of "imminence" should be reconsidered, and that international law must evolve to deal with new threats.

The Government's response, produced in February this year, was clear. The right to self-defence is well established in international law, not only after attack but before, if an attack is imminent. In the Government's view,

> "this right applies as much to imminent threats from terrorism as to the more conventional threats of the past".

I wonder, for example, whether Israel's action against Iraq's nuclear reactor in 1981 would now receive the totally hostile chorus of disapproval from the Security Council that it received at the time. The threat would probably be considered insufficiently imminent, although under a more extended definition, it might be used as a trigger for action against Iran's nuclear reactor.

The broader context of international law encompasses matters raised by Guantanamo bay and the rights of refugees deemed by the US to be unlawful combatants. International legal treaties since the second world war were conceived and drawn up in circumstances very different from the present ones. There is a powerful case, in our view, for revisiting that group of international laws, not to develop an entirely new system, but to build on and adapt existing law to a world where threats are often posed not by states, but by non-state actors. International law is not static; it is a living body. It must, however, remain relevant. If not, powerful states will seek to ignore or circumvent it. The debate is only just beginning.

More recently, I note the open letter by 16 lawyers with the view that a pre-emptive self-defence strike against Iraq would have no justification in international law. It is clearly important to have a wide-ranging and ongoing discussion on the subject. The real problem is perhaps illustrated by the failure in the United Nations to agree a definition of terrorism.

I shall give a quick update since the report was produced last December. Clearly, the war against terrorism continues. In this country, there have been arrests, the discovery of ricin, and the death of DC Oake, and key al-Qaeda operatives have been captured in Pakistan and elsewhere. Iraq continues to dominate the headlines.

How do we carry forward the war against terrorism? There are three major issues central to British security in the medium and long term. What are the implications of the strains in the international community for the long-term war against terrorism and international law generally? If it was the aim of Saddam Hussein not just to buy time, but to divide the international community, he has done so magnificently. We think of the blow to NATO, the divisions within the United Nations Security Council, with the risk that the United States will see the council as irrelevant and walk away from it, the developments within the European Union, making the evolution of a common foreign and security policy a more distant prospect, and EU-US relations at a very low ebb, with Secretary Rumsfeld castigating "old Europe". All those international networks are adversely affected by the crisis in Iraq.

Mr. Hilton Dawson (Lancaster and Wyre): Does my right hon. Friend accept that the responsibility for the splits in the international community is due less to the work of Saddam Hussein and a great deal more to the partners, who should be able to work together much more effectively in those coalitions?

Donald Anderson: That is a noble aim, but the divisions would not have come about without the crisis over Iraq, which was provoked by Saddam Hussein. All those relationships are adversely affected by Iraq. The Prime Minister said at his press conference that the most dangerous thing for international security would be a wedge between the United States and Europe. I agree with my hon. Friend that only together can we solve such international problems, as the Foreign Secretary emphasised in his statement to the House yesterday.

The second issue is the proliferation of weapons of mass destruction. It is crucial for the international community to develop and agree on strategies to prevent proliferation. Iraq is but one of the many potential sources of weapons of mass destruction. Even if Iraq is disarmed, we must continue to think carefully about how to deal with the wider problem. We know that the cookery books are still available to those who want to use them. We cannot disinvent that which has already been invented. We need renewed international co-operation.

Mr. Salmond: As the right hon. Gentleman knows, I have read the report. At paragraph 172, on page 48, the Committee unanimously concluded that

> "Security Council Resolution 1441 would not provide unambiguous authorisation",

and called upon the Government to seek a resolution including the words "'all necessary means'". When the hon. Member for Lewisham, Deptford (Joan Ruddock) asked about that, the right hon. Gentleman did not seem to give the answer that is in the Committee report. For the avoidance of doubt, can he say whether he stands by paragraph 172 of the report, adopted unanimously by his own Committee?

Donald Anderson: I emphasised that the report was produced in December, and that that was the unanimous view of the Committee at that time. I would not like to anticipate the views of the Committee today. We are dealing with an evolving situation, as different drafts are tried at the Security Council.

Is regime change the best way to reduce the combined threats of weapons of mass destruction and international terrorism? If the Iraq campaign is perceived to go well, can we expect the United States to continue with a series of regional wars against the "axis of evil", within or without the UN context? We must consider very carefully indeed what role Britain can play as the key ally of the United States.

If we take action in Iraq we will face the challenge of peacekeeping and reconstruction on two fronts—Afghanistan and Iraq. Will that take the focus and vital resources away from the war against terrorism? We asked whether the implications had been fully thought through. With regard to reconstruction, a genuine, well planned and truly multinational effort to keep the peace in Iraq, and a commitment to restoring the livelihoods and rights of the Iraqi people, would help the people of Iraq and their Arab neighbours to see the positive consequences of any intervention, but we cannot overstate the importance of winning the peace. Those who go into Iraq should be seen as liberators, not victors.

Dr. Jenny Tonge (Richmond Park): Was the right hon. Gentleman's Committee able to establish whether the reconstruction costs after a war with Iraq will come out of Treasury contingency reserves or out of the reserves of the Department for International Development? If the latter, does he agree that that is extremely unfair on the poorest people of the world, who hoped to receive those funds?

Donald Anderson: The short answer is that we produced the report in December, when the costs of reconstruction were not high on the agenda. The matter is foursquare within the remit of our sister Committee, of the Department for International Development. The question should be addressed to that Committee.

Other challenges include how Britain can best help the reformers in Iran to strengthen their democratic structures and promote transparency. We need to ensure that the situation in North Korea is defused peacefully. There must be a different approach there, as it can be argued that North Korea is invulnerable because of the amount of artillery pieces directed against the south. Without disarmament, that could be the position in Iraq in a few years' time. We also need to take careful note of both the achievements and the failings of multilateral arms control regimes, and of measures to destroy stockpiles of weapons of mass destruction in the former Soviet Union.

Thirdly, on the middle east, I recalled the statement made to the House yesterday by the Foreign Secretary. What can we do to minimise instability in the wider middle east region and reduce the level of threat from al-Qaeda? Our report considered the effect of any military action in Iraq on the Arab world. I draw attention to paragraph 200. Images of Iraqi civilian casualties, combined with the voices of al-Qaeda claiming that that is further evidence of the US colonisation of Arabia, could have a powerful effect on disillusioned young people in the Islamic world generally, and even in this country. We need to think carefully about how to ensure that western involvement in the middle east region is seen as positive. There is also a need for a new realism in the Arab world—people there should not see themselves as victims, as many of them do. I refer to the recommendations in paragraphs 209 and 210. I commend to the House the United Nations Development Programme's Arab human development report of 2002, which stresses the need for good governance and economic development in the Arab world.

We also need to persist with efforts to restart the middle east peace process. In our report, the Committee praised the Government's commitment to pressing forward with negotiations and concluded:

> "this policy must be pursued in parallel with international efforts to address the threats from al Qaeda and from the Iraqi regime."

The US Government have perhaps been much stronger in declaring the viability of the state of Palestine than in exerting any serious pressure. It may be that President Bush has weighing on his mind the electoral consequences of what his father did in withdrawing loan guarantees in respect of settlements.

The Government have pushed hard for Palestinian reform. The publication of the Quartet's road map, the long-awaited route towards a final two-state solution, is emphasised by Washington. Of course, there is continuing violence in the region. Progress on this issue is crucial. There was some recognition of that fact in President Bush's recent statement, but it is clear that we are far from having a very serious US commitment to bring to bear all the leverage and pressure that it can to bring an end to the continuing conflict in the region.

In conclusion, I should like to quote Burke:

> "You can never plan the future by the past".

Certainly, 11 September proved that that is the case. We entered a new era and uncharted territory as we embarked on the war against terrorism. We will need new thinking on the problems of global security. As I said, that includes revisiting the raft of treaties on international law conceived in the post-second world war settlement. Our report commends the Government for their firm and continued leadership in the war against terrorism. Britain has contributed substantially to ensure that the coalition remains a reality. My personal opinion—I think that the Committee would agree—is that much credit lies with the Prime Minister in respect of his tireless efforts and total commitment.

[Donald Anderson]

We also commend Ambassador Greenstock, who has done an outstanding job at the UN in chairing the Counter-Terrorism Committee.

These are difficult days and we face very difficult decisions, but we cannot wash our hands of our duty. As Ambassador Greenstock said on Friday,

> "the Security Council cannot afford to look the facts in the face and turn away from its responsibilities."

Saddam Hussein may not be the only one who is facing a choice of survival. In many ways, this is also a watershed for the international community. Multilateral institutions must be and remain relevant. The only way in which we can overcome the unprecedented challenges of international terrorism and proliferation is if the international community seeks to remain united.

In our judgment, a key task of the Foreign Affairs Committee is to inform the House of the work that we do and provide a platform for informed debate in the Chamber. I believe that we have done that. We will continue to monitor the situation closely and, I hope, publish a further report in the same series in May. I commend our report to the House.

1.33 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mike O'Brien): I congratulate the Select Committee on Foreign Affairs on a very thorough report on the war against terrorism. With your permission, Madam Deputy Speaker, I intend to speak relatively briefly at the beginning of the debate in order, perhaps, to seek your indulgence in allowing me to respond in detail at the end. In dividing up my contributions, if you agree, I shall deal first with the broader aspects of the war on terrorism and deal in my other contribution with some of the issues relating to Iraq.

On the comments of my right hon. Friend the Member for Swansea, East (Donald Anderson) about the legal complexities of the doctrine of pre-emptive self-defence, those issues are indeed important, but they are none the less enormously complex. As a lawyer, I know that if one puts two lawyers in a room, one gets an argument. Indeed, the reason why we have so many court cases is that lawyers often cannot agree on the law. In the present context, going back to the main case of 1837—the Caroline case—it is clear that issues of legality have arisen that will need to be explored for many years to come in order to arrive at a clear and final view. No doubt, many lawyers will venture their deeply considered views in the meantime, but I suspect that final definitions will take a long time to be accepted.

In the next decade, our country faces two key threats—terrorism and the development by dangerous states of weapons of mass destruction. Problems do not come one at a time and they have to be dealt with when they come. On this occasion, two problems have presented themselves and they need to be dealt with. Obviously, we are also concerned that, at some stage, those two issues—terrorism and weapons of mass destruction—may well become linked, and we need to be prepared to deal with that as well.

The terrorist threat from al-Qaeda and related groups remains extremely serious, despite the fact that we have had some significant successes. The detention of Khalid Sheikh Mohammed in particular is a major blow to al-Qaeda, but we must not delude ourselves that it is some sort of mortal blow. Al-Qaeda has been dispersed and disrupted, but not decimated. It is ingenious, dedicated, persistent and global, while the loose, secretive nature of the networks makes them difficult for us to target. It will recover and adapt; the threat will continue and we must be prepared to address it.

All indications, including intelligence and al-Qaeda statements, suggest that high-profile political and economic targets remain in al-Qaeda's sights. It poses a threat to the United Kingdom regardless of what happens in Iraq. The past year has shown that terrorists will attack western interests, including British people, in an ever more indiscriminate way. To record but a few recent attacks, 18 people including tourists were killed in Tunisia in April 2002; 17 people died in Mombasa in November; and, most infamously, 202 people, many of whom were tourists, including Britons, were murdered in Bali on 12 October. Churchgoers have been bombed in Pakistan on a number of occasions. Voluntary health workers, diplomats and expatriates have been murdered in the middle east. If terrorist plans had come to fruition more often during the past year, many more people, including Britons, would be dead. It is thanks to the work of our intelligence services and others throughout the world, as well as to the co-operation that has developed between them, that a number of those terrorist threats have been frustrated.

Mr. Gordon Prentice (Pendle): I have in my hands the Government's document on Iraq's weapons of mass destruction, which was published last September. Does my hon. Friend still hold the view that everything in that document is accurate, even including the references to Iraq's nuclear weapons?

Mr. O'Brien: The document was published on the basis of the intelligence information available to us at the time. Obviously, when we have published information about particular aspects of Iraq's development of weapons of mass destruction, I very much doubt that, the next day, Iraq will leave in place whatever items it has previously had in place so that they can be discovered. Obviously, therefore, there is a time limit on the value of intelligence information, and we were aware of that when we published the document.

Several hon. Members *rose*—

Mr. O'Brien: I shall give way to the hon. Member for Chichester (Mr. Tyrie), but I shall then move on, as I want to make my remarks brief and stick to the issue of terrorism at this stage.

Mr. Andrew Tyrie (Chichester): Further to the intervention of the hon. Member for Pendle (Mr. Prentice), the same document stated that Iraq might be capable of developing nuclear weapons in as little as a year. Yet specialists have given the Select Committee comprehensive evidence to show that it would take at least several years, and that even then it would be difficult for Iraq to develop such weapons. Was that specialist information available to the Government when they produced their report?

Mr. O'Brien: I said earlier that when two lawyers are together in a room, an argument ensues. The same applies to specialists. We must take account of the various intelligence reports that we receive, and the assessment of the value of the information by the experienced specialists whom the Government employ. We also take account of the reports of various academics. It is then a matter of making a judgment, and the Government have reached a clear judgment.

In 1990, Iraq was within between 18 months and three years of developing nuclear weapons. Clearly, if it had developed that capability, it would have used the resultant power to intimidate others. That was a serious matter. It is also clear that Saddam Hussein has not changed his spots and suddenly become a peacenik. He remains determined to develop weapons of mass destruction if he can. I therefore have no doubt that, without constraint, he would try to develop nuclear weapons. We have an assessment, which we have published, of the length of time that it would take him. Others will take a different view.

Mr. Jon Owen Jones (Cardiff, Central): Will my hon. Friend give way?

Mr. O'Brien: I am trying to deal with the intervention and I want to make progress.

Mr. Malcolm Savidge (Aberdeen, North): Will my hon. Friend give way on the specific point that he is considering?

Mr. O'Brien: No.

Mr. Savidge: Will my hon. Friend give way in view of what was said yesterday?

Mr. O'Brien: I am trying to deal with the intervention of the hon. Member for Chichester. I want to do that and subsequently proceed.

We accept that, at the moment, Iraq does not have a nuclear weapons capability. There is no doubt about that. Its efforts to develop such weapons have been frustrated in the past 12 years, initially because of the inspectors. However, we believe that Iraq has taken steps to try to get around the restrictions, and that, had he the ability, Saddam Hussein would try to develop nuclear weapons.

Paul Flynn (Newport, West): Will my hon. Friend give way?

Mr. O'Brien: Perhaps I can deal with Iraq in my closing remarks rather than answering all the questions now.

I want to focus on terrorism, which is the other issue that is important to British foreign policy. We face a genuine threat. Al-Qaeda may seek cynically to use any military action in Iraq as an excuse for further attacks in the short term. However, if such action proves necessary, we believe that it would remove a large threat to stability in the region.

In the current decade, the threat from terrorism and the proliferation of weapons of mass destruction are our two top priorities. We have helped to shape and maintain the international consensus on terrorism that is essential to change the odds in our favour so that the British public can go about their lives freely and with confidence.

Counter-terrorism operations are being maintained throughout the globe at an unprecedented level with unprecedented co-operation between countries. We shall continue to work with our traditional close partners—the EU, the United States, the G8 countries, NATO and the Commonwealth. However, we have also built on new relationships that we forged in counter-terrorism to ensure that the United Nations Counter-Terrorism Committee continues to deliver. We have developed new relationships with countries such as Syria and Libya. They, too, perceive al-Qaeda as a threat.

We are backing our commitment with technical assistance to several countries that would benefit from our help. We are currently helping more than 70 countries to improve their counter-terrorism capabilities. We shall also continue to focus on wider issues, including Palestine, about which many of us feel deeply. The injustice done to the Palestinian people must be remedied and we must seek a peaceful resolution in the middle east. That is in the interests of Israel as well as the Palestinians.

The position in Palestine is an underlying cause of terrorism. We must deal with other underlying causes such as poverty and political exclusion.

Joan Ruddock: Will my hon. Friend give way?

Mr. O'Brien: I shall give way on poverty.

Joan Ruddock: Will my hon. Friend confirm that al-Qaeda is now broadcasting again in Afghanistan? Does he agree that it is vital that the warlords in Afghanistan are disarmed and that there must be a demobilisation programme? Unless that is done, there can be no democracy, which we have promised. Does he further agree that the reconstruction that is currently occurring is not sufficient to bring that country into a condition whereby al-Qaeda can be driven out?

Mr. O'Brien: One of the key prerequisites for fundamental change in Afghanistan is ensuring that the transitional Government and any other Government elected after 2004 can deliver genuine change for the people of Afghanistan so that the economy is developed. Girls who were previously excluded from school have returned to education. That is enormously important and sends clear messages about the nature of the society that the current Afghan Government want to develop.

However, much more remains to be done. We must extend the authority of the Karzai regime, and that of any other democratically elected Government after 2004, to the wider provinces. Many warlords currently acknowledge the legitimacy of the central Government, but the Government are not capable of exercising their

[Mr. O'Brien]

authority by forceful means in all the provinces. Giving them the capacity to do that by training an Afghan national army is important.

As my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) knows, our Government and many others, including the United States Government, want to place various groups of armed forces from Britain, perhaps Germany, and the United States in various provinces. The groups will be small and their objective will not be enforcement. However, they will convey a signal to the warlords of our determination that the process in Afghanistan will be completed. We are determined that there will be a genuine opportunity for democracy, and we want it to be taken. Much work remains to be done in Afghanistan. We can ensure that al-Qaeda does not return only when that work is completed.

Mr. Jon Owen Jones: Does my hon. Friend agree that one method of sending a signal to the warlords in Afghanistan is to stop giving them money and arms? Will he comment on American policy, which is to continue to give arms and money to warlords in Afghanistan?

Mr. O'Brien: We are attempting to build consensus in Afghanistan. My hon. Friend appears to suggest that, rather than getting the warlords to support the central Government, the writ of the central Government should be imposed on the warlords. That approach could produce instability. We are therefore trying to feel our way towards getting the warlords to acknowledge not only the central Government's legitimacy, but their authority. That will take time.

In the meantime, we need to exercise some control over the warlords to stop them causing problems until the central Government have sufficient power and authority to enforce their writ more effectively throughout the country. It will take time—there is no point in suggesting otherwise to my hon. Friend. However, I believe that it is possible to fulfil our programme in Afghanistan. We shall make every effort to do that. The United States, Germany, the Netherlands, Japan and various other countries are making substantial contributions to trying to give the Afghan people the opportunity that they deserve. We shall keep working on that.

Patrick Mercer (Newark): The Minister mentioned the possibility of small numbers of extra British troops being deployed to Afghanistan. I assume that they will extend the international security assistance force-type mandate into other cities and regions. Will he comment on the possibility of deploying greater numbers of British troops if the position deteriorates further?

Mr. O'Brien: I must decline that invitation. Obviously we hope that the situation in Afghanistan will remain relatively stable. All these things are relative, and despite the civil war, the difficulties that have afflicted Afghanistan for 25 years, the number of terrorist incidents and the fact that the writ of the central Government does not run throughout a country that remains unsafe, a certain level of stability exists relative to what existed before. We hope that that level can be raised, and that therefore no further commitment of British troops will be necessary. We hope that as things develop we can show that the central Government are capable of delivering, with international help, and that that can bring about the change of attitude that we seek in Afghanistan.

The Bali atrocity confirmed that the divide in the modern world is not, as my right hon. Friend the Member for Swansea, East suggested, a clash of cultures between Islam and the west, but rather a clash between order and chaos. As he said, we must tackle the mistrust and misapprehensions that bedevil relations between the Islamic world and the west, and in turn allow the terrorists to secure new recruits to their cause. We are determined to work towards that, and we believe that we can do it. We will put in every effort.

We are grateful for the assistance, advice and wisdom of the Foreign Affairs Committee. We will certainly take on board substantial parts of its report, which makes a significant contribution to the development of British foreign policy.

1.51 pm

Mr. Richard Spring (West Suffolk): I pay tribute to the Chairman and members of the Foreign Affairs Committee. They have produced an impressive document, which we debate at a crucial and tense time. In some ways the report's title, "Foreign Policy Aspects of the War Against Terrorism", does not do justice to the wide range of issues covered by the Committee; but we should recognise that the issues of global terrorism, Iraq, Afghanistan and the middle east peace process which are dealt with in the bulk of the document—albeit indirectly in some instances—are interrelated, and that their impact on international security and stability is vastly important.

Conservative Members welcome the Government's dedication and, in particular, that of the Prime Minister, who managed to build an international coalition after the terrible events in the United States involving the twin towers and the Pentagon. As the Committee says, that has helped to build on the special relationship that has proved so valuable in securing resolution 1441, which outlines the dangers presented by Iraq. It has also built a degree of international consensus on actions in Afghanistan.

In the aftermath of the horrendous terrorist attack on Bali, to which the Minister referred, the Foreign Secretary took up a number of suggestions from many Members—including Conservative Members—about facing down terrorism and ensuring the security of British citizens abroad. We welcome the Government's response, which symbolises an approach to the threat that transcends party political considerations.

The continued need to root out terrorist groups is as urgent as the need to expose Saddam Hussein. It is not a question of either/or; we must strive to do both. The problems are not mutually exclusive, in that both have resulted in the death of thousands of innocent people.

The Committee was right to conclude that any military action against the Iraqi regime must be justified on grounds other than its past or current involvement with the al-Qaeda network. That is exactly the approach that the Security Council's members have adopted by unanimously agreeing to resolution 1441. Iraq's biological and chemical stockpiles and its illegal weapons remain the reason for international action, as does its refusal over 12 years to disarm willingly and transparently. I fully support the Foreign Secretary's statement that we must

> "also guard against the terrifying prospect of Saddam Hussein passing weapons of mass destruction to terrorists such as Al Qa'ida." ."

The possession of weapons of that kind by a man such as Saddam Hussein always leaves open the possibility that they will fall into the hands of terrorist groups. They are united in one respect: both hate the west and western values.

Dr. Julian Lewis (New Forest, East): Is not one of the strangest and most naive arguments that we have heard during the debate on Iraq and al-Qaeda the suggestion that because they have sometimes been politically opposed they could not co-operate in precisely the way my hon. Friend described? Often, a common enemy brings people with diametrically opposing views together. They want to destroy that common enemy, even if they hate each other as well.

Mr. Spring: I entirely agree. As my hon. Friend knows, the Iraqis have already used their resources to finance terrorist groups, including those involved in suicide bombings in Israel.

Mr. Savidge: I entirely accept that it would never have been predicted that, for example, Hitler and Stalin would get together at the start of the second world war. When we discuss the concept of pre-emptive war, however, is it not rather frightening to suggest that because at some stage two people who completely oppose each other might get together we should attack them?

Mr. Spring: My point is that there is already evidence of the Iraqis' supporting terrorist groups. The possibility of a marriage at some time is entirely likely given the desire of organisations such as al-Qaeda to obtain these weapons, and their wealth. I suggest that the hon. Gentleman read a speech made in the other place by Lady Nicholson about the horrific attacks on Iraqis—particularly Marsh Arabs—by Saddam himself, using these atrocious weapons of mass destruction. It has been a wicked act of genocide, which underlies the reasons for our concern about Saddam's position in the world.

We need only consider the arrest of a senior al-Qaeda leader last week to recognise the important work—much of it necessarily behind the scenes—being done by our intelligence services. It is often dangerous and often unrecognised, but it helps to keep us safe. I pay tribute to those men and women in our intelligence agencies, whose work is often unsung.

As the Committee says, much remains to be done in the tackling of terror, but with the international community united in the task, we can minimise the threat. What assessment has the Minister made of the likelihood that Osama bin Laden is still alive, given reports that the recently arrested Khalid Sheikh Mohammed met him, or was in contact with him, not long ago?

Terrorism of the sort that we have seen in America, Bali, Kenya and off the coast of Yemen is a scourge that we must be resolute in tackling. As my right hon. Friend the Member for Devizes (Mr. Ancram), the shadow Foreign Secretary, said back in September 2001,

> "terrorism depends on three elements to succeed: it needs the oxygen of publicity, it needs to show that it works and it needs safe havens in which it can hide."

He spoke with all his experience as a former Northern Ireland Minister who understood the phenomenon all too well.

Such horrific attacks are bound to receive publicity, but we must show by fighting terrorism and never appeasing it that it cannot succeed. Along with the international community, we must make sure that in territories where terrorist boltholes exist, those boltholes are blocked; and we must work with countries where terrorists hide to ensure that the terrorists can find no comfort or shelter from international pursuit and justice. There simply cannot be a hiding place for such people.

Let me now deal with a number of specific topics covered by the Committee's report. As the report says, the Government must show that the United Nations Counter-Terrorism Committee is effective in the long run, and continues to foster international co-operation and good will. In their response, the Government set out many ways in which they intend to do this. However, during his wind-up I hope that the Minister will be able to restore the Government's commitment to the CTC, recognising its important co-ordinating work under the chairmanship of Sir Jeremy Greenstock, the UK representative at the United Nations. What evaluation has the Minister made of its success to date in achieving what the Foreign Secretary describes as

> "marked advances in their overall counter-terrorism capacity",

especially with regard to legislation and countering the financing of terrorism?

We welcome the passage of the chairmanship, in April, to the Spanish permanent representative, given Spain's strong support for resolution 1441 and for the war against terrorism, and given its role as a close EU and NATO ally. Of course, cutting off the funding of terrorist groups is one of the most effective ways of hitting these organisations, and of causing their operations to wither. The report recommends that the Government set out what further measures they will take to encourage and assist Governments, particularly those in the middle east and Gulf region, to stem the flow of terrorist financing.

I hope that the Minister will agree with me that we must maintain a constructive but robust and critical dialogue with countries that allow money to be funnelled to such groups—whether those groups are characterised by different Governments as terrorists, or as freedom fighters. We welcome the Government's commitment to Security Council resolutions 1373 and 1390. What is the Minister's latest estimate of assets frozen under those resolutions, and has this initiative been judged a success?

It is also, as the report says, important that Britain work constructively with our EU partners on some critical aspects of foreign policy. In the first debate after

[Mr. Spring]

11 September, my right hon. Friend the shadow Foreign Secretary welcomed the way in which the EU had

> "in no uncertain terms declared its determination to combat international terrorism."—[*Official Report*, 14 September 2001; Vol. 372, c. 621, 623.]

I urge it to maintain that commitment. The EU's work with Iran is particularly important, but we must also be realistic—this point has already been alluded to—about the limits of effective EU co-operation. It must never be at the expense of undermining our historic and valuable relationship with the United States, which is of itself such an asset to Europe.

NATO is an organisation that has proved effective in the past in meeting our defensive security needs. At Prague, it showed a willingness to change and to adapt to those needs, as those needs themselves change. The safeguarding of NATO is crucial, given existing tensions within the alliance. As the Foreign Affairs Committee concluded, the Government need to illustrate more clearly how the new focus of NATO, as outlined at Prague, will be implemented to make the organisation relevant in the modern world. I am sure that my hon. Friend the Member for Aldershot (Mr. Howarth) will want to return to this aspect of the report when he winds up, given his particular knowledge of defence matters.

The Foreign Affairs Committee also concluded that

> "international law must evolve to meet new challenges such as the unprecedented terrorist threat".

As foreign policy has evolved to meet this increased threat, as well as the threat posed by rogue states, the doctrine of pre-emption has been much debated. Such a doctrine as it is applied today raises many questions and challenges, in terms of how it fits in with international law. Does the Minister have any suggestions as to how international law can be changed to meet this specific challenge? Has this issue been discussed with any other interested international parties? In particular, will he outline how the Foreign Secretary intends to

> "strengthen the credibility of multilateral institutions—and, in particular, the United Nations",

as noted?

Of course, much of this debate will inevitably revolve around Iraq, which features prominently both in the report and in current public debate. On Friday, Dr. Blix told the UN that Iraq had failed to produce evidence that tonnes of chemical and biological stockpiles have been destroyed. His comments support the Committee's conclusion that

> "evidence of Iraq's retention and continued development of weapons of mass destruction is compelling and a cause for considerable concern".

Dr. Blix outlined areas in which Iraq had not shown "immediate and full" co-operation. Again, this supports the Committee's conclusion that the difficulties facing the UN weapons inspectors in Iraq "are formidable". It is a depressing picture in terms both of weapons, and of non-co-operation in their removal.

Rev. Martin Smyth (Belfast, South): Is the hon. Gentleman prepared to comment on the latest revelation that Dr. Blix did not reveal some of the things that he discovered, and which were a [illegible] of great concern?

Mr. Spring: I am grateful to the hon. Gentleman for making that point. There have been some additions to Dr. Blix's original report. That simply strengthens the argument that, apart from that which we know exists in Iraq—we do not believe that it has been destroyed or abandoned—there may well be other elements in its armoury that we have yet to discover.

Despite all this, many argue that the inspectors should be given more time; they, like me, would prefer to see war avoided altogether. However, to avoid war at all costs, even when Saddam's non-compliance is evident, would be to preserve what would ultimately prove a false peace. It is Iraq's attitude, not more time, that matters. Saddam is still the one man who could prevent war.

We welcome the report's assessment that a

> "failure to address the threat from Iraq's weapons of mass destruction could pose very high risks to the security of British interests in the Middle East and the Gulf region".

No hon. Members of this House want or seek war. We welcome the Foreign Secretary's assurance that the Government will

> "only take military action in these circumstances as a matter of last resort".

We also welcome the fact that both the United States and the United Kingdom have engaged fully in the UN process to find a peaceful solution to this crisis. We look forward with interest and concern to the outcome of the current deliberations in the UN, and we hope that consensus may indeed be found. Should Saddam fail to disarm—I regret that the signs are not hopeful—we must be prepared to use force, if necessary, to disarm him. This remains our objective, and it is the threat of this that caused at least some co-operation from him in the first place.

We must have a clear contingency plan for both the future of Iraq and for humanitarian aid if we are to win over Arab opinion and fulfil our obligations to the people of Iraq, who have suffered so much under Saddam's rule. We therefore welcome the Committee's recommendation that

> "the Government examine carefully the possible models for post-conflict reconstruction in Iraq, including a United Nations transitional authority".

Have the Government any preference in terms of structure, given Iraq's complex make-up? We welcome the conclusion that

> "any military action against Iraq should be taken on the basis of Iraq's violation of successive Security Council Resolutions, culminating to date in UNSCR 1441".

Indeed, as has been pointed out, Iraq is in violation of 17 resolutions already. We also welcome the Committee's recognition that the "obligation" is

> "on the Iraqi regime to disarm".

Last Friday, we learned that a US-UK-Spain draft resolution will be tabled this week, giving Iraq until 17 March to begin to comply. Those countries that voted four months ago to give Iraq a "final opportunity" to disarm must now uphold that commitment. They must quickly lend their support to this second resolution, making it clear that if Saddam Hussein does not disarm himself, the international community will do it for him.

As the report notes, and as the Government also recognise, the backdrop to much opinion in the middle east is the whole question of the Israeli-Palestinian dispute. The Prime Minister is right to pay such attention to this festering sore in the middle east, and we hope passionately that America's vital role in moving the peace process forward is recognised, and can be achieved. However, we, as a country, certainly have a role to play. A viable and independent Palestinian state, alongside an Israel secure within her own borders and free from the horrors of suicide bombings, is the only way that the future stability and prosperity of the region can be assured. Of course, that will not be easy. There is so much complex history, so much tragedy and so much historical baggage in the dispute, but ultimately the way to a settlement is not through violence. It will need a political solution that is based on dialogue and the rebuilding of trust. One can only hope that such a settlement will come sooner rather than later.

Greater freedom and stability has undoubtedly been brought to Afghanistan by military action backed by the UN and NATO. We also have a duty to remain committed to the promise made by the Prime Minister last year when he said:

> "We will not desert the Afghan people. We will stick with them until the job of reconstruction is done."—[*Official Report*, 24 September 2002; Vol. 390, c. 6.]

We should not, however, be sanguine about the situation in Afghanistan. We should recognise that many security problems still exist in parts of that country, and that much of the security and stability that exists is brought about by the presence of international troops.

We welcome the Government's commitment in their response to continue their commitment to Afghanistan, including financial aid. The anti-drugs policies referred to are particularly important and welcome, although an article in *The Economist* on 10 October last year, which projected a big increase in opium poppy production since the fall of the Taliban, suggests that there is still a long way to go in tackling the heroin trade at its root. While many lessons have been learnt in Afghanistan from a humanitarian perspective, it is important that we sound a note of caution to those who might suggest that it offers a blueprint for humanitarian operations in Iraq. The situations are entirely different.

Important though it is, I will not dwell on the recommendation regarding FCO travel advice, because we had a welcome opportunity to discuss the issue in the House last week.

The importance of engaging public opinion, both here and in the middle east is vital to the future success of the war against terrorism, and equally vital to our own democratic process. Parliament has continued to be kept informed, and that is to be commended. Great efforts are necessary to communicate with the public at this most difficult time, and to keep them fully in touch as developments unfold over the next few days and weeks. I can, however, think of no more appropriate conclusion than to echo the Committee's report and its recommendation in paragraph 11, which states:

> "We commend the Government for its firm and committed leadership in the war against terrorism . . . Britain has contributed substantially to ensuring that the 'international coalition' remains a reality, more than a year after the devastating terrorist attacks on the United States".

I hope that it will continue to do so, especially with regard to Iraq.

Madam Deputy Speaker (Sylvia Heal): I remind hon. Members that Mr. Speaker has imposed a 15-minute limit on speeches from Back Benchers.

2.12 pm

Mr. Eric Illsley (Barnsley, Central): I will keep my remarks relatively brief. I welcome the opportunity to contribute to this important debate on an important report. As a member of the Foreign Affairs Committee, I appreciate the comments made by the Minister and his opposite number about the significance of the report and its contents. I also commend my right hon. Friend the Member for Swansea, East (Donald Anderson) on the way in which he introduced the debate. The report and debate are timely, given that the UN is considering the issue in detail today and will continue to do so for the rest of the week.

The report is entitled, "The War against Terrorism", and those who read it will see that the situation in Iraq took over whole sections of the report, in the same way as Iraq will feature heavily in the debate. I make no excuses for mentioning that situation.

We consistently hear people referring to the crisis in Iraq. The only crisis is that Iraq is likely to be invaded in the next couple of weeks. There is no crisis coming this way from Iraq, but we tend to talk up the situation by using such emotive language. I wonder whether the urgency about dealing with the threat from Iraq—if it has weapons of mass destruction, which I question, given the most recent inspectors' reports—has more to do with the window of opportunity for military action before the summer months and the proximity of the US elections next year. The Americans do not want to wait until next winter to take military action. They have thousands of troops stationed in the Gulf—as have we—at significant cost, and the urgency relates to their wish to invade Iraq as soon as possible.

One point made by the report is that we must not be distracted from the war against terrorism. The Iraqi situation takes up most of the foreign affairs debating time in the House, and I am pleased that the recent arrests of al-Qaeda operatives show that our focus on the war against terrorism has not been completely overshadowed by Iraq. The report mentions other areas of concern, including the idea of pre-emptive self-defence, which has been mentioned already. The Committee took much evidence on that, none of which was conclusive. It is questionable whether there is a legal right to pre-emptive self-defence.

A related issue that has not yet been mentioned is targeted extra-judicial killings. Hon. Members may recall that on 3 November, a US helicopter fired a rocket and killed six suspected terrorists as they were driving through Yemen. Israel also performs extra-judicial killings in Gaza and the occupied territories. The report questions the legality of such actions.

[Mr. Eric Illsley]

The report also mentions the future of the detainees in Guantanamo bay. Those al-Qaeda and Taliban operatives have been detained for some time, with no prospect of a trial or legal action. The Government have responded to the Committee on that issue, but no action is being taken—with any urgency, at least—in respect of the detainees.

Questions have also been posed about the links between terrorist organisations and Iraq, but no such link has ever been proved. It has been commented that there are no links between Iraq and organised terrorism, and the Government have now concluded that there is no link between 11 September and Iraq, although there are links between Iraq and other terrorist organisations. The Committee found no concrete evidence of that. Our report summarises the threat posed by Iraq as the Government set it out for us, and one of the three reasons that they gave was the opportunity to develop terrorist weapons.

Mr. Mike O'Brien: I am not sure that I properly understood my hon. Friend's point. Is he saying that there is no known link between terrorism and Iraq? The Mujahedin-e-Khalq—or MEK—is definitely a terrorist organisation, and we also have clear evidence of Iraqi support for Palestinian suicide bombers. We also have intelligence information about al-Qaeda people in Iraq.

Mr. Illsley: My hon. Friend knows that the evidence shows that some terrorists are staying in Iraq, but in areas where Saddam Hussein's writ does not run. I have read the information about the other terrorist organisations and I remain unconvinced by it.

I accept the argument about suicide bombings, and that payments are made to their families. I abhor suicide bombings as much as anyone else, but I also dislike Israel's response to them, as it has used tanks to fire on unarmed civilians.

Mr. O'Brien: Will my hon. Friend give way?

Mr. Illsley: I have only 15 minutes, but I shall give way quickly to my hon. Friend.

Mr. O'Brien: Is my hon. Friend saying that he accepts that the Iraqis are supporting the MEK, which is clearly a terrorist organisation?

Mr. Illsley: I do not dispute that the Government have indicated that Iraq might be supporting that terrorist organisation, but I believe that the links are somewhat tenuous. If they were stronger, the Government might be believed.

Mr. Savidge *rose—*

Mr. Illsley: I am not giving way again.

In the past two years, I have heard Ministers say at the Dispatch Box that there is no link between Iraq and terrorist organisations. As time has gone on, the Government have changed their argument. They have moved away from suggesting Iraqi involvement in 11 September and tried to establish that country's links with other terrorist organisations. To avoid further arguments with my hon. Friend the Minister, I say only that those links are somewhat tenuous.

I accept that money has been given to the families of suicide bombers, but it is questionable whether that equates to funding terrorist organisations. Does the money go to the organisations or to the families involved? However, I shall again give the Government the benefit of the doubt, and I do not dismiss their contention out of hand.

Another argument in connection with the threat from Iraq is that it has weapons of mass destruction. The inspection regime is all about those weapons, but my right hon. Friend the Foreign Secretary told the House yesterday that the International Atomic Energy Agency had found no evidence that Iraq had re-established its nuclear programme. He said simply that he welcomed that: he did not say whether the UN Security Council accepted it, or whether the Government now accept that Iraq has no nuclear programme. However, it appears that there are no nuclear weapons in Iraq.

Hans Blix and his team of inspectors have asked for more time to try and establish whether Iraq will comply with the UN resolutions, and for inspectors to find evidence of biological or chemical weapons. I agree that there is some evidence that Iraq is dealing in such weapons—mainly because we have evidence of what was supplied to Saddam Hussein in the past. It seems that Iraq cannot win: if there is no evidence of nuclear weapons, and no such weapons to find, we cannot say that we believe that Iraq is not complying because we cannot find any nuclear weapons.

The Government's third argument is that our policies towards Iraq are designed to strengthen the international rule of law and the credibility of multilateral institutions, notably the UN. My first reaction is that we are going a funny way about it if our aim is to strengthen multilateral bodies. I shall speak in a moment about NATO, the UN and the EU, but the Foreign Affairs Committee visited the US and was told that that country is now rather tired of multilateral organisations and treaties, and that it will seek to withdraw from them. It has shown its willingness to do that with its actions in respect of the anti-ballistic missile treaty. That shows that the Americans are not committed to strengthening multilateral organisations, and their attitude to the UN has been equivocal in the past.

The Committee fully supports the commitment to the UN, but Britain and the US cannot say that we are upholding the UN by enforcing the resolutions and yet walk away from the UN when we do not get the resolution from the Security Council that we want. We cannot say that we are upholding the UN on the one hand, and then ignore it on the other. We must put our faith in the UN, or walk away from it—as the US probably wants—and allow it to fall into disuse and disrepute.

It was disconcerting to learn from the radio this morning that a British Minister is visiting countries in Africa, just as the French Foreign Minister is doing. It seems strange that another scramble for Africa, to coin a phrase, is going on. Ministers are chasing around Africa, trying to drum up support for the various positions in the UN.

The UN's credibility is at stake. A considerable split is evident. We should give more time to the inspectors to find evidence of compliance and disarmament, and we should also allow a little more time to ensure that the UN Security Council does not fall apart. The proposed time limit expires on 17 March—in a week's time—and UN member countries are in a sorry state if Ministers are chasing around Africa drumming up support for their differing positions. If a second resolution is not agreed, or if the vote is so narrowly split that it will be argued that it does not constitute a mandate for any further UN action, it will be the worst of all worlds.

If Britain or the US ignores the UN Security Council, or if we ignore a second resolution because it does not have the wording that we want, we will be giving the green light to any country or organisation to ignore UN resolutions. Last October, members of the Select Committee were sat in Richard Armitage's State Department office when the news came through that North Korea had told the American ambassador that it had a nuclear weapons programme, and what was the US going to do about it? I regard that as a credible and urgent threat—much more than Iraq.

I have mentioned the danger of splits in the UN, but there is also a worry about splits in the EU and NATO. EU countries have lined up in little alliances. France is in alliance with Germany, while Britain is to some extent allied with Spain, which supports our stance. Divisions are opening up. Britain used to be at the heart of Europe and a leader of the EU, but our influence is being affected.

Another crucial issue is the effect on NATO of Turkey's decision about its defence in the event of military action. The headlong rush to take military action in Iraq puts us in danger of causing real divisions in the organisations that I have mentioned, even though our stated policy is to strengthen them. We appear to be getting entirely the wrong result.

The report states that any military action must be on the basis of UN resolutions. I fully agree: as a Committee member, I stand by that statement, and believe that there must be a second resolution before any military action is taken against Iraq. The Committee accepts that Iraq is in breach of several UN resolutions since 1991, but we heard evidence that suggested that the idea that we should take military action to support a resolution relating to the last Gulf war was somewhat tenuous.

The report calls for a second resolution. That is crucial. I hope that the Government will take that on board, and redouble their efforts to achieve one. Moreover, they should accept the resolution as it is passed, and not make noises that any veto would be unreasonable, or that there would be unilateral action without a veto.

The hon. Member for West Suffolk (Mr. Spring) has already referred to the report's final paragraph, which states that the international coalition remains a reality. However, the way that we are going means that there is not likely to be an international coalition, as we are causing splits in so many of the international organisations in that coalition. The difficulty of achieving any such coalition will become greater if the US takes military action in the face of the UN's refusal to back such action, or if a further resolution is vetoed.

I urge the Government to look at some of those issues. They must consider whether there is an urgent threat from Iraq, and whether we should give more time to the inspectors and the UN so as to stop the damaging splits that are appearing in international bodies.

2.30 pm

Mr. Colin Breed (South-East Cornwall): It is a pleasure to follow the hon. Member for Barnsley, Central (Mr. Illsley) because I agree with much that he said. There is broad support for his views not only in this House but outside.

We welcome the decision to discuss the report of the Select Committee on Foreign Affairs on the foreign policy aspects of the war against terrorism. It is timely and appropriate. We applaud the work of the Committee and welcome its many sensible and constructive recommendations. It is pleasing that the Government broadly agree with the Committee's findings. However, in some areas, the Government must sharpen their focus and be more active.

We join the Committee in praising the Government for implementing many positive policies, such as asset freezing, which has made a major contribution, and the fostering of better links with the Arab world generally. Those policies are welcome. We remain convinced that the campaign against terrorism is best pursued through united and co-operative action with other states within an international framework that is transparent and that gives confidence to our allies and partners.

It is not enough for the Government to say simply that they would always act within the boundaries of international law. As has been pointed out, and as the Committee acknowledges, such law must evolve to meet new challenges. So far, the Government have failed to address concerns over the legitimacy of pre-emptive action and the definition of what qualifies as an imminent threat. As the Minister acknowledged, those issues are important. Many hon. Members would like to know the Government's view on the Committee's recommendation calling for the evolution of international law to reflect the rapidly developing threats that terrorist attacks now represent.

More specifically, will the Government give their views on three perceived aspects of that evolution of international law that seem to have arisen during the past few months as the international community has grappled with the Iraq problem? First, it is widely acknowledged that so-called regime change is beyond the scope of the United Nations; it is specifically excluded in article 2 of the UN charter. Do the Government propose to evolve international law to include circumstances where regime change would become a legitimate reason for intervention—military or otherwise?

Secondly, the United States and perhaps a coalition of the willing—or perhaps even a coalition of the coerced—may be embarking on a pre-emptive strike against another nation state on the premise of a perceived threat. That may be considered as revolutionary rather than evolutionary, but what clear evidence and justification ought to be provided and made public before any such pre-emptive action is authorised or commenced?

Thirdly, we have heard the Prime Minister use the concept of an unreasonable veto when considering whether he feels bound by the decisions of the United

[Mr. Colin Breed]

Nations Security Council. Such qualification surely undermines the whole validity of a veto. Either a veto is a veto or it is not. Is this a further example of the evolution of international law that the Government are seeking? If so, it needs to be much more clearly defined. In particular, the circumstances under which any such qualification can be invoked, and by whom, must be much more sharply defined.

In their response to the Committee, the Government claim:

> "Disarming Iraq removes the very real and catastrophic threat of international terrorists getting hold of weapons of mass destruction."

That denies the possibility that the opposite will happen—that terrorists will take the opportunity to lay hands on hidden reserves of such weapons under cover of the fog of war. Why do the Government believe that Saddam Hussein, who has spent so much time, effort and energy in keeping hold of his weapons, might give them up to a terrorist organisation?

Dr. Julian Lewis: It is not a question of Saddam Hussein giving up his weapons of mass destruction to terrorists. If he has retained a large quantity of anthrax, for example, he could easily spare some of it for terrorists, if he wanted to, without giving up the potential to use it himself.

Mr. Breed: I accept that it depends on how much he has. He may retain some and give up some. However, we have yet to determine whether he has any. He has made strenuous efforts not to divulge his weapons and to keep them as secret as he can.

The Liberal Democrats remain concerned that the Government's Iraq policy may exacerbate, and not decrease, the threat from terrorism, on the one hand by increasing antipathy towards the west among many communities, and, on the other, by fracturing the carefully constructed alliance against terrorism that has achieved much in the past 18 months. We need only look to Afghanistan to see an example of how military attack, when not backed with a commitment to security and substantial financial and humanitarian aid, can provide only a short-term solution. The current situation in Afghanistan is shameful. When put into context, the Government's pledge of £200 million looks modest. The total $5 billion of funds that was pledged at Tokyo was only half the estimated necessary cost of rebuilding Afghanistan, and most of that has already been spent on emergency humanitarian aid.

The Prime Minister promised not to let the world

> "walk away from Afghanistan, as it has done so many times before."

What evidence can the Minister provide to reassure the House that that promise remains true with regard to Afghanistan—and then with regard to Iraq in the event of military action?

Finally the Government have made it clear that they will continue to tackle what they see as the linked problem of rogue states and the sponsorship of terrorism

> "until the threat to this country is dealt with."

In the context of the questions I posed earlier, will the Minister outline some of the specific criteria that the Government will use when assessing whether a country is a sufficient threat to this nation to justify unauthorised pre-emptive military action?

The chairman of the Select Committee, the right hon. Member for Swansea, East (Donald Anderson), gave us a text and a quotation. I will end with a sentiment with which I know he is familiar. It is the peacemakers who are blessed.

2.38 pm

Mr. Malcolm Savidge (Aberdeen, North): I congratulate the Select Committee on producing an admirable report. Even though it contains items with which some people may disagree, it is, as the Chairman said, very informative and useful at this time. I agree with the Committee that the UK was right to take a leading role in the campaign against terror. We were right, after the terrible events of 11 September, to identify fully with the United States. It was also right to say that 11 September should not be regarded solely as a US tragedy but as a global tragedy that the world should work together on. In many ways, it is a pity that the Bush Administration have not recognised that sufficiently.

The hon. Member for West Suffolk (Mr. Spring) spoke graciously about the way in which the Prime Minister helped to build a broad international coalition. We have a major danger to tackle, and the greatest danger of all is the possible combination of terrorism and weapons of mass destruction. As I have previously suggested in this place, a suicide bomber driving around this neighbourhood with a nuclear device in the back of his van could wipe out the whole of Westminster, Whitehall and Buckingham palace, creating a major disaster against which we could do little to defend ourselves.

It is terribly important to use accurate definitions. There is an important difference, which was well defined in what the Prime Minister said immediately after 11 September, between unconditional terrorists and political terrorists, although both are appalling. By unconditional terrorists, I mean groups such as al-Qaeda, the Aum sect or other apocalyptical or fanatical sects, whose goals are not really attainable and which feel that destroying vast numbers of people is a desirable aim.

We should distinguish between that form of terrorism and political terrorism, such as that of the Northern Ireland paramilitaries and some of the other groups that have been mentioned in the debate. As such groups have specific political aims, it is not in their interest to try to destroy large numbers of people. That would counteract their aims. Evil though all terrorism is, it is important to make those distinctions, despite the fact that there can be overlap between the bad acts that such people commit.

It is also important to define the term "weapons of mass destruction" much more carefully. The US National Academy of Sciences has said that it is dangerous to use that term because it blurs the distinction between nuclear weapons and the whole range of radiological, biological and chemical weapons, many of which are not really weapons of mass destruction. A tremendous fuss has been made about ricin. It is lethal as a means of assassination but it is not particularly easy to use as a weapon of mass destruction. It is important to make that distinction clear.

Dr. Julian Lewis: Surely the distinction is not between nuclear weapons and the other weapons that the hon. Gentleman describes but between the lethality of the weapons concerned. Just as there are nuclear weapons that kill many people and mini-nuclear weapons that are not weapons of mass destruction, so ricin is not a weapon of mass destruction, but anthrax is.

Mr. Savidge: Experiments in the US suggest that even anthrax needs to be highly weaponised. There are considerably difficulties in using it as a weapon. The distinctions are important.

International unity is vital in the campaign against terrorism. There is no doubt that Iraq has been a great cause of division in the international community. However, its military forces are weak and the missiles that it has retained are limited in range, accuracy and number. Its unmanned aerial vehicles—UAVs—can travel 500 miles at most, so it is absurd scaremongering on the part of the United States President to say that Iraq could attack the US with biological and chemical weapons at any moment.

The Iraqis do not have nuclear weapons—they were destroyed—and the impression formed by the inspectors so far is that the nuclear weapons programme has not been restarted and that the evidence produced to show that it had was fake. That point is crucial and I thought that it had been accepted by the Foreign Secretary, although the Minister seemed to question it.

On biological and chemical weapons, dossiers have been produced by the Government, the International Institute for Strategic Studies and the CIA. I do not accuse them of not making intelligent guesses, but the evidence from the inspectors tends to the view that we have probably overestimated the number of such weapons that remain in Iraq. Certainly, the amount is considerably less than it was in the 1980s and 1990s.

On Iraq's links with terrorism, there are no proven connections between Iraq and 11 September. Connections with al-Qaeda have usually proved false. Havel denied the truth of the Czech connection that he had previously suggested. The video of Osama bin Laden was absurdly latched on to by Colin Powell; it gave no proof.

Mr. Paul Tyler (North Cornwall): Was the hon. Gentleman as impressed as I was by the clear definition given by the right hon. and learned Member for Rushcliffe (Mr. Clarke) during our debate on Iraq of the dangers of creating an even more fertile atmosphere for terrorism by a pre-emptive strike from the United States, possibly supported by the United Kingdom? Terrorism and Iraq are two connected yet separate issues.

Mr. Savidge: I take the hon. Gentleman's point completely and will try to deal with it at the end of my speech.

Our intelligence services say that there are no current links between Iraq and al-Qaeda. It is unfortunate that the Prime Minister has found an ambiguous formulation, which seems to imply that there could be links although there is no evidence for them. In fact, the strongest link between Iraq and al-Qaeda is that at one time both were supplied with weapons by some of the right-wing hawks who now demand war against Iraq.

There are links with certain terrorist groups, but I would make the distinction that those groups are political terrorists. George Tenet was forced by the Senate to declare the results of the CIA investigations, which were that the CIA believed there to be no evidence that Saddam Hussein was currently likely to use whatever weapons of mass destruction he held, or to pass them on to terrorists, but that the risk of that would be greatly increased by an invasion.

As the right hon. Member for Swansea, East (Donald Anderson), the Chairman of the Select Committee, pointed out, Iraq is only one of the many sources of weapons of mass destruction, but others are more likely to pass them to terrorists. The hon. Member for South-East Cornwall (Mr. Breed) referred to an unfortunate phrase in the Government's response to the Select Committee report, which stated:

> "Disarming Iraq removes the very real and catastrophic threat of international terrorists getting hold of weapons of mass destruction."

That is extreme and dangerous language. It removes only one of the lesser threats. Of course, it is vital that Iraq should be disarmed, and that will be achieved by the military pressure that is being applied.

The choice is not between going to war and doing nothing; it is about continuing with intrusive inspections and proper flight surveillance. The inspectors say that can be achieved within months with the degree of co-operation that has been obtained. There can then be monitoring and constant verification and containment.

The demand that Saddam give positive, active and enthusiastic compliance like South Africa did is meaningless. South Africa was getting rid of weapons voluntarily; we know that Saddam is not doing that. The proper comparison would be with decommissioning in Northern Ireland.

The difficulties of decommissioning have been grossly exaggerated. We have much better technical facilities and much more intrusive inspections are being undertaken than in the 1990s. Terrible exaggerations are being made. Everyone believes that Iraq is the same size as France, yet France is a quarter as large again. Saddam controls less than half of Iraq and most of that is sand and desert where the type of cat and mouse game suggested by Colin Powell is much more difficult to play.

Continued exaggeration and distortion is a tragedy and a cause of grave, grave worry. The Select Committee found that the dodgy Downing street document was accepted by the Prime Minister; it was commissioned by his office and presented by him to the House. That is a matter of grave concern when we are discussing something as serious as being led into pre-emptive war.

I fear that in the US scaremongering is leading to warmongering, and we must not let that happen. There is danger in the fact that the arguments for war are constantly being changed, especially when we are talking about that dangerous concept of pre-emptive war to which the Chairman of the Select Committee referred. The UN resolutions are not sufficient grounds

[Mr. Savidge]

for starting a war. There is no immediate or imminent threat of attack from Iraq. We need evidence of a real threat, plus a second resolution, for war conceivably to be justified.

I do not know what talk of "unreasonable vetoes" means. Perhaps we should be talking about "unreasonable proposed resolutions" or "unreasonable presidents". I hope that we do not have to talk about "unreasonable Prime Ministers".

If there is no second resolution, it is surely not acceptable that this country should be led to war without Parliament at least being consulted first. That is absolutely vital. We do not want this country to be led to a war without a second resolution and then Parliament to be told that we would betray our troops if we criticised the war. Frankly, if we were led to war in those circumstances, that would betray the troops. It would betray the British people and the principles that we should be standing for, and it would certainly betray the UN.

I want to conclude by giving some of the reasons why this would be an extremely dangerous war to get involved in: it would be in breach of international law—that is certainly what most international jurists have said—and it would be terribly damaging to the UN. There is the danger that, if biological and chemical weapons were used against Israel and that led to a nuclear response, the human catastrophe, plus the follow-on effects, would be beyond belief.

If Iraq is invaded, there is a much greater danger that whatever personnel or materials Saddam has from a weapons of mass destruction programme will be dispersed across the world. In fact, the danger is that, by that very attack, we will increase the push for proliferation, particularly given the US policies suggesting that it might break its agreements under the nuclear non-proliferation treaty. Invasion could open the Pandora's box in the middle east referred to by King Abdullah of Jordan. It could distract from and undermine the campaign against terrorism. It could provoke much greater resentment in the Arab countries and perhaps the whole Islamic world and, for that very reason, it could inflame terrorism, rather than reduce it.

We face a particular threat in Britain. While in the United Kingdom most people may regard the Prime Minister as having played a moderating role in relation to the Bush Administration, people elsewhere will see him as the essential co-conspirator in bringing about a war, so we will have an extra threat of suffering from terrorism.

Let us suppose that most of the fears that I have expressed were not realised and that there was a quick war. I would still say that there are two other appalling dangers, the first of which is embarking on the whole concept of pre-emptive war. Whom does the west attack next? Who follows our example? What is the difference between this and what was condemned in the first two counts of the Nuremberg tribunal in 1946—conspiracy towards war and crimes against the peace?

The final point that I would make is that if, as Nelson Mandela has suggested, this is a recipe for international anarchy, in a world where we cannot disinvent weapons of mass destruction, surely the future for the whole of humanity would be extremely bleak.

2.53 pm

Mr. John Maples (Stratford-on-Avon): The hon. Member for Aberdeen, North (Mr. Savidge) has pretty effectively exposed most of the chinks in the Government's case. I listened with interest to what he had to say, but I hope that he will forgive me if I do not follow him down that path. I wish to deal with two aspects of the Select Committee's report in relation to development in the Arab world and the Arab-Israeli peace process, but before I do so, I should like to follow up a point that I made with the Foreign Secretary yesterday.

One of the things that bothers me about all that is going on with Iraq—by and large, I support the Government's policy on Iraq—is the damage that it appears to be doing to the western alliance. We have the spectre of a German political leader running his general election campaign on an anti-American platform. We have the absolutely preposterous fact of a French Foreign Minister travelling the world, drumming up opposition to their main and supposed allies.

It is easy to indulge in a lot of French bashing about that, but we must rebuild some of those bridges. If we believe in multilateralism, all of us have to play our part in that. One can lay some of the blame at the door of the United States for not mounting a big enough diplomatic effort before it launched this policy. The policy seems to have come first and a lot of diplomatic effort came second. That was perhaps a mistake. There should have been more diplomatic effort earlier. It seems that the policy was led not by the State Department, but by the Pentagon. If it had been led by the State Department, perhaps there would have been more diplomatic bridge building beforehand, and perhaps the French and Germans would not have behaved in quite the way they have done.

It is difficult to understand what the French are trying to achieve. My belief is that the Germans will come back on side fairly quickly—they have gone rather silent recently—but I do not know how the French will extricate themselves from this mess. There seems to be a delusion in the Elysée palace—perhaps if someone is going to have delusions, that is the place to have them. Nevertheless, there seems to be a delusion that France is still a great power. It certainly has not been a great power since 1918; it certainly has not been a world-beating great power since about 1815. That is an extraordinary policy for France to pursue, and it has left the common foreign and security policy in ruins.

The likelihood of France being the leader of European foreign policy, particularly in the new European Union with 25 or 26 members, is now completely unrealistic. That may put us in a rather stronger position, although it may make the common foreign policy meaningless. By and large, I am not a huge supporter of that policy, but European countries need to do some things in common where they have common interests. The prospect of that has been seriously damaged. Perhaps more worryingly, NATO has been damaged. The Select Committee is going to visit NATO tomorrow, so perhaps we will return with a better impression of what is happening.

After this is over, we have to try to rebuild the western alliance. If we succeed in Iraq at the expense of permanently damaging the western alliance, it would be a very high price to pay indeed. I hope that the Government will devote considerable effort, along with our American colleagues, to preventing that, and I sincerely hope that the French and German Governments will realise that they have damaged themselves and the western alliance in pursuing their policies and that they will participate in that effort, too.

Mr. Tyler: The hon. Gentleman's thesis is perfectly proper, but does he agree that it is no more acceptable to bash the French than to bash the Americans if we are trying to rebuild the bridges, as he suggests? Does he accept that the Americans also have a responsibility in this matter?

Mr. Maples: I thought that I had said that. I tried to be fairly even-handed by saying that the American diplomatic effort should have come earlier and been stronger.

Mr. Tyler: That does not seem to be the hon. Gentleman's colleagues' view.

Mr. Maples: I am speaking for myself in this debate. One of the luxuries of being a Back Bencher is that I can be dangerous and irresponsible if I want to be, but I do not have to express anyone else's views. Of course multilateralism requires everyone to behave like a multilateralist.

Sir Patrick Cormack (South Staffordshire): My hon. Friend is a very valued member of the Foreign Affairs Committee, but does he not agree that many of us believe that the French have behaved utterly disgracefully, and it is not the first time that they have endangered NATO either?

Mr. Maples: I thought that I had said that; I did not put it in quite the words that my hon. Friend uses, but I said that it was pretty preposterous for the French Foreign Minister to be doing what he is doing, that I do not understand how the French will get out of the mess, and that that has seriously damaged the western alliance. However, after this is over, we have to try to rebuild the alliance, so we cannot indulge in bashing anyone; our Government and those of the other countries involved will have to start rebuilding the bridges.

I turn now to the development of the Arab world, which we addressed in the report and in the previous one, too. The Government have responded positively to the concept of needing to help our allies in the region to become more stable and better allies. We believe that that needs to be done through political and economic development in those areas. A lot has been said about that recently, and the United Nations Development Programme report on Arab human development is a damning indictment of a part of the world that democracy and free markets seem to have bypassed completely. We have had a revolution in the past 13 or 14 years, in which the world has been overwhelmed by democracy and free markets, but somehow the Arab world has been exempt from that—it has bypassed it—and we have to ensure that that does not continue.

The report highlights deficiencies in the education system and in the involvement of women, as well as the lack of basic, fundamental freedoms and the rule of law. It highlights the problems that are being presented by demography. An incredible percentage of the population is under the age of 20. Gross domestic product per head, even in a prosperous country such as Saudi Arabia, is half what it was 20 years ago.

We are seeing the difficulty of rentier economies living off oil incomes, trying to convert themselves into industrial economies. They are simply not setting about that in the right way. We are seeing corruption, the confusion of Governments with ruling elites, as well as the confusion of their money, and the complete absence of democracy, although we are seeing tentative steps to change that in Bahrain, Qatar, Kuwait and Jordan; perhaps those steps can be built on and will be examples to others.

There are 260 million people in the Arab world, but they produce less than 40 million Spaniards do. The Arab world represents only 1 per cent. of non-oil world trade. Those are damning figures for countries that, on the whole, have long histories of being civilised and educated, and of having educated elites.

As I said, we have raised these issues twice, and the United States has started to address them. Both Richard Haass, the policy director in the State Department, and Colin Powell, the Secretary of State, have made interesting speeches recently on this subject. The US-middle east partnership initiative has been established. I hope that we are supporting that, and perhaps we could even have one of our own. Colin Powell said:

> "The spread of democracy and free markets, fuelled by the wonders of the technological revolution, has created a dynamo that can generate prosperity and human well-being on an unprecedented scale. But this revolution has left much of the Middle East behind . . . Still, too many Middle Easterners are ruled by closed political systems. Too many governments curb the institutions of civil society as a threat, rather than welcome them as the basis for a free, dynamic, and hopeful society. And the language of hate, exclusion, and incitement to violence is still all too common throughout the region."

He continued:

> "The authors of the Arab Development Report have found that 'education has begun to lose its significant role as a means of achieving social advancement in Arab countries, turning instead into a means of perpetuating social stratification and poverty.'"

That is a long list of things that need to be done.

What worries me, however, is that Saudi Arabia seems ripe for an Iranian-style revolution unless it mends its ways. In those circumstances, it is not a stable ally. We want it to remain a friend and an ally, but sometimes we must tell our friends that they must change their ways if they are to be useful in that partnership. We are seeing possible developments in Iran that are very encouraging; we do not know whether the democratic forces will win out in the end; I suspect that they will, but it may take longer than we think. Perhaps, however, we are seeing the development of the rule of law and democracy in Iran. It has taken 24 years since its revolution to even start to see the glimmerings of that, but we need to encourage those moves. We need the Arab word to start to feel some self-confidence and pride in developing its economy and institutions. It must not identify itself with Osama bin Laden, terrorists and suicide bombers in Israel.

When the Minister replies, I hope that he will tell us in greater detail and more specifically what the Government are doing, in conjunction with European

[Mr. Maples]

Union partners, in conjunction with the United States initiative that I mentioned, or on their own, to encourage this process. They responded in warm but generalised tones to our report on the matter, but I would be interested to hear a more specific response.

Thirdly, I want to ride a hobby-horse that I have been riding for some time, but there is no harm in repeating such points—I am sorry if anyone present has been in the audience before. The Arab-Israeli peace process is going nowhere. Anybody who thinks that the Quartet group, its road map, all the other pretentious trappings that go with it, and its international conferences, will get Ariel Sharon and Arafat to do a deal that could not be done by Barak and Arafat at Taba in the spring of 2001 is deluding themselves. There is some diplomatic value in pretending to go through a process, and appearing to take it very seriously, but a solution to the problem will not be achieved through the Quartet group. People say that it will come only through dialogue, agreement and confidence building. It will not come through any of those things. It will come if it is imposed by the rest of us. It is time we addressed that as a serious alternative to years and years of international conferences, initiatives, and confidence-building measures, none of which have worked.

President Clinton devoted an enormous amount of the time of his Administration to trying to solve this problem. The talks at Camp David collapsed—or did not succeed—and they were reinstated at Taba a few months later. We all know that the deal on the table at Taba is the deal that is going to be done: two states; capitals in Jerusalem; and a limited solution to the refugee problem. All those were on the table, but Arafat and Barak could not do that deal. The reason Arafat could not do that deal is domestic; it has to do with his constituency. Either he is terrified of getting assassinated if he does the deal, or he does not want to be the Palestinian leader who finally sells out and agrees to a permanent state of Israel in the middle east.

If Barak could not persuade Arafat to do that deal, it is highly unlikely that Sharon will persuade him to do it, as my guess is that there is no way Sharon will ever offer as good a deal as Barak offered. We are therefore stuck. The idea that the Quartet group will solve the problem by marching through the diplomatic niceties of international conferences is not realistic. Some very serious arm-twisting will have to be done.

I do not feel that I am taking sides by proposing that we should seek to enforce the deal that was on the table at Taba. It is as fair a deal for both sides as it is possible to conjure out of the difficult history and strong feelings that abound in this dispute. I suggest to the Government—the Minister has heard me make this point before—that it is now time for us to use the United Nations to pass a mandatory resolution under chapter VII imposing that settlement. More negotiation could go into the niceties of which settlements are in or out, and whether the borders are 1 km this way or that way. Basically, however, we know what the deal will be, and we need a UN Security Council mandatory resolution passed under chapter VII saying, "That is the deal. You can decide whether you accept it or not, but you can no longer use some minor negotiating point as an alibi for not agreeing or implementing it." That is what they all do at the moment. They say, "We couldn't agree with that because it didn't deal with this settlement," or "We couldn't agree with that because it didn't deal with the refugees." If all those issues were dealt with in the resolution, the parties would then have to consider whether to implement it or not. If we had the United Nations Security Council and the leading countries in the Arab world on side—in this context, that means the Governments of Saudi Arabia and Egypt—that would be enough diplomatic pressure to twist their arms into accepting it.

Mr. Breed: If such a resolution were vetoed by the US, would the hon. Gentleman consider that unreasonable?

Mr. Maples: I am trying to construct a solution to a problem, and the hon. Gentleman is throwing an artificial hand grenade into the middle of it. Of course, if somebody vetoes it, and the UN Security Council cannot agree to it, it cannot happen. The United States, however, wants and needs a solution to the problem. It has difficulties, as we all do, with the history of the problem and how we approach it. It can work only if the UN Security Council agrees and if Saudi Arabia and Egypt agree, too. At the Beirut Arab summit, back in the autumn of last year, Israel was essentially offered that deal, under which, if the various conditions were accepted, the state of Israel would be recognised. Crown Prince Abdullah of Saudi Arabia has said the same thing. There is real mileage in that.

It is time our Government, the United States Government and the UN concentrated on trying to find a solution in that way. If, in the context of having to concentrate on the problems of the middle east, we could help to find a solution to the Arab-Israeli conflict, and help the development of civil society, freedom, and, eventually, democracy in the Arab world, we would have a chance of bringing stability to a region that has troubled our security and our interests for far too long.

3.7 pm

Richard Burden (Birmingham, Northfield): I join other Members in congratulating the Select Committee on a comprehensive report. Perhaps unsurprisingly, I will address the majority of my remarks to the sections of the report dealing with the situation in Iraq and some related issues.

One of the strengths of the report is that it avoids some of the caricatures that are creeping into comments being made on both sides of the debate on Iraq. I am one of those who voted for the amendment two weeks ago and who are sceptical about military action. But those who take that view need to be cautious about characterising all those who take a different view as people who think that war is a desirable outcome. Those of us who argue for a different course must also avoid caricaturing us as soft on Saddam and not willing to face up to responsibilities.

There are things on which we all agree. We can all agree that Saddam is duplicitous; there is no doubt about that. We can all agree that he has failed to meet, and has tried to avoid, his obligations under UN resolutions for many years. We can all agree that his regime is brutal and ruthless, particularly towards his own people. When the Prime Minister posed the question on several occasions—whether we honestly believed that the weapons inspectors would be back in Iraq today without the threat of force—he was right to do so. Pressure on Saddam has been vital in getting the weapons inspectors back into Iraq. That brings us to the nub of the argument: how can that pressure be used and best be taken forward in a way that achieves the results that we want and does not produce unwanted results that could be serious not only for Iraq but for the entire world?

As the world stands on the brink of a possible war, the international community is divided in a way that could threaten the credibility of the United Nations as a multilateral institution for many years to come. We should not be surprised by that or by the fact that Saddam is trying to exploit the situation. However, no one has a monopoly on seriousness in saying how we deal with the issue. That is why we should take account of the messages that are being sent.

We must recognise that the international community has perhaps avoided for too long facing up to how it deals with Saddam. That is the first message that we need to understand. However, I say to the Government in all seriousness that they need to understand that many people in the House and outside do not accept that the United States Administration want to use force as a last resort or use the threat of force as a means of pressuring Saddam into achieving disarmament by peaceful means. They believe that the Administration in the White House decided almost a year ago that military action would be taken. That Administration decided to pause to go down the UN route, and all credit to the Prime Minister for his efforts in achieving that. However, it was a just a pause.

The United States has not treated the United Nations as a partner. It has issued ultimatums to the UN for a course of action that has already been decided. The result is not in doubt—there is an inexorable move towards military action. That is why some of us found it chilling to hear President Bush say a month or two ago that he was bored with the results of non-military action in the same way that he gets bored with watching a tired oid B-movie. That is no way to build consensus in the international community about how we confront Saddam.

The real tragedy is that we have backed ourselves into a corner. We are reluctant to admit that our actions are producing results, albeit partial results. Instead of considering how we can take the pressure forward and use and exploit the movement by Saddam that has occurred, we are reluctant to admit that movement is even taking place. We are almost saying that anything short of an invasion will somehow let Saddam off the hook or will involve easing the pressure on him even if, objectively, we ratcheted up the pressure on Saddam. The end result is that the United States and, sadly, our Government have ended up at odds with many of their greatest supporters in this place and many people outside. We must move beyond that.

The question often asked is, "All right, what would you do?" I shall therefore make a few points about what we could do. The beginnings of a solution can be found in the Blix report of last week. He did not talk about refusing to face up to Saddam; he talked about a clear work programme, based around inspections—not for weeks, not for years, but for months—that could keep up the pressure on Saddam. That could be compatible with the UK proposal that I thought I heard on the airwaves today about setting a series of tests for Saddam to establish how far he is prepared to face up to his obligations. There is a slim chance at the eleventh hour that a consensus could build around such a proposal.

It would take two things for such a proposal to work. The first is that those of us who take a different view from the Government must be clear that the pressure must be kept up and must be real. There is no doubt that Saddam will continue to try to avoid his responsibilities. However, the UK and US Governments must also stop basing everything around ultimatums and predetermined time scales, even if those ultimatums and time scales are time scales plus one or two weeks. In other words, the tests must be real rather than hair triggers that are set up to fail.

The authority for such tests is there and ready for us to take. It lies with the Blix team. The UK and US Governments cannot set themselves above the process by setting their own tests and almost challenging the Blix team to go along with them. We must recognise that Blix has the expertise and that his team is the route that we should use.

Let us not just be cautious about ultimatums towards Saddam. Let us also be cautious about ultimatums towards our allies. If we are to avoid the risks of such ultimatums, we must stop sending mixed messages about the role of the UN. Somehow, the impression has been given that we will go along with the UN when that suits us, but that we will not if it does not suit us. It is not the prerogative of the US President to arbitrate when global pre-emptive strikes are appropriate and when they are not. That is the UN's prerogative. That is why we created and fashioned it.

My second suggestion about what we could do recognises that it is not enough just to tackle the issue of disarmament. There is also a moral case for considering how the international community can give practical assistance to the people of Iraq to help to protect them from Saddam and, I hope, to rid themselves of such a tyrant. There is certainly a case for ensuring that the emerging democracy that is developing in north Iraq and in the Kurdish areas is supported and protected. My hon. Friend the Member for Cynon Valley (Ann Clwyd) has spoken graphically and eloquently on the issue, and we need to be firm in relation to the no-fly zone.

That also means that we should consider creative ways of changing the sanctions regime to ensure that aid goes to those areas. In doing that, we could issue a challenge to Saddam. He must co-operate and allow us to get supplies and aid into the emerging areas of democracy in Iraq. That would pose him with a dilemma. If he allowed that to happen, his regime would start to get a bit shaky. His authority in his country would be undermined, and a good thing too. If he did not go along with us and blocked the convoys and aid and perhaps even attacked them, there would be a different case for military action. That case would command wide support in the House and internationally.

No one will be surprised to hear that my third suggestion relates to tackling the issue of double standards. The problem is real and it will not go away. Those people who say that the road to peace in the

[Richard Burden]

middle east goes through Baghdad are not only a bit geographically challenged but a bit politically challenged as well. Perhaps it is not surprising that people keep talking about road maps. Someone would need a road map of the middle east to work out where such a road would go.

The charge is real that we have not treated Israel and Palestine in the same way. Time and time again, we are told that we need to get the peace process going. Yes, that is true. We are told that the answer is more talking and, yes, we need more talking. We are told that Iraq is subject to chapter VII resolutions that require enforcement, but that the resolutions for the situation in Israel and Palestine are chapter VI resolutions that do not carry the same enforcement mechanisms. Technically that is absolutely true. It is also absolutely true that chapter VI resolutions are as equally legally binding as chapter VII resolutions.

Thousands of people died in the twin towers in America and the fact that so many people died rightly had a cataclysmic effect on American public opinion. However, what do we say to the Palestinians given that more than 2,000 of them have died since September 2000, or to the Israelis given that 700 of them have died since then? If that happened in Britain, the equivalent figures would be 7,000 Israelis or 37,000 Palestinians dying. If that happened in the United States, it would be the equivalent of 33,000 Israelis or 174,000 Palestinians dying. Faced with those figures—those lives—try telling anyone in the Arab world that the place for action is in Iraq and that all the people in Israel and Palestine need are words. If we look at the problem that way, we begin to understand why they are so bothered and angered about double standards.

I support the efforts to get the peace process going. I also support my right hon. Friends the Prime Minister and the Foreign Secretary in calling for early publication of the road map, but we need to do more than that. We need to consider how the will of the United Nations will not just be talked about, but upheld. The hon. Member for Stratford-on-Avon (Mr. Maples) had some interesting ideas on that. We need to face up to the fact that we have a responsibility to achieve results. It is not enough merely to engage in talk that makes us feel better, and the United States has the clearest responsibility of all.

We all rightly condemned the appalling Haifa attack last week. It was also the first fatal attack on Israeli civilians since the middle of January. During that time, 174 Palestinian men, women and children have died in attacks from Israeli tanks, missiles and aircraft, many of them supplied by the United States. There is effectively an arms embargo against the Palestinians—we know that from the furore arising from an allegation of arms shipments going to them last year—but there is no arms embargo against Israel. Faced with carnage on that scale and the Sharon Government, who refuse to respond even when there is a lull in fighting, the time has come for the United States to do something. If it means what it says about wanting peace in the middle east and about its actions in Iraq not being an attack on Islam, it must face up to the consequences that flow from that. One of those is that it is time that the United States stopped its arms shipments to Israel, and we, as its closest ally, may be best placed to tell it that.

3.22 pm

Dr. Julian Lewis (New Forest, East): I would have been more impressed with the analysis of the middle east by the hon. Member for Birmingham, Northfield (Richard Burden) had he addressed what my hon. Friend the Member for Stratford-on-Avon (Mr. Maples) said about a middle east settlement. The settlement is on the table and is clear. It was nearly achieved before and the only way in which it will be achieved in the foreseeable future will not be as a result of recriminatory speeches about one side in the middle east dispute, like that of the hon. Gentleman, but for both sides to be forced to reach a compromise agreement so that they have their own states and the security that they require.

The Select Committee produced a thoughtful report that was thoughtfully presented by the right hon. Member for Swansea, East (Donald Anderson). However, I do not agree that the problems raised in it are entirely new—except, perhaps, in one respect: the threat that terrorist organisations might acquire weapons of mass destruction that have so far only been available to state actors. Some of the problems are similar to the age-old problems that have faced democracies in conflict situations whenever they arise, such as how far a democratic country should go down the route of the enemy that it is striving to defeat in time of war or other conflict.

Hon. Members may know that, during the second world war, the film producers Michael Powell and Emeric Pressburger created a masterpiece, "The Life and Death of Colonel Blimp", based on David Low's famous character of a stick-in-the-mud, though brave, British officer. Churchill was said to be very upset about the film being produced in wartime because it portrayed a German, who was one of the main characters, extremely sympathetically. Churchill had not seen the film, as is so often the case with people who criticise in ignorance, but the sympathetic German character was saying that the Colonel Blimp approach—the honourable approach; the play-it-by-the-rules-in-time-of-war approach—could not always be sustained in moments of grave crisis. Indeed, the German character argued that total war meant that difficult decisions which would not be regarded as acceptable in times of peace might have to be taken in times of war.

Mr. Tyrie: My hon. Friend has mentioned one of my favourite films and he makes an interesting analogy. Does he take that logic to mean that we should justify the use of torture on terrorist suspects?

Dr. Lewis: That is precisely one of the dilemmas that countries face in such circumstances. It would not be right for a country to institutionalise the use of torture to extract information. However, I defy my hon. Friend to deny that that will not happen under the pressure of events if that pressure is great enough. I am glad that he has raised that example. Some hon. Members would undoubtedly find it easy to say that under no circumstances should improper pressure ever be applied to a prisoner; but if bin Laden had been in American hands shortly before 11 September and it had been known that al-Qaeda was about to launch a deadly attack, although it was not known when or where it would fall, who could say that it would be a cut-and-dried recommendation that under no circumstances should he have been subjected to what we would usually regard as improper pressure? The truth of the matter is that there can be no absolute rules in such cases. Each case has to be judged on its merits in the circumstances that apply at the time. If people say that that is totally unacceptable, I say that their attitude is totally unrealistic.

I remember reading how, at the start of the second world war, British bombers were not allowed to bomb anything other than German ships at sea because only then would they have the assurance that innocent civilians would not be caught up as casualties. How long did that restriction last under the pressure of war?

Mr. Peter Kilfoyle (Liverpool, Walton): Leaving aside the fact that the United Nations charter explicitly rules out the use of torture and that the hon. Gentleman seems to advocate a relative morality that would sit ill with him on other occasions, may I posit another possibility? He will have read what Prime Minister Sharon said at the weekend about potential nuclear facilities or developments in Iran. In that instance, does he accept that another pre-emptive strike would be acceptable on the grounds that Iran may or may not develop nuclear weapons from its civil programme?

Dr. Lewis: That is a very good scenario to consider, and I shall do so in a moment. I should like to correct the hon. Gentleman. I am not trying to say what is or is not acceptable; I am trying to make the House think about what is or is not realistic. It is not realistic to think that in issues of war and peace, even the finest rules, the finest laws and the finest conventions drawn up by the finest lawyers will be enough to ensure that every circumstance is catered for because, believe me, under the pressure of events, we find that they are not.

In giving the example that he did, the hon. Gentleman anticipated that I was about to refer, as the right hon. Member for Swansea, East did in his opening remarks, to the Israeli bombing of the Iraqi reactor in 1981. That is a classic example of a case that is not open and shut. At the time, I felt that the Israelis had a pretty good case for doing what they did. Retrospectively, more people believe that, but it is clear from the thoughtful remarks of the right hon. Gentleman, the Chairman of the Select Committee, that although the Committee thought that there was an arguable case for the action, on balance it felt that the Israelis were too pre-emptive in acting against a possibility that was too far in the future.

I return to the main point of this part of my presentation, which is that these matters are not black and white; they are not open and shut; and they cannot be decided by rules alone. There will always be scope for argument within the circumstances of the particular case. I shall give another example: the question of targeted assassination. One could say that a double standard has been applied by our American allies in this matter. They have, as far as I know, consistently condemned the Israelis for using targeted assassination against Hamas militants. Yet the Americans were over the moon when, not so long ago, they had a successful similar attack against a number of leading al-Qaeda suspects in a car. The truth is that when one is at war those rules will be stretched to the point where sometimes they will be broken.

There is nothing new in talking about targeted assassination. Which is better—targeted assassination against a known Hamas leader, tanks rolling into a base where Hamas people are mixed in with innocent civilians, or doing nothing and letting one's own people be attacked with impunity? Such dilemmas have come up time and again, and there are arguments for all those courses. The issue goes back a long way. Sir Thomas More, writing in his famous book "Utopia", recommended as one solution to the problem of war that when armies formed against one another, a group of shock troops from one's own army should target the enemy general and attack him, and only him, in wave after wave until he was eliminated, and thus bring the battle to a speedy end—a policy of targeted assassination.

Churchill, in 1944, faced with the V-weapon threat, ardently advocated the use of gas against the V-weapon sites, pointing out when people objected that in the first world war there had been an absolute bar on the bombing of cities but gas was used freely, and now, in the second world war, every one was bombing cities, but no one was thinking of using gas. In the end, the reason that gas was not used was not a moral one: the chiefs of staff convinced Churchill that gas would be less effective in those circumstances than ordinary high explosive. Let us not fool ourselves into thinking that such dilemmas, conflicts and wars can be resolved by sets of rules. Rules help us but they cannot do the whole job.

Mr. Kilfoyle: It is highly erroneous of the hon. Gentleman to suggest that what would be, in modern military parlance, an attack on the command and control centres—the general in charge—is targeted assassination. It is far removed from that. Targeted assassination was the subject of much debate in this House in relation to the shoot-to-kill policy in Northern Ireland. Does he accept that it was right to shoot to kill in Northern Ireland?

Dr. Lewis: It would depend on the circumstances. If an IRA cell, as at Loughall, was trying to mount a lethal attack and was ambushed, I would not shed any tears for the people whose lives ended under such circumstances.

The hon. Gentleman has brought me neatly to my next point. Terrorists cannot have it both ways. They cannot claim on the one hand to declare war on people but, on the other, that they should be immune from the lowering of standards that inevitably occurs during war. Make no mistake, war has been declared by terrorists who have rightly been described by the hon. Member for Aberdeen, North (Mr. Savidge) as apocalyptic. In war, some liberties are inevitably sacrificed to preserve liberty overall. My argument is simple, and I shall reiterate it—there are no easy answers, each case must be considered on its own merits, and the application of abstract principles can never be absolute, however desirable that may be.

There is a war on two fronts. There is a war involving rogue states that are creating weapons of mass destruction, and there is a war involving terror groups

[Dr. Lewis]

hellbent on using them. The ability to fight a war on two fronts is often called into question, but in this case entirely different resources are required to fight on each front. The resources required to fight the rogue states creating weapons of mass destruction are conventional, but the resources required to fight groups such as al-Qaeda are intelligence and security measures. The two battles that are being fought simultaneously are complementary—they are not in competition with each other.

Terrorism has complicated the problem of Iraq and has proved retrospectively that it was wrong to set the preservation of the coalition in 1991 above the desire to topple Saddam Hussein at that time. Because of terrorism, it is wrong to put all our faith in the United Nations now, just as it was wrong to put all our faith in the League of Nations in the 1930s. The United Nations, like the League of Nations, is not a world government and is easily undermined if its members fail to face up to the need for action. Future generations will find it incomprehensible as well as bizarre that a lethal, tyrannical bully like Saddam should have been tolerated for so long by so many people who created so large a protest in such a thoroughly bad cause.

3.38 pm

Mr. Hilton Dawson (Lancaster and Wyre): It is remarkable that I should follow the hon. Member for New Forest, East (Dr. Lewis). I will not join him on the slippery slope. Considering his history of CND-baiting, he has just made a tremendous if oblique plea for the principles of pacifism.

We have had an excellent debate on a very good Select Committee report. As someone who has listened for some hours on this and other occasions to debate on Iraq, I am pleased finally to have the opportunity to say something about the situation there. I pay tribute to several of my colleagues, including my hon. Friends the Members for Barnsley, Central (Mr. Illsley) and for Aberdeen, North (Mr. Savidge), but particularly my hon. Friend the Member for Birmingham, Northfield (Richard Burden). I very much agree with all their excellent contributions.

We should recognise the progress that has been made on Iraq. Thanks in large part to the efforts of this Government, United Nations resolution 1441 was passed unanimously. We also have United Nations weapons inspectors back on the ground doing an effective job. The most recent report from Dr. Blix engages with the whole range of difficult issues and problems that he faces, but he reports that, at least in part, disarmament is taking place.

We have a clear way forward, and it is not one that accepts that a vile regime can carry on pursuing the repression and weapons development that it has been conducting. We need to keep up the pressure, and it is military pressure that has got us to the current position. We need to set Iraq rigorous targets for further disarmament and for improving the well-being of the people who are living in the most dire circumstances in that appalling country. To do that, however, we need to maintain the international coalition, and to build respect for United Nations resolutions and a commitment to the institution of the United Nations. We also need to put ourselves in a position in which we can effectively move on to build peace across the middle east and to address realistically, properly and emphatically the issues of Israel and Palestine. We cannot do any of that if we make the colossal mistake of rushing to war, because that will destroy thousands of civilian lives—those of children, women and men. I would argue that, even with the support of the United Nations Security Council, rushing to war is no answer.

What credibility will the United Nations have if it allows vast pressure to be brought to bear on small nations by bribing, bullying and coercing them to fall into line? What is the point of a UN that sets its inspectors to do a job, but calls them off before they have finished because the imperatives of a war machine cannot be kept waiting? Warts and all, the UN is doing a fine job. Let us just allow it to get on with it. I believe firmly, as I did a couple of weeks ago, that the case for war has not yet been made. We can still work together to ensure that the world comes together to disarm Iraq without the need for war.

My right hon. Friend the Prime Minister is a fine leader, a great leader, and I think that he will go down in history as a great Prime Minister for this country, but he should not lead us into war now. He should use his great leadership skills as much as he possibly can to persuade George Bush that to go ahead with war now might advance the hegemony of the United States and advance a new world order in which a military America tried to dominate a world run for its benefit and the benefit of a small coterie of allies, but that to do so would make the problems of terrorism worse. It would increase the alienation of people in ways that have already been graphically described this afternoon. In destroying the United Nations, it would destroy the chances of peace in Israel and Palestine, and the hopes of so much of the world.

I shall be 50 later this year, and I shall soon have been a member of the Labour party for half my life. I did not join the Labour party, work for the Labour party for many years or work to become a Labour Member of Parliament in order to be in this position, and I do not support a fine Labour Government in this position.

We should consider the case of our right hon. Friend the Secretary of State for International Development. There has been, without exception, no finer member of the Government than her. She is renowned across the world. She has brought hope, passion, commitment, and enormous development and hope of progress to people living in the most appalling poverty and in the most dire circumstances across the world. We should all listen to what she says, and ensure that she is supported so that she can carry on doing the magnificent work that she has done so far.

If my right hon. Friend the Prime Minister wants to be in the present situation, he, as much as my excellent right hon. Friend the Secretary of State for International Development, should consider his position. In going into any war without the sanction of the United Nations, the prospect of another fine Labour Government will disappear, and there is the distinct possibility of the Labour party being brought to its knees.

There is no case for war with or without the United Nations at this stage. Our Prime Minister has succeeded in a very important goal: the weapons inspectors are doing their job. We should reunite around the United Nations. We in this country should support all pressure to keep the United States of America working for a peaceful resolution of the crisis, and we should all move on. I firmly believe that via the United Nations, working together in the institutions of the international community, we can disarm Iraq without necessarily going to war. The Government are a fine Government who could yet be a great Government.

If we get to the point where we are at war, my constituents who fight in that war—women and men—will be able to rely on my 100 per cent. support, but until we recognise that we can disarm Iraq without necessarily going to war, I will not support the Government on this matter.

Mr. Kilfoyle: We all aspire to the removal of weapons of mass destruction, but following the logic of the hon. Member for New Forest, East (Dr. Lewis) and tracing those who provided such weapons to terrorist organisations—the weapons all emanate from somewhere—does my hon. Friend agree that the countries that provided those weapons or the wherewithal for other countries to propagate such weapons, including France, Russia, the United States and the United Kingdom, ought to be arraigned in a court before international public opinion?

Mr. Dawson: I cannot go into that, as I have almost finished speaking. My hon. Friend makes an important point. The issue of arms supplies and arms exports needs to be addressed even more fundamentally than we have done so far.

3.49 pm

Mr. Andrew Tyrie (Chichester): This is an outstanding report. It provides much of the material that we all need to form a judgment on what our foreign policy should be in the months and years ahead. First, I should like to set out why I think America's foreign policy on Iraq has been a miscalculation. Secondly, I will try to suggest what British foreign policy should be now and what the stance of this Chamber should be. Thirdly, I want to address what I think is the most important question of all—what kind of western foreign policy will best enhance our security after Iraq? Will the new world order, conceived by George Bush since 11 September and energetically supported by the Prime Minister, enhance or imperil our security?

First, on Iraq, most of the arguments have already been well rehearsed. For my part, I am not convinced that Iraq is planning or even capable of an imminent attack on the west or western interests. Virtually no evidence has been produced to show that Saddam Hussein has sought to develop links with terrorists, apart from the Palestinians, in respect of whom almost all the Arab states, many of which are our allies, are also complicit. Nor am I convinced that the policy of containment and deterrence has yet failed. War in Iraq may well create the conditions for more extremist fundamentalism and terrorism, not least by alienating moderate Muslim opinion throughout the middle east, as well as Muslims in Europe. An invasion of Iraq is also more likely than not to destabilise the whole middle east. It could shake apart the pro-western Governments in the middle east on whom the west has so painstakingly worked since the Yom Kippur war, just as the Suez crisis and invasion fuelled middle eastern nationalism in the 1950s and 1960s.

I recognise that I might be wrong about all that. It is possible that, although the evidence has not been forthcoming, Iraq has plans to engage with global terrorists. That would represent an imminent threat. It is possible that the vigorous and muscular deployment of American force could coerce extremists and trigger the spread of democracy throughout the middle east, as several in the US Administration claim it will. It is possible that, with the removal of the potential threat to Israel posed by Iraq, the conditions may be better, not worse, for a Palestinian settlement. That is the kernel of the argument that we have heard from President Bush and Prime Minister Blair. I disagree with it and so does middle England, much of America and a good deal of the mainstream foreign policy elite in Washington. They do not believe that the case for war has been made.

In parenthesis, I feel that, to some extent, attempts have been made to manipulate public opinion by, for example, binding together talk of biological weapons with talk of nuclear weapons, which pose a quite different order of threat, as the hon. Member for Aberdeen, North (Mr. Savidge) pointed out, alleging that there is a far greater risk than in fact exists at present of Iraq obtaining nuclear weapons and linking strategic and humanitarian justifications for action. None of those things has helped to win the argument, but I think that it would have been lost anyway.

But saying that does not take us very far. The next question is: what should the UK do right now? In that regard, it is worth bearing in mind some crucial and basic points. First, our security and prosperity depend on the United States. We share its open society values, and I personally feel that extremely strongly.

Secondly, we owe the Americans a great deal. To take one analogous example, they were there for us when we needed them in respect of the Falklands, even though they thought that we were foolish to try to liberate what they considered nothing more than a few sheep and said that our demands for their support would tear up their Latin American foreign policy. In the end, they backed us. They are true friends and allies, and it is worth bearing that in mind in this discussion.

Thirdly, whatever we may do or say, the Americans are going to go ahead unilaterally anyway. If we let them do so, that will imperil everyone's security, including theirs, leaving the west divided and weakened and emboldening its enemies.

Fourthly, there is no European defence initiative worthy of the name, and nor will there be. There is no substitute for a foreign policy based on security provided by the United States. It is absurd to imagine that we should try to rely on the quasi-pacifist continental Europeans for our defence or on the viscerally anti-American French.

For all those reasons, we cannot afford—and should not try—to walk away. The Americans may have taken themselves and us to the top of the wrong hill, but we cannot simply leave them there. If that is Tony Blair's private reasoning for backing America, he deserves

[Mr. Andrew Tyrie]

credit. He deserves even greater credit if he persuaded the Americans to go down the United Nations route and abandon their initial unilateralism. Consequently, resolution 1441 at least provides what my right hon. Friend the Member for Devizes (Mr. Ancram) revealingly described as some legal cover for action.

The House of Commons also deserves credit. The threat of MPs' support for an amendment may have spurred Tony Blair to fight more vigorously against American unilateralism.

Mr. Deputy Speaker (Sir Michael Lord): Order. The hon. Gentleman must not refer to hon. Members in that way. He must use their correct parliamentary titles.

Mr. Tyrie: I meant the Prime Minister. I beg your forgiveness, Mr. Deputy Speaker.

In the past few weeks, the House of Commons has played a crucial role in international affairs. That has probably not happened often in the past 50 years, and it is to be commended.

Britain's stand now gives us greater scope for a privileged dialogue with the United States. For what should we press? Certainly not the foreign policy of George Bush. The US Administration's rhetoric to justify military action is dangerous for us all. They are adopting a foreign policy for creating a new world order, based on the twin doctrines of pre-emptive action and regime change. If that rhetoric becomes reality in the years ahead, we will put ourselves on the road not to a new international order but to new international anarchy. We all have a huge interest in orderly relations between states. That applies especially to America. Order is a value, and when it is put at risk, so are we.

The international system's stability depends on the mutual recognition of states' legitimacy. It is a common-sense principle: do not invade my house and I will not invade yours. George Bush is setting that doctrine aside. The doctrine of regime change advocates the removal, by force if necessary, of the leaders of states who do not share western values.

Mr. Kilfoyle: The hon. Gentleman and I have held conversations along similar lines. However, does he accept that matters are even more disturbing when one considers the military policy that underpins the developments that he describes? It includes "Joint Vision 20/20", which aspires to full spectrum dominance of air, sea, land, space and communications, and the repudiation of the no nuclear first strike policy. The latter policy had been in place for more than 50 years.

Mr. Tyrie: I am worried about many aspects of the new American foreign policy. The hon. Gentleman refers to a number that need careful attention. I want to concentrate on the two key new doctrines that the American Administration have espoused and articulated in detail.

The doctrine of regime change is inherently destabilising because it implies removing by force the leaders of states who do not share western values.

With the doctrine of pre-emptive military action, the Americans argue that they may take military action even in the absence of a clear and imminent threat to their interests or those of their allies. If pre-emptive strikes are undertaken without evidence of an imminent attack, we shall be in a global free-for-all.

The doctrine of regime change is just as corrosive. It prompts the question of who should decide whether a country's leadership should be changed. Other countries are on to this. The Foreign Ministry of North Korea recently suggested, using similar language to that of the American Administration, that it may need to engage in a pre-emptive strike. Even more recently, Vladimir Putin virtually read out part of one of George Bush's speeches on pre-emptive strikes to justify his recent bombing of Georgia. Militant Muslim fundamentalists also argue for regime change.

Mr. George Osborne (Tatton): Does my hon. Friend claim that the sovereignty of nations should always take precedence over humanitarian concerns? Were we therefore wrong to intervene in Kosovo and right not to do so in Rwanda, where most people believed that we should have intervened? Should vile regimes always be left in place simply because that preserves the nation state?

Mr. Tyrie: Shortage of time prevents me from developing a detailed argument in response, but humanitarian intervention can and should be justified when a very broad-based international coalition can be assembled in favour of it. That is what happened in the case of Idi Amin: all countries supported Tanzania's action to get rid of him.

Mr. Osborne: Kosovo?

Mr. Tyrie: Kosovo is a more complicated example, as in that case there was no such universal support. A crucial member of the Security Council dissented. It is actually not clear that the humanitarian intentions of those who invaded Kosovo—us, basically—secured an improvement in humanitarian conditions in the region. Nor am I certain that we precipitated the fall of Milosevic. That might have happened had we not intervened; in fact, as many leading Serbs argue, it might have happened more quickly. I am sorry that I cannot develop the point further, for it is a crucial point, but of course there is a role for humanitarian intervention in the world, both within and beyond what is prescribed by law under the United Nations.

What we must do now is also consider what effect some of these doctrines will have on weaker countries that do not share American values, and how they may react to the coercion implied by America's new doctrines. I believe that it will encourage them to seek protection in the possession of nuclear weapons. A protective proliferation would be a huge price to pay for America's new rhetoric. The difference between the treatment meted out to North Korea, which has just expelled inspectors, and the treatment of Iraq, which has just let inspectors in, sends a clear and dangerous signal about the value of nuclear weapons to small countries.

The long-run price of George Bush's new world order may well be the opposite of his intention: a new global disorder. President Bush does not seem to realise how unsettling his rhetoric is for much of the international community. He does not seem to see that pre-emptive military intervention and regime change can never become accepted doctrines of the international community. They are inherently revolutionary in scope, even if inspired by benign motives.

In justification of the new doctrines, the US Administration say, and the Prime Minister says, that the threats of terrorism and nuclear proliferation are new, and that a new order is required to counter them. I believe that both assertions are wrong, although I have little time in which to explain why.

What certainly has changed is the United States. The harsh truth is that the Americans have overreacted to 11 September. In dealing with terrorism they are on a steep learning curve, on which we have been for many more years. They seem not to have grasped the most basic point—that an overreaction is exactly what terrorists seek. Force has a role, but it can also be counterproductive. By alienating moderate Muslim opinion, and much western opinion too, George Bush's new world order may be playing straight into the hands of Muslim extremists.

Our Prime Minister has a difficult judgment to make. If by ensuring that there is not even a chink of light between us and the Americans he has acquired a greater leverage on the US Administration behind the scenes, he can do us all a great service. What worries me is that I have seen no evidence that he is clear about what he needs to tell the Americans, and about how to use that leverage. On the contrary, from time to time he seems to indulge in the rhetoric of new world orders that concerns me so much. I hope that he will use the extra influence that he may have over the Americans to remind them that America's current global ascendancy is not a result of sheer force, but the product of decades of careful alliance building and restraint in the exercise of power. The greatest casualty of all may turn out to be the western alliance—an awful prospect.

In that regard, let me read part of the letter of resignation written by John Kiesling, a senior American diplomat, to his boss. He said:

> "The policies we are now asked to advance are incompatible not only with American values but also with American interests. Our fervent pursuit of war with Iraq is driving us to squander the international legitimacy that has been America's most potent weapon . . . We have begun to dismantle the largest and most effective web of international relationships the world has ever known. Our current course will bring instability and danger, not security."

I believe that that American diplomat got it exactly right. That is precisely what concerns me most.

It was primarily by winning the argument about the superiority of open society values, backed by military containment, that the Americans won the cold war, bringing freedom and democracy to half the continent. It is by returning now to that policy of containment and deterrence—by returning to America's post-war global conservatism, rather than turning to messianic radicalism, that the world can be made a safer place.

4.5 pm

Ross Cranston (Dudley, North): In 1956, the then Government tried to justify their actions in the Suez canal. Led by Lord McNair, who had just finished serving on the International Court of Justice, international lawyers said that the Government were wrong, and they were right.

Last Friday, *The Guardian* published a letter from some of the leading international lawyers in this country. They wrote:

> "On the basis of the information publicly available, there is no justification under international law for the use of military force against Iraq."

After setting out the "only two exceptions" for the use of force that are allowed under the charter—self-defence, and action authorised by the Security Council—the letter continued:

> "Before military action can lawfully be undertaken against Iraq, the security council must have indicated its clearly expressed assent."

In my view—I state it bluntly, even though some of the signatories to the letter are friends and colleagues—that is wrong. In my view, the Government have been, and continue to be, legally correct in the course that they are pursuing over Iraq.

The excellent Foreign Affairs Committee report that we are considering today provides a springboard for consideration of some of these important legal issues. That report and the Committee's fourth report on Kosovo, from the 1999–2000 Session, are a mine of information on the legal arguments. It is not at all clear that anyone who read those reports could reach the absolutist conclusion contained in the letter in *The Guardian*. Let me try to consider that letter in the light of the justifications in international law for the use of force, the first of which is self-defence.

Individual and collective self-defence are recognised expressly under article 51 of the UN charter. The Committee's report contains a useful discussion of the right of self-defence, and especially the notion of pre-emptive self-defence as set out in the American document entitled, "The National Security Strategy of the United States of America", which was published last year. Pre-emptive self-defence seeks to address potential, not just imminent, threats. On self-defence in general, I agree with the views of Professor Greenwood as set out in paragraphs 146 to 148 of the report. He argues that the law in relation to article 51 has to be interpreted in the light of the world that we now live in, which is different from that of 1945, and in the light of common sense.

My right hon. Friend the Member for Swansea, East (Donald Anderson) mentioned the Caroline case. The world has certainly moved on from that 19th century decision in terms of the gravity of the threats that we face—from nuclear weapons, and so on—as opposed to the cross-border raids then contemplated. Secondly, the method of delivery of the threat has changed. It is now more difficult to determine the time scale within which a threat of attack by terrorist means will be launched.

So far as pre-emptive self-defence is concerned, the Committee pointed out the dangers of that doctrine. It cited the situation in India and Pakistan, and in China and Taiwan. It concluded that, if the Governments of the United States, Britain and other countries should seek to justify military action against Iraq by using the notion of pre-emptive self-defence, they would be in serious risk, and I agree with that. In responding to the Committee's report, the Government have taken the conventional view—which I agree with—that it is well established in international law that there is a right to take necessary and proportionate military action in self-

[Ross Cranston]

defence, but that that applies only when an attack is imminent. Self-defence in that way does not arise in the current Iraqi crisis. There is some discussion in the report about that, but I shall pass over it and move on to the second justification in international law for the use of force: action authorised by the Security Council as a collective response to a threat to peace, to a breach of the peace, or to an act of aggression.

I dealt with that issue in my contribution to the debate on 22 January and set out the basics of chapter VII enforcement action. I asked two questions—what would happen if the UN did not explicitly authorise the use of force, and could one or a number of states take enforcement action to give effect to a Security Council resolution? I said that those possibilities could not be ruled out.

The example of Kosovo has been mentioned and is referred to in the report in paragraph 143. The signatories to the letter in *The Guardian* claimed that the UN charter outlaws the use of force with only two exceptions, as I have outlined. However, neither exception applied in Kosovo, although some Security Council resolutions were agreed. For example, resolution 1199 of September 1998 called for a ceasefire, recognised the impending humanitarian catastrophe and affirmed the threat to peace and security, but [illegible] not authorise the use of all necessary means.

Resolution 1203 of October 1998 affirmed the existence of a threat to peace and welcomed the agreement that had been achieved through the threat of force. Resolution 1244 of June 1999 authorised the international security presence in Kosovo to use all necessary means to fulfil its responsibilities. However, there was no express approval by the Security Council of the action that NATO had taken. The reason was simple, and it was the threat of a Russian and Chinese veto.

How do we justify what happened in Kosovo?

Mr. Savidge: Does my hon. and learned Friend accept that there was an ongoing pattern of aggression in the area at the time? The action was taken in response to a series of wars and acts of aggression.

Ross Cranston: Our justification was that a humanitarian catastrophe was occurring. The UK has consistently used that reason to justify what we did in Kosovo, but not everybody agrees. One of the most eminent international lawyers in this country, Professor Brownlie, still doubts the legality of what happened in Kosovo. Other international lawyers say that one can draw out from the Security Council resolutions that I mentioned an authorisation—to some extent, post facto—of what was done. However, that humanitarian intervention is no justification for what might happen in Iraq, although its record of human rights abuses is appalling. My point is that the letter in *The Guardian* is wrong to suggest that the use of force can never be legitimate unless it is in self-defence or expressly authorised by the Security Council. The case of Kosovo also demonstrates that international law has to move with the times and in accordance with state practice.

I turn to the issue of express authorisation of enforcement action under chapter VII. It happened before the Gulf war in Iraq. Security Council resolution 678 authorised all necessary means to liberate Kuwait. The Security Council has expressly authorised enforcement action in a range of other resolutions, for example in Somalia and Haiti. The letter in *The Guardian* also said that there was no case for disregarding a veto. However, it seems to me that such an argument might be made for disregarding an arbitrary veto. An example that could be cited is the Chinese veto in February 1999 against the extension of the term for the UN preventive deployment force in Macedonia. At the time, it was commonly believed that China had imposed the veto because Macedonia had just established diplomatic relations with Taiwan.

I do not believe that that example is arguable in the present context. I do not think that we can regard any veto imposed by France, Russia or China, either individually or collectively, as arbitrary. Any veto imposed by those countries would be a considered veto. There might be an argument that a veto could be disregarded, but I do not think that it would apply in that case.

I have mentioned Kosovo, but there are other examples of force being used without the express authorisation of the UN Security Council, and I shall give two. The first example occurred in west Africa in [illegible] when the Economic Community of West African States intervened in Liberia to stop a civil war. There was no explicit Security Council authorisation for that, although subsequent actions by the Security Council tacitly accepted and praised the intervention.

The second example occurred in 1991, in the context of the first Gulf war. Russia and China opposed the deployment of military forces to protect Iraqi civilians without Iraq's consent. The US, the UK and France took action to provide safe havens for Kurdish refugees in northern Iraq, and to enforce the no-fly zones. However, there was no express Security Council authorisation.

I turn now to Iraq, in relation to which there have been 17 UN Security Council resolutions. They include resolution 678, to which I have referred already and which authorised the use of all necessary means. On the ceasefire, resolution 687 of 1991 imposed an obligation on Iraq to disarm. The ceasefire was based on Iraq's acceptance of that disarmament obligation. I do not have time to go into the other resolutions that followed, although I referred to them in the debate in January.

We then come to resolution 1441, which is discussed in the report from the Foreign Affairs Committee. The nature of the substantive provisions of resolution 1441 is well known. For example, paragraph 1 states that Iraq

> "has been and remains in material breach",

while paragraph 4 deals with

> "false statements or omissions in the declarations submitted by Iraq",

and states that any failure "at any time" to comply or co-operate with the resolution will be a further material breach. Also, paragraph 13 recalls that the Security Council has repeatedly warned Iraq that it will face "serious consequences" as a result of its continued violations of its obligations.

One element of resolution 1441 has not been discussed. Recital 10 in the preamble contains an express invocation of resolution 687—the ceasefire-disarmament resolution in 1991. Recital 10 recalls:

"in its resolution 687 (1991) the Council declared that a ceasefire would be based on acceptance by Iraq of the provisions of that resolution, including the obligations on Iraq contained therein."

Recital 11 states that the Security Council is determined to ensure

"full and immediate compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991)".

It seems to me that resolution 1441 revives resolution 687 and the obligation imposed on Iraq. Also, it reminds us that the ceasefire, under 687, was based on Iraq's acceptance of that disarmament obligation. My conclusion is that the use of force in enforcement action, other than in self-defence or in accordance with an express authorisation by the UN Security Council, can be legitimate in international law. I have given a number of examples of that—including Kosovo, west Africa, and the protection of the Kurds after the Gulf war. Resolution 1441, coupled with resolution 687, provides a legitimacy for action to disarm Iraq if there is non-compliance with its obligations. There is no absolute necessity for a second resolution. Any action that follows must, as in Kosovo, bolster legitimacy. A UN administered Iraq would be one contribution to that.

Mr. Gerald Howarth (Aldershot): The hon. and learned Gentleman has treated the House to a valuable opinion. He justified resolution 1441 but cited the article in *The Guardian* and the views of other eminent lawyers who take a different view from his. Who, on behalf of Her Majesty's Government, determines what constitutes the correct interpretation of international law?

Ross Cranston: One of the difficulties with international law as opposed to domestic law is that no body has jurisdiction over the whole range of issues. In some situations, the world court can come in, but many issues are not justiciable.

My party has always had a strong internationalist bent, part of which has been an abhorrence of armed force. That is as it should be. War is a failure and a terrible thing—both for those who are actively involved and for those civilians who are caught up in the conflict. Even those who escape physically unscathed can be mentally affected by the horrors that they experience for the rest of their lives. However, sometimes war is necessary to deal with an aggressor or tyrant, to avert a humanitarian catastrophe, or to uphold good order in the international community. Parts of my party have always found that difficult to accept. When, in 1934, the party produced a document entitled "War and Peace", which recognised that British armed forces might need to be used against an aggressor, people such as Stafford Cripps opposed it. In defending the document, Clem Attlee said that, in the light of what was happening in the world, the party could not wash its hands of its responsibilities. So too today.

4.22 pm

Rev. Martin Smyth (Belfast, South): It is a privilege to follow the hon. and learned Member for Dudley, North (Ross Cranston), who gave us a balanced argument. Earlier, the argument seemed to be over whether there is any justification for war and, specifically, for pre-emptive strikes. In a moment of cynicism, I might say that the only time that war can really be justified is if it is successful. In such situations, the winner takes all. One has only to consider a situation such as that with China and Tibet. The world has kept very quiet about the mammoth Chinese takeover of little Tibet.

People have spoken about humanitarian issues. We have gone into action in Europe but we have failed lamentably to deal with what we might call "black upon black" issues in Africa, where millions have perished with no world intervention—other than some humanitarian aid to put a little bandage on a deep sore.

I wanted to speak because I have growing concerns. At the beginning, I supported the Government but I also made it plain that colleagues and friends in northern Iraq among the Kurdish people were concerned about what might happen when Saddam was set aside. We always have to think of the consequences before we start action. There may be unforeseen consequences. The hon. Member for Stratford-on-Avon (Mr. Maples) spoke about developments in Iran, saying that things had taken 25 years. It could take even longer than that. I could not help but think about how long it took us, as a kingdom, to come to a full sense of democracy.

Wars were fought among different groups in Scotland, England and elsewhere to bring about democracy. The process took many, many years, so we should not expect the warlords of Afghanistan suddenly to settle down, be good boys and listen to a central Government when they might want to take over and govern by their own traditional methods. Sometimes, we need patience and understanding.

We are debating a very good report on international terrorism prepared by the Foreign Affairs Committee and we have spent a lot of time discussing Iraq. It was interesting to hear Labour Members give illustrations based on Northern Ireland. I am sorry that the hon. Member for Liverpool, Walton (Mr. Kilfoyle) is no longer in his place. He asked whether the hon. Member for New Forest, East (Dr. Lewis) accepted that the shoot-to-kill policy in Northern Ireland was justified, which implies that there was such a policy. That has been alleged over the years, but I recall my father, who was a sharpshooter during the first and second world wars, asking me, "How are they training the British Army these days?" I said, "Why, dad? What's gone wrong?" He said, "It's been reported that they were fired at and returned fire, but claimed no hits".

When we talk about a shoot-to-kill policy in Northern Ireland, we do a disservice to the men and women of our armed services and of the police, who conducted themselves tremendously well and made sacrifices to protect culprits. In that context, I recall a person who undertook security duties with me. He had formerly been a member of the Ulster Defence Regiment and had actually saved the life of Gerry Adams.

Donald Anderson: There is another possible parallel with the situation in Northern Ireland. For example, if the hon. Gentleman and I were asked whether the IRA still retained Semtex, we should probably agree that it

[Donald Anderson]

does, but if someone asked where the Semtex was, we would not know. The same argument could be used about weapons of mass destruction in Iraq.

Rev. Martin Smyth: Recently, at business questions, I asked whether a Foreign Office Minister could answer questions about the international impact of terrorism in Northern Ireland. The answer that I received from the Leader of the House was surprising, although it did admit that there was an international aspect. He said:

> "internal terrorism in Northern Ireland is not an international matter but is firmly one for the United Kingdom Government to pursue as a domestic issue."—[*Official Report*, 6 March 2003; Vol. 400, c. 966.]

The fallacy is that we can pick and choose when dealing with international terrorism; we fail to recognise that, by neglecting the international aspect and branding terrorism in Northern Ireland as merely a domestic issue, accusations of double standards can arise.

To answer the right hon. Member for Swansea, East (Donald Anderson), the authorities have a fair idea where the weapons are. The papers are full of it. Republican sources admit that many of the weapons are hidden around Monaghan and Cavan. On the international connection, tonnes of weapons came in from Libya, which was especially due to our nation's identification with the United States in its bombing missions against Libya. As a result, both in England and in Northern Ireland we suffered because of weapons from Libya.

I repeat a question that has been asked previously. What contacts have Her Majesty's Government made with the Dublin Government to ensure that the hiding places in Munster are put out of action? Their existence is contrary to the Dublin Government's obligations to their own people because, according to the laws of the Irish Republic, there can be only one standing army and weapons should not belong to others.

Mr. Savidge: On the hon. Gentleman's subject of double standards, does he see a contrast between what is accepted as decommissioning in Northern Ireland and what is accepted as co-operation with decommissioning in Iraq?

Rev. Martin Smyth: I do see a double standard. In Iraq, the Government want weapons to be decommissioned, handed over and destroyed; in Ireland, particularly Northern Ireland, they have placated terrorism by providing places in Government without seeing the decommissioning taking place. There is even speculation from the pen of one of leading apologists for the IRA, Danny Morrison, suggesting that we are not likely to see much going on in the next few weeks. So there is a double standard in which our American cousins have been involved. They have said that Iraq continues to purchase and procure arms; we have been party, even in the Florida situation, to acknowledging that the IRA was rearming with modern weapons while it was supposed to be decommissioning.

We speak of the international impact, but to suggest that the IRA had no international context is to live in cloud cuckoo land; when it has held courses in Dublin, Belfast and elsewhere, as well as internationally with ETA, the Palestinian Liberation Front and others. I must confess that, at times, the FBI does not seem to know who people are, as was shown by the recent case in South Africa. The FBI identified a person from Iraq who was moving into the FARC area, and the Colombian authorities did not arrest him, but exiled him to Ecuador.

When we speak of the international connection, we must face the fact that the bombings that have caused tremendous havoc in Israel and Colombia have all the hallmarks of the terrorist school of car bombings perpetrated by the IRA. Although it did not provide suicide bombers, it tied people to a lorry and compelled them to drive and blow themselves up in a bombing escapade.

Leaving aside Northern Ireland for a moment, I wish to raise an issue to which the Minister rightly referred: the attempt to say that this is a campaign between the west and Islam. The reality is that Iraq is technically not an Islamic country. Yes, Islamic people live there and some of them, especially Marsh Arabs, have suffered at the hands of Saddam's regime. However, his regime is not Islamic; it is a reactionary socialistic regime, perhaps more in the style of Nazi Germany than what we would call modern socialism.

When we think of the religious context, we should bear it in mind that the Iraqi Deputy Prime Minister, a former Foreign Minister, comes from one of the Christian community groups in Iraq, so we must send the very clear message that this is not a campaign by the west against the Muslim community because the Islamic community, which has another axe to grind through al-Qaeda, are taking out Hindus, moderate Muslims, Buddhists and Jews, as well as Christians. One of the messages that we should send out from the Chamber today is that some of the emotional, superficial arguments against taking action against Iraq should be re-examined.

I never rise to speak in the House without seeing Airey Neave's coat of arms and realising that, in my judgment, the IRA declared war on our people and the nation and that one of my predecessors was murdered by the IRA as he was serving his people. Other Members have been put to death by the IRA terrorists, but their coats of arms are not here to give them a place of honour in serving their country and their people.

I can understand the emotion, but there is something naive about a person who says to the Prime Minister, "We do not want to see another Bali bombing." Turning one's back from al-Qaeda and allowing despotism to reign in Iraq will not save us from further bombings. It will only encourage people. Tragically, there are those of us in Northern Ireland who believe that, by paying off the terrorists and acceding to their demands, we have encouraged international terrorists to keep at it. If they play by the rule of law—this was the point of the hon. Member for New Forest, East (Dr. Lewis)—they lose. I ask the Minister to consider the implications of international terrorism continuing even after Iraq.

4.36 pm

Mr. David Chaytor (Bury, North): I congratulate the Chairman and all the members of the Foreign Affairs Committee on producing such an excellent report.

I endorse and identify myself closely with the views and sentiments expressed by several of my hon. Friends, especially those of my hon. Friends the Members for Aberdeen, North (Mr. Savidge), for Barnsley, Central (Mr. Illsley) and for Birmingham, Northfield (Richard Burden). I also recognise the enormous difficulty faced by the Government, and especially by the Prime Minister, and the great skill with which the Prime Minister, the Foreign Secretary and his team have pursued their course of action over the past few months, particularly in the way that they have brought the United States within the United Nations framework.

Although the report is about all aspects of terrorism, I want to speak specifically about Iraq, as I have not yet had the opportunity to do so during the past five or six months. I fully supported the use of force in the Gulf war in 1990, in the Balkans in the mid-1990s, and, later, in Afghanistan, and am completely prepared to support the use of force to deal with the problem of Iraq—in the right circumstances, at the right time, and with the right authorisation. At the moment, none of those three conditions applies, which is why I have serious reservations about the course of action that seems likely to be pursued in the very near future by the United States and possibly the United Kingdom forces. That is also why the overwhelming majority of my constituents and the British people share those views and that scepticism.

After the awful events of 11 September, I visited my friends in New York and saw the devastation that had been wrought by the terrorist attack on the World Trade Centre. In the last week of January 2002, I visited my American friends again, this time in Washington DC, during the week in which President Bush made his state of the union speech. On the evening of the state of the union speech, I was on Capitol Hill as a guest of the American embassy, along with a small number of colleagues from the House and a small number of Canadian MPs, and we watched the President's motorcade drive up to Congress. We enjoyed the hospitality of the Canadians, and we watched the speech on large-screen television—I mean extremely-large-screen television. Having watched that speech, there was no doubt in the minds of anybody—the British delegation, the Canadian parliamentarians present or any American politician or citizen—that the axis of evil speech amounted to a commitment there and then to regime change and to a declaration of war, and, implicitly, that it recognised a timetable for that war, as the timetable had to be completed before the start of the 2004 election season, which I judge to be autumn this year. This is the difficulty that we all face. Whatever our Government have done with the very best of intentions over the past few months has been constrained by the fact that the United States effectively announced the decision to attack Iraq in the state of the union speech in the last week of January 2002.

I mentioned my visit to New York after the attack on the World Trade Centre, because the link between that act of terrorism and the multifaceted problem presented by the Iraqi regime has determined the terms of the debate over the past few months. It also explains why our Government have not been able to convince a majority of the British people that unilateral action against Iraq is justified. I shall focus on why I believe that the majority of the British people and the majority of my constituents do not believe at the moment—this may change—that unilateral action by bombing Iraq to deal with terrorism is justified.

We must understand that the electorate in Britain and western Europe are probably more sophisticated than at any time in our history. They certainly have far greater access to a wide range of information about world affairs than ever before, including the previous Gulf war in 1990. We have ignored the impact of the growth and accessibility of satellite television. It enables western electorates to gain a perspective that previously had been held only by people in other parts of the world. We have also ignored the impact of the internet, and we have done so at our peril.

The speed and comprehensiveness of the new communications technologies mean that citizens in all countries can instantly gain access to original source material—speeches, documents and research papers—that were previously the preserve of Governments and their propagandists. One of the difficulties that the Government have faced over the past few months has resulted from their use of material to justify their actions. That material has immediately and rightly been challenged by leading opinion formers throughout the United Kingdom. I shall return to that point later.

The lack of clarity about the precise objectives of the military action has also been our downfall. The Americans clearly want regime change, but UN resolution 1441 speaks solely and entirely about the need for disarmament. It does not authorise regime change. In fact, a succession of UN resolutions seem implicitly to reject regime change as they lay the conditions for the future inspections that will continue after the disarmament process has been completed. There has been confusion about whether the objective is eliminating weapons of mass destruction, bringing an end to international terrorism, liberating the Kurds, human rights, or simply removing the leader of a regime without whom everyone agrees the world would be a far better place.

On the basis of a series of flawed statements and dubious evidence that has been provided by our Government and by the US Government, the public have concluded that, at this stage, war in Iraq will not solve the problem of terrorism. In fact, it is far more likely to exacerbate the problem, encourage the growth of new terrorist movements and inspire a whole generation of unskilled, uneducated and unemployed young men from throughout the middle east to be attracted by the possibility of taking up arms against the west.

That is a dangerous course of action.

The Government have not succeeded in persuading the electorate of the solidity of their case, but there are ways of doing that. Apart from underestimating the growth and importance of satellite television, the internet and the better-informed electorate, we have also underestimated the extent to which electorates defer to authority figures. The growth in scepticism—justifiable, in my view—about leadership figures and authority means that people are more prepared to question what they are told.

The American Secretary of State told us about satellite images that reveal attempts by the Iraqi regime to disguise and conceal installations related to weapons

[Mr. David Chaytor]

of mass destruction, but that was almost immediately countered by Dr. Blix in his statement to the Security Council. In such circumstances, the case presented by the United States crumbled. Equally, the dossier presented to the House last autumn by our Government emphasised the acquisition by the Iraqi regime of aluminium tubes, but Dr. el-Baradei countered that in his report last Friday. He said that there is no evidence that the tubes were acquired by Iraq for the purpose of uranium enrichment, and that increases public scepticism.

There is however a way for the Government to persuade the majority of British people that military action may ultimately be necessary. We must almost forget what has happened and the tactics that have been used over the past few months. We all know that truth is the first casualty in war, and in the war against terrorism it has been an early casualty. We need to focus entirely on the process that has been set in place. Much has been made of the phrase in resolution 1441 about the "final" opportunity. We should dwell on what constituted the final opportunity. It was clearly not the passing of 1441, because otherwise military action would have started the day or week after that. Resolution 1441 merely authorised the process that is taking place.

It is clear in earlier reports by Dr. Blix and Dr. el-Baradei that they saw the final opportunity as [illegible] beginning of a substantial and detailed process. Any hon. Member can get a copy of their reports off the internet. Many millions of our citizens can download such documents and read them for themselves. They are not inaccessible or difficult to read. In the reports of 27 January and 14 February, Dr. Blix in particular referred to his plans, which implied that there would be weeks and weeks of inspections. He referred to opening a new office in Basra, which clearly had not been completed by 14 February, to the help that the New Zealand and German Governments were giving, and to the new supplies and specialist equipment that were due to arrive in the near future. Dr. Blix recently published his substantial 173-page document, authorised by a resolution in 1999, which sets out the process to be pursued to pick up and deal with the remaining issues.

In my right hon. Friend the Foreign Secretary's statement to the House on Monday, he referred to the 173-page document. He said that he had read it. I took up the challenge and got my copy from the Library. Although I did not read all 173 pages, I had a good look through it. It is clear that Dr. Blix sees it as a summary of the existing position. There is an interesting and informed statement on the unanswered questions, but the report is the beginning of a further process to deal with those. His report to the Security Council last Friday used the same terms. He said:

> "While cooperation can and is to be immediate"—

and everyone must agree with that—

> "disarmament and at any rate the verification of it cannot be instant . . . It would not take years, nor weeks, but months . . . it must be remembered that in accordance with the governing resolutions, a sustained inspection and monitoring system is to remain in place after verified disarmament to give confidence and to strike an alarm, if signs were seen of the revival of any proscribed weapons programmes."

Mr. Mike O'Brien: My hon. Friend is ignoring the fact that the requirement for the inspectors to carry out their task is that Saddam Hussein should immediately provide a full and complete declaration of all his weapons of mass destruction, and he has simply failed to do that. My hon. Friend is assuming that Dr. Blix, by providing the report, is suggesting that the declaration is unnecessary. That is not my understanding of the report; Dr. Blix wants compliance with resolution 1441, as does the Security Council, and that requires a full declaration to be made now.

Mr. Chaytor: With respect to my hon. Friend, I am not ignoring that. Indeed, it is self-evident that Iraq has not yet fully complied. The issue is whether a declaration of war at this stage is a proportionate, effective response to that lack of compliance or whether the existing bureaucratic procedure authorised by the UN would be more effective.

Mr. O'Brien: That is not the issue. The issue is compliance with resolution 1441. My hon. Friend is suggesting that the resolution does not have to be complied with. He ignores the fact that it requires an immediate declaration. Will he deal with that part of the argument? Without that declaration, Dr. Blix is obliged to act like a detective looking for clues as to where the stuff is buried, rather than auditing a declaration, which is the job that the Security Council gave him.

Mr. Chaytor: The Minister is trying to make me an apologist for Saddam Hussein's regime, and I shall resist that. I am trying to argue the case for the most effective way of dealing with the problem that the regime presents to the international community. That is the only point that I am making.

Without question, the declaration required by resolution 1441 has been made, but it is inadequate. The issue is whether the response by the international community to the inadequacy of the declaration is immediately to take military action or whether it uses other, long-established means to secure a fuller declaration from Iraq. I do not know whether the fuller, accurate declaration can be obtained in the next few days or weeks. All I am saying is that we ought to give Iraq the opportunity to make that full declaration before taking action of last resort, which would be military action.

Mr. O'Brien: I am grateful to my hon. Friend for indulging me by giving way again. Does he not understand that the nub of his argument is that Saddam Hussein does not have to comply with the requirement to make an immediate and full declaration? We are saying that Saddam Hussein has to comply with resolution 1441, but my hon. Friend appears to be saying that if he does not want to comply by providing that full declaration, we should find a different, bureaucratic way for the UN to stave off the requirement for him to do so. My hon. Friend is trying his best to put together an argument, but it simply does not add up unless we invalidate resolution 1441.

Mr. Chaytor: I am not saying that we should try a different, bureaucratic way; I am saying that we should persist with the process that we have already established. In the Foreign Secretary's statement on Monday, shortly after he accepted, rather reluctantly I thought, the evidence in Dr. el-Baradei's report that the Iraqi nuclear weapons programme had been terminated in 1998 as a result of the inspection regime from 1991 to 1998, he argued that it was useless to continue with inspections because the inspection regime had no effect. There is a contradiction there, because we know that the work done by the inspectors between 1991 and 1998 had some effect, although obviously not the total desired effect. We also know that the work done by the inspectors in the past few weeks has had some effect—

Madam Deputy Speaker (Sylvia Heal): Order.

4.54 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I express my appreciation of today's debate and the report produced by the Select Committee. The subject that we are debating today was last debated in Westminster Hall on 31 October, when I made it clear on behalf of Plaid Cymru and the Scottish National party that the Government had not begun to make a case for military action against Iraq. That debate followed the publication of the first dodgy dossier, an entirely unpersuasive document if ever there was one, of dubious veracity and authorship. It was followed by a second dossier that has been largely discredited.

Plaid Cymru and the SNP continue to believe that the case for war against Iraq has not been made, and have been utterly consistent in that belief since talk of action began. Contrast that with the Government's action after 9/11, and the first scenario that they supported of war on terrorism. War on terrorism is a misnomer, as war cannot be declared on a concept. However, as some of us pointed out at the time, the wording was intentional, as we were meant to believe that war was inevitable. The initial targets were bin Laden and al-Qaeda, but bin Laden could not be found, so it became necessary to find a causal link between al-Qaeda and Iraq. The Prime Minister is on the record as saying in November 2001 that unless a clear and unambiguous link between al-Qaeda and Iraq was found, there would be no justification for action against Iraq. Needless to say, that is not the current position.

It is little wonder that no link has been found, as al-Qaeda has more than once attempted to assassinate Saddam Hussein. Little by little, the ground has shifted, and the hunt for a link between al-Qaeda was, we believe, put on the backburner. A second scenario was then created—regime change, which has been referred to today on several occasions. It is a novel concept in international law and involves the right to take precipitative military action to enforce regime change, pure and simple. A similar form of de facto action was taken in Afghanistan, but the result there could not be described as encouraging. Someone, somewhere could have disabused the United States and the Government of the notion that it was encouraging, but that seems to have gone out of the window.

In the next linked scenario there was a so-called moral case against Iraq because of Saddam Hussein's behaviour towards his people. I fully accept that the man is an evil dictator and that his treatment of his own people, the Marsh Arabs and the Kurds, within the borders of Iraq is deplorable. No sane person could ever try to defend that action or mount an apology on Saddam's behalf. However, the very people who have been harmed by Saddam have, in the past 10 years, been harmed by the joint sanctions that the Government have helped to impose, so double standards are operating.

Another scenario followed—Saddam is in breach of resolution 1441, so immediate military action can be taken. As we know, Dr. Blix has reported on several occasions that definite progress is being made. I listened carefully to the speech of the hon. Member for Bury, North (Mr. Chaytor), and the Minister's attempts to try to get him to say that he is calling for nothing to be done. That was far from the truth—no sane person would be saying that.

Recently, missiles have been destroyed and, at this juncture, we should remember that 90 per cent. of Saddam's armaments were, in fact, destroyed in 1992. Let us also remind ourselves that the apparent policy of containment has ipso facto succeeded since then. In any event, the weapons inspectors say that Saddam is co-operating at the moment and are asking for more time.

Who is to be the judge of whether Saddam is co-operating? Clearly it is the Security Council, on the advice of the weapons inspectors. President Bush and the Prime Minister seem to think that they are in charge, and that it is their decision. That is very dangerous. The Prime Minister moved from a position of confirming that a second UN resolution was necessary, to saying that it would merely be preferable. Now, apparently, it would simply be as well if one were possible. On "Newsnight" on 6 February, the Prime Minister said that the only circumstances in which force would be used without a further UN resolution would be if the inspectors concluded that they could no longer do their work, and if a further resolution were passed by a majority of the Security Council but was subject to an "unreasonable" veto by a single country. Will the Minister tell the House whether that is currently the Government's position? There has been a considerable amount of vacillation between one justification and another all along the line.

The fourth scenario put forward by the proponents of military action and their apologists is that, having failed to find a link with al-Qaeda or a trigger in resolution 1441, there is always the inherent right to self-defence under article 51 of the United Nations charter. I submit that that is a preposterous argument, coming as it does at the very end of all other discussions. It does not stand up to legal scrutiny. There has to be a real, palpable, urgent threat to the UK or an ally for that provision to come into play. To come to rely on it at this late stage is nonsense, for obvious reasons. However, it forms another part of the Government's vacillations on this matter. It seems strange that Iraq is currently perceived as a threat to the United States when it has 10 per cent. of the military strength that it had in 1990 before the Gulf war, and has lost 90 per cent. of its armaments since then.

It is indeed ironic that a Government reared on the power of spin cannot give a clear and credible message on this exceedingly important issue. Let us consider the mixed messages sent out by the botched second dossier borrowed from a research student and dressed up as intelligence material, and the different emphases on the

[Mr. Elfyn Llwyd]

second resolution over the past few months. Let us contrast that with the anti-war view, which I am proud to say that my party and the SNP share. For the past six months or so, we have consistently said that resolution 1441 does not contain a trigger for military action. I would go further and say that it is nothing short of disingenuous for the Government to allege that it does, when everyone knows that the compromise words "serious consequences" were negotiated into the resolution at the behest of China, France and Russia as a price for their support. Those words were never meant to be an automatic trigger for the right to engage in military action, and there is really no point in arguing that they were. The words "all necessary means" have been taken to mean that in the past, but they are clearly absent from resolution 1441. I have put forward this argument in the House on at least two previous occasions, and I believe that it is right to argue it again. I have been greatly assisted by the opinion of one of the experts in the field, Rabinder Singh, QC.

The Minister, who entered the House at the same time as I did, is a lawyer. He was careful to say at the beginning of this debate that if two lawyers are put together in a room there will be an argument. He has jumped up and down about 30 times this afternoon whenever anyone on his side had anything critical to say about the Government. He is obviously still a lawyer.

Reference has been made to the letter in *The Guardian*, and to the eminent international jurists.

Mr. Gerald Howarth: The hon. Gentleman has made the case that the words "serious consequences" do not, in his view, justify resorting to military action. Will he share with the House what he believes the words to mean? I, for one, would be interested to know. He suggested that some kind of negotiation had gone on behind the scenes, but, even so, those words were used. What do they mean?

Mr. Llwyd: They mean that a further resolution would come before the Security Council, and that that resolution would give an automatic, clear indication of military action. That is not my view; it is the view of the international panel of jurists. Any one who reflects on it will see that it is common sense.

Much has been made of the opinion of those foremost jurists from Oxford, Cambridge and London, and the eminent gentleman from Paris, that there is no right to take action under 1441. Professor Robert Black of Edinburgh expressed a similar view recently in *The Times*, where he dissected the words "serious consequences", arguing that the term was

> "not synonymous with, or a warrant for the use of, armed force",

and contrasting it with the received meaning of "all necessary means". The argument has been advanced for many months; I make the point again in response to the hon. Gentleman.

Those of us who oppose a military strike on Iraq have an advantage over the Government: we have consistency on our side, as well as growing support. The closer we are to a possible strike on Iraq, the greater the public concern in the United Kingdom and beyond, and rightly so. I hope that the Prime Minister takes note of the fact that Mr. Bush senior has intervened to make it plain to his son, President Bush, that the UN road is the only way forward. If Mr. Bush senior can see that, why cannot the Prime Minister?

If a second UN resolution that clearly and unequivocally specifies military action is not obtained, the Prime Minister and the Government will be acting illegally, and that will be the first stage in the destruction of the United Nations. There are those who say that because 30,000 of our brave troops are already out there, action is inevitable, but that is not the case. I, for one, would applaud and respect the Prime Minister if he decided to keep our troops there for humanitarian purposes only, in the event of a unilateral strike on Iraq.

Even at this eleventh hour, I hope that conflict can be avoided. We know who will suffer if it takes place. Elizabeth Byr, the Geneva spokesperson for the UN humanitarian effort, said that an updated appeal for $120 million had been made in February, and so far $30 million had been received. The result of conflict can be seen outside the Kurdish town of Soran—no tents, no sanitation, just a vast muddy plain beneath a freezing, snow-capped mountain. That is the terrain that will be occupied by the 2 million Iraqis who will be made homeless by military action.

The United Nations is concerned about the oil-for-food programme. About 16 million people, or 60 per cent. of the Iraqi population, depend on it. We in this place frequently discuss humanitarian aid—properly so. We recently heard the views of one member of the Cabinet who is not unconnected with that subject, whose opinion and whose work I greatly respect. If this illegal and immoral war occurs, the Government will be jointly creating a humanitarian disaster and committing a disgraceful act. Even at the eleventh hour, I hope that wise counsel will prevail and that the Government will draw back from what could be the most shameful hour in the history of this Parliament.

5.9 pm

Mr. David Chidgey (Eastleigh): The debate has been thoughtful, sometimes challenging, and at times a little bizarre, but in general it has reflected the wide cross-section of opinion in the House on the grave issue set out in our Foreign Affairs Committee report. I am very proud to have been a member of the Committee and to have helped to produce that report. In particular, I should like to refer to the contributions of the hon. Member for Birmingham, Northfield (Richard Burden), who made a telling speech, the hon. Member for Aberdeen, North (Mr. Savidge), who made a challenging speech, and my colleague on the Committee, the hon. Member for Barnsley, Central (Mr. Illsley), who said in the early stages of this debate—it seems some hours ago; indeed, it probably was—that the real crisis was the imminence of the invasion of Iraq. He also said that that was being accelerated by the fact that, to use his words, Iraq was being pressed to prove a negative.

I think that I am making a valid point in saying that it appears to me and many colleagues that the United States sees Iraq and the war against terrorism as synonymous. It is revealing that opinion polls conducted at the beginning of the week in the United States showed that most Americans believed that the terrorists who attacked the World Trade Centre were Iraqis. As we all know, not a single Iraqi was involved. Before anybody gets the impression that I am having a pop at our American cousins, let me say that I am sure that we would get the same result if a similar opinion poll were held in this country.

Members of the Foreign Affairs Committee were fortunate in having many valuable and expert resources available to us. They allowed us to gain an insight into the thinking of the political establishments on both sides of the Atlantic. I want to concentrate my remarks on the conclusions of the report in connection with disarming Iraq. Followers of the report will know that I refer to paragraphs (p), (q), (r) and (s). I shall not repeat those conclusions, which deal with the need for our Government to work closely with the US to produce a strong and unanimous United Nations resolution. That was written in December; oh how hopeful things seemed then. The report also concluded that the difficulties facing the weapons inspectors were formidable. Of course, that has proved to be precisely the case.

In particular, I want to address how disarming Iraq appears to have come about as an issue because President Bush designated it as a member of the axis of evil. We all remember from that famous speech that the axis includes North Korea, Iran and Iraq, but the question that I want to test is why those three countries were chosen. Many other nations could be added to the list of potential rogue states and harbourers and supporters of terrorism. As the report says,

> "there is no compelling evidence linking the Iraqi regime to al Qaeda."

We know that there has been some evidence of involvement with middle eastern terrorism in Iran, but I am not aware of any such evidence concerning North Korea. Why are those three countries linked together as the axis of evil? Other countries have supported terrorism in the past and may still be doing so. Hon. Members have mentioned in other debates the training by Libya of terrorists who have been active in Northern Ireland. We know for a fact that there has been an amazing amount of fundraising in Saudi Arabia—I am not suggesting that it is Government-inspired—to support al-Qaeda, but we are not suggesting that that country is part of an axis of evil. Why have Iraq, Iran and North Korea been put together by President Bush as an axis of evil?

I believe that the key link between those three countries is their involvement and interest in the development of weapons of mass destruction. We are well aware that, as has been mentioned, North Korea is now flaunting its emerging arsenal of weapons of mass destruction. We also know from evidence to our Committee that Iran has developed its civilian nuclear programme to the point where it will have the option of creating nuclear weapons at short notice. The history of Saddam Hussein in Iraq is well known. His well-documented desire to possess nuclear weapons as soon as possible remains.

The common factor in President Bush's axis of evil is the desire to secure, pursue or possess weapons of mass destruction—nuclear, biological or chemical—and thereby pose a threat to the ability of the United States to defend its interests. The evidence of Dr. Stephen Pullinger, director of the International Security Information Service, is tucked deep in the report in appendix 9. Paragraph 21 of evidence 80 states:

> "The US does not want a nuclear-armed Iraq to use its military muscle to acquire control over a vast portion of the world's oil reserves and then to hold the world to ransom through threat of nuclear or biological use if anyone tries to reverse Iraqi conquests. Under this scenario it would be the rest of the world, including the US, that would be deterred from acting."

Paragraph 23 states:

> "Yet, it is beyond peradventure that Iraq's possession of WMD, especially if capable of reaching major European targets and beyond, would at the very least destabilise the region and prove a constant source of political and economic uncertainty."

The United States' future inability to defend its interests not only in the middle east but throughout the world is the crux of the matter.

The current position arose after 11 September when it became clear that the United States was alarmed by the threat of acts of terrorism and the proliferation of weapons of mass destruction to its ability to defend its interests at home and overseas. The greatest perceived threat to US foreign policy was the capability of rogue states that possessed weapons of mass destruction to provide an effective deterrent to the prosecution of US policy.

A good example has been mentioned in previous debates. Immediately after the Gulf war, one brave journalist interviewed Saddam Hussein and had the courage to ask whether he believed that he had made any mistakes in invading Kuwait. The journalist lived to tell the tale. The answer was that Saddam Hussein had made the mistake of not waiting until he had weapons of mass destruction—nuclear weapons—before invading.

Evidence from the International Institute for Strategic Studies was interesting. It suggested that had Saddam possessed nuclear weapons before invading Kuwait, there would have been no Gulf war. Iraq would not have been invaded to restore the statehood of Kuwait, which would remain an Iraqi enclave. For the United States, the axis of evil is shorthand for an axis that is capable of thwarting the Americans' policy of defending their interests throughout the world.

I am not going off on an anti-American tangent. I merely try to draw hon. Members' attention to what lies behind American foreign affairs policy and has led to our current position.

Mr. Hugo Swire (East Devon): The hon. Gentleman talks about the destabilising effect of American interests in the middle east, but is not Saddam's continuing presence a destabilising factor in a possible middle east peace process? We know that his ambitions in the first Gulf war extended far beyond Kuwait to Saudi Arabia and other countries. His presence was destabilising then and remains so.

Mr. Chidgey: I accept the hon. Gentleman's comments. I am not presenting a case for no action; I am trying to understand why we are in a position whereby America leans heavily towards overrunning Iraq.

[Mr. Chidgey]

I am trying to get the message across—to convey why we are where we are. I am not saying that Saddam Hussein is not a huge threat to the stability of the region, but it is the effect on America's foreign policy interests that has put us in our current position.

Mr. Swire *rose—*

Mr. Chidgey: I want to make progress, as time is limited.

We are talking about extending the concept of an axis of evil to that of an axis of capability to deter the United States from acting to maintain its interests. That capability has been confirmed by intelligence sources. Furthermore, given Iraq's capability to do that—as a member of the axis of evil—we must ask whether it has the intent. Intelligence sources can identify its capability, but it is for politicians and diplomats to decide whether there is the intent. In that context there is a lack of mature reflection and ability among those who advise our Governments, particularly the counsellors of the Government on the other side of the Atlantic.

In the axis of evil, only Iraq has demonstrated a willingness to use weapons of mass destruction. Iran and North Korea have yet to join that category: as the hon. Member for East Devon (Mr. Swire) said, it is Iraq that has established that willingness to use weapons of mass destruction, against its neighbours and against its own citizens.

That brings me to the nub of the issue. We know that Iraq has the capability; we know that it has demonstrated the intent. It poses a threat to American interests, and America is clearly not prepared to accept that. Moreover, the United Nations clearly cannot accept the continued flouting of resolutions requiring Iraq to disarm. The inspection regime is in place with the task of verifying Iraq's compliance with resolution 1441, but how can that compliance be verified? Who will confirm it? What constitutes a full declaration?

Yesterday the Foreign Secretary said that he profoundly hoped that the Iraqi regime would, even at this late stage, seize its chance to disarm peacefully. When I raised the issue of measuring compliance, however, the Minister's reply seemed to rely on a checklist prepared by Dr. Blix—a dossier consisting of a cluster of issues.

Let us take one example of a weapon of mass destruction. Dr. Blix says that 10,000 litres of anthrax may be unaccounted for. Is that since 1998? Would the amount be added to by estimates of production since 1998? How can the inspectors verify compliance? We already know that we would never have found chemical weapons in the first place if one of Saddam's sons-in-law had not defected to the west to tell us where they were.

As evidence given to the Committee shows, it is not possible for inspectors to find substantial amounts of biological weapons. What, indeed, do we mean by substantial amounts? According to Dr. Blix, 1,000 litres is a substantial amount. That is one tenth of the known stocks, let alone what may have been produced later. Just one litre of anthrax is enough to kill thousands of people.

The Minister has argued many times that Saddam has demonstrated his intent to use weapons of mass destruction. The inspectors are unable to find them, certainly in the case of biological weapons. It is virtually impossible to ensure that Saddam will comply with resolution 1441. The logical extension of that, in terms of American foreign policy, must be that if America is to achieve its policy aim of protecting its interests in the middle east, it is unlikely to believe for a minute that it can rely on the UN inspectors. America will not even rely on an invasion, because even that will not discover the weapons. It is clear to me that the United States will rely, in its interests, on regime change. That is the only logical conclusion. The challenge for this Parliament, and for our Government, is to use every effort to deflect the United States from pursuing that draconian measure. If we do not do that, we will lose the struggle between conflict and diplomacy, the struggle between international law and the power of a single massive state, and the struggle for the survival of the United Nations.

5.25 pm

Mr. Fabian Hamilton (Leeds, North-East): I commend the many Members who have said their piece about the war against terror and commented on the Foreign Affairs Committee's report on the foreign policy aspects of that war. Many have referred to the current crisis in Iraq, to what the United Nations, the USA and Great Britain are trying to do, and especially, of course, to the imminent threat of war in that country. I simply want to add my few words, and express my deep concern not by saying that Saddam Hussein is not evil or does not possess weapons of mass destruction, nor by saying that Iraq itself is not a huge threat to regional, and even world, stability and peace but rather by arguing that, as the amendment to the Government motion a fortnight ago stated, the case for military action has not yet been made. That is not to say that the case will not, or may not, be made but it has yet to be made, and I voted for that amendment accordingly, along with many colleagues and other Members of this House.

The press has often portrayed this so-called rebellion as anti-Blair or anti-Government, but that is wrong. Many of us support the strength and conviction that the Prime Minister has shown in trying to fight for the United Nations to resolve this crisis. However, as my hon. Friend the Member for Birmingham, Northfield (Richard Burden) said so clearly, we are concerned about rushing to military action when there could be unforeseen consequences.

One scenario that I have been describing for the past few weeks is this. Let us imagine that, with his back against the wall, Saddam Hussein fires missiles at Tel Aviv, as he did in 1991, with the sole intention of getting Israel embroiled in the conflict—only this time, they are armed not with explosive-tipped warheads, but with chemical, biological or even nuclear warheads. What happens then? Does Ariel Sharon react in the same way that his predecessor Yitzhak Shamir reacted, under strong influence from the United States, and take no action at all? Alternatively, does he take what is in my view the much more likely action of firing equally destructive weapons back at Iraq, producing a conflagration that the United States and the allied forces advancing into Iraq did not intend and cannot control? That is one of my big fears, and it is shared by many of my constituents: the unpredictability of military action once it starts. One cannot know how even the best plan in the world will unfold, even if one is the greatest military nation on earth, as the United States is.

Mr. Eric Joyce (Falkirk, West): Does my hon. Friend recognise that, according to his hypothesis, he accepts that Saddam Hussein possesses weapons of mass destruction that he is capable of deploying?

Mr. Hamilton: Indeed. I and many of my colleagues who voted for the amendment believe that those weapons are there; our problem is the yawning gap between what the Government are saying about the need to disarm Saddam Hussein and Iraq immediately, and the public's belief that, although Saddam may well be a threat, they should be shown the evidence. Hans Blix has yet to come up with that smoking gun. I have received correspondence from many hundreds of constituents ranging right across the spectrum of beliefs—as hon. Members know, I represent many different communities—and the overwhelming view has been, "Show us the evidence of chemical, biological or nuclear warheads and yes, we will go along with you, even if it does mean military action."

People want one other thing—I know that the Prime Minister and the whole Government are working very hard to achieve it—and that is a second resolution of the Security Council of the United Nations. In the end, the population of Great Britain—the constituents whom we represent—believe that this should be a United Nations action, with the world acting in concert to disarm a dangerous dictator, rather than the USA simply acting as the policeman of the world.

Mr. Desmond Swayne (New Forest, West): The hon. Gentleman expressed his fear that a missile tipped with a chemical weapon would be fired at Tel Aviv. If he is frightened by that possibility, why is he so reluctant to undertake measures that would remove it by disarming Saddam Hussein, even if the UN is unwilling to do so?

Mr. Hamilton: The UN is willing to do so. It has inspectors in Iraq, but they have not found the evidence. Once they find that evidence, the opinion of many of the sceptical countries—even France and Russia—will change. If the evidence of weapons of mass destruction is clear, I am sure that all the Security Council nations will come on board. I am not reluctant to see Saddam disarmed, but there is a gap between public opinion—in my constituency and the rest of the country—and what the Government are doing.

Lady Hermon (North Down): I apologise for not being in my place earlier, but I had other commitments. I ask the hon. Gentleman to bear in mind the experience in the Republic of Ireland. In the mid-1980s, one shipload of tonnes of armaments was intercepted on its way into Ireland. It was known that three other shipments had already reached Ireland from Gaddafi and the Republic of Ireland was closed down for five days or so while the Irish army and the Garda swept the island. They did not find the weapons because there were too many places to hide them. Ireland is small and Iraq is huge. The inability to find the weapons should not be used as an excuse for not going to war and disarming Iraq.

Mr. Hamilton: I hear what the hon. Lady says, but we should look not for excuses to go to war, but excuses not to go to war. We have to remember the violence that war inflicts on the innocent. If war were a case of taking out Saddam Hussein cleanly and destroying his Government and weapons of mass destruction, I would be in favour. But it would not work like that. In a war, the innocent die and therefore before we embark on that course of action we must be sure that we have explored every avenue to try to avoid it.

Patrick Mercer: Will the hon. Gentleman give way?

Mr. Hamilton: I must make some progress. I hope that the hon. Gentleman will forgive me.

The report also discusses the situation in the middle east with Israel and Palestine. We quote the views of Richard Haass, the director of policy planning in the US State Department. His bookcases were so full of books that I had to ask him if had read every single one and was impressed—as my right hon. Friend the Member for Swansea, East (Donald Anderson), the Chairman of the Committee will recall—when he said that he had read them all, and many more. He has wide knowledge, reading and understanding and he says:

> "No one should confuse promoting democracy with holding parliamentary elections the next day—in which, yes, the Islamists would do well, because they're the only ones who are currently allowed to organise. Parliamentary elections are not the first step."

Instead, Mr. Haass recommends several reforms that should precede elections, some of which are similar to those recommended in the Arab human development report. They include

> "educational reform, especially for girls; establishment of the rule of law; strengthening civil society; establishment of freedom of assembly and freedom of the press".

In our debate some 11 months ago, I said that I am in an unenviable position in discussing Israel and Palestine because I represent about 10,000 Jews and 10,000 Muslims. I cannot win, whatever I say. That still applies, but the point is that, as my hon. Friend the Member for Birmingham, Northfield said earlier, we have to pursue the course of peace between Israel and Palestine. That means the establishment of a state of Palestine. The hon. Member for Stratford-on-Avon (Mr. Maples), who is also a member of the Committee, suggested the Maples peace plan—if I can call it that—under which a peace solution might be imposed if the parties were unwilling to agree to discussions on peace and kept raising minor issues to try to stop the drive towards peace.

That raises many unanswered questions. However, Amram Mitzna, the leader of the Israeli Labour party, met colleagues here in the House of Commons just before the Israeli general election. He failed disastrously to persuade the Israeli public to vote for him, but he came up with a similar approach. He used to be mayor of Haifa, a city where Arabs and Jews live side by side in peace—a model for what the region could be like. He said that if Arafat and the Palestinian Authority would not accept his proposals for a peace plan—and he advocated withdrawal of the settlements in the occupied territories—he would impose that plan on them.

In many ways, it is tempting to go down that road. I hope that my hon. Friend the Minister will comment on the idea of an imposed solution. However, one can never impose a solution from outside unless one wins the hearts and minds of the people involved. That is my

[Mr. Hamilton]

deep worry. I pointed out at the time that we must ensure that a proper state of Palestine is established, with international co-operation and help. There must be a civil society, and all the reforms described by Richard Haass when we visited him.

In last year's debate, I recounted what Jerusalem's Palestinian mayor, Ziad Abu Ziad, told me over lunch the last time that I visited his city on a Labour Friends of Israel trip. He said:

> "If you are truly Labour Friends of Israel, you must also be Labour Friends of Palestine. That means that you must support a Palestinian state, a true state that lives not back to back but face to face with Israel in peace."—[*Official Report*, 16 April 2002; Vol. 353, c. 507.]

The only route for the people of that area is peace. It will come, eventually. As I said at the time, the only question concerns the number of people who will die in the meantime.

I want to speak briefly about another topic discussed in the Committee—Iran, which is crucial to stability in the middle east. The Committee hopes to visit Iran later this year, and I hope that we will find out more about how it works and about the prospects for its transition from theocracy to secular democracy.

Someone in the US State Department—I cannot remember who—told us when we visited last year that, in 10 years, Iran could be the west's greatest friend in the middle east. He said that we had to encourage the reformist elements centred on President Khatami and the reformist Majlis, or Parliament. We must encourage them to reform Iran and take the road to secular democracy. At present, 65 per cent. of Iran's population are under 25. They do not remember the 1979 revolution. They see the mullahs and the defenders of Islamic democracy as the conservative elements—I mean no slur on Conservative Members—in society, the ones who hold back economic reform.

Iran's economy has suffered a huge decline since 1979. Its gross domestic product is some 30 per cent. lower than 24 years ago, when the revolution took place. That is unsustainable, and I am sure that—with encouragement from the west and, I hope, from our Government—the reformist elements in the powerful, cultured and historic nation of Iran will win through and push out the mullahs and the support for terror that has plagued Israel for the many years since the Islamic revolution. I want a genuine, secular democracy to be established in Iran, so that people can live in freedom, as Muslims, in a democratic country.

5.39 pm

Patrick Mercer (Newark): It is a pleasure to follow the hon. Member for Leeds, North-East (Mr. Hamilton), and I will come back to his speech in a moment.

There are two things that I regret very deeply. The first is that it seems that war is inevitable. Some might argue—and I strongly suspect that they are right that with the policy in the no-fly zones having gone from being strictly defensive to now being offensive, with holes being cut in the fence between Kuwait and the southern part of Iraq, and with rumours of an airfield at Ar'ar in Saudi Arabia being occupied by American forces, making access to Baghdad very simple, that the first rounds in this war have been fired. I regret that. I support it, but I regret that it looks inevitable that we will take military action.

The second thing that I regret is that troops from this country are being committed without the support of the Government firmly and unequivocally behind them. In the two campaigns in which I have taken part, I have always had the comforting feeling that, no matter what my enemies may have been up to, and no matter how much we may have been undermined by things such as a wholly nonsensical, so-called shoot-to-kill policy, I had the support of my Government. I knew that there were no divisive arguments in the Cabinet. I very much regret that the men and women of this country look as if they will get stuck into a war with public opinion divided and with no firm resolve from the Cabinet to back them up. I ask the Minister to note what happened to the American military effort in Vietnam. That effort was defeated not militarily but emotionally, by the lack of support of the American people and, ultimately, the lack of support of the American Government.

I have found it hard to be persuaded by any of the arguments for going to war—except one. I will not rehearse all the arguments. I think that I recognised that war in Iraq was going to happen one day or another, but I saw no reason for imminent war, except for one particular point. The humanitarian argument is good but it is by no means unique. Also, there is the argument on the use of weapons of mass destruction, and I do not doubt that Saddam Hussein owns such weapons. However, until the weekend at least, I doubted that he had the means to deliver them and I doubted the need for imminent action. I draw the attention of the hon. Member for Leeds, North-East to the fact that, at the weekend, the first undiscovered weapons programme that had not been declared to the United Nations came to light. We are told that it concerns a number of drone aircraft that can be fitted to deliver weapons of mass destruction. The Government Front Bench has been remarkably quiet about what some people call the smoking gun. I do not know, but it is interesting that so little has been made of that particular subject.

The one thing that does convince me of the need for imminent action is the terrorist threat. If there is one thing that threatens this country and needs to be dealt with quickly, it is the ability of Baghdad and its associates to deliver a fatal, swingeing blow against this country. Interestingly, we have not heard anything tonight about terrorism, except about al-Qaeda. I want to quote from the report of the Select Committee on Foreign Affairs and from the Government's response to it. The Committee said that

> "there is no compelling evidence linking the Iraqi regime to Al Qaeda."

The Government's response was:

> "We have no evidence that Iraq was involved in the September 11 attacks. But there are links between Iraq and Al Qa'ida."

Why have the Government not made more of what they say? Why have the Government been inconsistent? For insistence, Colin Powell talks not about al-Qaeda but about an organisation led by al-Zarqawi. In his presentation to the United Nations on 5 February, Colin Powell talked about al-Zarqawi travelling to

Baghdad in May 2002 and staying in the capital for months while he recuperated to fight another day. During his stay nearly two dozen extremists converged on the capital and established a base of operations there. Those al-Qaeda affiliates based in Baghdad now co-ordinate the movement of people, money and supplies into and throughout Iraq for his network. They have been operating in the capital for more than eight months.

Colin Powell went on to point out that that organisation was behind the plots that so threatened north London a few weeks ago. Al-Zarqawi does not necessarily carry the flag of al-Qaeda, but he is a terrorist who has direct connections with Baghdad and if it were not for the work of our security services, he would have struck successfully at this country.

People can rubbish what Colin Powell says; they can believe that his comments are a figment of the imagination if that is what they want to do. However, the fact remains that public opinion could be influenced if the Government made a compelling case—not the curious nonsense of the unconvincing dossier in which a student's information was used to try to persuade the public, but a convincing case that is not just touched on but stuck to throughout.

I very much regret that the Government may end up by being convinced of the dangers of that terrorist organisation in the same way as the Australian Government were convinced: by a bomb in Bali that killed hundreds of their people. The Government should think carefully and be far more consistent in their case on terrorism. They should not be constantly hung up on al-Qaeda, but should look to the other organisations that threaten this country so very gravely.

My next point relates to the Government's response to one of the Select Committee's report. The Government state:

> "Disarming Iraq removes the very real and catastrophic threat of international terrorists getting hold of weapons of mass destruction."

That is wholly wrong. The situation in Iraq, if and when our troops properly go into action, will actually become more dangerous. We shall lay ourselves open to a host of terrorist organisations, operating both in this country and against our interests abroad.

The Government have a duty to make it clear that, unless we do something about that threat, weapons of mass destruction will be handed, willy-nilly, to terrorists by a rogue state. If we take action now, we may be in a position to control what could be an extraordinarily difficult situation. We need look no further than the proliferation of fissile raw material that has come out of the former Soviet Union and consider how difficult that is to control. Let us not underestimate the threat that faces us. That is obviously an extremely good reason for not going to war at all, but I return to the fact that unless we take control and get a grip of the situation, it is likely to be wholly out of control rather than partially out of control.

My last point relates to the Committee's conclusion that

> "the Government must continue to address with the utmost seriousness its obligation to keep the British public informed of developments in the war against terrorism".

My point to the Minister and to the Government is simple: let us not be mesmerised by that gentleman, bin Laden, or by the word "al-Qaeda", but let us see those people for what they are.

This is not the first time that the British nation has been threatened by tyrants and bullies. We had a cure for that in the first and second world wars when we laughed at the Kaiser and at Hitler. Rightly or wrongly, that was how we dealt with those threats. I do not suggest that we laugh at the terrorists, but I suggest that we keep them in proportion.

We should remember how we managed to handle the Irish Republican Army at the height of its campaign. We got used to the fact that any incident that looked as though it could be the work of the Provisional IRA would be claimed by that organisation, so we got our punch in first. So, for example, the British Government made it absolutely clear from the first moment that the infamous Chinook helicopter crash was not an act of terrorism. Again, we made it clear that the burning of Windsor castle was not an act of terrorism. We swept the ground from under the terrorists; we came to terms with the sort of tactics that they would use.

These are not giants against whom we are fighting. Let us bear in mind the fact that, when Khalid Sheikh Mohammed was arrested, he had all his contact information on his laptop and a series of written notes around his bedroom. Let no one be in any doubt about where the information is coming from at the moment. That is not someone who is standing up against interrogation; that is a birdy that is singing. They are people who give things away and whose standard operating procedures are amateurish.

Let us also bear in mind the fact that bin Laden was very nearly tracked down by using a mobile phone. The meanest tuppeny-ha'penny drug dealer in Nottingham knows not to use a mobile phone if he wants to carry on with his business. We are talking not about giants of terrorism, but about people who get things wrong, and I ask the Government to keep that enemy in proportion and to communicate sensibly and realistically with the public to diminish fear—by doing so, we stand a better chance of winning.

Vernon Coaker (Gedling): I had not intended to contribute to the debate, but having listened to some of the remarks and realised that there was an opportunity, I want to make a couple of comments and take up a few minutes of the House's time. It is always good to follow my colleague, the hon. Member for Newark (Patrick Mercer), whose constituency neighbours mine, and it was interesting to hear some of his remarks.

Clearly, any war against terrorism has many different sides and many rights and wrongs. One of the important things that has come out in the debate is that no one, on whichever side, has a monopoly of wisdom or morality, as the Foreign Secretary said yesterday. We all agree about the need in the modern world to combat terrorism. We sometimes disagree about how to do that, but we all accept that it is far preferable for any Government to take action through the UN. Wherever we end up with the Iraqi crisis, I hope that the Government will take the opportunity, when things calm down, to review the way in which the UN has operated so as to find out whether any lessons can be learned.

[Vernon Coaker]

My hon. Friend the Member for Leeds, North-East (Mr. Hamilton) highlighted one of the issues that we all face: UN resolutions need to be applied equally irrespective of the country to which they relate. He made a powerful speech in relation to Israel and Palestine. When people talk to me about the current crisis with Iraq, even people who believe that the Government are pursuing the right course and that there is a very real threat from Iraq, they ask why the international community—whether the US, our Government or the UN—does not bring the same determination, desire and passion to bear on resolving the Israel-Palestine conflict as it is currently bringing to bear in relation to Iraq.

If people believed that there was a uniformity of desire to resolve such issues wherever they arose, the Government would not face some of the problems that they have in relation to Iraq. People believe that we are not demonstrating the same passion towards Israel and Palestine as we are towards Iraq, and it is important to deal with those problems even-handedly.

The reason I wanted to contribute particularly to this debate—having made those few comments and given guarded support to the Government so far, and hoping very much, as are many of my colleagues, for a second resolution—is that we must also discuss and think about the humanitarian consequences of any war with Iraq. I have just been to a meeting organised by Save the Children, Christian Aid and other non-governmental organisations, and deep concern exists about the planning for the humanitarian consequences of any conflict. Clearly, it is difficult, as, if one starts to plan for a war, a presumption exists that war will take place. I can understand the dilemma felt by people in that situation. We must consider those humanitarian consequences, however, and start to think about answers to the problems that will inevitably arise.

We know that millions of people may be displaced as they flee from war. Where will those people go? Will they be able to get into Turkey? Will there be safe havens in the northern part of Iraq and in the Kurdish area in northern Iraq? How will people travel the hundreds of miles across that part of Iraq that leads to Jordan? Will people have access there? What about the southern part of Iraq and people fleeing into Kuwait? What planning have the Government made with respect to that?

If we are to have a war against terrorism, and it is against the regime of Saddam Hussein, the Government, the United Nations and others who will be involved need to plan for those consequences. That will demonstrate clearly in a practical way that the war is against the regime and what it stands for, and not against the ordinary Iraqi people. What discussions have the Government had with the armed forces of this country and the United States about the preservation of vital infrastructure in Iraq, so that food aid or any other aid to that country can get to the people who need it? What planning have we made to get aid, whether food or medical resources, to the people of Iraq should conflict emerge?

These are all questions on which Parliament has not had much debate. As much as people come to me to debate the rights and wrongs of whether we should go to war, many people also raise issues with me about the humanitarian consequences of a war. Will my hon. Friend the Minister also say what kind of regime we would expect to see in Iraq following a war? What would be the involvement of the United Nations in that?

In relation to the war against terrorism, the Chancellor has announced increases in the military budget: the latest, a couple of weeks ago, was an extra £750 million, taking to £1.75 billion the amount of money that the Government have set aside for military operations in Iraq. What increases in aid budgets have there been to tackle some of the humanitarian issues that I have raised? Are those increases in absolute amounts or diversions from one aid budget in one part of the Government's programme to the possible humanitarian consequences in Iraq? I know from the meeting to which I referred earlier what is happening to Palestinians in the occupied territories. One of the worries is that some of the money and aid programmes to that area will be diverted to Iraq.

While we talk about the rights and wrongs of a war against terrorism, and about the military side of any campaign, it is important, if we are to demonstrate that what we are doing is against the regime in Iraq and not against the people, that we plan for the humanitarian consequences of any conflict, and that we do what we can to protect the ordinary people of Iraq.

My hon. Friend the Member for Leeds, North-East referred to the Palestinian-Israeli conflict and to Iran. It is important to understand the consequences for the rest of the region, and we need clear policies on that.

When we consider the foreign policy aspects of a war on terrorism, we must realise that poverty, inequality, social dislocation and a sense of alienation exist in some parts of the world. To combat terrorism we must, as a world order, do what we can through the United Nations to examine what we can do to alleviate the problems that provide the breeding ground for terrorists. To say that does not excuse terrorism or suggest that terrorism is the answer. However, we must try to resolve the difficulties that exist.

Let us prosecute the war against terrorism through the United Nations as far as we possibly can, but let us not forget that, alongside the military preparation and planning, we need the same desire and enthusiasm to consider what we can do about the humanitarian consequences of any action. In that way, we will demonstrate that the enemy are the evil regimes that are found in many parts of the world, not the ordinary people who live in those countries.

6.1 pm

Mr. Desmond Swayne (New Forest, West): It is a privilege to follow the hon. Member for Gedling (Vernon Coaker). I hope that I will be even briefer, but I doubt that I will achieve the clarity of his speech. Like him, I did not intend to speak in the debate, but spotted the opportunity that resulted from one of the few benefits of modernisation.

I wish to speak because my views on terrorism and how to deal with Iraq have changed in recent weeks. I started to receive considerable numbers of letters in the late summer, and the process has continued since them. Up to a few weeks ago, people would receive a fairly dusty response from me. I would say that I was far from persuaded that the war aims were clear, that there certainly was not an exit strategy that I could discern and that I was not persuaded that there was an imminent threat to the United Kingdom or its vital interests that would warrant military action.

I have changed my mind to a considerable extent, and I shall explain my reasons. The middle east has become almost the crucible of the world. For so long, it has been the focus of the three great monotheistic religions, but it is now the location, if not the cause, of most of the terrorism in the rest of the world, and particularly that which scars the middle east itself. For the war on terrorism to be prosecuted successfully and for there to be peace in the world, there must be progress and peace in the middle east. For there to be peace in the middle east, Israel will have to make substantial concessions. We have heard talk in the debate of the need for a Palestinian state with all that that would imply. However, I do not believe that that degree of concession—more than even Prime Minister Barak was prepared to make before the second intifada began—will be possible while regimes, such as that in Iraq, remain dedicated to the complete destruction of Israel and have the will and the intention to acquire arsenals such as we have heard described and such as those for which the weapons inspectors are searching. So regime change is, in addition to disarmament, a perfectly legitimate objective of our policy to secure progress in the middle east.

We must consider to what extent military action is a legitimate tool in securing regime change in Iraq and other terrorist states because there are many ways to skin a cat. People often say that military action must be the last resort. I am not sure that I share that view. I understand why we might say that military action should be a last resort in practical terms because we have to weigh up the practicalities and make a decision that takes into account, for example, the humanitarian consequences, to which the hon. Member for Gedling referred. In those circumstances, we would have to weigh up the probabilities and the costs of military action against the benefits.

In practical terms it would be legitimate to decide that military action is a last resort, but I do not understand why we would say in principle that it should be the last resort. There could be a humanitarian argument for precipitate military action. If we have made a proper estimate that military action is likely to be swift and believe that it will produce a relatively low level of collateral damage and civilian casualties, it might be preferable to entertain that action rather than putting up with years of a regime while we attempt to change it or disarm it by other means. We simply have to come to a judgment on such decisions. I must confess that while the regime in Iraq continues to export its poison to the rest of the middle east and to fund Hamas and the suicide bombings, the quicker we deal with it, the better it will be.

Who should decide when military action is appropriate? Should it be the United Nations, or should there be unilateral action on the part of Britain and the United States? I am a member of the United Nations Association. I passionately believe that the time will come when the UN has immense authority and will be fit to take such decisions. At that time, it will be proper to challenge anyone who gainsays the United Nations, but that time has not yet come. The authority of the United Nations does not stem from it just being a body that represents a number of nations; surely its authority stems from the nature of the regimes of which it is constituted. While it remains a fallible human institution, reflecting the fallible states that make it up—most of which are strangers to democracy—I do not understand why we should attach particular attention to its decisions.

If we say that the United Nations second resolution is an absolute condition of any decision to attack Iraq, we effectively hand over the moral decision that we have made on whether that is right and proper to the processes and the conflict of interests that are the reality of debate and decision making in the United Nations. It stretches credulity to say that its decisions are based on an ideal that we might have of it representing the people of the world. I do not believe that a United Nations resolution is a necessary condition. It is for us to decide what we believe to be right and, having made that decision, to pursue it with all the consequences that that will entail having made a proper estimate at the outset.

Hon. Members may recall that some years ago the state of Israel unilaterally attacked and destroyed Iraq's nuclear programme by taking out its nuclear reactors that were allegedly for civilian power generation. There was an absolute furore at the UN and enormous criticism of the state of Israel. The world is now rightfully thankful to Israel for having had the courage to take that action and to challenge the received opinion at the UN, and the world may in future be thankful to us for reaching similar conclusions in our deliberations over the next few days and weeks.

6.10 pm

David Burnside (South Antrim): My experience of terrorism, although big to me, is parochial and small in worldwide terms. It related only to Northern Ireland and the United Kingdom more generally until the mid-1990s, when I flew to Beirut for the first time. It was just at the end of the war there, and I saw what terrorism had done to a society that had been civilised for almost 20 years. That was part of an international conflict in the middle east, but it was also terrorism from all quarters. It was terrorism mixed with religion and fundamentalism from every sect and sector of society in Lebanon. That conflict in the middle east still exists in a combination of nationality and religious fervour, much of which those of us who come from a country with a great deal of religious fervour find distasteful and alarming.

My experience at the end of the war in Lebanon in the 1990s led me, after the attack on the twin towers on 11 September, to ask myself many times what changed because of that event. In the House, many of my colleagues and I have often asked—perhaps we have been misleading ourselves—whether there is any difference between international terrorism of that size and magnitude of evil and the terrorism of the individual bomb, whether in Harrods, Canary Wharf, Enniskillen or the nightclub in Colombia only a few weeks ago. There is no difference in the degree of evil—all those acts are terrorism, justified in some way by the organisations behind them, but still terrorism.

I believe, however, that there was a fundamental change after the tragedy of the twin towers: the world has changed in its fight against terrorism. That is why we

[David Burnside]

can now win. In the '60s, '70s and '80s, Members would argue in the House about whether individuals were freedom fighters or terrorists. The days of terrorists calling themselves freedom fighters are well and truly over. If, in the world order in the United Nations and the national order in the United Kingdom, we can have a set of conditions and criteria that define terrorism, and if we can maintain a national and international fight against it, proscribe it, ban it, stop terrorists being armed and put them out of business through intelligence and, if necessary, military action, good will have come out of the evil that took place in that massive act of international terrorism in the United States. That is why the world has changed.

In addition, we now live in a different world order in which we no longer have a conflict between east and west in which terrorism is justified between western democracies and the eastern communist bloc. That is a major and fundamental change, which means that the world order, whether in western democratic countries or emerging democratic countries in eastern Europe, Africa and the middle east, can act internationally against terrorism. That is why 11 September changed things.

I have at times been very pessimistic about the willpower of our Governments, Labour and Conservative, to defeat the terrorism that affected my small part of the UK for over 30 years and, I hope, is slowly but surely coming to an end. However, I think that international opposition from the world order, expressed, hopefully, through the United Nations, will defeat terrorism.

That brings me to the current fear and uncertainty. If I belonged to a terrorist organisation in Iraq or Afghanistan, I would like the disunity and division that I see in the United Kingdom press and on CNN and BBC reports. In the past week, newspaper front pages have revealed major divisions in the Government, the media and the international community, with France—I believe that it has declared this—and Russia going for a veto. That is no way to run a world order, and the credibility of the UN institution is up for grabs in the next couple of weeks. Unless the UN stands by the United States and the United Kingdom, and hopefully a strong and united world order, terrorists, rogue states and the Saddam Husseins of the world will think, "Divide, rule and conquer." As they read the papers and watch the television, they see a weakening world order—we are not sending out a good message. Saddam Hussein poses a threat, as do international terrorists such as bin Laden and others. The world order should be united and stand together.

I believe that good can come of evil, and I am optimistic that both fundamentalist terrorism and terrorism of the type perpetrated in Europe from the late 1960s by the Baader-Meinhof gang—we experienced the dreadful continuation of that for 30 years in the Provisional IRA—can be defeated. However, it can be defeated only by national unity in this country, a great deal more unity in the House than there has been in the past week, and much more unity in the United Nations, an organisation that should be a world policeman putting international terrorists out of business. I hope that we will have great unity in the House in the coming days, weeks and months—if we send that message to terrorists, both at home and abroad, we will defeat them.

6.17 pm

Mr. Gerald Howarth (Aldershot): Before I speak about the Select Committee report, it is appropriate to point out that we are debating estimates that provide for a substantial grant of further resources, in this case to the Foreign and Commonwealth Office to cover the excess expenditure that it has incurred on foreign policy aspects of the war against terrorism. The eighth motion on estimates, which cannot be debated, calls for the provision of more than £600 million of excess expenditure by the Ministry of Defence to be authorised by the House tonight. I am sorry that we are not going to have that debate; perhaps the Minister will convey to his colleagues in the Ministry of Defence the message that it would have been sensible for Parliament to have had such a debate, as we believe that some of that expenditure is the result of the withdrawal of the Sea Harrier, which is an important part of our defence system and maritime capability.

We have had an excellent debate. The universal consensus is that the report of the Foreign Affairs Committee is comprehensive, thoughtful and, in the view of my hon. Friend the Member for Chichester (Mr. Tyrie), outstanding. In some respects, it is the counterpart of the Defence Committee's equally impressive report on defence and security in the United Kingdom, which was published last July. I, too, congratulate the Chairman of the Foreign Affairs Committee and his colleagues on a first-class piece of work. Both reports illustrate some of the extremely impressive parliamentary work of Members who strive to reach a consensus across the political divide. Consequently, unless that work attacks the Government, it commands little or no press coverage.

One merit of the Foreign Affairs Committee's report is that, despite the turmoil of recent weeks, it has in most respects stood the test of experience. That is no mean feat. The Committee raised a number of fundamental issues that the Government have failed to address in their response, and on which I wish to press the Minister. Before doing so, however, let me agree with the Committee's conclusion that the Government's decision to align themselves closely with the United States in the war against terrorism has enhanced Britain's influence over current policy decisions and helped to foster the special relationship in the long run. The United Kingdom has proved itself to be a real and valuable ally.

British Ministers are now in a strong position to secure better terms of trade with the United States, but they need to take advantage of that position and to capitalise on it. My hon. Friend the Member for Chichester said that we deserved a privileged dialogue with the United States as a consequence of our stalwart support—particularly that given by the Prime Minister. I make no apologies for raising a defence issue in this debate, because defence has frequently been mentioned in connection with the report. The United States should be pressed very hard to provide British industry with greater access to its programmes, not as subcontractors but as full partners. That is the very least that the United

States owes to an ally that has been so staunch when many countries on which it was entitled to rely for support deserted it.

I am sure that I am not alone in expressing concern at the reports that I heard on the radio this morning about the construction contracts for the post-conflict reconstruction of Iraq being closed to all but United States companies. I hope that the Minister will make representations to his counterparts in the United States that British companies, at least, should get a look-in. I remember what happened in the Gulf war last time. The then Chief Secretary to the Treasury, David Mellor, wanted money from the Kuwaitis to bolster the United Kingdom's Exchequer, and the French wanted the contracts. If there are any contracts arising in the future, the United Kingdom should be the beneficiary of them.

My hon. Friend the Member for West Suffolk (Mr. Spring), who so ably opened for the Opposition in the debate, referred to the need to strengthen NATO. The Committee has called for the Government to set out how NATO's new military concept for defence against terrorism will be implemented. In their reply, the Government stated that the NATO response force was intended to reach initial operational capability by next year, and to be able to respond to what they called "existing and emerging threats". That objective is laudable, and we take the view that NATO is the organisation best able to guarantee the protection of the member states. However, the recent serious divisions over defensive missile deployment to Turkey illustrate the reality of a post-cold war world order.

The Committee described the emergence of what it called

> "significant differences between some EU leaders and the United States over the overall conduct of the war against terrorism . . . going to the heart of how to deal with threats of international terrorism."

Can anyone, in the light of those remarks and of the debacle over Turkey, believe that there is the remotest prospect of establishing a common European foreign and security policy? I noted that the Le Touquet declaration from the Prime Minister and Mr. Chirac contained some extraordinarily high-flown remarks about the EU's worldwide ambitions. I found that rather chilling. If they cannot agree in the face of a clear threat from international terrorism and rogue states, the prospect of their being able, as a collection of sovereign nation states, to exercise worldwide ambitions is very remote. NATO is the tried and trusted guarantor of European security. My hon. Friend the Member for Stratford-on-Avon (Mr. Maples) was entirely right to say that NATO was important, and that it was very bad for the organisation that those divisions had occurred. He talked about rebuilding bridges with our NATO partners, and he was right. It is imperative that we should do so.

Until 1989, there was a clear, overt and unanimously agreed threat in the form of Soviet Russia. The terrorist threat that we now face is covert, asymmetric and more difficult to define. It is also more difficult to define the military capabilities necessary to counter that threat. For example, a chemical or biological attack on London would be unlikely to be delivered by long-range aircraft; it would be more likely by means of a suitcase.

What about the press reports that have recently emerged, and to which my hon. Friend the Member for Newark (Patrick Mercer) drew attention, about drones—unmanned air vehicles? Hans Blix is reported to have knowledge of a UAV capable of delivering biological agents, yet there was no mention of that in his report on Friday. What do the Government know of that? What of reports of a cargo ship containing Iraqi chemical agents? Are we sufficiently protected against that threat? What are we doing to try and deal with threats on the high seas? What would be the authority for intervention in such cases, and how do these developments affect the inspections regime?

I note that the Committee's report concludes that the difficulties faced by the inspectors remain formidable, but that would not be the case if Saddam Hussein had offered full and immediate co-operation with them, as United Nations resolution 1441 and all 16 previous resolutions require him to do. We see further in the Government's response to the report that they believe that a material breach has occurred. What are the implications of that? Is Saddam to be given a further final, final opportunity, or do the Government believe that there is already sufficient justification for military action?

The fact remains that whatever justification is offered for military action, large sections of the public will retain deep misgivings about it. That is understandable. However, the situation has not been helped by the Government's reluctance to address some of those misgivings head-on. The mistakes in the dossier were mentioned. The Government have refused to acknowledge that there has been a change in the regime for the no-fly zones. The no-fly zones were designed to protect areas from infiltration by Iraqi aircraft, and the arrangement was that there was justification for retaliation in the event that our aircraft came under attack or were locked on to by Iraqi missiles. Recently, surface-to-surface missile batteries have been taken out. What is the justification for that? Why do the Government not make it clear that there has been a change in policy because those batteries are identified as possibly putting our soldiers at risk?

What about the refusal of the Foreign Secretary yesterday to answer the points made by the hon. Members for Liverpool, Walton (Mr. Kilfoyle) and for Linlithgow (Mr. Dalyell), the Father of the House, about the forged evidence on uranium purchases that were submitted to the International Atomic Energy Agency, and that that was provided by the United Kingdom? Those were specific points raised by the chief weapons inspector in New York on Friday, and the Government have not given an answer. They are serious matters. What authority can the Government command in their campaign to win public hearts and minds if, on key issues, there is evidence that they have made a mistake or are not coming clean with the truth? We believe that the public should be brought onside on these issues. I hope that the Minister will take the opportunity today to answer.

The report draws attention to the possibility of a backlash in the middle east as a result of military action. It states:

> "A US-led war on Iraq could have a substantial impact on already tense and unstable societies in the Arab . . . world".

such points have been made by hon. Members in the debate. Also touted is the prospect that war could result in a recruitment bonanza for al-Qaeda and other like-

[Mr. Gerald Howarth]

minded organisations. We accept the Government's assurances in their response, when they state that they believe the long-term benefits of their approach will considerably outweigh any cynical move by al-Qaeda to exploit military action for its terrorist ends. That is a crucial point in winning over British public opinion if force is to be used, but there has not been sufficient discussion of it to date. Can the Minister elaborate and give assurances that the United Kingdom's safety and that of our citizens will not be compromised by the use of force, if it comes to that?

The issue of legality has been an interesting part of the debate. In canvassing, it has been clear that there are conflicting opinions regarding the legality of military action to enforce resolution 1441 without a second resolution. The report concludes:

> "UN Security Council Resolution 1441 would not provide unambiguous authorisation for military action".

The hon. and learned Member for Dudley, North (Ross Cranston) made a very interesting speech in which he gave the Minister a valuable opinion that did not cost him a penny piece—*[Laughter.]* Of course, free advice is sometimes said to be not worth having. Nevertheless, in a carefully considered speech, the former Solicitor-General made some very interesting and persuasive points that the Government would do well to take on board. I asked him—I did so not to catch him out, but because I wanted to know the answer—who decides against all the conflicting opinion what constitutes international case law. Who decides on the international authority for taking such action? I am told by senior military people that the Attorney-General makes that decision, but we read that he has not got a lot to say about the matter. What would happen if he concluded that some lawyers—I have to say that they would mostly be left-wing ones—were suggesting that there was no justification in international law for military action?

Mr. Savidge: Given that my hon. and learned Friend the Member for Dudley, North (Ross Cranston) expressed the same concern that many people have expressed about pre-emptive war, does the hon. Gentleman agree that, in those circumstances, it is particularly important to have very solid grounds in international law before considering taking such action?

Mr. Howarth: The hon. and learned Member for Dudley, North came up with a number of reasons as to why he felt that there was justification. He was very clear about that and I shall not rehearse his opinions for the benefit of those who were not present. They can read his speech tomorrow; it is certainly worth reading.

There is a serious practical worry, as the Minister must also address the question of what happens in the event of a challenge or a suggestion that the United Kingdom has not acted within international law. I am advised that our troops are now so embedded in joint military structures with the Americans that the situation recently put to me by a soldier will be brought about, so he will be answerable to a United States senior officer. If the International Criminal Court were to feel in such circumstances that it had some jurisdiction regarding actions taken as a result of a conflict in Iraq, what would be the status of our soldiers? The United States has not signed up to the International Criminal Court, Iraq has not done so and France has a seven-year exemption—not that we need to trouble ourselves too much about France in these matters. Nevertheless, those are serious issues that affect the confidence of our troops and could affect the manner in which they can conduct military operations if they are called upon to do so.

I turn now to post-conflict reconstruction. Even if the hon. Member for Gedling (Vernon Coaker) made a late entrance, he certainly made some valuable points. It was well worth his while to come along and take pot luck as to whether he could get in on the debate. He took up an issue to which the Committee has rightly drawn attention. It states:

> "We recommend that the Government examine carefully the possible models for post-conflict reconstruction in Iraq, including a United Nations transitional authority. We recommend that, in its considerations, the Government bear in mind the necessity for country-wide peacekeeping, civil policing, transitional justice, and representation of all groups in Iraqi society".

The Government's reply states:

> "The Government is carrying out prudent contingency planning, examining all the points raised by the Committee."

Last week, I told the Secretary of State for Defence—and I tell the Minister now—that the Government are missing a trick. The hon. Member for Gedling is right. If we are to win the hearts and minds of the British people, let alone the Iraqi people, the Government and the Americans must make the case that they have the interests of the Iraqi people at heart. Detailed plans for dealing with post-conflict circumstances in Iraq are essential.

When I was in New York and Washington, the Americans were much more forthcoming than officials here. They are working on detailed plans. We were told that no one could buy bottled water anywhere in the Gulf because the Americans had bought it all for providing essential supplies to the people of Iraq. Even Kofi Annan told us that he had briefed the United Nations that morning about the possibility of post-conflict reconstruction. That is not based on a presumption of war; it is simply a sensible precaution.

The Government should be much more open. I appreciate that they have no firm plans yet and that there is a state of flux and uncertainty. However, I urge the Government to share the ideas that are currently being discussed to enable the transition from Saddam Hussein to a reasonable regime and to secure peace and prosperity for the people of Iraq.

The Minister should also take it into account that a peaceful transition to a secure future for Iraq is likely to involve British troops. They are already heavily overstretched. From where does the Secretary of State for Defence believe that he will get extra troops to undertake that obligation, which will be part of reconstruction, especially if Afghanistan is providing further problems that he must take into account?

Where do we go from here in trying to sort out future problems in the world? I believe that North Korea represents a threat and we should take it seriously. However, in the aftermath of whatever happens in Iraq, we must accept that there must be a limit on the number of sequential or simultaneous actions that one can take against regimes that one does not like. The United States must face that issue because it is the only superpower in the world. My hon. Friend the Member for Chichester made some interesting observations about that.

It is also essential to address the Arab-Israeli conflict. I have a feeling in my bones—I cannot justify it further—that the United States acknowledges that if it is not to be reviled in the Arab world, it must bring as much pressure to bear as possible to try to resolve once and for all the problem of Palestine. The resolution must secure the borders of Israel, protect the Israelis from suicide bombing and give the Palestinians a proper stake. That must be done.

We have had a good debate in which the Foreign Affairs Committee's excellent report has acted as a catalyst for a considered and measured assessment of the threat from international terrorism and the way ahead in dealing with Iraq. We have some way to go in formulating a comprehensive defence against terrorism. As my hon. Friend the Member for South Antrim (David Burnside) said, Irish republican terrorism has been the main threat to this country for the past 30 years. It remains, but we have been able to contain it in part, or at least come to terms with it.

The new threat emanates from Islamic fundamentalism, which is willing to resort to chemical and/or biological weapons, and operates through networks that may be harder to penetrate. It is a tribute to the security services that they have secured such successes, but a formidable challenge lies ahead. My hon. Friend the Member for Newark made the important point that we cannot ignore the ability of Baghdad and its associates to launch an attack on the United Kingdom through terrorism.

A wide range of views has been expressed articulately if predictably on Iraq. Some hon. Members argued for more time, but they are unwilling to specify its length. We all agree that Saddam Hussein is vile and that his time has come. If we are serious about upholding United Nations authority—resolution 1441 must be upheld—the Government owe it to the House to tell us what they intend to do if there is no second, or 18th, as the Americans call it, resolution. The Americans have taken the United Nations route. The Government must tell us what they plan to do if a second resolution is not forthcoming.

As we sit here tonight, we should bear in mind the difficulties of our troops who are poised like coiled springs out there in the desert. It is not possible that they can be maintained at that tempo for ever. I look forward to hearing what the Minister has to say, but I think that we should end the debate by thinking of our troops out there, serving the interests of our country and defending our freedoms.

6.40 pm

Mr. Mike O'Brien: With the leave of the House, Mr. Deputy Speaker, I shall reply to some of the points that have been raised—and, as is the custom, leave a minute or two for my right hon. Friend the Member for Swansea, East (Donald Anderson) to comment. I echo the congratulations expressed to him and all Committee members by Members in all parts of the House on an excellent report. Our debate on terrorism and weapons of mass destruction has also been excellent, and serious. I am surprised that more Members were not present throughout.

I have many questions to get through. I want to deal with most of the initial ones quickly, and I will therefore respond to no interventions at that stage so that I may be able to respond to some on Iraq.

I was asked a number of questions by the hon. Member for West Suffolk (Mr. Spring). Do we know whether Osama bin Laden is still alive? We believe that he is. We are still awaiting the results of the questioning of Khalid Sheikh Mohammed. As for the nature of the relationship between the European security and defence policy and NATO, we are very pleased with the growing agreement and progress on that. I was asked how NATO would implement the Prague agreement. The Government's reply to the Foreign Affairs Committee's report makes it clear that detailed plans are being drawn up to deliver the new concepts for defence against terrorism. They include the development of the NATO rapid response force, a mixed force able to deploy quickly in the face of emerging threats. The changes will give NATO an enhanced capability to protect us from a range of threats, including terrorism.

The hon. Member for West Suffolk asked how the Government would strengthen the United Nations. We are working hard to ensure that its resolutions are enforced, and if its resolutions are complied with, its authority will be enhanced. Countries will know that resolutions are not mere hot air. If resolutions on Iraq are important, so are resolutions on Palestine. If resolution 1441 is not enforced, what price resolutions 242, 338 and 1397?

My hon. Friend the Member for Aberdeen, North (Mr. Savidge) raised the distinction between different kinds of terrorism. He rightly condemned all kinds of terrorism, but distinguished terrorists with a negotiable political agenda—an agenda making it possible to negotiate an end to their terrorism, as we hope we have done in Northern Ireland—from terrorist groups with whom we cannot negotiate because their demands are too extreme. Although he has a good point, he will surely agree that we must not fail to condemn all kinds of terrorism. As the hon. Member for South Antrim (David Burnside) pointed out, after 11 September, the days of the terrorist calling himself a freedom fighter are gone.

The hon. Member for Aldershot (Mr. Howarth) spoke of the need for political change in the middle east. We all need to see that there is political change in the middle east. The west needs to recognise that real, long-term stability in the middle east must rest not with regimes of stability—that has been the case all too often in the past—but with economic reform and democracy. Iran is an example, in that in the past we supported regimes like that of the Shah. We were wrong to do so: it produced political extremism. In the long term, the only way to deal with the middle east, as with any other part of the world, is to promote economic reform and the spirit of democracy. If we believe that that is best for our people, we should believe that it is right for all people. We must also recognise that in the future, stability will require real reform. That is right for the Arabs, and right for the west.

The hon. Member for Stratford-on-Avon (Mr. Maples) suggested that we should enforce a settlement in the middle east. I agree that the outlines of an agreement are clear, but the devil is in the detail, and it is the details that are crucial. He was unclear about the nature of the enforcement that he favours if, for

[Mr. Mike O'Brien]

example, Israel or the Palestinians say no. Frankly, it is difficult to see what further sanctions could be applied against the Palestinians if they decided to say no, given the extent of the sanctions already against them. It is an interesting idea, but it requires agreement from the Security Council, and as we have seen, such agreement is not that easy to achieve.

Mr. Maples: Will the Minister give way?

Mr. O'Brien: I will not give way on this matter, as I want to get on to Iraq.

My hon. Friend the Member for Leeds, North-East (Mr. Hamilton) said that we cannot impose a settlement that does not win the hearts and minds of the people, and my hon. Friend the Member for Gedling (Vernon Coaker) said that we should bring passion to the need to push forward the middle east peace process. However, I should tell him that that passion is there. The historical injustice done to the Palestinians must be dealt with, and the violence done to the Israelis must end. Peace requires a Palestinian state. We have respect in the middle east now because of the personal commitment of my right hon. Friend the Prime Minister to the peace process, and I can offer an assurance that that will continue. However, we must ensure that we get the United States on board as well. The US is essential in ensuring that Prime Minister Sharon is delivered to the peace table, and I can assure the House that we will do all that we can to work with the United States on moving forward the middle east peace process.

In turning to the points that were raised about Iraq, I should begin by making it clear that I do not want a war and nor does this Government. It is a matter of great sadness that we must even contemplate such a possibility. This is a Labour Government. We are a Government of the left, and our default position is to oppose wars, but sometimes we have to ensure that we deal with United Nations resolutions in a way that recognises their importance. After 12 years, 17 UN resolutions—we are now contemplating the 18th resolution—and more than four months since the adoption of resolution 1441, which gave Iraq a final opportunity to disarm, the time has come when we must decide where we stand.

No one can seriously doubt that Saddam Hussein possesses a fearsome range of weapons of mass destruction and is a threat to his own people, to his neighbours and, ultimately, to the whole of the middle east. The basis of Saddam's regime is his possession of WMD. He has used them against his own people—notably in Halabja, in 1988—and against his neighbours, with horrific results in both instances. Much of his power comes from the possession of WMD, which are held by a small elite, and which he uses to intimidate his army and his people. Our aim is not regime change, but if Saddam Hussein does not disarm, we may have to change the regime in order to disarm him. If he remains in power with WMD, there is no question but that he will continue to murder his own people and to threaten the region. WMD are an integral part of his regime. A Saddam Hussein without WMD is a weakened Saddam Hussein.

Mr. Savidge: The Minister mentions 17 resolutions during 12 years. How many resolutions does he think that there would have been during three times that period, but for the US veto over the issue of Israel?

Mr. O'Brien: Is my hon. Friend saying that, because the United States may have vetoed some resolutions, we must say that we will not seek to enforce UN resolutions on Iraq? *[Interruption.]* He shakes his head, and of course he is not saying that. No, let us focus on the issue that we have to confront in the next days and weeks, which is Iraq. I have no problem in agreeing with my hon. Friend that we need to move forward on the middle east, but we also need to recognise that we have obligations in relation to Iraq.

Mr. Chidgey: The Minister says that Saddam Hussein and weapons of mass destruction are integral. However, given that experts tell us that it is impossible to be sure that we can destroy, or even find, all those weapons, is not regime change inevitable in the light of America's policy as it relates to deterrence? If we cannot be sure that we have found all the weapons of mass destruction, surely America will press for regime change in defence of its own interests.

Mr. O'Brien: I shall come to that point but Saddam Hussein knows what he has to do. He has to declare all the weapons of mass destruction. We have some information about what he has, and we can use that information to check how much he is holding back when he claims to make a full declaration, which he has not yet done. If he covers all the areas that we know about, we will know to some extent that he has made a full declaration. We have the capacity to make that judgment.

David Taylor (North-West Leicestershire): The diplomatic code for the use of force is usually the phrase "all necessary means", which does not appear in resolution 1441 or the present draft resolution. Does the Minister believe that reference to "serious consequences" authorises force in this case under international law?

Mr. O'Brien: If my hon. Friend had been in his place earlier in the debate he would know that we heard a learned opinion on that point. A number of legal phrases are used to authorise the use of force and no one can be in any doubt about the meaning of "serious consequences". Everyone who signed up to that resolution knew what that meant. They knew then and they know now.

In a serious speech, my hon. Friend the Member for Birmingham, Northfield (Richard Burden) asked about the UK's resolution and the inclusion of a number of tests. We are considering the inclusion of tests and how we can use Hans Blix's written report—his cluster document—which raised several specific questions, to bring the Security Council together.

It is right that we are reluctant to threaten military action, but we have shown that we have been right in the past to take action, for example in Afghanistan, Sierra

Leone and Kosovo. We were right to take military action in those places, even though many people had doubts at the time. In each of those cases, we showed leadership in urging the international community towards resolute action and in being ready to take a key role in it ourselves. The alternative—doing nothing—was worse. As my hon. and learned Friend the Member for Dudley, North (Ross Cranston) explained, in the case of Kosovo and other situations, we did so without a UN resolution, because it was the right thing to do. The risk of military action must be measured against the risk that somehow inaction will make the world safer—it rarely does.

No one who looks objectively at the record can doubt the great efforts that have been made, and that are still being made, to disarm Iraq peacefully. Since 1991, the UN has tried all the tools at its disposal, including inspections, sanctions and persuasion to disarm Iraq. Security Council resolution 1284, passed in 1999 after the inspectors had been forced to leave, offered Iraq the prospect of the lifting of sanctions in return for disarmament. We spent the next three years trying to persuade Iraq to co-operate, but it again refused.

As my hon. and learned Friend the Member for Dudley, North said in an erudite exposition of the law, Security Council resolution 1441 gave Saddam a "final opportunity" to comply with the string of legally binding obligations imposed on him over the past 12 years. It is telling that, at last Friday's meeting of the Security Council, not one speaker—despite obvious differences of view—claimed that Saddam Hussein and Iraq had complied "immediately, unconditionally and actively" as required by resolution 1441. As my right hon. Friend the Member for Swansea, East said, nothing was immediate, nothing has been unconditional and there has been precious little activity from Saddam Hussein. We have never had the full declaration of all Saddam Hussein's weapons of mass destruction. The inspectors have never had the basic document required to do their job. They have struggled along valiantly with a partial document.

Dr. Blix reported to the Security Council that

> "while the numerous initiatives, which are now taken by the Iraqi side with a view to resolving some longstanding open disarmament issues, can be seen as 'active', or even 'proactive', these initiatives, 3–4 months into the new resolution cannot be said to constitute 'immediate' cooperation. Nor do they necessarily cover all areas of relevance."

Dr. Blix went on to report some of the small steps taken, only recently, by Iraq, including the destruction of al-Samoud missiles.

He described that as a

> "substantial measure of disarmament—indeed the first since the middle of the 1990s."

However, no objective observer can conclude that this patent last-minute window dressing amounts to anything like the immediate, unconditional and active co-operation demanded by resolution 1441.

As someone said to me when I was in Damascus, Saddam Hussein is dealing with the matter as if he were a trader in the soukh. He wants the least possible amount of disarmament to get the UN off his back. He seems to think that he can negotiate, but resolution 1441 is very clear. Full compliance is required: that is what he must give, and it is what he has so far failed to give. That is typical of the way in which Saddam Hussein has used tactics for the past 12 years. He dribbles out scraps of information and small concessions, but he continues to conceal the extent of his arsenal.

If we believe that inspections with no firm end-date will achieve the complete disarmament of Iraq, then we deceive ourselves. Iraq has proved itself to be more than adept at exploiting the existing sanctions regime. As my hon. Friend the Member for Bury, North (Mr. Chaytor) said, Dr. Blix's report entitled "Outstanding Issues Concerning Iraq's Proscribed Weapons Programme" shows what Iraq is still up to.

The report showed that Iraq repaired equipment in the chemical area previously destroyed by UNSCOM, and refurbished chemical facilities; in the biological field, there was a new emphasis on higher education in biotechnology, and a new genetic engineering facility was established. There was a surge of activity in the field of missile technology. The report identifies 29 specific areas in which Iraq is known to have engaged in prohibited activities. They include work on Scud-type missiles, VX gas, anthrax, tabun, sarin, botulinum toxin, and many other elements specifically related to weapons of mass destruction.

Dr. Blix's report shows that a huge number of questions remain unanswered. Iraq's weapons of mass destruction are there, and we need to find them. It sets out more than 100 specific actions that Iraq must take to resolve these issues. A spasm of activity is insufficient. We need more than that; we need full compliance by Saddam Hussein. He knows what he has to do, and what facilities he has to reveal. Sharing this information with the inspectors can hardly be said to require months of work. The evidence must be produced, and quickly.

We need to present Saddam Hussein with a clear choice. We must therefore send him the message, "You will be disarmed—peacefully if we can, but forcefully if we must."

If we fail in this effort, if we do not disarm Saddam Hussein, there will be three messages: UN sanctions can be ignored, international law will not be enforced, and other dictators with the political will and money to develop weapons of mass destruction—and there are many of them—will conclude that they can do so with impunity. The world would then be a much more dangerous place for our children than it has been for this generation.

If we succeed in disarming Saddam—peacefully if we can, forcefully if we must—the messages will be: UN resolutions do matter, international law will be enforced, and other regimes contemplating developing weapons of mass destruction must think very hard before doing so.

This is something that we must do. It is the right thing to do—and we had better get on with it.

6.59 pm

Donald Anderson: With the leave of the House, I rise to give a brief final blessing to the debate. It seems a long time ago that I rose to commend the report of the Foreign Affairs Committee to the House. I spelled out the aim of the Committee: to use our privileged position

[Donald Anderson]

to provide information to the House. I believe that it shows the relevance of Select Committees in providing that information, and in providing a monitoring device to place a check on the Executive. In a professional world, the legislative body must itself be expert.

In my judgment, the debate has lived up to expectations. The many contributions have included the case for war and peace, a look at the law behind that case, a discussion of post-war reconstruction and the middle east peace process.

I congratulate all hon. Members who contributed to the debate, which has been more reflective than the one that may take place in the next week or so. That will be a debate on whether there should be war or peace. We are at a crucial stage, and events taking place now in New York will determine the future.

This worthwhile debate has given the House an opportunity to look at key issues. I congratulate all my colleagues, and I know that those hon. Members who serve with me on the Foreign Affairs Committee will be confident that our labours have been very well justified.

It being Seven o'clock, MR. DEPUTY SPEAKER *proceeded to put forthwith the Question relating to Estimates which he was directed to put at that hour, pursuant to Standing Order No. 54(5) (Consideration of estimates).*

Question put and agreed to.

Resolved,

That further resources, not exceeding £144,807,000, be authorised for use during the year ending on 31st March 2003, and that a further sum, not exceeding £26,460,000, be granted to Her Majesty out of the Consolidated Fund for the year ending on 31st March 2003 for expenditure by the Foreign and Commonwealth Office.

It being after Seven o'clock, MR. DEPUTY SPEAKER *proceeded to put forthwith the Questions relating to Estimates which he was directed to put at that hour, pursuant to Standing Order No. 55 (Questions on voting of estimates, &c.)*

ESTIMATES, 2002–03 (NAVY) VOTE A

Resolved,

That, during the year ending on 31st March 2003, modifications in the maximum numbers in the Reserve Naval Forces set out in HC 376 of this Session be authorised for the purposes of Part III of the Reserve Forces Act 1996.

ESTIMATES, 2002–03 (ARMY) VOTE A

Resolved,

That, during the year ending on 31st March 2003, modifications in the maximum numbers in the Reserve Land Forces set out in HC 376 of this Session be authorised for the purposes of Part III of the Reserve Forces Act 1996.

ESTIMATES, 2003–04 (NAVY) VOTE A

Resolved,

That, during the year ending on 31st March 2004, a number not exceeding 46,025 all ranks be maintained for Naval Service and that numbers in the Reserve Naval and Marine Forces be authorised for the purposes of Parts I, III, IV and V of the Reserve Forces Act 1996 up to the maximum numbers set out in HC 377 of this Session.

ESTIMATES, 2003–04 (ARMY) VOTE A

Resolved,

That, during the year ending on 31st March 2004, a number not exceeding 128,195 all ranks be maintained for Army Service and that numbers in the Reserve Land Forces be authorised for the purposes of Parts I, III, IV and V of the Reserve Forces Act 1996 up to the maximum numbers set out in HC 377 of this Session.

ESTIMATES, 2003–04 (AIR) VOTE A

Resolved,

That, during the year ending on 31st March 2004, a number not exceeding 57,415 all ranks be maintained for Air Force Service and that numbers in the Reserve Air Forces be authorised for the purposes of Parts I, III, IV and V of the Reserve Forces Act 1996 up to the maximum numbers set out in HC 377 of this Session.

ESTIMATES, EXCESSES, 2001–02

Resolved,

That resources, not exceeding £1,504,912,617.37, be authorised for use to make good excesses of certain resources for defence and civil services for the year ended on 31st March 2002, and that a sum, not exceeding £199,955,750.09, be granted to Her Majesty out of the Consolidated Fund to make good excesses of certain grants for defence and civil services for the year ended on 31st March 2002, as set out in HC 463.

SUPPLEMENTARY ESTIMATES, 2002–03

Resolved,

That further resources, not exceeding £21,242,681,000, be authorised for use for defence and civil services for the year ending on 31st March 2003, and that a further sum, not exceeding £7,471,054,000, be granted to Her Majesty out of the Consolidated Fund to meet the costs of defence and civil services for the year ending on 31st March 2003, as set out in HC 423, 424 and 484.

Ordered,

That a Bill be brought in on the foregoing resolutions relating to Estimates, Excesses 2001–02, and Supplementary Estimates, 2002–03: And that the Chairman of Ways and Means, Mr. Chancellor of the Exchequer, Mr. Paul Boateng, Dawn Primarolo, Ruth Kelly and John Healey do prepare and bring it in.

CONSOLIDATED FUND (NO. 2) BILL

Ruth Kelly accordingly presented a Bill to authorise the use of resources for the service of the years ending on 31st March 2002 and 2003 and to apply certain sums out of the Consolidated Fund to the service of the years ending on 31st March 2002 and 2003: And the same was read the First time; and ordered to be read a Second time on 12 March 2003, and to be printed. [Bill 68].

Employee Health

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Stephen Twigg.]*

7.03

Mr. Barry Sheerman (Huddersfield): Few of my hon. Friends would disagree that workers' health is crucial in all the communities of our country. Having a healthy work force benefits individuals, employers and the United Kingdom as a whole. Tonight, I want to focus on a particular sector of that work force—people working in bars, pubs, clubs and restaurants. Employees in that sector are especially vulnerable. They are vulnerable because they are almost always on the minimum wage, or just above it, and because they are hit by serious health risks—risks that regularly affect 3 million people. The effects of those risks kill 1,000 people a year. I refer to passive smoking—something that is entirely preventable.

The debate is timely, as tomorrow is no smoking day, although I was not aware of that when I made my request for an Adjournment debate.

David Taylor (North-West Leicestershire): As my hon. Friend points out, national no smoking day is tomorrow and my early-day motion 833 refers to it. Does he agree that the sizeable group of workers to which he refers includes people in this place, the Palace of Westminster? Like those hon. Members who signed the early-day motion, does he lament the fact that smoke-free air is still not the norm in the bars, restaurants and corridors of the precincts of the Palace of Westminster?

Mr. Sheerman: I certainly agree with my hon. Friend, who is well known for his activity in and chairmanship of an all-party group on smoking and health.

My focus this evening lies outside the world of education. When one is the Chairman of a Select Committee, it is a great relief to speak on other subjects in this place; one sometimes feels that education and skills are the only things that one ever discusses. However, we have a life outside Select Committees and my passion for protecting the health of vulnerable workers is of long standing.

I am disappointed by the Government's record. The Labour Government who came to power in 1997 have had 2,016 days during which they have chosen to do little or nothing to protect the health of workers in the pub and club industry. The measures that they have tried to introduce have, on the whole, been half-hearted and ineffectual.

The White Paper, "Smoking Kills", published in December 1998, commissioned the Health and Safety Executive to draft an approved code of practice. Where is it? Is it buried somewhere at the HSE? The code is ready but successive Ministers have said, "No, not just now; it is too hot to handle."

There is no reason for that. Why did the Government ask for a draft code and then not introduce it? Instead, they called on the hospitality trade to adopt a voluntary non-smoking policy in facilities for customers. That is fine for customers, but anyone who visits busy pubs, clubs or restaurants, where much smoking takes place, knows that the people who work there—on long shifts, for low wages and at unsocial hours—spend many hours absorbing polluted air. One large pub chain, J.D. Wetherspoon, has introduced non-smoking areas, but that does not affect its employees. Voluntary adoption of a code is not enough.

Polls commissioned by the Government found that the public favoured Government involvement to control passive smoking at work. Polls tell us simple things, such as that 70 per cent. of the people of this country do not smoke. However, those people are excluded from many public and private places by people who smoke. That antisocial behaviour is regrettable.

Despite the fact that the HSE approved the draft code of conduct in 1999, it has not yet been approved by the Government. There is speculation as to which Minister buried the code and why it cannot be resuscitated. Such speculation points to concern about bureaucracy and the costs to business, especially bars, pubs and clubs.

Experience in other countries shows that the introduction of such protection for workers leads to more people deciding to go out for a night. Pub and club entrepreneurs found that when there were no-smoking areas in pubs, clubs or restaurants, more people in the non-smoking 70 per cent. decided to go to them. Indeed, in New York, where a code was introduced by former Mayor Giuliani, but implemented by the present mayor, there has been a rise in the volume of trade in the leisure industries. More people have been liberated to get out there and enjoy an evening's entertainment.

The HSE is privately consulting the hospitality sector about an informal agreement on passive smoking, but in my view and that of my colleagues that is not a matter for an informal arrangement when 1,000 people a year die as a result of passive smoking. Of course that is a large number, but 120,000 people a year die from smoking-related causes.

Mr. Kevin Barron (Rother Valley): My hon. Friend mentions New York and the leisure industry, particularly restaurants. Does he agree that people have chosen to go to non-smoking restaurants for many years in New York and that has been good for business? I cannot understand why people in the United Kingdom's leisure industry do not look at the positive things that are happening around the world, given that many of us would enjoy our restaurant meals more without that interference with our fresh air. That points to the conservative nature that we in the United Kingdom have in not wanting to change.

Mr. Sheerman: My colleague is a longstanding anti-smoking campaigner, and he is absolutely right. The fact of the matter is that, on one side, the leisure industry in this country is deeply entrepreneurial, but on the other, it is deeply conservative about predicting how people would react to a cleaner atmosphere.

I intend to introduce a Bill along the same lines as this Adjournment debate to protect employees, so I want to concentrate on them this evening because they cannot escape. Employees do not have a choice about whether they work a shift, and their health is under threat. I was reading the history of the slow introduction of protecting miners from dust. For hundreds of years, men were asked to crawl into holes in the ground to mine

[Mr. Sheerman]

coal, and I was amazed to find that the first real step towards regulation was taken in 1954 and that effective regulation on the inhalation of dust by miners was not put in place until 1975. That really makes one think how slow we have been to protect one group of workers from crippling diseases, and we now have another conservative sector in the shape of the leisure industry, which is so reluctant to protect workers from something that is proven to affect their health.

A study in New South Wales showed that carbon monoxide in the bloodstream of non-smokers increased four times after they had worked for four hours in licensed premises. That is a remarkable piece of research. In California, a study of what happens before and after exposure to passive smoking showed that 74 per cent. of people initially reported respiratory problems. That is a daunting figure, and it is clear that something drastic must be done, and that the foundations are already laid in common law.

I want to give a warning to the industry this evening. If we cannot wake up the Government and get them to do something about this, the industry should watch out, because there will be class actions against employers and severe repercussions for the insurance industry. There will be a dramatic change in the atmosphere in this country, because insurers will steadily learn that insuring the large chains that are negligent of their workers' health represents a very poor risk. Employers should be held responsible for the conditions in which their employees work. Given that, it seems to me that insurance companies would do well to get on the bandwagon of the trade unions and other bodies who have been calling for protection for employees' health. Indeed, the trade union movement has galvanised itself into action in recent years, and we have seen a much more positive attitude from the trade unions that represent workers in those areas

I hope that the Government will respond positively this evening. I know that this matter straddles the Department for Work and Pensions and the Department of Health. What we want from the Minister is some recognition that the Government have wasted a great deal of time in doing anything positive about smoking and health, particularly in relation to employees at work. Under two Administrations, I have listened to various Ministers' pretty words and fine speeches, but there has been little action that has made much difference. In relation to smoking and women's health, young women have been smoking much more than in past years, and the impact on their health is showing already in the statistics. Will the Government accept that they must also take action on passive smoking to protect the health of a vulnerable section of the work force, as was belatedly done to protect workers in mining and in other vulnerable circumstances?

Let me finish by talking about what is happening elsewhere. In Ireland, the Minister responsible, Michael Martin, announced in February a complete ban on smoking in public places beginning in January next year, inspired again by the desire for workers to be protected, following a successful campaign by the relevant unions in Ireland. That came after a substantial report by the Office of Tobacco Control and the Health and Safety Authority, suggesting that the only effective way to control passive smoking was to enforce an outright ban—in Ireland, everyone's image of which is a wonderful smoke-filled little pub. Again, the Irish are taking the lead.

In the United States, in New York, the smoke-free laws were introduced in 1995 by Mayor Giuliani, and were passed by Mayor Bloomberg. Those mainly concerned drinking and eating establishments with a capacity of 35 people or more. Today, however, the ban extends to all establishments. Four years later, as I have said, bar and restaurant sales have increased substantially. The Labour Government should not therefore be timid or frightened: it is good for business. Are we not best when we are at our boldest?

For goodness' sake, will the Minister listen to what the Prime Minister said at our last party conference and be bolder in protecting workers' health? It is high time we tackled this issue by introducing legislation that protected vulnerable workers.

David Taylor: My hon. Friend is painting a vivid picture of clubs and restaurants in New York. Karaoke and club singers often have in their repertoire the song, "Smoke Gets in Your Eyes". Does he agree that that is only partly true, as it gets into our clothes, our hair, our bloodstream, and, eventually, on to our death certificates? Is not that the harsh reality?

Mr. Sheerman: Absolutely. I must admit that Nina Simone's rendition of that song is one of my favourites. My hon. Friend makes a serious point, even if he starts with a light introduction.

The fact is that this country, yet again, in the vital area of protecting our citizens' health, lags behind the competition. Is that the sort of society that we want in the 21st century? Surely, at some time, we want to build on those areas in which we lead in health rather than trailing the frontrunners.

7.19 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): I am afraid that I cannot compete with Nina Simone, but I will do my best to deal with some of the points that my hon. Friend the Member for Huddersfield (Mr. Sheerman) has raised. I congratulate him on the way in which he has raised these issues. It is clearly a matter about which he and his colleagues who have attended the debate feel strongly. I have never smoked except passively, and I understand why he and other hon. Members hold such strong feelings.

I note that tomorrow is national no smoking day. I will not have a problem managing not to smoke tomorrow, but I hope that the many people who see tomorrow as the first day of the rest of their lives and who try to give up the habit will not have any trouble.

My hon. Friend the Member for North-West Leicestershire (David Taylor) referred to the position in the Palace of Westminster. The issue is of concern here, as it is in any other workplace. He was right to raise the subject.

As my hon. Friend the Member for Huddersfield made clear, the Health and Safety Executive has been dealing with the matter for some time. It launched a strategic initiative to revitalise health and safety and has given particular prominence to securing improvements in workers' health. The occupational health strategy—securing health together—was launched two years ago, and it represents a long-term commitment to improving occupational health. There is no doubt that the HSE has examined the issue and is trying to reduce ill health among workers and the ill health among members of the public that is caused or made worse by work. The strategy also aims to help people made ill—whether caused by work or not—to return to work, to improve work opportunities for people not in employment owing to ill health or disability, and to use the work environment to help people maintain or improve their health. An important component of that is dealing with exposures to toxic substances, including the hazards associated with passive smoking. Passive smoking in the workplace—or, indeed, anywhere else—is a topic that generates strong debate and, as my hon. Friend made clear, the Health and Safety Commission consulted on the matter some time ago.

The Government's scientific committee on tobacco and health published a report in 1998 on the emerging evidence of the effects of exposure to passive smoking. One of its recommendations was that, wherever possible, smoking should not be allowed in the workplace. As a result, Ministers asked the HSC to give advice on possible ways forward. My hon. Friend has referred to the proposal for an approved code of practice that followed the consultation that took place.

In formulating its advice to Ministers, I know that the HSC carefully considered the views of those who might not want such an advisory code of practice. It is often said that small businesses and the hospitality sector are against a code, and my hon. Friend referred to some of those sectors. Of course, their views were considered, but the HSC had to consider the need to protect the 3 million people who are involuntarily exposed to other people's tobacco smoke at work and to do this for all workers regardless of occupation or industry. He referred, in particular, to those who work in the hospitality industry and in pubs, clubs and bars.

I emphasise that the law on this issue is already on the statute book. Under the Health and Safety at Work, etc. Act 1974, all employers have the same duty to ensure, as far as is reasonably practicable, the welfare of all their employees at work. In particular, section 2(2) of the Act requires employers to provide a working environment for staff, which is

> "adequate as regards facilities, and arrangements for their welfare at work".

Of course, that covers hazards such as passive smoking, and the proposals in the approved code of practice would not introduce any new legal duty. That legal duty already exists. The code would simply set out what are regarded as reasonably practicable methods of complying with existing law.

My hon. Friend asked why has it taken so long for the Government to act on the proposed approved code of practice. In considering their response to the advice received from the HSC, they have listened to other views and asked that further consideration be given to the needs of smaller firms and the hospitality sector. After taking legal advice, however, the HSE concluded that it would not be possible to exempt any sector or industry, or to stage compliance by different sectors, by using an approved code of practice because the approved code of practice method sets out ways of meeting a duty that already exists. In the meantime, the Government have done much to deal with passive smoking.

If we are to ensure protection against passive smoking in public places, we need action nationally and locally to raise awareness of the risks associated with it and to increase the prevalence of smoke-free environments. We will continue to encourage the development of smoke-free policies, working with both employers and communities.

Mr. Gareth Thomas (Harrow, West): My hon. Friend is right to highlight the strong record of my hon. Friends the Members for Huddersfield (Mr. Sheerman) and for North-West Leicestershire (David Taylor) and my right hon. Friend the Member for Rother Valley (Mr. Barron) on the issue. If another Labour Back Bencher were to make a specific case for a complete ban on smoking in restaurants, would she undertake to consider carefully the arguments that such a Back Bencher might make?

Maria Eagle: If my hon. Friend is referring to himself, he knows that I always take a great deal of notice of him. Indeed, Ministers consider carefully the views of all Back-Bench Members. I would take such a Bill seriously. I heard what my hon. Friend the Member for Huddersfield said about his intentions. I also recognise the work carried out by my right hon. Friend the Member for Rother Valley (Mr. Barron) on all aspects of smoking. He has a fine record on that and it does not surprise me to see him in the Chamber.

Ministers are still reviewing the practicalities of an approved code of practice, but it would not change the law. We have been concentrating on dealing with awareness raising and voluntary action. We have worked with the hospitality industry since 1998 to reduce the problem of exposure to passive smoking by developing a public places charter. It commits signatories, and many have signed up, to increase the provision of facilities for non-smokers, to improve ventilation and to give customers better information about the level of smoke-free facilities in an establishment. An independent evaluation of the charter is being commissioned and further work will be considered on the basis of the findings.

Mr. Sheerman: I hear what my hon. Friend says, and it is interesting, but why have the Government set their face against introducing legislation to protect vulnerable workers when the Irish have not?

Maria Eagle: The Government have not set their face against legislation and we are still considering the approved code of practice. The 1974 Act places obligations on all employers in respect of the health of their workers. We know that gains can be made by voluntary action. My hon. Friend mentioned other jurisdictions, such as Ireland and New York, and smoking in public has been banned in some places. Regulations in Ireland to ban smoking in all workplaces have been published in draft and will be implemented on 1 January next year. However, such legal restrictions have to be policed.

[Maria Eagle]

We believe that it is possible to make substantial progress on a voluntary basis while we consider the issues. The Government have supported the licensed hospitality industry's public places charter, which aims to improve facilities for non-smokers in pubs, bars and restaurants. As my hon. Friend made clear, it makes good commercial sense to improve facilities for non-smokers. Voluntary action is taking place and it can make a difference. I am certain that we will watch with interest what happens in Ireland. The Government are determined that progress must be made. That is a necessity.

Mr. Barron: The Health and Safety at Work, etc. Act contains a test of what is reasonable and practicable. I have seen evidence, which I know that the Government have received, in which barristers say that the test has never been applied to people suffering from passive smoking in the workplace. Are the Government prepared to publish the advice that they have been given on that issue?

Maria Eagle: I shall certainly have a look at that, as my right hon. Friend has raised the matter with me. I am not in a position to tell him now what the situation is, but I undertake to get back to him once I have investigated it.

The Government are funding local tobacco control alliances throughout England which work in communities to raise awareness and increase the number of smoke-free environments. Findings from those projects will also inform the future development of work in that area. There are 42 such alliances in England, and the Government spend about £1 million on support for their work. We are considering, in addition to action that is already under way, developing education and information resources to raise awareness and understanding of the risks associated with passive smoking.

Again, I commend my hon. Friend the Member for Huddersfield and other colleagues present for raising the issue. The Government take it seriously, and we want to see progress. My hon. Friends and I agree that we need to make sure that workers in these industries are offered appropriate protection, and once the review of the approved code of practice has been completed, the Government will return to the House with our conclusions.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes to Eight o'clock.

House of Commons

Wednesday 12 March 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

TRANSAS GROUP BILL (BY ORDER)

Order for Second Reading read.

To be read a Second time on Wednesday 19 March.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Police Recruitment

2. **Rev. Martin Smyth** (Belfast, South): If he will make a statement on the Police Service of Northern Ireland recruiting patterns. [101440]

The Minister of State, Northern Ireland Office (Jane Kennedy): Since February 2001, 644 recruits have been appointed to the Police Service of Northern Ireland on the statutory 50 per cent. Catholic, 50 per cent. non-Catholic basis. The fifth recruitment campaign was launched on 7 March.

Rev. Martin Smyth: Does the Minister agree that in competition three, for example, the training has been undersubscribed by about 70, that none of the targets has yet matched up to requirements, and that we are haemorrhaging more officers than we are getting in? Does she also agree that the Chief Constable's desire to have more bobbies out serving the people would be best achieved not by abolishing the PSNI band but by changing the 50:50 recruitment requirement?

Jane Kennedy: No, I do not agree with that. The figure to which the hon. Gentleman referred in the third competition is not one that I recognise, although I will investigate what he has said. It remains true, however, that more than 530 recruits entered training in the first year. That is well in excess of the figure of 370 suggested by the independent policing commission—Patten's figure.

Rev. Ian Paisley (North Antrim): Does the Minister agree that the constitution of the new local policing partnership boards will have an effect locally on how recruitment will go? If the boards do their duty well, it will improve the status of the police force in their area. Will she, however, take on board the fact that there is a great deal of concern in Northern Ireland about how the boards have been appointed? Is it the Government's rule that ex-members of the Royal Ulster Constabulary should not be appointed to them? A prominent former member of the RUC—an assistant chief constable—was banned, as was the former chairman of the Police Federation. *[Interruption.]*

Mr. Speaker: Order. I think that the Minister can now reply.

Jane Kennedy: I entirely agree with the hon. Gentleman's opening comments about the importance of the establishment of the district policing partnerships. This is an important and positive step forward for policing in Northern Ireland, which will develop the accountability of the police to their local communities and improve the working relationships between them. It is impossible for me to comment on the individual cases that he raised about appointments to the DPPs, but if he cares to write to me on the subject, I will look into it.

Mr. Adrian Bailey (West Bromwich, West): As a member of the Northern Ireland Affairs Committee, I was recently in Belfast, where we had discussions with Hugh Orde, the Chief Constable. He said that one great obstacle to better recruitment from the Catholic or nationalist community would be removed if Sinn Fein lifted its objections to joining the police force in Northern Ireland. What assessment has been made of the likelihood of that happening?

Jane Kennedy: Obviously, the establishment of the Police Service of Northern Ireland, with the support of the Social Democratic and Labour party, the Catholic Church and, internationally, the Irish and US Governments, has transformed the nature of policing in Northern Ireland. As a result of that new beginning, the proportion of Catholics applying to the PSNI has been unprecedented. My hon. Friend is right, however: it is now time for all political parties and all community leaders to support policing and to encourage young Catholics to join the police service and take up a career in policing.

Lembit Öpik (Montgomeryshire): How successful have the policing action plans been in increasing the number of female applicants and recruits to the PSNI? Also, given that an almost exclusively Catholic and Protestant police service is little more representative of the whole community, would the Minister be willing to have at least a discussion about the prospect of action plans to encourage applications from those who do not categorise themselves as either Catholics or Protestants?

Jane Kennedy: As the hon. Gentleman knows from the discussion in Standing Committee yesterday with the Under-Secretary, my hon. Friend the Member for Basildon (Angela Smith), and myself, we have made it clear that we constantly review the success of recruitment arrangements, but the success of the Police Service of Northern Ireland in attracting women to join the police service, not just to apply but to complete training successfully and start as regular police officers, has been phenomenal.

Strategic Investment Programme

3. **Dr. Brian Iddon** (Bolton, South-East): If he will make a statement on the strategic investment programme. [101441]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): The strategic investment programme is a key product of the reinvestment and reform initiative. It will provide the most radical infrastructure investment in Northern Ireland in a generation, backed by a major reform agenda. The programme will involve additional investment totalling about £2 billion over the next five years for new schools, hospitals, roads and improved water and public services.

Dr. Iddon: That £2 billion of extra expenditure is certainly needed in Northern Ireland, but can my hon. Friend assure me that the money will be spent effectively and will benefit all the communities in Northern Ireland in improving the infrastructure that he mentioned?

Mr. Pearson: Obtaining good value for money for public funds is obviously a key priority for the Government. That is why we decided to set up the Strategic Investment Board, which was formally constituted on 17 March. It will bring in a team of experts to advise on the delivery of the strategic investment programme and will add value to the whole process to ensure effective public procurement of badly needed investment in Northern Ireland's infrastructure.

Mr. Jeffrey M. Donaldson (Lagan Valley): The Minister will be aware of the strategic importance of the site of the former Maze prison in my constituency. I welcome the recent establishment of the advisory panel, but will he give me an assurance that the local community will be fully consulted before any final decision is made about the development of the Maze site?

Mr. Pearson: I thank the hon. Gentleman for his comments on the advisory panel. It is very much the right way to go, and decisions will be taken some time in the future about the Maze site which, as he knows, is of regional significance, so we need to ensure that there is wide involvement. The views of the local community are clearly important in that process, and I can certainly give him an assurance that they will be heard.

Mr. Iain Luke (Dundee, East): I am sure that the Minister will agree that the announcement last month of £70 million in investment in the Larne to Stranraer ferry, with new terminals in Northern Ireland and Scotland and improved crossing times, will indeed be of benefit to strategic investment in Northern Ireland. Hopefully, it will encourage more trading links between Northern Ireland and Scotland and investment in the two countries, and will be the basis for further trading opportunities.

Mr. Pearson: I very much welcome the recent announcement of improvements to the Larne to Stranraer line. Those links are important, as is air access to Northern Ireland. There is an agenda there that needs to be developed. In addition, we are having discussions with our colleagues in Scotland about the Ballycastle to Campbeltown ferry and what can be done to ensure that there is a ferry service over the summer.

Mr. Gregory Campbell (East Londonderry): Can the Minister confirm that while many people in Northern Ireland welcome the strategic investment programme, there is concern among ratepayers about the possibility of significant and substantial rate increases to pay for that programme?

Mr. Pearson: Nobody likes to pay extra, whether in rates or income tax. I understand the concerns in Northern Ireland, and I want to confirm absolutely that the £2 billion strategic investment programme does not rely on any increase in the regional rates other than that previously agreed by the Executive. I also want to take the opportunity to say that some politicians in Northern Ireland are living on a fantasy island if they believe that they can get money from the GB taxpayer to invest in all Northern Ireland's future infrastructure requirements. The clear message is that if improvements in infrastructure are wanted by people in Northern Ireland they will have to go some little way themselves to pay for the cost of them.

Decommissioning

4. **Miss Anne McIntosh** (Vale of York): What recent progress has been made towards decommissioning terrorist weapons. [101442]

The Secretary of State for Northern Ireland (Mr. Paul Murphy): The Loyalist Volunteer Force engaged in an act of decommissioning in 1998 and the Provisional IRA engaged in two acts of decommissioning in 2001 and 2002. However, no paramilitary organisations are currently in contact with the Independent International Commission on Decommissioning. It was clear to all involved in the discussions at Hillsborough last week that much more needs to be done to ensure that both republican and loyalist organisations complete the transition to exclusively peaceful means—real, total and permanent.

Miss McIntosh: I wish the Secretary of State well at this crucial stage of the peace process. Does he agree that we need not just a verbal commitment—from the IRA in particular—but visible proof of decommissioning, and does he share my disappointment that the IRA has not even been in touch with the commission to prove that it has started decommissioning?

Mr. Murphy: I thank the hon. Lady for her good wishes. It is indeed regrettable that no paramilitary organisation has been in contact with John de Chastelain's commission. I also agree that we must ensure that whatever acts of decommissioning take place occur in such a way that people across Northern Ireland can trust and have confidence in the process.

Mr. Eddie McGrady (South Down): Does the Secretary of State agree that the continued existence of paramilitary groups, armed and organised, is an affront to basic democracy in Ireland and the legitimate Governments of Ireland, north and south? Is not the decommissioning of all paramilitary weapons by all those groups an essential factor in the current negotiations if the current political impasse is to be broken, progress made and trust re-established? Will not a drip-feed of decommissioning for purely party political gain destroy any remnant of trust between the parties in Northern Ireland, destroy our devolutionary institutions and destroy political progress?

Mr. Murphy: I entirely agree. My hon. Friend will know, because both he and I were involved in the run-up to the Good Friday agreement in 1998, that decommissioning is very much part of that Belfast agreement, and that it is a vital element of the means by which trust and the institutions can be restored. Illegal weapons have no place in a modern democratic and peaceful society.

Mr. Nigel Dodds (Belfast, North): Does the Secretary of State agree that more mere statements and stunts from the IRA will do nothing to increase the confidence of the people of Northern Ireland that the IRA is committed to exclusively peaceful and democratic means? Will he now give details of the paper published for the Hillsborough parties but denied to the people of Northern Ireland and their representatives in the House—details, that is, of the concessions now on offer to IRA-Sinn Fein and approved between the Government and the pro-agreement parties, in return for IRA-Sinn Fein's doing what they should have done years ago and for which they should receive no reward?

Mr. Murphy: Of course it is important for us to tackle the whole issue of paramilitary activity, in whatever form. The Prime Minister has said, the Taoiseach has said, all of us who are involved in these issues have said, that it must end. As for the other issue, I ask the hon. Gentleman to be patient. It is pretty clear that he has only a few weeks to wait before the papers are published for everyone in Northern Ireland, and indeed everyone in the House, to consider.

The hon. Gentleman will know that the parties that drew up the agreement at Hillsborough wanted time to reflect on the details of the proposals, along with the membership. That is why next week we will consider postponing the election for a few weeks, so that discussions with the membership—including members of his party—can take place.

Kevin Brennan (Cardiff, West): What assessment has the Secretary of State made of loyalist efforts towards decommissioning—and, in particular, of the recent announcement of a ceasefire by the UDA and the handing over of pipe bombs?

Mr. Murphy: I agree that we must address the decommissioning issue across the board, and that includes loyalist paramilitaries. We welcome the UDA's statement as far as it goes. I am also glad that over the past few weeks there has been relative peace on the streets of Northern Ireland. Nevertheless, those groups, together with all the other paramilitary groups, must engage with the international commission.

David Burnside (South Antrim): The Secretary of State is right to say that decommissioning is not enough to restore confidence in the peace process. Will he comment on his answer to me yesterday to a question about the break-in at Castlereagh police station, which was investigated by Sir John Chilcott? The Secretary of State said that he would inform the House when he has received the Chilcott report. According to my information, he has received the report—which incriminates Adams, McGuinness and Bobby Storey, the IRA's head of information and intelligence in Belfast—and it appears to me that there is a cover-up.

Mr. Murphy: There certainly is no cover-up, and I shall, of course, issue that report in due course, when it has been given to me. My office and my predecessor decided to commission it, and it will be made directly to me. I will inform the House at the appropriate time. There will be an opportunity in the coming weeks to consider all the issues, including paramilitary activity. In due course, I will inform the House when the report is ready.

Mr. Tom Harris (Glasgow, Cathcart): What assessment has my right hon. Friend made of the threat posed to the peace process by terrorist groups such as Continuity IRA and the Real IRA, and what impact will that assessment have on the Government's plans for a reduction in the number of British troops in Northern Ireland?

Mr. Murphy: We in no way underestimate the difficulties posed by the continuing activity of so-called dissident republican groups. A fortnight ago, I visited Mr. Michael McDowell, the Minister for Justice in the Republic of Ireland, to see how we can co-operate to deal with dissident republicans. There is no place in Northern Ireland for dissident republicanism, and there is no place for violence. We shall certainly engage in ensuring that we work together with the Irish Government to do our best to overcome those difficulties.

Mr. John Taylor (Solihull): Will the Secretary of State confirm that decommissioning must indeed be visible, verified and complete before all parties can have the confidence to re-join the Executive in Northern Ireland?

Mr. Murphy: I repeat what I said to the hon. Member for Vale of York (Miss McIntosh): the importance of decommissioning in the political process is that it is an essential part of restoring trust and confidence in the politics of Northern Ireland across the board. *[Interruption.]* It is a hugely important issue, and it was part of the Belfast agreement. *[Interruption.]*

Mr. Speaker: Order. There is far too much noise in the Chamber.

Peace Process

5. **Mr. Alistair Carmichael** (Orkney and Shetland): If he will make a statement on the peace process. [101443]

The Secretary of State for Northern Ireland (Mr. Paul Murphy): As a result of talks with the parties last week in Hillsborough, we believe that there is now a large measure of shared understanding among pro-agreement parties on the way forward in the restoration of stable and inclusive devolved Government. However, I repeat that this can be realised only in the context of a complete cessation of paramilitary activity.We need to give these developments every chance of success. To provide time for parties to reflect and to take soundings among their organisations, we propose to defer elections to the Assembly to Thursday 29 May, and we will introduce a Bill tomorrow to that effect. I am optimistic that these developments can deliver a breakthrough in the search for a lasting and stable settlement.

Mr. Carmichael: The little of last week's talks that is in the public domain is generally welcomed by Liberal Democrats, but what assurances has the Secretary of State been given that any acts of completion by paramilitary groups will include a statement to the effect that those who have been exiled from their homes will be free to return, without fear of threat or intimidation from such groups?

Mr. Murphy: I am grateful to the hon. Gentleman for his party's support in this matter. The question of exiles was discussed at Hillsborough last week, and the Under-Secretary, my hon. Friend the Member for Kilmarnock and Loudoun (Mr. Browne), is dealing with these issues with groups such as Maranatha. The fact that he is also the Minister with responsibility for victims shows that we see a correlation between these different issues. *[Interruption.]* This is a hugely important matter, and the hon. Gentleman can rest assured that we have been discussing it.

Mr. Quentin Davies (Grantham and Stamford): Does the right hon. Gentleman accept that special arrangements for on-the-run terrorists can— *[Interruption.]*

Mr. Speaker: Order. The Chamber is far too noisy, and it is unfair to those who are in for Northern Ireland questions. No private conversations should be taking place in the Chamber.

Mr. Davies: Does the right hon. Gentleman accept that special arrangements for on-the-run terrorists can be considered only in the context of the completion of decommissioning and disbandment by the relevant paramilitary organisations, and a judicial process? That process would involve a guilty plea before a court or a determination of the facts by a court, and a verdict.

Mr. Murphy: I agree. The act of completion on the part of the IRA is an essential precondition in relation to OTRs. I also agree that the matter should be dealt with in a judicial fashion rather than by way of amnesty.

Mr. Davies: That is very welcome confirmation that the Secretary of State now supports a judicial process. Will he have the grace to acknowledge that it is a thoroughly good thing that the Opposition were able successfully to oppose the unilateral offer of an amnesty made by the Government at Weston Park, as that would not have involved judicial process? The Opposition's action means that that important card remains in the Government's hands, and there is a chance of getting the judicial process that both he and I want.

Mr. Murphy: I agree with the hon. Gentleman that we agree.

Mr. Roy Beggs (East Antrim): On 10 April 1998, the Prime Minister wrote to my right hon. Friend the Member for Upper Bann (Mr. Trimble), the leader of the Ulster Unionist party, in the following terms:

> "Dear David,
>
> I understand your problem with paragraph 25 of Strand 1 is that it requires decisions on those who should be excluded or removed from office in the Northern Ireland Executive to be taken on a cross-community basis.
>
> This letter is to let you know that if, during the course of the first six months of the shadow Assembly or the Assembly itself, these provisions have been shown to be ineffective we will support changes to these provisions to enable them to be made properly effective in preventing such people from holding office."

Is the Prime Minister any nearer to delivering on his promises? When can we expect action to be taken to ensure that the Assembly will be effective if it comes together again?

Mr. Murphy: Of course, the issue of sanctions is very important. We discussed it last week at Hillsborough, and it is an important part of any agreement that might have to be forged in the weeks ahead. The hon. Gentleman knows that my right hon. Friend the Prime Minister spent nearly 32 hours at Hillsborough last week and is deeply committed to the peace process in Northern Ireland.

Mrs. Iris Robinson (Strangford): Will the Secretary of State confirm that there will be no more tinkering with the date for the Northern Ireland Assembly elections, which are set for 29 May? Will he further confirm that he will ignore parties that will try, for selfish reasons, to get those elections postponed?

Mr. Murphy: The hon. Lady will know that the elections in Northern Ireland will be held on 29 May, as long as the House agrees to that next week. However, the elections were postponed for 28 days to allow all parties to reflect on the proposals and papers that my right hon. Friend the Prime Minister and the Taoiseach will give to the people of Northern Ireland sometime at the beginning of April.

Terrorist Activity

6. **Andrew Selous** (South-West Bedfordshire): What recent representations he has received about (a) punishment beatings and (b) forced exiles in Northern Ireland. [101444]

The Minister of State, Northern Ireland Office (Jane Kennedy): Both the Secretary of State and I hold regular meetings with our senior security advisers, and with elected representatives and those with influence within their communities, to discuss a wide range of security issues, including paramilitary attacks.

Andrew Selous: What steps is the Minister prepared to take to make the ending of all forced exiles and exclusions a condition of any future agreement with the paramilitaries?

Jane Kennedy: The hon. Gentleman will have heard the replies to that question given just now by my right hon. Friend the Secretary of State. In many cases, these vicious attacks have left victims physically and mentally scarred for life. They are the exact opposite of what the Belfast agreement is all about. Those who sanction and carry out the attacks are the enemies of the transition to a peaceful society in Northern Ireland, which is what we are seeking to establish.

Bill of Rights

7. **Lady Hermon** (North Down): If he will make a statement on progress on a future Bill of Rights for Northern Ireland. [101445]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Desmond Browne): As set out in the Belfast agreement and the Northern Ireland Act, the Northern Ireland Human Rights Commission is undertaking work with a view to making recommendations to the Government on the scope for a Bill of Rights in Northern Ireland. At this stage, the Government's position is only to encourage broad participation in the process. To that end, I welcome the engagement of the Northern Ireland political parties in response to the request of the chief commissioner and would urge those who have not yet done so to become actively involved.

Lady Hermon: I appreciate the Minister's response, but may I encourage him to go further and tell the House whether the Government intend to include the controversial issue of Drumcree and other parades in Northern Ireland in any future Bill of Rights?

Mr. Browne: It would be entirely inappropriate for the Government to anticipate the advice that we will be given by the Human Rights Commission, but the hon. Lady can rest assured that the Government's position is that all issues of relevance to the people of Northern Ireland that could be broadly covered by the description of being within the scope of a Bill of Rights, taking into account the particular circumstances of Northern Ireland, are issues that ought to be discussed in the context of the process.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [102266] **Peter Bradley** (The Wrekin): If he will list his official engagements for Wednesday 12 March.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Peter Bradley: Which is the lesser threat to global security: allowing more time for Iraq's disarmament or, in disarming Iraq—particularly in view of the French President's commitment to exercise his veto—dividing the international community? Will the Prime Minister give an assurance to the House that so long as there is a prospect of rebuilding an international coalition under the authority of the United Nations, he will resist US pressure for precipitate action?

The Prime Minister: I will certainly do everything I can to make sure that the international community stays united at this time and that we achieve a second UN resolution. The reason why we should have such a resolution, as my hon. Friend's question implies, is that, for many months now, we have been waiting for Saddam Hussein to come fully into compliance with the resolution that was passed unanimously by the UN. It is time that he did so. If he does, even now conflict can be averted. But the worst thing that could happen is for the will of the UN to be expressed so clearly, for him to defy that will and for no action to follow at all.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Can the Prime Minister guarantee what he said to me last week: that there will be a vote in the UN on a second resolution?

The Prime Minister: Yes, it is our intention to put a vote to the UN on a second resolution. We continue to work for that, flat out, and we will do that in a way that most upholds the authority of the UN.

Mr. Duncan Smith: If such a vote takes place, it may not be carried or it may even be vetoed. The House of Commons and the British people have a right to know now where the Government stand in that event. Is it now the case that if there is no second resolution, the United States will go to war without the UK?

The Prime Minister: In respect of the latter part, where the right hon. Gentleman asks about the United States going it alone, let me say this to him and to the House. It is true that the United States could go alone and, of course, this country should not take military action unless it is in our interests to do so. It is the British national interest that must be upheld at all times. But I believe that it is important that we hold firm to the course that we have set out because what is at stake is not whether the United States goes alone or not, but whether the international community is prepared to back up the clear instruction it gave to Saddam Hussein with the necessary action. That is why I am determined to hold firm to the course that we have set out.

Mr. Duncan Smith: The Prime Minister will therefore be aware that, particularly overnight, there has been some confusion among our allies and among various parties including his own. To clear up that confusion, will he confirm today that he could commit British forces to a war without the backing of a second resolution, although he still intends to go for that, and we agree with him?

The Prime Minister: I have set out on many occasions the circumstances in which we would take action. At the moment, however, the best thing is to go flat out for that second UN resolution. I am trying to do so, and it might help if I were to tell the House the types of things that we are discussing with other partners in the UN at the moment. What we are looking at is whether we can set out a clear set of tests for Iraq to meet to demonstrate that it is in full compliance—not partial compliance but full compliance. For example, based on what the inspectors have already found, it should produce either the thousands of litres of anthrax unaccounted for or the documentation showing that it is destroyed. For example, given that, since the last resolution in November, not one Iraqi scientist has been interviewed outside Iraq, where they and their families can be guaranteed safety, we should make sure that Iraq is allowing those interviews to take place. For example, Iraq should produce the unmanned aerial vehicles, which can spray chemical and biological poison, or, again, produce the documentation showing that they are destroyed. If we set out those conditions clearly, and back them with the will of a united UN, we have a chance, even now, of averting conflict. What we must show, however, is the determination to act if Saddam will not comply fully.

Mr. Duncan Smith: I agree with the Prime Minister, and he has confirmed in that answer that he keeps the option of committing British troops to war with or without a second resolution. Does the doctrine of Cabinet collective responsibility therefore apply to that position?

The Prime Minister: Yes, of course it does.

Mr. Duncan Smith: The Secretary of State for International Development said that she would not support military action without a second resolution. I remind the Prime Minister that, amazingly, she called him "reckless". The Prime Minister can either have Cabinet collective responsibility or his Secretary of State for International Development. Which will it be?

The Prime Minister: I agree that it is an embarrassment to find myself in agreement with the right hon. Gentleman, or him in agreement with me, on the issue of Iraq, but we are agreed. Rather than scoring points, which are perfectly acceptable and which I understand, at this point, when we are facing momentous decisions for the country, it is probably better that we discuss the substance.

Mr. Duncan Smith: The Prime Minister knows that we agree about the principles of what he has been trying to do. I must remind him, however, of exactly what the Secretary of State for International Development said. It is remarkable. She said that

> "the current situation is deeply reckless; reckless for the world, reckless for the undermining of the UN . . . reckless with our government, reckless with his own future".

Surely if the right hon. Gentleman cannot convince his Cabinet, it will be very difficult to convince the British people. Surely the Prime Minister's big tent is not big enough to include both the Secretary of State for International Development and Donald Rumsfeld. It is time for him to choose: which will it be?

The Prime Minister: The one thing that I have found in the last few weeks is that I have not been short of advice from anyone on this issue. The most important thing for us to do as a House, never mind as a Government or a country, especially with our armed forces facing the potential of action, is to come together, to work hard in the United Nations to secure the second resolution and to try to make sure that we send the strongest possible signal to Saddam Hussein that he must disarm or face the consequences. I say again to the right hon. Gentleman that it is better to concentrate on that than on the points that he has just made.

Q2. [102267] **Tony Wright** (Cannock Chase): The whole House will want to pay tribute to the Prime Minister for his tireless efforts to resolve the present crisis through the United Nations. But may I take him back for a moment to January 1998, more than five years ago, and to a letter written by several members of the Republican right in the United States, including Donald Rumsfeld and Paul Wolfowitz, to President Clinton? In one sentence of that letter, having said that American interests in the Gulf now require military action to get rid of Saddam Hussein and to produce regime change, they say:

> "American policy cannot continue to be crippled by a misguided insistence on unanimity in the UN Security Council".

It says nothing about disarmament, nothing about human rights and nothing about terrorism. Is not that the smoking gun?

The Prime Minister: Again, one of the things that I have found is that I cannot actually answer for the comments of every member of every Administration around the world—including, occasionally, even my own, as has just been pointed out. I would say to my hon. Friend simply this. Rather than debate the wealth of conspiracy theories and comments from the Republican right or the Democrat left, or this part or that part, why do we not just work out what is the right thing to do and do it? We should work out the right thing to do, whatever anyone else may say. We went through the United Nations because we believe in it, but I said at the beginning—when we went down the UN route in September last year—the UN must be the way of dealing with this, not the way of avoiding dealing with it. That is why it is important now, four and a bit months on when Saddam is not fully complying, that we come to the crunch and take a decision. We have tried to provide, within the UN framework, a set of conditions that allow us to test clearly, based on what the UN inspectors have said, whether he is fully in co-operation or not. What I urge, even at this stage, is for countries to get behind that and help us with it, because that is the best way to achieve disarmament peacefully.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Has the Attorney-General advised the Prime Minister that a war on Iraq in the absence of a second United Nations resolution authorising force would be legal? What advice has the Attorney-General given?

The Prime Minister: I have said on many occasions that we as a country would not do anything that did not have a proper legal basis to it.

Mr. Kennedy: This week UN Secretary-General Kofi Annan has said that in the absence of a second UN resolution we would be acting in a way that breached the UN charter. Is Kofi Annan wrong?

The Prime Minister: No, what Kofi Annan has been saying—and I agree with him—is that it is important that the UN comes together. That is why we are trying to provide a basis, a compromise even at this stage, that allows us to resolve the matter properly. I say to the right hon. Gentleman and to the House that it is complicated to get that agreement at the UN when one nation is saying that whatever the circumstances it will veto a resolution. I hope that the right hon. Gentleman would accept that we cannot have such a situation and that we have to ensure that we deal with the issue in the terms of resolution 1441, which we all—including the right hon. Gentleman—agreed upon.

Q3. [102268] **Mr. Mark Lazarowicz** (Edinburgh, North and Leith): While the attention of the world is understandably focused on Iraq, the everyday crisis in Israel and Palestine continues and worsens, particularly for millions of Palestinians but also for many Israeli citizens. Can my right hon. Friend tell the House what steps he is taking to keep alive what faint hope exists in the middle east peace process, and in particular, will he call on the new Israeli Government not to take the opportunity of the focus on Iraq to further undermine the already precarious position of Palestinians and their society?

The Prime Minister: I agree entirely with what my hon. Friend says and I emphasise to him that we remain firmly committed to taking forward the middle east peace process. I welcome the decision to appoint Abu Mazen as Prime Minister for the Palestinian Authority. That is a good, forward and progressive move, and I hope that it will get an echo from the Israeli side. I believe that there will be very few people in the middle east and the Arab world who shed tears for Saddam Hussein, but people everywhere—not just in the Arab and Muslim world—genuinely want to see the middle east peace process back on its feet and going forward.

Mr. Richard Shepherd (Aldridge-Brownhills): What was the legal basis in international law for war against Yugoslavia, and if that did not require a UN resolution why does the Iraqi situation require one?

The Prime Minister: As the Foreign Secretary has pointed out, resolution 1441 gives the legal basis for this. The reason we have been seeking a second resolution is, as I said to the Liaison Committee when I appeared before it, that it is highly desirable to demonstrate the unified will of the international community.

Q4. [102269] **Mr. Barry Sheerman** (Huddersfield): Is my right hon. Friend aware that many of us believe that he has done the right thing over many months in restraining the American President from taking precipitate action, and in working instead through the United Nations? Is it not important, as the hours and days tick by, that he use all his efforts to tell President Bush that we need another UN resolution and that there is no need for an unseemly haste to war?

The Prime Minister: My hon. Friend is right in saying that it is important that we do everything that we can to achieve that second UN resolution. To be frank, many people thought that we might be in action even now, but we are not. We have delayed precisely in order to try to bring the international community back round the position that we set out in 1441. I go back to that the whole time. It was at the heart of the agreement that the United States take the multilateral path of the United Nations. The agreement was very simple. The United States had to agree to go through the United Nations, and to resolve this through the United Nations, but the other partners inside the United Nations agreed that, if Saddam did not fully comply and was in material breach, serious consequences and action would follow. The fact is, he has not complied. Four and a half months on—indeed, 12 years on—he has not complied. That it why it is important that we bring this issue to a head now and get it resolved. I remain, as I say, working flat out to get it resolved through the United Nations. That is easily the best thing. It will be a tragedy for the UN, when faced with this challenge, if it fails to meet it. However, we have to ensure that the unified will, as set out in 1441, is implemented.

Mr. Andrew Robathan (Blaby): May I bring the Prime Minister to matters domestic, and in particular education, education, education? Is he aware that Leicestershire is the worst funded education authority in the country under the new education formula spending shares? Last week, I had a meeting with some 30 governors, all of whom will have to set deficit budgets because their funding from the Government this year is 1 per cent. less in real terms than it was last year. The governors are talking about redundancies. Will the Prime Minister address this matter, and is he surprised that people in Leicestershire believe very little that he says?

The Prime Minister: We have increased education spending by a massive amount. All authorities have received an above-inflation allocation in their grant. As we are, for a moment, discussing domestic issues, the other point to make is that, while the hon. Gentleman is getting to his feet and calling for even more money for our education service, he appears not to be aware that his Front Bench is calling for 20 per cent. less money.

Q5. [102270] **Mr. Colin Challen** (Morley and Rothwell): Given that, tomorrow, there will be a day of action across the European Union opposing the general agreement on trade in services; and given that the EU's requests for the liberalisation of services under the current GATS negotiations have recently been published, does my right hon. Friend agree that the time has come for a moratorium on the negotiations until we in the developed world can carry out detailed and thorough impact assessments—of the environmental impact, for example—that will result from a liberalisation of services?

The Prime Minister: I understand the concerns of my hon. Friend and some non-governmental organisations on GATS. When we talk to the developing countries, they tell us that they are keen for things to move forward. Whatever we do, it is important to put their interests first, because they are desperate to get the markets liberalised.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): When will this House have a vote on whether to commit troops to war in Iraq? Does the Prime Minister agree with his defence Minister, who said yesterday that war was "pretty damn inevitable"? If so, why?

The Prime Minister: I think that what my hon. Friend said was that, if Saddam Hussein refuses to disarm voluntarily, conflict becomes inevitable. That is the position that we have set out throughout.

I have made it clear on many occasions, as has the Foreign Secretary, that—subject to the security and safety of our troops, which must come first—we believe that it is right that this House has a say on this issue. People will then be able to see the stand that we take, and people will then have to make up their minds as to the stand that they take.

Indonesia

Q6. [102271] **Mr. Win Griffiths** (Bridgend): What plans he has to visit Indonesia to discuss with the President of Indonesia the campaign against international terrorism.

The Prime Minister: I have no plans at present to visit Indonesia but I have been in contact with President Megawati. My right hon. Friend the Foreign Secretary discussed counter-terrorism with President Megawati when he visited Indonesia in January.

Mr. Griffiths: I recognise my right hon. Friend's desire for a peaceful outcome to Iraq's compliance with United Nations Security Council resolutions, so will he accept that Indonesia—the largest Muslim nation in the world and emerging from dictatorship to take on the virtues of democracy and tolerance, but the victim of extremist Islamic international terrorism in Bali last October—desperately needs a peaceful outcome to the present Iraqi crisis, and support from the United Kingdom Government for its reform programme and in combating extremist Islamic terrorists?

The Prime Minister: First, I pay tribute to the work that my hon. Friend has done in this area and to the inter-faith work that he has carried out to promote greater understanding between the Muslim and Christian religions. I agree entirely with what he says about Indonesia. We are funding, to the tune of several million pounds, the transition of Indonesia to full democracy, helping it to develop the institutions that it needs and making sure that democratic participation in Indonesia is as full as it possibly can be. I agree with him entirely. Indonesia is a very important country for all sorts of reasons, not least because it has such a large Muslim population. It is important that we in the western world work closely with Indonesia to assist its progress.

Mr. Julian Brazier (Canterbury): I echo the remarks of the hon. Member for Bridgend (Mr. Griffiths). Will the Prime Minister accept that the key to stability and moderation in Indonesia and other similar Islamic states lies in the west—in particular, America and Britain—being seen to be even-handed in those situations in which Muslims are oppressed, especially those in Palestine and Kashmir?

The Prime Minister: I agree that the even-handedness of our approach is essential. That is why we have worked as far as we can—it is obviously a bilateral dispute—to assist the parties to reach agreement in Kashmir. I can only repeat what I said earlier about the middle east process. The plight of the Palestinians—and, indeed, the plight of innocent Israelis blown up in terrorist attacks—is dire and requires our attention. It would be the best signal of even-handedness that we could give right across the Muslim world if we were prepared to show the right energy and commitment to the middle east peace process. I will do everything that I can to ensure that we and others do that.

Engagements

Q7. [102272] **Kate Hoey** (Vauxhall): May I thank my right hon. Friend for taking two days last week out of his very busy schedule to spend in Northern Ireland? Does he agree that it is important that, when dealing with terrorism, we do not operate with double standards? Can he give me and the people of Northern Ireland an assurance that he will not allow any deal to be entered into with the Irish Republican Army that allows terrorists on the run to evade the criminal justice system?

The Prime Minister: We have said that the issue of so-called on-the-runs has to be dealt with, and we have said that it should not be dealt with by way of an amnesty. We are looking at the right way of doing that. I hope that my hon. Friend will also agree that, for all the difficulties, the Northern Ireland peace process over the past few years has yielded enormous benefits. The fact that we are actually talking about a situation in which we can have a permanent end to violence in Northern Ireland is a huge tribute to everyone who has been involved in the process since 1997.

Q8. [102273] **Dr. Vincent Cable** (Twickenham): Is the Prime Minister aware that, yesterday, the American Government issued invitations to five American corporations led by Mr. Cheney's Halliburton group to bid for the reconstruction of post-war Iraq and pointedly excluded British and foreign firms? Is the Prime Minister not embarrassed to have given such unstinting loyalty to an American President who regards international co-operation with such contempt and war as an opportunity to dish out contracts to his cronies?

The Prime Minister: I do not agree at all with the hon. Gentleman in relation to that. In respect of the American President and international co-operation, I remind the hon. Gentleman that it was as a result of many requests made to the US President that he went through the United Nations last year. I think that it is right, now, that the will of the UN is upheld. I hope that the hon. Gentleman will agree with that.

Ms Dari Taylor (Stockton, South): The contract for the aircraft carriers has been placed—the first stage—and offers great investment opportunities for our manufacturing industry. What advice would my right hon. Friend give to all involved so that we see maximum benefit from this contract in terms of new products and new markets and not just excellent employment opportunities but greater employment opportunities?

The Prime Minister: What my hon. Friend says is right. There is an additional point to consider, too. As a result of what is happening in, for example, the shipbuilding industry generally, skills and technology are being developed in this country. The order has had an enormously beneficial productive impact on our manufacturing base, and I congratulate all my hon. Friend's constituents who have been involved in it.

Q9. [102274] **Mr. James Gray** (North Wiltshire): The Prime Minister still commands majority support in his Cabinet, but does he feel that he needs support from the parliamentary Labour party, this House or, perhaps, the country as a whole before he commits us to war?

The Prime Minister: I have said all the way through that it is important, as I said a moment or two ago, to have a vote in the House, subject to the caveat I have always entered. I hope that the hon. Gentleman also understands, however, that it is important that I set out, as Prime Minister, what I believe to be right in this country's national interest. I have tried to do that over the past few months and believe that I have set out my position. I think there is a real threat to this country from the twin sources of international terrorism and weapons of mass destruction and if we do not deal with them, our world and our country will be a less secure and more dangerous place. I hope that the hon. Gentleman and other Opposition Members will join us in that endeavour.

Alan Howarth (Newport, East): Does my right hon. Friend agree that divisions in the UN, NATO, the European Union and, indeed, this House only give comfort and opportunity to Saddam? Does he also agree that a deadline receding into the summer heat haze is not a serious interpretation of "serious consequences" for incomplete compliance which were unanimously resolved by the Security Council last November? Given that Saddam has both motive and capacity to equip terrorists with chemical and biological weapons, does he further agree that it is an urgent necessity to disarm him whether or not there is another UN resolution?

The Prime Minister: I think the point that my right hon. Friend makes is absolutely right and he sets out precisely why we need to take action. The idea that we could leave British and American troops down there for months on an indefinite time scale, without insisting clearly that Saddam disarms, would send not only a message of weakness out to Saddam, but a message of weakness right across the world. That is why it is important that it is dealt with. I hope that even now those countries that are saying they would use their veto no matter what the circumstances will reconsider and realise that by doing so they put at risk not just the disarmament of Saddam, but the unity of the United Nations.

Q10. [102275] **Mr. John Randall** (Uxbridge): Does the Prime Minister accept that I, and many of my constituents, would like to be convinced of and to believe his stance on Iraq? Does he also accept that it would greatly assist us if he published the legal advice that his Government have received?

The Prime Minister: It is not the convention to publish legal advice, but it is the convention to state clearly that we have a legal base for whatever action we take, and of course we must have such a legal base. I understand the concern and the strong arguments on the other side, but the argument for the hon. Gentleman's constituents and others is surely this: in circumstances in which we believe Saddam is a threat—I think most people believe that—and in circumstances in which we demanded that he co-operate fully with the United Nations and he has not—and everyone accepts that—unless we act and enforce that co-operation, we are setting the will of the United Nations at naught and are also saying to Saddam, "You can carry on building these weapons of mass destruction and we will do nothing about it." If we send the message to Saddam that he can carry on and that we do not have the will to stop him, I ask the hon. Gentleman and his constituents what credibility the will of the United Nations will have the next time either he or another tyrant or dictator tries to arm themselves with such weapons? That is why we have to act.

Mr. Derek Foster (Bishop Auckland): In these momentous times, by his heroic efforts to seek a second resolution in the United Nations, I believe that the Prime Minister has the overwhelming support of

Members on both sides of the House. Are there not two great prizes for all his activities? The first is the credibility of the United Nations in seeking to enforce its resolutions because without that it will lose all credibility. The second is the ability to continue to persuade the President of the USA to go down the multilateralist route.

The Prime Minister: The point that my right hon. Friend made at the end is very important. We all agreed to take the multilateral route last November. Let us be clear, not everyone in every part of every Administration may have wanted to take the multilateral route, but we did so, and on the basis that Saddam had a final opportunity to disarm and that if he did not comply fully, unconditionally and immediately with UN inspectors, he would be in breach and serious consequences would follow. Not a single person—not a single person in Europe; not a single person in the rest of the world—believes that he is co-operating either fully or unconditionally, and certainly not immediately. My right hon. Friend is absolutely right. What is at stake is the integrity of the multilateral process. Unless we uphold it now, we are never going to be able to uphold it in future times.

Q11. [102276] **Andrew George** (St. Ives): On a domestic matter, the Prime Minister's chosen rural tsar, Lord Haskins, has said that it is a good thing that small farmers are having to leave the industry. Last year, 15,000 farmers left or were forced out of the industry. Was that a cause for concern or celebration in Downing street?

The Prime Minister: I am afraid I have not caught up with Lord Haskins's comments, but of course not. The reason why we have tried to increase the amount of money going into agriculture is to support our farming industry, but it would be cruel to pretend to people in that industry that there does not also need to be change and reform. For that reason, we set up the commission headed by Don Curry, which has had immense support in the farming community. We are providing the funding to implement it, and I would hope that the hon. Gentleman would support us in doing so.

Antisocial Behaviour

12.31 pm

The Secretary of State for the Home Department (Mr. David Blunkett): With permission, I should like to make a statement on tackling the scourge of antisocial behaviour.

In recent years, we have made significant progress in tackling crime and disorder. In the past six years, crime has fallen by just over a quarter and street crime has been reduced dramatically. The chance of being a victim of crime is the lowest for more than 20 years, yet the fear of crime remains high. No one will believe that crime has fallen unless they experience it in their own lives and those of family and friends. More than one in three people consider that antisocial behaviour is still affecting their quality of life. Over 30 per cent. are intimidated by gangs hanging around their neighbourhood. Too many lives are affected by the irresponsibility, disrespect and loutishness of others.

Antisocial behaviour can affect people physically and emotionally, undermining health and destroying family life. It can also hold back the regeneration of our most disadvantaged areas, creating the environment in which crime can take hold. Where enforcement is poor and antisocial behaviour goes unpunished, criminals learn that they can get away with lawlessness. That is why we are now leading a new drive to work with individuals, families and communities to build effective action against antisocial behaviour.

Rights and responsibilities must go hand in hand. The White Paper and the legislation to follow aim to put in place support and help for those who are prepared to accept it, and clear, speedy, and effective enforcement when they are not. Our public spaces should be open and free for everyone to use. Our streets should be free of loutishness, gangs and drunken hooligans, or drug dealers capturing the lives of young people. Neighbours creating noise and nuisance and those intimidating others are a blight on our society. Those who do not suffer should not get in the way of protecting those who do.

That is why we will crack down on noise and nuisance. Fixed penalty notices of £100 will be available to environmental health officers. Persistent abuse will lead to a reversion to probationary tenancies. Court action and fast-track eviction will follow. Automatic rehousing is no longer an option. Children of persistently antisocial and dysfunctional families will be offered new intensive fostering. Tenants and landlords must share responsibility. Antisocial tenants will lose their right to buy.

We intend to go further. Tenants must not be allowed to make the lives of others a misery. We will empower local authorities to license designated private sector landlords so that they no longer automatically receive direct benefit payments. We will also consult on the appropriateness of measures to withdraw from individual tenants the automatic right to be granted housing benefit. Where the problem is caused by pubs or clubs, environmental health officers will have the power to close them. Unscrupulous drug-dealers can exploit weak tenants and owners of property. New fast-track closure powers will be put in place so that crack houses can be closed and decisive action taken to seal those properties.

Gangs of youths can often be the catalyst for further crime, as well as intimidation. We will enable the police to designate areas experiencing high levels of antisocial behaviour, within which new powers to disperse groups causing problems will be available. We will merge these powers with those of child curfews to enable unaccompanied children out late at night to be removed and returned to their homes.

We are all aware of other forms of behaviour threatening our neighbourhoods. We have already announced measures to tackle the misuse of air weapons and the availability of replica guns. We will make carrying an air weapon, or an imitation one, in a public place an arrestable offence. We will support wholeheartedly the new proposals to restrict the sale and misuse of fireworks.

However, we recognise that family problems, poor educational attainment, unemployment and alcohol and drug misuse can all contribute to unacceptable behaviour. Those do not constitute an excuse, but we must act to enable people to rebuild their lives. We will take cross-government action to provide support, while upholding the principle of "something for something". No longer should an individual child disrupt a school, nor should inaction by parents disable that child for the future through non-attendance at school. Parents have a duty to ensure that their children are in school and behaving. Persistent failure will result in parenting orders, fines or fast-track court action. We will support families in overcoming their problems, through parenting classes and new fast-track parenting orders. We will examine residential provision as a compulsory part of education and rehabilitation.

At the heart of antisocial behaviour is a lack of respect for others—the simple belief that one can get away with whatever one can get away with. We need the help of the community as a whole in changing the culture. We need parents to instil a sense of responsibility and respect; communities to build the confidence to provide witnesses and to stand up to the thugs; and businesses to help in overcoming unacceptable and irresponsible behaviour.

Record police numbers, the historic reform of police pay and regulations, the new extended police family, including community support officers, specials and street and neighbourhood wardens, all have their part to play. We have an effective armoury of measures: fast-tracked, slimmed-down antisocial behaviour orders, acceptable behaviour contracts and parenting orders. Since August, almost 2,000 fixed penalty notices have been issued in the four pilot areas. We are clear that breaches of orders must be treated decisively. We must slim down bureaucracy, free up the police and enforcement agencies to do their job and engage the public, businesses and landlords in creating a safer and saner world.

I should like to thank all those who have contributed to the White Paper and also give my thanks for the co-operation of ministerial colleagues in this cross-government drive to rebuild civic society. I know that every Member of this House believes that families should teach respect, that bad behaviour must be dealt with decisively and that there is a need to restore pride in our communities. That is the challenge that we face in

[Mr. David Blunkett]

the decade ahead. I ask the House to support the measures that I have outlined today as a contribution to that endeavour.

Mr. Oliver Letwin (West Dorset): I am grateful to the Home Secretary for his usual courtesy in providing us with early sight of his statement.

For the past 18 months or so, I have been talking about re-establishing the neighbourly society and recapturing the streets for the honest citizen. The Home Secretary's admirable catchphrase "respect and responsibility" is remarkably similar. That similarity of phrasing is no coincidence; it arises from the fact that he and I share the same diagnosis of the same problem. We both recognise that there has been, and is in too many parts of Britain, a retreat from civilisation. We both recognise the truth behind the broken windows thesis that has guided American cities in their successful efforts to reduce low-level disorder and crime. We both recognise that, if our children are to grow up into the people whom we want them to be, they need to grow up in a society that is orderly and respectful and not on streets that are controlled by gangs, hoodlums, drug dealers and pimps.

The difference between the Government and the Conservative party consists not in a difference of diagnosis, but in a difference of views about the cure. Since the Government came to power, we have seen the introduction of some 15 Bills and Acts dealing with crime and disorder. Legislation is seeping out of every pore of the Home Office, and now we are to have another Bill. I doubt, alas, that this next accretion of the Home Secretary's prodigious legislative energy will do any more to cure the problems that we both diagnose than have his and his predecessors' previous endeavours.

The fact is that the boys in the gangs on the streets are strangely unaware of the Home Secretary's laws, because they are so little enforced. I shall not go quite so far as one of my right hon. Friends, who described the Home Secretary as fostering a police state without the police, but on a day when the snoopers charter is reintroduced and the Home Secretary publicly derides my commitment to providing 40,000 additional police officers, the House could be forgiven for wondering whether that right hon. Friend is rather too close to the mark for comfort.

In the absence of police on the streets, I wonder who will really enforce all those new measures. Or will they go the way of the child curfew orders that have never been issued? Will they go the way of the night-time courts, which now appear to have been abandoned after costing £6,000 an hour and £7,000 a case? Will they go the way of the mandatory sentences that have never been handed down? Will the new spot fines be enforced? Alas, the record of enforcement on existing fines, which is terrible, gives no grounds for optimism on that score. Will parenting contracts be any less bureaucratic than the antisocial behaviour orders, which have made strong men weep with frustration? Will the new crackdown on crack really have any impact if the police are overstretched and no effective, intensive abstinence-based treatment is available for young crack addicts? Will the new measures against begging, of which the Home Secretary has made so much today on the airwaves, actually do any more to diminish aggressive begging than could already be done under existing vagrancy laws if they were effectively enforced?

We are told in the press, from which, I regret to say, we nowadays learn more about the Government's intentions than we are ever vouchsafed in this House, that Downing street now wants to "under-promise and over-deliver" by concentrating on "specific, achievable policies" rather than targets.

The Home Secretary has put forward a plethora of specific policy intentions, but I fear that in the absence of police on our streets, and in the absence of coherent long-term programmes to lift young people off the conveyor belt to crime, the Home Secretary will find that the vast new range of powers that he announced will do no more than mask his failure to enforce effectively the laws that already exist.

Mr. Blunkett: I welcome the right hon. Gentleman's commitment to having similar policies and his acknowledgement that we agree that the broken windows theory is correct—that is, that if one does not start by dealing with the activity taking place in the immediate neighbourhood, it grows into unacceptable crime. I had better make it clear, however, that I have not read ex-Mayor Giuliani's book, in case anyone thinks that I have plagiarised him in the same way that the right hon. Gentleman plagiarises me. *[Interruption.]* It is the Opposition's job to poke me with a stick rather than the other way round, so I thought that I would have a go.

The right hon. Gentleman was doing fine until he got to the word that he had done his best to avoid—"but". I want to take the "but" out of the way that things are done. I want to stop the police saying, "We'd like to do something, but we don't have the power." I should like housing authorities to stop saying, "We'd like to deal with your unacceptable neighbour, but we don't have the power." To those who see mayhem on their streets and say, "We want something doing, but nobody's going to do anything", I should like to say that from now on, they are going to do something.

The issue of legislation is an interesting one. Is it a fault, given that legislation may have failed in the past, to legislate in future for things that we want to do, that we know will work, and that we know that people out there want us to put in place? Is it wrong, because there has been a failure to enforce in the past, to put measures in place to ensure that enforcement—through fixed penalty notices, eviction, closure of premises or dispersal—is at the very cutting edge of what we do? I cannot guarantee that the police, the housing offices or the environmental health service will always use their powers. *The Daily Telegraph*, never mind the Opposition, would certainly take me to task if I had the power to determine the powers of every single official in every single housing office or police station. But I can give them the powers and I can ask them to use them alongside the community.

Yes, we do need more police, but who cut the police service when they were in office? The Opposition were responsible for a fall in numbers in the police service, which we inherited. We are building on that, and we now have record numbers. I have no intention of wiping out the entirety of our immigration and border controls to switch the money into policing. I am, however, intent on making sure, with the Chancellor, that we have the money in future—as we do now—to ensure that year on year there will be increases not only in the trained uniformed police service, but in community support officers, street wardens and all those who are prepared to work alongside the police in doing their job.

I am asked whether these orders will go the same way as the others. Will they be like, for example, the drug treatment and testing orders, of which there have been 11,000 so far? Will they be like the parenting orders, of which there have been almost 4,000? What about the reparation orders, of which there have been more than 18,000? What about the fixed penalty notices that I mentioned? There have been 2,000 in just the few months of the pilot in four areas. What about acceptable behaviour contracts, of which there have been more than 1,800? What about the young people? There have been more than 3,500 intensive supervision and surveillance orders. So, yes, I do intend the new measures to go the same way as those orders, which represent thousands of measures saving thousands of incidents of antisocial behaviour. They ensure that our streets are free and clean, that our homes are quiet and protected and that people know that this House is determined to work on their behalf, and alongside them, to create a civilised society.

Simon Hughes (Southwark, North and Bermondsey): The Home Secretary will know that Liberal Democrat Members support the aims and objectives that he has set out. We want a less violent society and a more civil and respectful society. He knows, too, that we shall judge each proposal on its merits, which is why proposals for dealing with crack houses and unscrupulous landlords will be welcome, but why further criminalising beggars, most of whom are on drugs, drunk, homeless, mentally ill or all of those, seems to us a wholly misguided way of tackling a problem that requires people to be brought back into society rather than being given a longer criminal record.

Will the Home Secretary tell us why he has not followed the advice of the Government's social exclusion unit, which made clear, in its most recent report, that we need effective use of existing powers? We need to allow them to settle down and to work across the country rather than to introduce new legislation. Why do not the Government heed the advice that I certainly receive, and which I am sure the right hon. Gentleman receives? There is a panoply of legislation. What we need is not more legislation but more people: more police, more community wardens, more special constables and more youth and community workers. We need more people in the community to help to manage the community and to follow successful examples.

Before the Home Secretary makes more proposals for more laws that are less likely to be enforced, will he look at the projects in my borough—in his city—that work but need more resources? Those projects have been shown to be successful; they are local answers, devised in the community with the support of the community, and are far more effective than legislation passed by Parliament, which, to be honest, goes over the heads of most people in urban Britain.

Finally, will the Home Secretary tell us how we can hold realistic consultation on a White Paper produced in the second week of March when he proposes to introduce a Bill in the first week of April? Is not the reality that this is more about dressing the window for a local election in May and to cover up the Government's six years of inadequate law and order policy, rather than the long-term solutions that the right hon. Gentleman knows work better—as does everybody else?

Mr. Blunkett: God forbid that I should spoil the campaign of the Liberal Democrat candidate for Mayor of London, but if the hon. Gentleman's campaign is that we do not need those measures, that we should not take action and that nothing more needs to be done or could be done, he will not get very far.

I shall deal with the hon. Gentleman's questions. The honest truth is that he is entirely right to say that we need to take measures to help people on the streets who suffer from drug misuse or alcohol abuse. That is right and proper; it is what we should do. However, if giving people money and leaving them in the subways had been the cure and had put them in appropriate residential facilities and got them off drugs, we should not have the problem on our streets at present. A combination of actions will be needed, including offering people refuge, as we do already, and also drug and alcohol treatment, as we shall do. We must ensure that children who are used by beggars as a means of getting people to give money are treated and supported properly rather than being kept in cold subways as a means of raising cash.

Let me deal with the perfectly reasonable issue raised by the hon. Gentleman—that we need more of everything that he listed. Yes, we do. Why is there more? Why do we have new initiatives, such as those in his constituency to which he referred? Why are diversionary programmes being set up between my Department, that of my right hon. Friend the Secretary of State for Culture, Media and Sport, who is present this afternoon, the Department for Education and Skills and the Department for Health? Why do we have all those new programmes? It is because the Labour Government have funded them and put them in place. Why do we need more? Because many of them are working.

However, that is no reason not to match what we are doing positively with the enforcement that was mentioned a few moments ago and which will help those who constantly complain to us that they would do something about the problems if only they had an easy-to-implement power. I am determined to give it to them.

Mr. Chris Mullin (Sunderland, South): I give today's announcement a hearty welcome. If we are to make a difference to the lives of our constituents, especially those who live in the less leafy areas of the country, we must defeat the vast yob culture that is, I often think, our greatest inheritance from the Thatcher decade.

I especially welcome measures to deal with air weapons, fireworks and spray paints. Far from thinking such things irrelevant, our constituents are more likely to wish that we had implemented them years ago.

I especially look forward to measures to cut off the flow of housing benefit to rogue landlords—probably the most important aspect of my right hon. Friend's announcement. It is extraordinary that for years

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housing benefit has been used to destroy our inner cities, and we have to put a stop to that. What is the timetable for the housing benefit measures?

I agree with my right hon. Friend that enforcement is the key. There is no shortage of policemen, but sometimes there is a shortage of policemen on the streets. We need to ensure, as he is doing, that there will be more policemen on the streets—on bicycles, perhaps, but not in helicopters.

If more children are to be excluded from school, it is important that alternative arrangements are made for their education. Although big improvements have been made, there is still a gap between children being excluded from school and the alternative arrangements for them. Will my right hon. Friend bear that in mind?

Mr. Blunkett: I agree entirely with my hon. Friend and I am grateful for his support, which he gives sparingly and only when he agrees, so I particularly welcome it.

I am in favour of policemen on bikes—even on tandems, although we are trying to break up the two-by-two regime. I am strongly in favour of ensuring that children have alternatives when they are excluded from school. There is universal coverage for children who are permanently excluded, but we do not yet have that for those excluded only for a few days. My right hon. Friend the Secretary of State for Education and Skills is working hard to ensure that we achieve that later this year.

I agree entirely that the measure to deal with the very small number of rogue landlords, which will be targeted on designated areas, will make a real difference. It will get the message across that people cannot freeload on the state—what Aneurin Bevan once described as sucking at the teats of the state. If we can get that right, everyone will be playing their part in overcoming that scourge.

Mr. Nick Gibb (Bognor Regis and Littlehampton): Given the low rate of payment of fines, with only 63 per cent. of fines levied by magistrates actually being paid, how will the Home Secretary ensure that the fixed penalty notices are paid by their recipients? The right hon. Gentleman referred to the 2,000 fixed penalty notices that have been issued since August: how many of those have been paid?

Mr. Blunkett: The hon. Gentleman is entirely right that enforcement of enforcement must be the order of the day. That is why the Courts Bill, currently with the House of Lords, actually ensures that deduction from pay or benefits will be an automatic option rather than a long-term struggle.

On the pilot for fixed penalty notices, 60 per cent. were paid within 21 days and a further 38 per cent. were either paid or withdrawn, leaving only 2 per cent. that defaulted. That is a tremendous record and if we can build on it we shall have a success on our hands.

Lynne Jones (Birmingham, Selly Oak): One of my constituents, an alcoholic, received detoxification treatment in hospital but could not get rehabilitation services on discharge. He subsequently died. Other constituents, drug addicts, have to wait inappropriately long periods before receiving rehabilitation services. Although the Government have given additional resources, parliamentary answers suggest that the number of people receiving rehabilitation treatment is not growing. Does my right hon. Friend agree that it is essential to put adequate services in place and that, in order to do so, we must assess the need for such services? Will he ensure that an assessment of that need is undertaken so that adequate services can be set up?

Mr. Blunkett: Yes, I will. The establishment of the national treatment agency, the co-ordinated approach that we spelled out in the autumn, the £500 million extra that we are putting into resourcing the services, and the targeted approach—including the £30 million that we have put into the basic command units and police divisions most affected by the relationship between crime and drugs—will make a difference. My hon. Friend is entirely right to speak of the speed with which not only treatment but rehabilitation needs to be made available. We have a mountain to climb, and I ask not for patience but for support in going forward to ensure that that happens much more quickly and effectively than it does at present.

Mr. John Horam (Orpington): Is the Secretary of State aware that antisocial behaviour is a big problem in the leafy suburbs as well as in the inner cities and rural towns? I received an e-mail only an hour ago from a constituent in St. Mary Cray who was complaining about a neighbour who had been forced out of their house as a result of constant harassment. Half the problem is that, when people go to the police to complain about this sort of behaviour, the constant refrain that they hear is, "We don't have the resources to do anything about it."

In Bromley, for example, the number of police has gone down in the last five years, and the number of police stations in my constituency—one of which was in St. Mary Cray, where that incident occurred—has been reduced from three to one under this Government's regime. Does the Home Secretary not see that, unless the Government tackle the number of police on the level that my right hon. Friend the Member for West Dorset (Mr. Letwin) outlined only a day ago, and encourage them to go down the path of zero tolerance, this statement will be just another litany of feeble and inadequate responses?

Mr. Blunkett: I would be happy to look at the number of police in Bromley and raise the matter with the Met commissioner. Secondly, we now have a national policing plan, which includes antisocial behaviour. We have also given a clear direction from the centre that we want police out on the streets. But let me take the hon. Gentleman head on. Is he suggesting that I should determine the number of police stations in each division? Is he saying that I should determine how the chief constable and superintendents in charge of the police in each police force area should direct them? If so, he is contradicting everything that his Front Benchers said when the minimal powers that we chose to take in the Police Reform Act 2002 were being debated. I was told time and again by the Conservative party that it was none of my business to interfere with how the police deployed their resources locally. I believe that it is my business, on behalf of the people we represent. I believe it a lot more than his party does.

Mr. Frank Field (Birkenhead): May I assure the Home Secretary that there will be quiet pleasure in many Birkenhead homes this afternoon at the announcement that he has made today? May I ask him a further question about taking away housing benefit from absentee landlords and neighbours from hell? I welcome his intention to consult on these proposals, but will he consult more widely than the normal list of suspects, who usually advance a defence for people whose behaviour is indefensible? May I suggest that one or two panels of ordinary citizens might give him different views from those of the people whose first cry is about the violation of civil liberties? If he asked for volunteers in Birkenhead, his only problem would be one of crowd control as decent citizens came forward to volunteer to support his policies.

Mr. Blunkett: I pay tribute to my right hon. Friend for the enormous amount of work that he has done and the campaigns that he has been running. I was pleased, some time ago, to be in his constituency to experience the quiet enthusiasm of the people there—quiet only so that we did not have to issue fixed penalty notices for noise nuisance—for sorting out the mayhem around them. As he would expect, I entirely agree with his final remarks, and I have invited the head of Liberty to join me in my constituency in representing just such people.

Mr. Douglas Hogg (Sleaford and North Hykeham): The right hon. Gentleman asked for support for his proposals, but that will of course depend on their detail. He outlined a battery of new sanctions and penalties, many of which will depend on the discretion of officials. Does he understand that, unless his proposals provide for proper safeguarding of civil and political rights, they will be strongly resisted? Consequently, before he publishes his Bill, will he consult widely and genuinely on the incorporation of proper legal and civil safeguards into his statutory proposals?

Mr. Blunkett: There will always be proper rights in our society to protect the interests of those who are accused, so that we can avoid wrongful accusation and wrongful conviction. Those rights will exist, whether in relation to fixed penalty notices, the measures that I have outlined that will be consulted on in relation to housing, the powers relating to individual tenants—I did not answer the question from my hon. Friend the Member for Sunderland, South (Mr. Mullin) properly: those powers will be consulted on alongside the draft housing Bill which will be published in the summer—or the powers that we shall take in relation to rogue landlords, having consulted on the detail of how best to apply them. Of course we will ensure that those rights are incorporated in the legislation, as they always will be. The whole thrust of the proposals is to ensure that the rights of the decent, law-abiding community are safeguarded, not at the expense of the right to avoid wrongful conviction but at the expense of those who make a mockery of our existing laws.

Chris Ruane (Vale of Clwyd): I thank my right hon. Friend for an answer to a written question that his Department gave me last week on the number of antisocial behaviour orders issued by police authorities in England and Wales. The top number was 95; the bottom number was nought. My own authority, the North Wales police authority, had issued one, which placed it second to bottom. What help, encouragement and—dare I say—pressure can my right hon. Friend apply to ensure proper take-up of the slimmed-down, fast-track ASBOs that he has announced today?

Mr. Blunkett: Progress has already been made. I have made it clear all along, over the last 18 months, that I thought that the number of orders being taken out was unacceptable. The slimmed-down orders that we already have in place, namely the interim orders, are beginning to bite. We have figures only through to November, and they are disappointing, but since the new interim orders came in in November there has been a dramatic change. We want to ensure that there is immediate access to the existing courts and, in future, to the criminal justice centres, so that immediate action can be taken. We want the police, housing officials and social landlords to be able to use those orders quickly and, above all, we want to ensure that people know about them.

One thing that has struck me over recent months is how little those who have the power to implement these policies know of what they have at their disposal. Even last Friday night, in my own constituency—in a most deprived and difficult part of the city in terms of crime—I found that people were not aware of what was already on the statute book. We have a major task to inform people simply and clearly about how the police and housing and environmental health officials can do their job.

Annabelle Ewing (Perth): Will the Home Secretary clarify what plans he has to consult the Scottish Executive on the matters that might impact on Scotland, and when any such consultation is planned to take place?

Mr. Blunkett: Yes, I certainly will. Obviously, the issues around housing and housing benefit are most relevant to the question of reserved powers and to the relationship with the Parliament in Edinburgh. We will begin those consultations immediately.

Jonathan Shaw (Chatham and Aylesford): I welcome the confirmation that the Home Secretary is to introduce new laws to restrict the use of air weapons, which maim thousands of people every year and, in extreme cases, can kill. People are simply too young to use them at the age of 14. I also welcome the other measures that he has announced today. People experiencing antisocial behaviour in some areas feel that nothing can be done, and that they have to endure it week in, week out.

Lordswood in my constituency was having particular difficulty with antisocial behaviour. The Kent police responded, and the local community has seen a difference. That is giving the community the confidence to work with the police in the way that my right hon. Friend has described today. It is essential, however, that

[Jonathan Shaw]

we have the necessary powers to stop the antisocial behaviour that so many of our communities have to endure.

Mr. Blunkett: I know that my hon. Friend has campaigned long and hard on that since entering the House, and I welcome his support. I am pleased that the Kent police have responded in the way that he described and I hope that the new powers will help them to do so even more effectively in future.

Tim Loughton (East Worthing and Shoreham): In order to have a system of on-the-spot fines, the Home Secretary knows that on-the-spot policemen are needed. In Sussex, we still have fewer policemen than we did six years ago despite all his assurances. What assurances can he give that this will not just be another way of further stretching police officers and distracting them from other duties? He also mentioned the culture of getting away with it. Does he acknowledge that we still have the same number of youth offenders in custody as we did five or six years ago, and that last year 77,700 people failed to turn up to court—that is, 13 per cent. of magistrates court cases? What is he doing to make sure that penalties stick when they are issued?

Mr. Blunkett: The Criminal Justice Bill and the Courts Bill are designed to incorporate measures to deal with cracked and failed trials, defendants' failure to attend court and the prolonging of court cases. On policing, the run-down in Sussex was part of a policy of the last but one chief constable. Within weeks of taking office, I had the pleasure of ensuring that he found other pastures in which to exercise his liberal views.

Ms Ann Coffey (Stockport): I welcome my right hon. Friend's statement, which will also be warmly welcomed by my constituents. He mentioned dysfunctional families whose children are beyond control. I am sure that he is aware that some of them are as young as six or seven, and that their behaviour terrorises whole communities. That is a particular problem in council estates in my constituency, and I am sure that he agrees that social housing tenants, who often have no choice about where they live, should not have to put up with antisocial behaviour as part of their tenancy. How does he propose to increase the effectiveness of local agencies in dealing with those families because, as he will appreciate, it is not a matter for the police alone?

Mr. Blunkett: Yes, it is important that we take every possible step to remedy the problem and not just enforce the law, which is a last resort. We therefore want to experiment with new ways of intervening, such as with the co-operation of social services. We want to build on the Family Welfare Association and home start examples in which people move into the home so that they can assist families. When I was leader of Sheffield city council, home makers were literally undermined by professional bodies that did not like the idea of a practical scheme that did not involve counselling services but involved people going to the family, supporting and helping them to change their behaviour. If we cannot get through that way, we should ensure that, as part of parenting orders, residential provision is made available. In the end, people have to live in a civilised society. If we cannot do that by persuasion we will have do it through enforcement.

Mr. Mark Prisk (Hertford and Stortford): In Hertfordshire, tackling antisocial behaviour is a question not of not enough police powers but not enough police officers. Given the £5 million shortfall between what Hertfordshire police need simply to stand still and what the Home Office has just given us, can the Home Secretary tell the House and my constituents how his new powers will be enforced, because we are short of more than 200 officers?

Mr. Blunkett: By continuing with record recruitment, we achieved a 40 per cent. increase in recruitment last year—the largest ever increase in recruitment in this country. What do we get when we recruit? Either we are accused of not recruiting enough, or the Opposition say that there are too many probationers in relation to experienced police officers. The Opposition cannot have it both ways—how can somebody become a policeman if they do not first become a probationer? That is an absurd argument and an example of doublethink. We are recruiting at record levels; we are putting the money in; there will be more police in the coming year than has ever been the case in our history; and we will carry on.

Ms Karen Buck (Regent's Park and Kensington, North): My right hon. Friend is right to maintain a focus on the spectrum of criminal and antisocial behaviour that blights the lives of residents in neighbourhoods in my constituency. I particularly welcome his commitment to speeding up proposals on the closure of crack houses. I commend the excellent enforcement work in my own boroughs, including the neighbourhood warden scheme in Westminster and the rapid reaction crack protocol developed by police and housing providers in Kensington and Chelsea.

On crack houses and many other forms of antisocial behaviour, one of the biggest problems is encouraging people to come forward and give evidence. Can my right hon. Friend assure me that more is being done to encourage and support people who give evidence against individuals guilty of operating crack houses and other antisocial behaviour?

Mr. Blunkett: My hon. Friend is right about the excellence of those schemes, and I commend them. She is also right that, unless we can provide protection for witnesses, particularly in London, where people sometimes have to be moved away from the situation that puts them at risk, provide professional support for witnesses, ensure that we use technology more effectively and, above all, give people the confidence to be able to come forward knowing that they will not suffer retribution, we will fail. That must be a priority, and we all need to work together to ensure that that is the case.

Lady Hermon (North Down): I assure the Home Secretary that the Ulster Unionist party supports much of his statement, so much so that I seek confirmation that the measures will extend to Northern Ireland. As he knows, criminal justice is not a devolved issue, and was not devolved before the suspension of the Northern Ireland Assembly. I would therefore welcome clarification.

Will the Home Secretary also look at something that has worked well in Northern Ireland—restorative justice schemes? Disappointingly, there was not a single mention of them in the statement. There is a good lesson to be learned from Northern Ireland, and I urge the Home Secretary to extend the measures to our Province.

Mr. Blunkett: As ever, the hon. Lady is right. Restorative justice is critical and is covered in the White Paper. We have had more than 11,000 restorative justice orders so far on the mainland, which is welcome. She always charms me into agreeing that excellent schemes that she welcomes should be extended to Northern Ireland. I will obviously consult colleagues on making sure that we get that message across.

Geraldine Smith (Morecambe and Lunesdale): Thanks to Government funding, we now have street wardens and community support officers out on the streets of both Morecambe and Lancaster. Does my right hon. Friend agree that seaside towns such as Morecambe have particular problems with antisocial behaviour, usually caused by large amounts of privately rented accommodation and absentee landlords who do not care what sort of tenants live in their properties and have no commitment to the towns. Can he assure my constituents that the measures that he is introducing will help to deal with rogue landlords in Morecambe who cause so much misery to my constituents?

Mr. Blunkett: Yes I can. My hon. Friend is right—the local authority will be able to designate the areas that she described and can take action by providing proper licensing, by insisting that there are proper terms, conditions and contractual arrangements for those tenants, and by ensuring that action is forthcoming if tenancy agreements are breached.

Mr. David Cameron (Witney): In his response to my right hon. Friend the Member for West Dorset (Mr. Letwin), the Home Secretary said that to get 40,000 extra police officers, we would have to abolish the immigration service altogether. Is it not the case that in 1993, when there were 20,000 asylum seekers coming to this country instead of the 100,000 that we have now, the immigration service cost £230 million, or £1.5 billion less than it costs today? Does that not prove that if we had a sensible asylum policy we could have thousands more police officers? Is it not time that the Home Secretary started to look at some imaginative schemes instead of things that are failing?

Mr. Speaker: Order. That question is a bit wide of the subject.

Clive Efford (Eltham): I welcome the statement. Last month I chaired a public meeting with 200 angry residents of the Middle Park estate in my constituency, who called for just the sort of powers that my right hon. Friend has described.

The problems that undermine ASBOs also undermined earlier laws against antisocial behaviour that did not work, chiefly because those who commit acts of violence and vandalism in our communities are prepared to intimidate and threaten victims to a point at which they will not come forward to give evidence. That applies even to the new powers. We must become more proactive in gathering evidence, so that we can tackle those individuals.

Mr. Blunkett: My hon. Friend is right. That is why professional witnesses matter. It is also why—this has been raised with me on my own patch—the ability to provide signed and affirmed written statements, commonly but wrongly known as hearsay, will be important, preventing people from being faced down in court or intimidated or beaten up on the way out.

As for enforcement, the more criminals we have the more police we need on the streets, and the more clandestines we have the more immigration and security we need on our borders, which of course costs us more. That answers the earlier question that I was not able to answer.

Mr. Henry Bellingham (North-West Norfolk): Will the Home Secretary join me in congratulating our new area commander in West Norfolk, Chief Superintendent Alan Hayes? He has introduced a policy of zero tolerance on, for instance, graffiti and minor criminal damage. That is already rebuilding public confidence in the police, but we have a serious problem with abandoned and burnt-out cars and fly-tipped fridges, which encourages the production of more rubbish. Time and again, no one takes responsibility. Those problems were not mentioned in the statement; what is the Home Secretary going to do about them?

Mr. Blunkett: We have tightened the Driver and Vehicle Licensing Agency regulations and the automatic number plate recognition scheme. We have given community support officers powers to deal with abandoned cars, and the White Paper refers to new powers on fly tipping and graffiti. I am sure that the chief superintendent's excellent work in his division will be supported, and that he will welcome the extra powers in the White Paper.

Colin Burgon (Elmet): As a Member who believes that our main task is to build stronger communities, I welcome the Home Secretary's statement. I was particularly pleased with his comments about education, because I think that we should give teachers 100 per cent. support, and with what he said about parenting orders and fines. I am interested in the idea of residential provision; will he expand on that and on the need for parents to admit their responsibility for the kids they have brought into the world?

Mr. Blunkett: Not one of us who has been a parent does not sometimes say "There but for the grace of God go I." Let me say, with some temerity, that we want to tell parents, "If you want help, ask for it, and we will ensure that you get it. If we can support you, in both parenting and dealing with family situations, we will do so. But if you refuse to accept help and continue to cause havoc to your own children and the lives of others, we will intervene."

The idea of residential provision stems from the view that it is sometimes necessary to take families away from one situation and into another in which they can receive

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instruction, direction and education if they are to cope with even the most basic tenets of civilised behaviour. There are not many in such situations, but the very few cause havoc to the very many.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): Many environmental health departments struggle to provide a full out-of-hours service with their existing resources. Clearly the proposals will raise expectations in relation to, for instance, noise control. Has the Home Secretary discussed the funding of environmental health departments with the Deputy Prime Minister? Will they be expected to divert resources, or will they be given more resources to finance their new powers?

Mr. Blunkett: I continue to have discussions with the Deputy Prime Minister, and with the Chancellor and the Chief Secretary to the Treasury, about how resources raised from, for example, fixed penalty notices can be used for reinforcement and reinvestment. I entirely agree with the hon. Lady about environmental health, which is close to my heart and, indeed, my family. My family includes an environmental health officer, who tells me of all the things that he needs to do and that I hope to be able to help him to do.

Caroline Flint (Don Valley): The people of Don Valley will welcome the White Paper. I pay tribute to them, for without their agitation and support we would not have had the antisocial behaviour unit in Doncaster that is serving us so well. We have issued antisocial behaviour orders there, but our police officers say that the threat of such orders has contained behaviour in many cases.

I welcome what the White Paper says about private landlords, parenting orders and much more; but legislation, past, present and future, will work when the agencies concerned listen to the people and respond to their demands. Can we ensure, even more than we do now, that information about what works well elsewhere is passed to those on the ground so that they can meet the expectations of those whom they serve?

Mr. Blunkett: That was excellently put. At yesterday's conference for the new local criminal justice boards and the national board, I said—I think the message is now getting across—that there can be no excuses. It is no good saying that others should have acted; it is up to those at local level to work together to ensure that the system is effective in practice.

Mr. Mark Francois (Rayleigh): I recently accompanied special constables in my constituency on a night patrol in support of a Home Office campaign for recruitment of more special constables. From my discussions with them, I gleaned the information that if they arrest a young man for urinating against a wall it takes five hours to process the paperwork back at the station. Does the Home Secretary agree with me, with my right hon. Friend the Member for West Dorset (Mr. Letwin)—the shadow Home Secretary—and with the Chairman of the Home Affairs Committee, who raised the issue today, that if we are to have more effective policing the Home Office must play its part by radically reducing bureaucracy to give our coppers a chance to do their job?

Mr. Blunkett: I am pleased to be able to agree with the hon. Gentleman. I am glad that he went on a night patrol during the specials weekend that we organised. As for his example of—I am choosing my words carefully—urination in the street, which is both an affront and a criminal offence, I am delighted to tell him that we shall be able to cut out all those hours of bureaucracy when the offender is taken to the station. Rather than spending a penny, he will have to pay £80 for a fixed penalty notice.

Mr. Gordon Marsden (Blackpool, South): I congratulate my right hon. Friend on what he has said about air weapons in particular. Over the past three or four years, tenants' and residents' groups in Blackpool have told me that they did not know about the powers and that they have not been working quickly enough. They now tell me that they are working quickly enough.

In a letter to me, Blackpool's chief superintendent writes:

> "It appears that the recent changes in legislation have allowed for a much less bureaucratic approach to be adopted . . . We have maximised the opportunities available to us under this legislation and in recent weeks have seen the courts granting 5 interim orders and 1 full order."

Is my right hon. Friend confident that the current legislation and the proposed new initiatives will be sufficient to deal with the specific issue of antisocial behaviour of transient groups, which has caused difficulties in the past, especially in coastal towns?

Mr. Blunkett: Excellent work is being done in Blackpool. The Tower project, for instance, has been very effective.

It will be possible to attach ASBOs to an individual rather than a locality—to follow the person. That will, I think, make a difference to enforcement.

On a lighter note, I take the point that was made at the beginning of the debate by the shadow Home Secretary. I am learning all the time how best to amend and to re-legislate Home Office legislation, so that whatever was intended in the first place happens in practice.

Matthew Green (Ludlow): I listened very carefully to the Home Secretary, but I heard nothing about extra resources for what the Home Office calls "diversionary activities" for young people. It is a shame that the Government cannot fund activities for young people on the basis that they are good for them, rather than regarding them as a means of cutting crime. Can he reassure me that he respects young people as individuals, rather than simply regarding them as criminal statistics?

Mr. Blunkett: They are victims as much as they are people involved in crime. We are devoting £370 million that did not exist before 1997 to the Youth Justice Board and to the youth inclusion programmes. Through the Department for Education and Skills, some £420 million—again, that money did not previously exist—is being spent on the massive expansion of the Connexions programme. The Department for Culture, Media and Sport is working with the DES, the Department of Health and ourselves to develop summer and holiday programmes. All those measures, along with the New Opportunities Fund and after-school activities, are the beginning of a process of getting our act together, so that there is an alternative. People are expected to take that alternative, rather than creating mayhem for others.

Mr. David Clelland (Tyne Bridge): One manifestation of antisocial behaviour is car crime. Does the Home Secretary agree that in the wrong hands, a car can be as lethal a weapon as a gun, and that death or injury caused by the illegal or reckless use of either ought to carry the same, very heavy penalty?

Mr. Blunkett: My hon. Friend and his parliamentary colleagues from the north-east have been running a very effective campaign on this issue. I am deeply sympathetic to ensuring that we get the penalties and the signals right, and individual cases have highlighted the fact that, at the moment, they are not right.

Points of Order

1.32 pm

Mr. Jonathan Sayeed (Mid-Bedfordshire): On a point of order, Mr. Speaker. If there is a debate on a substantive motion before ground troops are committed in Iraq, and given the clear disquiet that exists in the House at the prospect of war, can you confirm that it would be both in order and advisable for a free vote to take place on such a motion when it is brought before the House?

Mr. Speaker: That is a hypothetical matter and has nothing to do with me. Free votes have absolutely nothing to do with me—I seldom get a vote these days.

Mrs. Alice Mahon (Halifax): Further to that point of order, Mr. Speaker. Now that the Bush Administration have blatantly given contracts to American corporations to rebuild Iraq once they have bombed it, and despite the spin from No. 10 that Donald Rumsfeld was trying to be helpful to this country when he made it clear that they do not need United Kingdom troops for such bombing—in fact, on the basis of that, the Prime Minister could now bring our troops home—how can we go about securing a debate on what are momentous events by any standards?

Mr. Speaker: I have no responsibility for the actions of American politicians or of the American President's officials. They have absolutely nothing to do with me.

Mr. Tony McWalter (Hemel Hempstead): On a point of order, Mr. Speaker. I have just received a pager message saying that the Prime Minister of Serbia has been shot dead. I should be grateful if the House would take cognisance of that fact in the way that it organises its affairs.

Mr. Speaker: I am very sorry to hear about that.

Jeremy Corbyn (Islington, North): On a point of order, Mr. Speaker. At times of national debate and national crisis, the House looks to you to represent it, and the public look to the House to represent them. You will undoubtedly be aware that throughout this country people are talking about the possibility of British troops being deployed in Iraq in the next few days. Can you assure us that as soon as there is any firm news from the United Nations or about the deployment, the House will be given the opportunity to have a debate—if need be, on an application for an emergency motion—so that it can represent the views of the ordinary people of this country, who are deeply concerned about the danger of going to war?

Mr. Speaker: It is my duty to protect the rights of Back Benchers. As a Back Bencher of long standing, the hon. Gentleman will know that tomorrow's business questions perhaps provides an occasion for him to raise those matters.

BILLS PRESENTED

Health and Social Care (Community Health and Standards)

Mr. Secretary Milburn, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Secretary Margaret Beckett, Mr. Secretary Murphy, Mrs. Secretary Liddell, Ms Secretary Hewitt, Secretary Peter Hain and Mr. John Hutton, presented a Bill to amend the law about the National Health Service; to make provision about quality and standards in the provision of health and social care, including provision establishing the Commission for Healthcare Audit and Inspection and the Commission for Social Care Inspection; to amend the law about the recovery of NHS costs from persons making compensation payments; to provide for the replacement of the Welfare Food Schemes; to make provision about appointments to health and social care bodies; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. Explanatory notes to be printed. [Bill 70].

Local Communities Sustainability

Sue Doughty, supported by Gregory Barker, Dr. Vincent Cable, Mrs. Patsy Calton, Mrs. Helen Clark, Mr. David Drew, Mr. Don Foster, Paul Holmes, Alan Simpson and Ms Joan Walley, presented a Bill to require the drawing up and implementation of a strategy to promote sustainability among local communities; to make provision for the inclusion of targets and indicators in the strategy; to make provision for councils to implement the strategy in their area; to make provision in respect of the powers of electors in relation to the implementation of the strategy; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 28 March, and to be printed. [Bill 71].

Prevention of Driving Under the Influence of Drugs (Road Traffic Amendment)

1.35 pm

Mr. Nick Hawkins (Surrey Heath): I beg to move,

That leave be given to bring in a Bill to make it an offence to drive a motor vehicle while under the influence of a controlled drug; to provide powers for police officers to undertake roadside drug tests on drivers; to provide that statistics of drug-related road accidents and deaths are collected and collated; and for connected purposes.

I introduce this Bill not simply because of the views that I hold—although they are very strong views—but because the shadow Home Office team collectively believes that this is an important issue that has been neglected for far too long. We are therefore adopting a recent change in strategy whereby, although this is a ten-minute Bill, we are taking the matter seriously and we hope that it will progress to become law. Indeed, a counterpart Bill will be introduced in another place tomorrow by my noble Friends Lord Dixon-Smith and Baroness Anelay of St. Johns. We very much hope that it, along with this Bill, will receive all-party support.

I have been concerned about this issue for many years—long before I came to this House. I began in practice at the Bar in the late 1970s, and as with all barristers on circuit, I dealt with many cases involving motoring offences. Tragically, many of the most serious involved very serious injury or death. In recent years, we have seen increasing incidences of death or serious injury caused to entirely innocent, law-abiding drivers as a result of dangerous driving by motorists under the influence of drugs, or of a combination of drink and drugs. I shall say a little more in a moment about the particular problems arising from a cocktail of drink and drugs, and about the reasons why there is an increase in such incidents.

I want to pay particular tribute to Rhiannon Sadler and Anarhali Moonesinghe, who are two researchers in my office. In preparing the shadow Home Office team's work on this issue, they contacted every police force in the country and all of Her Majesty's coroners. They asked very detailed questions about the increasing incidence of serious injury and fatal accidents caused by, or contributed to by, one or more drivers being under the influence of drugs, or of drink and drugs. I should stress that we have also had enormous support from the AA, the RAC Foundation and the British Medical Association, all of which—like the shadow Home Secretary, my right hon. Friend the Member for West Dorset (Mr. Letwin), myself and the rest of the shadow Home Office team—have pursued this issue for years.

The big problem that we understood from our research is that nobody is required to collate the statistics on this issue. Indeed, almost every one of Her Majesty's coroners said, "We'd love to get more information about this, but we haven't got the resources." That is why the Bill would require that funding be provided to every coroner and to every police force in the country, to ensure that these statistics are collected properly. Once we know the scale of the problem, we will be able to address it more rapidly and accurately.

Traffic officers are at the sharp end of this problem and have to deal with the horrendous consequences of serious injury and fatal traffic accidents. I want to stress that every officer to whom we spoke said that people who are addicted to drugs or are regular drug users and who are planning to drive will often choose to drink alcohol as well. If they are stopped because an accident has happened, or for any other reason, they will merely be breathalysed and dealt with only as a drink driver. Although that will probably lead to a ban in court, it will not lead to an investigation by drugs squad officers, which might lead to much more serious criminal sentences, and perhaps a lengthy period of imprisonment. That applies especially to those who deal drugs as well as take them. As one officer said, drug addicts who do not drink as well are crackers. If they drink as well, they will get away with a lower penalty if they are stopped or if there is an accident.

The Opposition have pursued the matter in various debates, notably in two debates on the Government's drugs policy either side of the recent Christmas and new year recess, in which the Government effectively promised jam tomorrow. They said that they would do something about the matter when parliamentary time allowed. Opposition Members are convinced that the problem is far too serious to be kicked into the long grass in that way, and we are strongly supported in that by the AA, the RAC Foundation and the BMA.

The Bill gives the Government an opportunity, as I told the Home Office Minister who responded to one of the Government drugs policy debates that it would. We hope that the Government will allow this Bill, or its equivalent in another place, to proceed.

I also thank the hon. Member for Bassetlaw (John Mann) for his support for the Bill, and for all the work that he has done to highlight the extent of the drugs problem. It is an issue that I hope will attract all-party support.

We need to protect law-abiding motorists from being seriously injured or wiped out by drug-crazed drivers. The BMA says that the use of illegal drugs by the younger generation is frequent and increasing. Talking to young people at secondary school or in their late teens, one finds that they have been persuaded by the media that the Government have legalised cannabis already. They are stunned when they are told that cannabis is not legal. Unfortunately, the Government have given out all the wrong signals on the matter.

The BMA reports that nearly half of all 16 to 24-year-olds in England and Wales have used cannabis at least once. Because they are going to be the young drivers of the immediate future, it is even more worrying that 39 per cent. of that age group said that they had taken hallucinogens. Rather fewer of them had taken other drugs. However, a separate survey of club goers in Scotland found that 69 per cent. had taken cannabis, and that 85 per cent. had at some time driven a car after using illegal drugs.

The problem of drug driving is not only related to the misuse of illegal drugs, as prescription drugs may also cause drivers' judgment to be impaired. However, this Bill concentrates specifically on the illegal, controlled drugs. That is not to say that we ignore the other serious aspects of the matter, but I wanted to keep the Bill's scope within bounds, in the hope of attracting all-party support.

Recent research from the transport and road research laboratory in Crowthorne, in the constituency of my right hon. Friend the Member for Bracknell (Mr. Mackay), next door to mine, shows that between 1987 and 1999, there was a significant increase from at least 3 per cent. to 12 per cent. in the detection of illegal drugs in the blood of drivers in road accidents. However, coroners and police forces need to be able to use roadside tests.

I pay tribute to forces such as those in Hampshire, Surrey, Strathclyde and Northamptonshire for piloting the field impairment test. Specific legislative provision can be given for such tests. The roadside impairment test takes place at the side or the road and can form the basis for the arrest of a driver, after an accident or moving-traffic offence, who may have taken drugs. That person can then undergo a full medical blood test, and in that way we will detect people who take drugs and drive, and deter people from doing that.

I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Nick Hawkins, John Mann, Mr. Oliver Letwin, Mr. James Paice, Mr. Dominic Grieve, Mr. Humfrey Malins, Mr. Mark Francois, Angela Watkinson and Mr. Iain Duncan Smith.

PREVENTION OF DRIVING UNDER THE INFLUENCE OF DRUGS (ROAD TRAFFIC AMENDMENT) BILL

Mr. Nick Hawkins accordingly presented a Bill to make it an offence to drive a motor vehicle while under the influence of a controlled drug; to provide powers for police officers to undertake roadside drug tests on drivers; to provide that statistics of drug-related road accidents and deaths are collected and collated; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 4 July, and to be printed [Bill 72].

Orders of the Day

CONSOLIDATED FUND (NO. 2) BILL

Order for Second Reading read.

Question, That the Bill be now read a Second time, *put forthwith, pursuant to Standing Order No. 56 (Consolidated Fund Bills), and agreed to.*

Bill accordingly read a Second time.

Question, That the Bill be now read the Third time, *put forthwith, and agreed to.*

Bill accordingly read the Third time, and passed.

Welsh Affairs

[Relevant documents: The Third Report from the Welsh Affairs Committee, Session 2002–03, The Work of the Committee in 2002, HC 263, and the Minutes of Evidence taken before the Welsh Affairs Committee on 15th October 2002 [The Wales Office Departmental Report 2002], HC 1216, Session 2001–02.]

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

1.47 pm

The Secretary of State for Wales (Peter Hain): May I say, Madam Deputy Speaker, how good it is to have a Welsh Deputy Speaker in the Chair for this debate?

Wales is raising its profile as never before—we have the first Welsh Archbishop of Canterbury for 1,000 years. It is hard to open a newspaper these days without reading about a Welsh celebrity or sports personality, whether it be Tom Jones or Catherine Zeta Jones, Ryan Giggs or Colin Jackson, Julian McDonald or Huw Edwards. Now even the manager of the Liverpool football team, the Frenchman Gérard Houllier, after his team won another trophy at Cardiff's millennium stadium, has joked that he might apply for Welsh nationality. He is a wise man—and that comes from me, a Chelsea fan.

There are people in Wales today who are at the top in all walks of life—doctors, scientists, engineers and entrepreneurs. I have met some of them in my first few months as Secretary of State, and I have been greatly impressed by their commitments, talents and confidence. They are world-class people, striving to create a world-class Wales. That is why we are determined that we should never go back to the time when a generation of young people in Wales were denied employment and hope by Tory economic mismanagement and ideological dogma. Never again will the Thatchers and the Redwoods tear up the jobs and public services that we cherish—although I see that the right hon. Member for Wokingham (Mr. Redwood) may be in line for a comeback. He was the most unpopular Secretary of State in history, and I hope that he is dispatched to Wales to campaign full time for the Conservatives, especially in Monmouth and the Vale of Glamorgan.

This has been a challenging year for the Welsh economy, with stagnant global trade and many of our trading partners in or near recession. However, there a[illegible] more than 60,000 more people in employment in Wa[illegible] than there were a year ago. That is a better record th[illegible] in any other UK region. Levels of economic activity are increasing sharply, and the 2.8 per cent. rise over the past year is an equally welcome sign for a valleys MP like me, as economic inactivity there has been so high for so long. Unemployment in Wales has fallen to 5.2 per cent., the same level as the rest of the UK and lower than in countries such as the United States, Canada, Belgium, Finland, France, Germany, Italy, Portugal and Spain. We are building on a base of economic stability and the lowest inflation, mortgage rates and unemployment for more than a generation; a base developed not by accident or by fluke, but by the process of taking tough and sometimes unpopular decisions about spending and by the maintenance of firm principles of fiscal and monetary discipline.

Our stable economic fortunes have delivered record levels of sustained investment in public services in Wales through the 2002 spending review. We have also brought forward new measures to encourage enterprise in deprived areas and spread prosperity throughout Wales. We are making work pay through measures such as the child and working tax credits, which could benefit 350,000 families in Wales, and the national minimum wage, benefiting 70,000 Welsh workers. Wales is a leader in broadband technology with the Assembly Government investing £115 million to spread broadband use across Wales and to help our companies secure the technological advantage necessary to succeed in the global marketplace.

The objective 1 programme, together with other European structural fund programmes in Wales, has attracted projects of more than £1 billion, regenerating the economy of west Wales and the valleys and creating an estimated 6,000-plus jobs so far.

Mr. Simon Thomas (Ceredigion): The Secretary of State cannot get away with that. The 6,000 jobs created by the objective 1 programme include 800 jobs created at a call centre in Pembrokeshire that immediately disappeared. That is part of the picture as published by the National Assembly. Also, Wales is still at the bottom of the league in terms of broadband link-up. There is a lot of work to be done on broadband and job creation in Wales.

Peter Hain: The hon. Gentleman is wrong to say that the 6,000 jobs included those at the call centre. If he checks, he will find that that those jobs are not included. I hope that he will correct his researchers on that point. Of course there is a lot to do on broadband but, as I shall say, we are driving it forward. In parts of south Wales—especially south-east Wales—there is more broadband than anywhere else in Europe. He should be welcoming that and praising it. Broadband access has been spread out across Wales. It is interesting; the nationalists always demand more but never provide the funding. That is the politics not of government, but of opposition, where they will remain.

Mr. Win Griffiths (Bridgend): For ever.

Peter Hain: For ever, as my hon. Friend says so powerfully.

More than 27,000 young unemployed people have found work through the new deal, with youth unemployment cut from 12,000 under the Tories to just 1,500. More than 12,500 people in Wales are benefiting from high-quality training through modern apprenticeships; over 50 per cent. more than under the Tories.

Gareth Thomas (Clwyd, West): Is my right hon. Friend aware that unemployment in my constituency has fallen by no less than 63 per cent. since 1997, a figure surpassed by the decrease in unemployment in the seat represented by the leader of the Welsh nationalists? Is that surprising?

Peter Hain: It has nothing to do with the MP in that constituency; it is to do with the Government's brilliant economic record. If we look at the constituencies of all Welsh MPs—those here and absent from the House this afternoon—we will find that unemployment has fallen dramatically during the last six years of Labour government.

Wales is at the cutting edge of industrial collaboration. Already there are 20 centres of excellence for technology and industrial collaboration throughout the nation. As an enthusiast for manufacturing, I particularly welcome the creation of the Welsh centre for manufacturing excellence, which will help 2,000 firms in its first three years. According to the purchasing managers index commissioned by the Royal Bank of Scotland in January, businesses in Wales continue to outperform the UK average in terms of securing new orders.

Welsh towns and cities have some of the fastest-growing companies in Britain; Newport, Cardiff and Swansea are among the cities with the highest proportion of firms growing by more than 25 per cent. a year. Cardiff is one of the fastest developing cities in Europe, proud of the contribution that it makes to the world of business and commerce yet with its sights firmly set on winning the European capital of culture 2008 with an excellent bid. The latest forecasts on farm incomes indicate some optimism and confidence returning to the industry, with a distinctive Welsh strategy for the long-term future of farming, centred on high-quality produce and economic, environmental and social sustainability.

We have an historic opportunity to develop a world-class Wales with a high-quality, highly skilled economy. The Assembly elections on 1 May will be a critical factor in whether we are able to grasp this opportunity. By choosing a world-class Wales, people will be rejecting once and for all the second-class Tory Wales of low wages, low skills, low aspirations and low achievements. We have a significant advantage, in that the partnership principle works much better in the Welsh economy than in any other part of Britain. We must build on this; not just in relation to obvious examples of co-operative endeavour like Tower colliery, but with a firm acceptance that the best companies are those that work in partnership with employees to achieve the highest standards. The Wales TUC has always been a strong partner in economic development in Wales and both the TUC and the CBI Wales have responded positively to the opportunities presented by devolution. For example, they recently presented a joint report to the Assembly on priorities for raising skills and improving productivity.

The "team Wales" approach, bringing together all the key agencies, is a primary reason why inward investors have found Wales such an attractive place to locate. It is why companies based in Wales, like British Aerospace at Broughton, General Dynamics at Oakdale and the Ford motor company at Bridgend are succeeding in world markets and are at the forefront of technological development. All have recently made big new investments; all big votes of confidence in a Wales that is fighting off intense international competition.

Mr. Nigel Evans (Ribble Valley): I hope that the Secretary of State is going to say something about Corus because I am sure that the House would like to hear directly what action he will be taking to ensure that the jobs there are maintained.

Peter Hain: I have been in touch with Corus management in Wales, the Department of Trade and Industry, the First Minister and the trade unions. We are all working together to make sure that the Welsh plants at least survive this very difficult situation. It is extraordinary that the Corus management board is having to take its Dutch-based supervisory board to court to get a decent policy and strategy for the industry. I am sure that all Welsh Members, including the hon. Member for Ribble Valley (Mr. Evans), will join me in saying that it is time for the Corus supervisory board to support the loyal work force of Corus in Wales and to give the most productive and competitive steel industry in the world a chance to flourish and grow.

Devolution is an essential part of the "team Wales" approach. When the chief executive of British Telecom recently told me that he had received a better response from the Welsh Assembly Government and agencies to investing in broadband than any other part of Britain, I asked him why. He said, "Because you can get to the decision makers more easily, because they immediately grasp the vital role of broadband and because they act quickly." The "team Wales" approach is vital in generating self-confidence in our economic future. More than 3,000 new businesses were created in Wales last year, 20 per cent. more than in the previous year and an increase larger than in any other part of the UK.

Last year, more than 800 new products and processes were introduced by Welsh companies. We need to accelerate that and to develop a spirit of self-confidence and entrepreneurialism that will help to ensure that the small and medium-sized businesses that comprise the vast majority of Welsh firms have the commitment to invest, to innovate and to grow. It is because I am concerned that we should succeed through partnership and through striving to be the best that I am outraged by the way that the Tories and the nationalists continually talk down Wales and the achievements of hard-working Welsh employers and employees.

Take, for example, our objective 1 money, secured by a British Labour Government negotiating in Europe. First, the Welsh nationalists claimed that we would not get objective 1 status. Then, when we did, they said that we would not get support from the Treasury to make proper use of it. Then, when we did get that extra

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Treasury funding, they said that the programme would be a failure. Four years ago, in the St. David's day debate, the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) told the House of his grave concern that the whole objective 1 programme would come to nothing,

> "like a handful of sand seeping through one's fingers."—[*Official Report*, 25 February 1999; Vol. 326, c. 575.]

Is not it time that he and his colleagues apologised, and stopped spreading doom and gloom? Is not it better to aim to be the best, instead of constantly predicting the worst? Instead of the party of Wales, they are the whingers of Wales—their leader, Ieuan "Whinge" Jones.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): In 1989, the GDP of Wales was 89 per cent. of the UK average. The latest figure is 82 per cent. That is not a success.

Peter Hain: Is the hon. Gentleman saying—*[Interruption.]* I am about to answer, unless he wants to have another whinge. It is true that parts of the United Kingdom, especially the south-east, have raised their GDP per head much faster, but in real terms GDP per head has been rising swiftly in Wales. That is obvious in terms of employment, which is at record levels compared with recent decades; it is also obvious in the increased wealth and income spreading throughout Wales.

The Labour-led Assembly Government are succeeding not only because of their partnership with business, trade unions, local authorities and voluntary groups, but because of their strong partnership with the Government at Westminster: Labour working for Wales. That partnership is delivering record levels of sustained public investment. By 2005–06, the Assembly budget will increase to £12.5 billion, almost double what it was when Labour took office in 1997, with record increases in funding for the national health service in Wales. As a result, 700 more hospital consultants and GPs, 6,000 extra nurses and 2,000 other health care professionals will be recruited in the coming years. Education spending in Wales, which passed the £1 billion mark for the first time this year, will rise to £1.4 billion in two years. We could not have a clearer demonstration of the benefit to Wales of both devolving power to the Assembly and pooling resources at a United Kingdom level where appropriate. The firm legislative partnership between Westminster and Cardiff Bay has also produced this year's Health (Wales) Bill, giving patients a stronger role in the improvement, development and running of our health services.

As well as the specific Wales-only Bill, the Government's legislative programme for the current parliamentary Session contains several Bills that include Wales-only provisions, which have been developed in close consultation with the Assembly Government. Those include the Planning and Compulsory Purchase Bill, which improves planning in Wales; the Local Government Bill, which gives more flexible powers to Welsh local authorities; and the Licensing Bill, which repeals the outdated provisions allowing polls to be called every seven years in Wales on the question of Sunday opening of pubs.

The partnership between the Assembly and the UK Governments reaps benefits abroad as well as at home. The Assembly is able, through the devolution settlement, to form part of the UK delegation to the European Council of Ministers, ensuring a strong voice for Wales yet at the same time enjoying the benefits of being part of an influential member state. Since the advent of devolution, the Welsh Assembly Government have been an active participant in the EU, and have joined with the Scottish Executive in tabling proposals that take forward their strong claims for a louder voice in Europe. Last month, I was delighted to present on behalf of the UK Government a paper demanding a stronger voice in Brussels for Europe's regions such as Wales to the Convention on the Future of Europe. It had been drawn up by the Assembly and the Scottish Executive, working in partnership with UK Government Departments.

Partnership is the right approach to another of the challenges that we currently face: building stronger, safer communities. The UK Government are working with the Assembly to tackle the crime that blights our communities. We have already delivered record numbers of police officers in Wales, and we are equally determined to give them the powers to deal with antisocial behaviour, and to ensure that resources are effectively deployed to prevent crime and catch criminals.

Partnership is not, however, just about co-operation between levels of government. It must work downwards to generate an open, inclusive and participatory relationship with groups in society. The Government recently allocated more than £4 million to the local crime and disorder reduction partnerships in Wales, which involve the police, local councillors and other representatives of the community joining together to develop a crime reduction strategy that meets local needs. Through its Communities First programme, targeted on the most deprived areas of Wales, the Assembly places the power of change in the hands of community members.

How much more beneficial is that co-operative and positive approach than the Tories' Eurosceptic isolationism and the nationalists' antiquated separatism? Indeed, that kind of partnership is the very opposite of what the Tories and the nationalists offer people in Wales. On a recent visit to Wales, the Conservative party leader displayed his party's traditional distaste for devolution when he talked of

> "an extreme Labour-controlled Assembly".

He said that

> "way out to the left there in extreme territory lies Rhodri Morgan and his friends."

How, I wonder, does that extremism manifest itself? Is it in free bus passes for pensioners and the disabled? Is it in free access to the national museums and galleries of Wales? Is it in free prescriptions or Assembly Learning Grants? Which of those "extreme" measures would the Tories revoke if they ever came to power in the Assembly? They should answer that question. Those ridiculous comments show how out of touch with mainstream opinion in Wales the Tory party and its leader continue to be. As long as they stay out of touch, they will stay out of office.

The Tory leader went on to claim that the Conservative party does not believe that

"ideology has any part to play in the health service."

Everybody in Wales knows, however, that Labour has spent five years trying to redress the damage done to the national heath service by 18 years of Tory ideology. People in Wales know that Tory ideology meant the closure of 70 Welsh hospitals. They also know that Labour ideology has already seen eight new hospitals opened or under way. People in Wales know what the Tory agenda on health is because Tory leaders have told them: 20 per cent. cuts, meaning fewer nurses, fewer doctors and fewer hospitals. It means cuts, charges and privatisation, school and hospital closures, and thousands of jobs lost. The same old Tory wreckers are trying to wreck Wales again. Wales does not want to go back to the 10 per cent. Tory inflation, the 15 per cent. Tory interest rates and Tory mass unemployment.

Mr. Win Griffiths: On that subject, has my right hon. Friend had the opportunity to cost the impact of the Conservative party's proposed 20 per cent. cuts on the public services provided in Wales?

Peter Hain: That is an interesting suggestion, which I may deal with, as a result of my hon. Friend's wise advice, sooner rather than later.

Those cuts will mean up to 20 per cent. cuts in nurses, teachers, police officers and all the services that we have sought to rebuild in Wales. Conservative Front-Bench Members may shake their heads, but we have experienced Tory cuts before. At last, teachers feel that they are able to do their jobs. At last, nurses and doctors feel that they have a Government on their side. At last, police officers feel that they have a Government on their side to fight rising crime.

The hon. Member for Ribble Valley has often questioned me about the problem of waiting lists in Wales, which is difficult in some areas, although in many areas it is improving. If it is difficult now, imagine what it would be like after the Tories' 20 per cent. cuts in the health service budget.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): Does my right hon. Friend think that some of the confusion among Conservative Members arises from the fact that, according to their latest leaflet, they do not seem to be able to tell the difference between Belgian francs and pounds?

Peter Hain: Indeed.

Mr. Evans: Will the Secretary of State explain to the House, as I am confused about the matter, why, in 1997, waiting lists in Wales were dramatically lower than they are now?

Peter Hain: I was trying to provoke the hon. Gentleman to ask a question such as that, and he has duly obliged, for which I am grateful. What is interesting about those figures and the overall picture is that 200,000 more patients are being seen, and were seen last year, than in the last year of Tory government. That is a sign of the extra throughput in Welsh hospitals and other health institutions.

The figures speak for themselves: an increase of 7 per cent. in the number of patients being seen since the Tories left office. Other waiting list achievements include a reduction in the target for cardiac surgery; the total number of people waiting has fallen to its lowest level since February 1999. The target for bringing down angiogram waiting times has also been reduced, and that applies equally to orthopaedic and cataract surgery. A lot more is needed to improve the situation, but 200,000 more patients are being seen, and if the Tories were to introduce 20 per cent. health cuts, far fewer patients would be seen and waiting lists would lengthen out of sight.

Adam Price (East Carmarthen and Dinefwr): While I applaud the fact that the Labour Administration in Cardiff will not go down the dangerous route to foundation hospitals, such hospitals along the border will probably have the right to set their own rates of pay for medical staff, including nurses. Is not there a danger that the already severe crisis in retention of nursing staff in Wales could be made even worse as they are poached from over the border by high rates of pay?

Peter Hain: No. Wales has decided to use a different model because Welsh needs, interests and values are different. The hon. Gentleman seems to think that the border can just be abolished, as though Wales can be floated off—which is his policy, of course. We have cross-border treatment now and that will continue, whatever the hospital structure.

Adam Price: Unlike the Secretary of State, I oppose foundation hospitals in Wales and in England. That is the contradiction that I am trying to tease out. Foundation hospitals in England will have a detrimental effect on the provision of health services in Wales.

Peter Hain: That is simply not proven. The hon. Gentleman does not even want to be a Member of this Parliament in Westminster; he wants Wales to be independent, hived off as a separate state. So his assertions on the matter are as unfounded as his objectives are indefensible.

The choice for Wales is between Labour's goal of full employment for our generation and economic prosperity for all, and the Tory policy of scrapping the new deal, higher unemployment and returning Wales to the same old failed Tory policies. The choice is between millions benefiting from our goal of ending child and pensioner poverty, ensuring prosperity not for the few but for the many, and the Tory policy of cutting the minimum wage, abolishing the child and pensioner tax credits and privatising the basic state pension. As the Government who created the minimum wage and equal pay, new rights to take time off work, new rights for part-time as well as full-time workers and new rights for women workers, we know that an enterprising economy on the one hand, and workers' rights, women's rights and equal rights on the other, are not opposing objectives but inseparable allies to create a stronger Wales. That is why we will shortly raise maternity pay to £100 a week, extend statutory time off for mothers to 26 weeks, and introduce paternity pay for the first time. We are also ending the Tory two-tier workforce in private

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finance initiative projects. We are doing more to ensure rights and fairness in the workplace—the foundation of a fair and successful economy.

We also stand ready to raise the minimum wage. Tory Ministers claimed that a minimum wage would cost a million jobs. In fact, with the minimum wage in place, we have not destroyed a million jobs; we have created more than a million jobs in Britain. The only jobs that the minimum wage cost were those of the Tory MPs who opposed it.

As for the nationalists, we know that they want the devolution settlement that people in Wales voted for to fail. Their actions in the Assembly over the past four years have shown them rejecting the path of partnership, preferring narrow oppositionalism. They prioritise constitutional wrangling and the costly trappings of a nation state over health, jobs, education and fighting crime. Their narrow separatist vision of a Wales set apart from the rest of Britain would divide communities, not unite them, and make Wales poorer, not richer.

Take any Labour Government spending commitment and the nationalists would double it—promising the earth and delivering nothing. The people of Wales are tired of such dishonesty, such opportunism, such posturing. *[Interruption.]* They know that the nationalists are fit only for opposition, never for government. *[Interruption.]*

Madam Deputy Speaker (Sylvia Heal): Order.

Peter Hain: I am grateful for your protection, Madam Deputy Speaker, although I rather enjoy the heckling. It keeps them off the street

Look at Plaid Cymru's record in office. In Rhondda Cynon Taff, for example, it has closed day centres for the elderly and ended free parking for the disabled in council car parks. That is why Rhondda will come back to Labour on 1 May. In Carmarthenshire, it has closed day centre kitchens. That is why Llanelli and Carmarthen, East will come back to Labour on 1 May. The nationalists would rather put Tories into power than back Labour, as happened in the Vale of Glamorgan.

Mr. Simon Thomas: While the Secretary of State is examining Plaid Cymru's performance in local government, will he consider Rhondda Cynon Taff, which I used to work for when it was run by the Labour party? The council got into trouble with the district auditor, but he gave a clean bill of health to the authority after Plaid Cymru took over and put its finances into order. He should also consider Gwynedd and Caerphilly, where we might win in the May elections. One can get very good odds on that. In Gwynedd and Caerphilly, the GMB had an independent report on where the best economic development had occurred in Wales and—

Madam Deputy Speaker: Order. That is very long for an intervention.

Peter Hain: Caerphilly cut services under nationalist control. That is why we will win back Islwyn and retain control for Labour in Caerphilly.

Mr. John Smith (Vale of Glamorgan): My right hon. Friend may have noticed that, in that long intervention, the hon. Member for Ceredigion (Mr. Thomas) did not mention the role of Plaid Cymru in propping up the Conservative council in the Vale of Glamorgan for the past five years. It has cut support for disadvantaged communities and distributed it elsewhere.

Peter Hain: My hon. Friend is right to point out what happens if the nationalists get the chance in power. Only recently, the nationalist presiding officer in the Assembly, Lord Elis-Thomas, said that he would find it impossible to have a coalition with Labour, but could envisage one with the Conservatives. They are not just Welsh nationalists but Welsh Tories, too. The Tories and the nationalists have collaborated in the past, both in local government and at Westminster, against Labour. Given the opportunity, they could do so again, so no one should be fooled into thinking that the Assembly elections do not matter, or that their vote will not make a difference. Our hard-earned economic progress, the record investment in public services and the partnership between Westminster and Cardiff that is enabling us to work together to tackle crime and poverty—and more—will all be at stake on 1 May in Wales's general election.

As for the Welsh Liberal Democrats—[HON. MEMBERS: "Ah!"] I did not want them to feel left out. Those of us with experience of their activities in local government will know that they are never backward in claiming credit for achievements, regardless of who may have initiated them. A recent guide for their council candidates advised:

> "Don't be afraid to exaggerate."

I fear that they have adopted that policy at a Welsh level, with their claim that they are the "driving force" behind the Assembly Government—not so much a driving force, but more a piggy-back ride that will end on 1 May.

The Assembly elections will provide people with an opportunity to judge the Liberal Democrats on their own terms and policies, which in the past have often been uncosted and impractical. It is a party that has clung onto office but could never govern alone.

Lembit Öpik (Montgomeryshire): I thank the Secretary of State for including us in his speech, which is a relief to us. The crucial question for him—in the spirit of the type of politics that he promotes—is whether he is seriously suggesting that the Labour party could have implemented a significant proportion of the programme for government that was agreed between the Liberal Democrats and Labour, had we not entered into that coalition. The evidence that the Liberal Democrats were crucial in the arrangement is the fact that there is a divergence between Welsh Labour party policy and—

Madam Deputy Speaker: Order. I think that the Secretary of State will have got the point that the hon. Gentleman is making.

Peter Hain: The hon. Gentleman is right to this extent: the coalition has brought stability to the Welsh Assembly Government, and that has been essential in delivering our programme. However, the policies are Labour policies. They are being implemented on a basis of stability. Our decision to create a stable Government was taken in the national interest; we did not form a coalition with the Liberals because we wanted to. We are determined to get an overall majority and we are working flat out for it. We want to win back the seats that we lost to the nationalists—in the Rhondda, Islwyn, Llanelli and Conwy—and to ensure that we hold our existing seats, and perhaps take Monmouth from the Tories. Those are our objectives to establish an overall Labour majority.

Mr. Llwyd: Earlier, the right hon. Gentleman spoke at length about the employment situation in Wales, in which there has been great improvement. Such has been the improvement that I am sure we could afford to have one other person on the slide—the statistical slide. It is time for the Secretary of State to sack his speech writer. This is rubbish.

Peter Hain: I take that as a compliment. I invite the hon. Gentleman to train the person who drafts his interventions a little better.

Only Welsh Labour offers a coherent vision for a world-class Wales—a vision of high-quality jobs and high-quality public services, a vision of social justice and economic success, and a vision of Wales going places, not going backwards.

Lembit Öpik: I think that I heard the Minister say that only Labour policies had been implemented through the partnership. Where in Welsh Labour's manifesto did it say that the partnership would diverge from Westminster Labour Government policy on student funding, and where did it say that it would provide free school milk? Those are two examples to show that what the Minister said was factually incorrect.

Peter Hain: I do not agree with the hon. Gentleman. Those are Labour policies—although I acknowledge that they were given a bit of assistance by the Liberals.

I believe that, at the Wales general election on 1 May, people will look at Labour's solid record of achievement over the past four years, look at Labour's exciting plans for the next four years, and decide that Wales's future must lie not in going back to the days of boom and bust or to standing alone in separatist isolation, but in continuing a partnership for social justice and prosperity to build a world-class Wales—a future of working together for Wales and not pulling us apart, of winning together, not losing apart.

2.22 pm

Mr. Nigel Evans (Ribble Valley): It is good to see Madam Deputy Speaker in her traditional place for this traditional debate. I enjoyed the spat between the Secretary of State for Wales and Plaid Cymru as to who would gain the most seats at the next local elections. [HON. MEMBERS: "National elections."] We will not have to wait long for the Assembly elections on 1 May.

I was not surprised that the Secretary of State left the Liberal Democrats until the bitter end because there is very much a Lib-Lab pact. Not only do the Liberal Democrats have to take the credit for the things that they do not do and the things that they do, they have to take the blame when things go wrong. They are not prepared to do that.

The Secretary of State started by mentioning famous Welsh people and said that the Archbishop of Canterbury, Rowan Williams, was a good Welshman. I am delighted that the Secretary of State mentioned the archbishop, because he went to the same school as I did—Dynevor school in Swansea. It is a proud school with a proud history, but despite its proud record it was closed last year by a Labour council, under a Lib-Lab Assembly and a Labour Government. I find it amazing. Brian Ludlum, the chairman of the governors, was a Labour councillor when I was a councillor on West Glamorgan county council, but at least in those days we were accused only of selling off the school playing fields. This Government are selling off the schools. Brian Ludlum said that he had to take into account the fact that the school was on a prime site and would fetch a lot of money. How ridiculous that was. Dynevor school had a proud history and it is a great shame that it has closed.

At the start of this St. David's day debate, it is important to say that our thoughts are with our troops in the Gulf—allied troops, British troops, and of course Welsh troops. They are preparing to take whatever action is deemed necessary to ensure that Saddam Hussein complies with resolution 1441. We know that these are hugely difficult times and we fully support the Prime Minister on the build-up and preparation for action. I have no doubt that, if it were not for the actions that have been taken so far, Blix and the weapons inspectors would have been nowhere near Iraq now.

Welsh service people have a proud record of service to their country. I was in the Falkland Islands three weeks ago, where I laid a wreath for our service people who were killed in action. As the House knows, Welsh servicemen and women were at the forefront of that war. We are proud of their record and their contribution to the British armed forces.

I want to focus on a few areas, including the economy, education and training—which has been mentioned—the national health service and the future of Wales under this Government and the Welsh Assembly. I will start with Swansea airport. The Secretary of State knows that I have campaigned long and hard for the expansion of that airport and the opening of a London-Swansea route. It is important that that should come about, not only for Swansea but for west Wales as a whole. I congratulate Air Wales and Swansea airport on the announcement that there will be a London City-Swansea route. It will open on 28 April. Two new 50-seater aircraft have already been bought, one of which will be used on that route.

Air Wales hopes to expand its number of employees from just 50 to more than 200 when the expansion is fully operational. When I was a lad, Swansea airport employed just three people, and I think that they were mostly employed to keep the sheep off the runway. It is now hoped that 100 people will be employed there. It is a success story.

Peter Hain: I acknowledge the hon. Gentleman's close interest in the development of Swansea airport and I applaud him for it. He has been a great source of support. I am visiting Swansea airport on Friday, partly

[Peter Hain]

on his suggestion. I am very excited by the developments. The London link shows what can be done. I would like to see a Cardiff link and the expansion of airports across Wales, including north Wales and mid-Wales.

Mr. Evans: I am grateful to the Secretary of State. I think that everybody in the House would applaud him on this issue. Although they do not mind coming to Newport and Cardiff, a lot of businesses seem to have a mental block about going further west or to the north. The expansion of regional airports—led by Swansea and Valley airport, which I have also supported—will be very important.

Mr. John Smith: I agree with everything that the hon. Gentleman has said about airports, but does he also acknowledge the success of Wales's international airport at Cardiff, which is one of the fastest growing airports in the United Kingdom?

Mr. Evans: Of course I will join the hon. Gentleman in acknowledging that success. We both deplored the actions of British Airways in pulling out of Cardiff airport, which was a grave mistake. I also applaud BMI Baby for coming in and considering a number of routes, which I hope it will take over from British Airways.

Not everything is as great a success as Swansea airport and Air Wales. Businesses in the United Kingdom have had £47 billion of extra taxes foisted on them; they have also had to bear more than £5 billion of extra rules and regulations in every year that this Government have been in power. The latest tax—the tax on jobs—will hit them next month. It will hit employers and employees. I will deal with the impact that the tax will have on local authorities and the public a bit later on, but the 1 per cent. extra tax on jobs will raise the equivalent of a 3p rise in the basic rate of income tax. That means that a burden of more than £4 billion will fall on businesses in the United Kingdom including Wales.

When the Government introduced the climate change levy, we were told that it would be a neutral tax and that we should not worry. The CBI, along with the Engineering Employers Federation, has done a report on the climate change levy. They have found that manufacturing has been hit hardest, with a £328 million rise in their energy bills. The Secretary of State will know that Wales is more reliant on manufacturing than any other part of the United Kingdom, but this tax was still introduced.

In the survey, the CBI and the Engineering Employers Federation found that some firms were not able or willing to absorb the extra tax and have moved production abroad. That cannot be right. Manufacturing has faced an enormous slump before and since the introduction of the climate change levy. I could list a huge number of manufacturing companies in Wales and the jobs that have gone. Hon. Members will know about them, because the job losses will have occurred in their constituencies—in Swansea, Bridgend and Llanelli. We have suffered manufacturing job losses throughout Wales.

Paul Flynn (Newport, West): The hon. Gentleman has referred to the cost of the climate change levy to manufacturing industry, but is it not right to mention the amount that the Government have given to industry to compensate it for its losses? They are giving £2 billion that has been taken from the national insurance fund.

Mr. Evans: My point is that the energy tax fell disproportionately on manufacturing industry. It has been hardest hit, and it is proportionately more important to Wales. It has suffered the extra job losses. One cannot open a newspaper these days without reading that there have been further job losses.

I referred to Corus in an intervention. I wanted to get that point on the record, so that the Government know how important it is that these jobs are preserved not just in Wales but throughout the United Kingdom. I agree with everything that the Secretary of State said in response, but it is a shame that the Secretary of State for Trade and Industry seemed to be caught on the hop by the announcement. She spoke to the all-party steel group the night before, and she seemed to believe that all the jobs would be preserved. The announcement obviously came as a huge surprise and shock to her.

Peter Hain: I do not intend to abuse the opportunity to intervene, but I wish to respond to the point about my right hon. Friend the Secretary of State for Trade and Industry. The announcement was made in the early hours of the morning and the information was not available to her when she spoke to members of the all-party steel group. Indeed, the Corus managers present were not in possession of that information, either.

It is important to get the issue of manufacturing into perspective. Although 26,900 manufacturing jobs have been lost since 1999 in the objective 1 area, more than 20,000 have been created. New manufacturing jobs are being created all the time even though older manufacturing jobs are being lost as part of the process of global restructuring.

Mr. Evans: I am grateful to the Secretary of State, but people sometimes wonder where all the jobs have gone. Unemployment is not going up, but we read about manufacturing jobs disappearing. My figures for the whole of Wales show that, in November 1999, there were 247,000 jobs in manufacturing, whereas in November 2002, the figure, which includes the jobs created and those that have gone, was 206,000, so 41,000 manufacturing jobs have disappeared in Wales. In November 1999, there were 361,000 jobs in public administration in Wales, but by November 2002, the figure was 415,000, so there are 54,000 extra jobs in public administration. One has only to read the many pages in *The Western Mail* that advertise jobs in local authorities, the Welsh Assembly, the Welsh Development Agency and the quangos that have been so berated by Government Back Benchers. Such jobs are advertised every day. However, manufacturing is vital to Wales and it is a shame to see jobs in that sector under threat. In fact, in many cases, the jobs have already disappeared.

Objective 1 has been mentioned, and we welcome the money that has gone to support the most disadvantaged areas of Wales. However, it is a great shame that the impetus behind that money was not quicker and that industry throughout Wales was not involved at an earlier stage. That would have enabled objective 1 money to have come on stream much earlier.

The Secretary of State did not refer to agriculture, but he must recognise that that sector has suffered an appalling downturn. The figures for those employed in agriculture, hunting, forestry and fishing have fallen from 21,000 in 1999 to 14,000 today. That is extremely alarming. Indeed, the Prime Minister was asked today about the importance of agriculture. Jobs in that sector are important.

Mr. Simon Thomas: I must say in passing that one job lost in Wales is that of Conservative candidate for Llanelli. [HON. MEMBERS: "Tell us more."] Look in the newspapers.

On agriculture, is it not the case that the Liberal Democrat Assembly Member, Mike German, is responsible for agriculture and that he has failed time and again to make on time and in full the payments that farmers deserve? That is one of the reasons why farming faces such a crisis today.

Mr. Evans: I am grateful to the hon. Gentleman for mentioning late payments. I am sure that we have all received letters from NFU Wales, which has listed the areas where there are problems. Late payments clearly are a problem, and that brings us back to the fact that the Liberal Democrats, a party in the Administration in Cardiff, must take responsibility for the plight of the farmers in Wales who have simply had to wait for their payments.

Mr. Roger Williams (Brecon and Radnorshire): Will the hon. Gentleman give way?

Mr. Evans: Of course, I will give way, so that the hon. Gentleman can say sorry to the farmers in Wales.

Mr. Williams: We all concede that there have been difficulties in making the payments. However, the Assembly Government have addressed the European Union's new requirements for making those payments and have put in place the mechanism for doing that. Some 98 per cent. of payments have now been made. When the suckler cow payments are made shortly, that will complete the process.

Mr. Evans: It is all very well for the hon. Gentleman to be sympathetic to the plight of farmers in Wales, but he must recognise that farmers cannot bank sympathy. They need hard cash. The money has been paid late and the Liberal Democrats must take responsibility for those late payments and understand the stress that farmers have gone through.

Mr. Williams *rose—*

Mr. Evans: If the hon. Gentleman wants to say sorry, I will give way to him again.

Mr. Williams: I will not say sorry, but perhaps I should declare an interest: I am a recipient of the payments. At least the farmers in Wales will receive the money. When the right hon. Member for Wokingham (Mr. Redwood) was Secretary of State for Wales, he sent a lot of that money back to the Treasury.

Mr. Evans: The hon. Gentleman is, at least, a recipient of the money. I hope that he received it on time. *[Interruption.]* No, he did not get it on time. He knows whom to blame—Mike German and the Liberal Democrats in the Welsh Assembly.

We have also received letters about other key issues. Red tape and TB—I am not referring to the Prime Minister, as some might think—are real problems. Tuberculosis in cattle must be tackled. In addition, we face the problem of the ban on farm burial from 30 April. The French already have a scheme under way that is fully funded by their Government, but we have nothing in the United Kingdom or Wales to deal with the problem of fallen stock. We must address that problem sooner rather than later, because the ban will come into effect on 30 April.

The Chancellor of the Exchequer is daily becoming a rabid Eurosceptic, and he believes that there should be more flexibility in Europe. I have read many of the articles in which he has said that. Nations are doing their own thing, so let us do our own thing, but let us not do nothing. Sitting idly by while another industry goes to the wall cannot be allowed to happen. Wales was known for its manufacturing and for its agriculture, but the Government are waving goodbye to both.

I hope that the Minister will deal with insurance in his winding-up speech, because that affects agriculture and manufacturing. Many businesses find it incredibly difficult to obtain insurance or they find that the premiums have gone through the roof. That is not simply the result of 11 September. Part of the problem relates to the claims culture that now exists in this country, but some firms have seen their premiums rise by as much as a factor of 10. That is totally unacceptable and creates serious problems for firms and employment prospects.

Another thing that affects the people of Wales is the increases in council tax that will shortly drop through their letterboxes. The Secretary of State did not mention those. They represent one of the most cruel stealth taxes and come on top of other tax rises introduced by the Government since 1997 on petrol, stamp duty and air travel. In addition, the job tax increase comes into effect next month. The increase in council tax is one of the most iniquitous of them all. It is not as if the quality of public services is improving. Local authority homes are closing and the free bus pass scheme, which the Secretary of State mentioned, is not fully funded by the Welsh Assembly.

I am sure that the latest figures will interest hon. Members. I wondered which local authority would be the first to hit £1,000 for a band D house, and it is Merthyr Tydfil, with a council tax of £1,003, an increase of 6.9 per cent. on last year's charge. That is an increase of 65 per cent. on the rate in 1997 when the Government came to power. The increases are staggering. In Blaenau Gwent, the council tax is up 10 per cent., taking the bill for a band D house up to £975. In Denbighshire, it is up 12 per cent., taking the bill up to £944. Inflation is running at 2.5 per cent., but the local authority in Torfaen is imposing a tax rise of 14 per cent. The bill for a band D house in that area in 1997 was £483; this year, it will be £816. That is an appalling record. The increase is a stealth tax and it hits ordinary people throughout Wales.

Albert Owen (Ynys Môn): Is the hon. Gentleman aware that the Tory leader of the council in Ynys Môn

[Albert Owen]

backed a 9.4 per cent. increase in council tax, but Tory Assembly Members voted against changes to the standard spending assessment that would allow extra resources from Cardiff to help needy areas like mine? The Tories voted against extra money in Cardiff, yet they voted for an increase in council tax in my constituency.

Mr. Evans: In Monmouthshire, the increase—[HON. MEMBERS: "Apologise."] No. The increase in Monmouthshire is 13.8 per cent. We know that rigging has taken place to remove money from shire counties so that it can go elsewhere. Even with all the rigging, however, every local authority area faces inflation-busting increases this year on top of the massive inflation-busting increases since 1997. The Government said that they would not increase income tax, but they have ensured that there are increases in council tax, which hits everyone, especially poorer people in some areas.

Llew Smith (Blaenau Gwent): Although the hon. Gentleman is right to mention the problems in Blaenau Gwent and Merthyr Tydfil, will he accept that they have nothing to do with the efficiency or otherwise of those local authorities? They arise because the local government formula, determined by the Welsh Assembly, discriminates against the poorest communities. That being so, does he support a revision of that formula so that we reverse the situation to take from the rich and give to the poor?

Mr. Evans: In Monmouthshire, we know that money is being taken from people and given to other areas. Surely what we need is a fair distribution of the money available. I also recognise that the Welsh Assembly has imposed extra responsibilities on local authorities and has not passed on the extra funding 100 per cent. of the time, so if local authorities wish to deliver those services, they have to put up council tax, and that is unfair to people who live in homes on fixed incomes.

Llew Smith: I will reword my question. Will the hon. Gentleman support a local government formula, determined by the Welsh Assembly, that is driven by need as opposed to greed?

Mr. Evans: I would support any formula that ensures that everyone gets their fair share of the money and that the local services that are supposed to be delivered in those areas are properly funded. No area should be penalised simply because of social engineering.

Mr. Llwyd: Will the hon. Gentleman give way?

Mr. Evans: No. I want to make some progress because other hon. Members wish to speak.

The Secretary of State is concerned about the turnout at the Assembly elections on 1 May. I too am worried that people will boycott them, perhaps because they never supported the Assembly or because it has not delivered on its promises. I hope that people do vote and punish the Labour and Liberal Administration in that Assembly by voting for change. The coalition has comprehensively wasted millions of pounds on, for instance, the bureaucratic reform of the national health service, which will come into effect shortly. It is also wasting millions of pounds on the new Assembly building, which only Lord Rogers and some politicians want, and on embassies in capitals around the world so that Mike German can visit them, which seems to be his reason for being on this earth.

Lembit Öpik: Will the hon. Gentleman give way?

Mr. Evans: I will, but I am only half way through my list.

Lembit Öpik: I cannot wait to hear the rest, but let us handle the issues one by one. Is the hon. Gentleman opposed to the Assembly building? If so, why can he never explain satisfactorily why he is willing to take a place in Portcullis House, which cost £231 million? I believe he voted against it, which makes his position even more hypocritical.

Mr. Evans: Will the hon. Gentleman, who believes in proportional representation, explain why he has taken a seat in this place under the first-past-the-post system? He has done that because it exists and we work with the system that is in place. I took an office in Portcullis House because that is where the offices are, and we were asked to go there. I opposed the expenditure because of the way in which it was handled, just as I oppose the expenditure—perhaps as much as £40 million—on a new Assembly building in Cardiff, when the money could go to front-line services.

Let me continue listing examples of where the Lib-Lab Administration has been at fault. Although industry is declining, the training body ELWa—Education and Learning Wales—has given millions of pounds to a pop factory without following proper procedures—and, of course, there has been the interference by the permanent secretary, Sir John Shortridge. I find that disturbing, and I congratulate Jonathan Morgan, our Assembly Member, for exposing that incompetence and demanding a full and transparent copy of the report. Four senior executives on that quango, which has £500 million to spend, have been disciplined. In addition, the Administration turned a blind eye when British Airways pulled out of Cardiff airport. If there is a low turnout, it will be for those reasons. The Assembly offered so much and has delivered so little that even the extra spin doctors employed by Rhodri Morgan will not be able get them out of that mess.

Mr. Llwyd: The hon. Gentleman said that he, like every hon. Member, wants a high turnout. Are his disparaging and insulting remarks helpful in that respect?

Mr. Evans: It would be more disparaging than helpful to have a conspiracy of silence when things go wrong. I am condemning those who run the Administration for making those decisions. I encourage people to vote on 1 May because they need to consider what the political parties are offering and decide which of them will provide what people really want, which is better front-line public services.

Gareth Thomas: Will the hon. Gentleman give way?

Mr. Evans: Not at the moment, but I will shortly.

Lord Richard's commission, which is a sop to the Liberal Democrats, is considering whether more powers should be given to the Welsh Assembly. Irrespective of what the commission suggests, it will be up to the Secretary of State and the Cabinet to decide whether they will recommend extra powers. Will the Secretary of State give a commitment that, should that be the case, the people of Wales will be able to vote in a referendum on whether the Welsh Assembly should have primary—indeed, tax-raising—powers?

Mr. Simon Thomas: How much would that cost?

Mr. Evans: The hon. Gentleman may ask that, but this is about democracy, which is vital. The people of Wales must be consulted. The last thing that we want to be implemented is the Liberal Democrat plan to have 80 Members of the Welsh Assembly—an extra 20. The Liberal Democrats would also like to reduce the number of MPs here in Westminster, which would be a great shame. They want to belittle what is going on in Westminster in order to glorify events in the Welsh Assembly.

I also want the Minister to address a problem at the heart of further and higher education. I welcome the project announced yesterday, in which a bus will go round 195 schools in Wales with the purpose of encouraging youngsters from disadvantaged backgrounds to go to university. What I do not welcome is the socialist engineering that artificially disadvantages youngsters from middle-class backgrounds—and, indeed, those from working-class backgrounds—and turns them into victims.

Parents who work all the hours that God sends to save money in order to send their youngsters to fee-paying schools—or parents such as the chairman of the Welsh Language Board, Rhodri Williams, who has been able to get his son on a scholarship to Eton—should not be punished by universities aiming to secure Government funding by favouring youngsters who have inferior academic qualifications. We all want youngsters from disadvantaged backgrounds to be given every opportunity, but surely the way to do that is by ensuring that they receive good primary and secondary education, so that they can attain academic qualifications. We should not punish youngsters simply because they went to fee-paying schools. The Government need to raise the aspirations of youngsters from disadvantaged backgrounds and ensure that they can fulfil their potential. Replacing merit with malice as a cornerstone of education policy is a disgrace, and will go down in the annals of time as one of the most appalling examples of new Labour going completely off the tracks.

Gareth Thomas: Will the hon. Gentleman disown the comments made at the end of last year by the shadow Chief Secretary to the effect that his party could cut funding by 20 per cent? What effect would that have on schools, hospitals and educational attainment in Wales?

Mr. Evans: I am grateful to the hon. Gentleman for enabling me to put the record straight. That will mean, of course, that I will never be asked about the 20 per cent. again—will I?

The fact is that my hon. Friend the shadow Chief Secretary said that in certain areas savings could be made. I will give the hon. Gentleman some perfect examples. I could save 100 per cent. of the money spent on the Welsh Assembly building—not just 20 per cent. I could save 100 per cent. of the money spent on all those embassies around the world for Mike German to visit. The fact that he is out of the country is generally a good thing; none the less I could save 100 per cent. of that expenditure. Jane Hutt said that her NHS reforms would be cost-neutral, but we now know that they will cost £15.5 million. We could save 100 per cent. of that money. All that wasted money could go into front-line services, ensuring that we got extra police, nurses and doctors. We would be cutting not front-line services but waste and unnecessary expenditure.

Mr. Roger Williams: Will the hon. Gentleman give way?

Mr. Evans: No, I want to make some progress; I want the Minister in his winding-up speech to answer some questions about tuition fees, about which we have heard much.

When the Secretary of State for Education and Skills announced the funding of further and higher education, we were told that the likelihood was that powers would be devolved to the Welsh Assembly. There followed an embarrassing silence. When I wrote to the Education Secretary, I was told in reply how complex the issue was and how it had to be looked into carefully. That sounded like a perfect recipe for kicking the matter into the long grass. The long grass no longer needs to be that long, because we now understand that in a couple of months' time when the elections are over, a decision will be made on what exactly will happen.

Peter Hain: May I correct the hon. Gentleman? Is he seriously suggesting that examination of the transfer option should be conducted quickly just to complete it ahead of an election campaign, and that perhaps we should short-change Wales? Surely not. If such a transfer were to be agreed, we would have to bottom out the costings in very detailed terms. There are about 8,000 English students studying in Wales and about 6,000 Welsh students studying in England. There are all sorts of issues like that. Officials at the Assembly and in the Department for Education and Skills are getting to the bottom of those cost implications and working out how much money would follow students if the transfer took place.

Mr. Evans: It is the money that follows the students that we are interested in. On one hand we have the Treasury, which might not provide the full amount of money for Welsh universities, and on the other we have the Assembly, which might want to say no to any top-up fees. That would put universities into a straitjacket. We know that there will be a black hole of many millions of pounds, which means that many English students might attend universities in Wales but there will be no investment in those universities because they will not be able to raise funds.

Mr. Williams: I am sure that everyone in the House would want to give young people from disadvantaged

[Mr. Williams]

homes and areas the opportunity to go into higher education. Does the hon. Gentleman not agree, however, that the problems started with the abolition of maintenance grants for students and the introduction of student loans, which were his party's idea? Did he support that at the time?

Mr. Evans: That is rather ridiculous. When I went to Swansea university, I received a small maintenance grant, and of course was charged no tuition fees whatever. When I entered the House to sit on the Government Benches—as we shall shortly do again—I had to listen to Labour politicians shouting at us for attempting to introduce tuition fees to top up maintenance grants. Maintenance grants have been abolished under this Government, and tuition fees have been introduced. I find that amazing. The Dearing report on funding universities recommended that the Government should do one or the other, but they chose to do both. It is appalling and shocking that people who themselves received free education, and maintenance grants as well, should have have removed the ladder from beneath many students.

Mr. John Bercow (Buckingham): My hon. Friend's historical lecture is entirely correct; the hon. Member for Brecon and Radnorshire (Mr. Williams) seeks to misrepresent the position. Does my hon. Friend recall that on 14 April 1997—Welsh students will be conscious of this—the Prime Minister said:

> "We have no plans to introduce tuition fees in higher education",

and his position was reinforced 10 days later by the Leader of the House of Commons?

Mrs. Jackie Lawrence (Preseli Pembrokeshire): On a point of order, Madam Deputy Speaker. Is it not a convention of the House that those who wish to participate in the debate should be present for the opening speeches? I believe that the hon. Gentleman wandered in towards the end of the speech of the hon. Member for Ribble Valley (Mr. Evans).

Madam Deputy Speaker: The hon. Lady is correct: Mr. Speaker has made it clear that he wishes to see hon. Members in the Chamber for opening speeches—but on this occasion the hon. Member for Buckingham (Mr. Bercow) was allowed to intervene by the Opposition spokesman.

Mr. Evans: We are always grateful for the expertise and wisdom of my hon. Friend the Member for Buckingham (Mr. Bercow), who has reinforced my point. I suspect that the hon. Member for Preseli Pembrokeshire (Mrs. Lawrence) is embarrassed by what her Government did. How can she say to her constituents, "Yes, we are the Government who removed your grants. We are the Government who introduced tuition fees, and we will be the Government who introduce top-up fees." Let us see how she gets on with that line in elections to the Assembly and at the general election. I look forward to visiting her constituency and to debating that issue with her.

On the national health service—another subject that I look forward to debating with the hon. Lady—we have heard all the statistics from the Secretary of State for Wales, but we know that the number of people waiting for in-patient and out-patient treatment has gone up since 1997; 82,460 people have been waiting more than six months for outpatient treatment. That figure is up 221 per cent. since 1999. The 1999 Welsh Labour manifesto stated that by the end of a Labour Assembly's first term, no one would wait more than six months for out-patient treatment or more than 18 months for in-patient treatment. The Assembly elections are on 1 May. The target has not been met.

However, the number of bureaucrats in the NHS has gone up dramatically—three times the rate of the increase in the number of nurses and doctors in the NHS. We heard the Secretary of State for Wales proudly say how wonderful the health service was, and how wonderful the doctors and nurses thought it was—but why do we see in the *The Western Mail* the headline, "A third of Welsh nurses to quit early"? The article states:

> "The first survey of working conditions in Wales by the Royal College of Nursing paints a picture of a disillusioned and short-staffed front-line army of nurses struggling to care for patients in the face of bureaucratic and administrative pressures on the NHS."

The same edition quotes a nurse as saying:

> "There are so few staff, we run around trying to fit everything in".

No wonder so many nurses say that they will retire early from the NHS. Those are the very people whom we should support.

All that is happening despite the fact that in Wales, the amount of money spent per head of population is £822, whereas in England it is £740. The Secretary of State mentioned the cross-border issues that need to be confronted, particularly in the NHS. The Maelor hospital in Wrexham is at risk of losing £840,000 that it receives from English trusts if it does not meet the targets set in England. The problem is that the targets are lower in Wales than in England, but they are more readily met in England, in spite of the extra funding going into Wales. I find that appalling. It is a disgrace that £15 million is to be wasted on bureaucratic change.

The Secretary of State paints a rosy picture of Wales, but the reality is far from that. Wales needs a dedicated, strong voice at the Cabinet table to fight its cause. In *The Independent on Sunday* the right hon. Gentleman is quoted as saying:

> "I'm real left, as opposed to posturing left. There are poseurs and doers. I am a doer."

Yet we find out from another article that he still has a CND membership card in his wallet, next to his heart. Is he a member of CND or is he just a poseur? If the Secretary of State wishes to intervene to clarify that, I shall be more than happy to give way. Is he still a member of CND?

Peter Hain *indicated assent.*

Mr. Evans: The right hon. Gentleman is still a member of CND, so he is not a poseur. That probably makes him unique among his fellow Cabinet members—apart from one, about whom we have heard much in recent days. I am staggered that the right hon. Gentleman acknowledges that, but at least we have put it on the record.

Mr. Bercow: Given that in this debate we are concerned about the interests of the people of Wales, would they not be intensely disturbed to discover that they are represented by a Secretary of State for Wales who remains a member of an organisation whose initials, CND, were memorably described by my hon. Friend the Member for New Forest, East (Dr. Lewis) as standing for communist, neutralist and defeatist?

Mr. Evans: The Prime Minister himself might be staggered to find out that his Secretary of State for Wales is still a card-carrying member of CND. After all, the Prime Minister let his membership lapse a long time ago, when he thought it was convenient. Membership may not be the most career-enhancing move.

Peter Hain: This is old news. The Tory Front Bench came up with this dramatic discovery a couple of years ago and made a fuss about it. I do not intend to withdraw my membership from Wales CND, to which I pay £15 a year, just because the hon. Gentleman gets up and has a rant about it.

Mr. Evans: Many others will have a rant about it after today.

Mr. Llwyd: On a point of order, Mr. Deputy Speaker. The hon. Member for Ribble Valley (Mr. Evans) has taken 42 minutes so far, whereas some of us are restricted to 14 minutes. That is an abuse, especially when the hon. Gentleman is talking about matters such as membership of CND, which has nothing to do with the debate in hand. *[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The Chair has no control over the length of Front-Bench speeches—nor their content, unless they go out of order. Nothing out of order has occurred so far.

Mr. Evans: Thank you, Mr. Deputy Speaker. The record will show how many interventions I have taken, which I have been happy to do. I am coming towards the end of my contribution—*[Interruption.]* That usually brings a cheer—possibly the only cheer during my speech.

The Secretary of State was quoted as saying that he was absolutely certain that his No. 1 task in Wales was Wales, and that when he had some hours left, he would do some work on the Convention on the Future of Europe. That explains why the Convention has gone pear-shaped for us. Both jobs are important. The Convention needs 100 per cent. attention, not divided time and divided loyalties.

One newspaper headline states, over an article by the Secretary of State, "The people of Wales must decide where the nation belongs in a future Europe". Now is the time for the Secretary of State for Wales to decide where his future lies—in looking after Wales or in looking after Europe. So much is at stake in Wales, and so much has already been lost.

Let us help our businesses make profits and make sure that they are fairly taxed and the taxes are efficiently spent. The Government, both in Cardiff and in Westminster, are heaping extra taxes and extra regulations on our businesses and taxing the people by stealth at every turn, and the money raised is not getting through to the people in improved services.

> "The key is to root out unnecessary administrative cost, and to spend money on the right things—frontline care."

Those are not my words; they are the words of the Prime Minister in the Labour party manifesto of 1997. That was six years ago. The words were right then, but sadly, that has never been delivered. People pay the extra taxes and receive poorer services. Businesses are taxed to the hilt and tied up in extra red tape. People working in the public services are fed up with huge extra bureaucracy and overload in their work. They are all saying the same thing: enough is enough. It is time for the Government finally to listen to the people.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. I remind the House that there is a 14-minute limit on Back-Bench speeches from here on.

3.7 pm

Mrs. Jackie Lawrence (Preseli Pembrokeshire): The only comment that I will make about the contribution from the hon. Member for Ribble Valley (Mr. Evans) is that it clearly demonstrates why the Tories have no Members of Parliament in Wales. An extra 54,000 public appointments is a sign of investment, not of waste. Until the Opposition learn that lesson, I hope that they will have no parliamentary representation in Wales.

I turn to parochial issues relating to Pembrokeshire that have national implications for Wales. There are two projects currently under way in Pembrokeshire that are vital to our local economy and which can bring tremendous benefits to the whole of Wales. The first is the plans of Petroplus for a liquid natural gas importation terminal in west Wales, and the second is the Bluestones project, which has been proposed as a unique top-quality tourist project in west Wales.

Those are important to our area, first and foremost because of the jobs and opportunities in the locality. Petroplus will also put Wales in the forefront of UK energy infrastructure. Bluestones will create and support 600 direct—and potentially 400 indirect—jobs in the tourism industry locally, and also help Wales to meet national Welsh criteria for quality tourism.

I want to refer back for a moment to Pembrokeshire in 1997. In some areas of my constituency, we had a legacy of unemployment affecting two or three generations in individual families. In Milford Haven, male unemployment was 20 per cent. and there was an increasing reliance on declining industries. In the 1960s and 1970s, Pembrokeshire had five oil refineries; there are now only two. There is little diversification in the local economy, which relies almost entirely on agriculture, tourism and the oil-related industries around Milford Haven waterway.

We have had our share of disappointments since 1997. In respect of ITV Digital, 868 full-time equivalent jobs were created and lost. Let us face it—who would

[Mrs. Jackie Lawrence]

have thought that ITV would run into the sort of problems that it encountered? It was seen as a blue-chip company that was bringing wealth to our area.

What happened in the clothing industry and with regard to Dewhirst in the north was a classic example of an industry walking away from its loyal work force. I took representatives of Dewhirst's management to meet Rhodri, the First Minister, and he and the Assembly promised to give every bit of help they could to Dewhirst in overcoming its problems and in diversifying just as Laura Ashley did. Laura Ashley has now become more successful than it ever was when it sold only women's clothing. However, the Dewhirst management, who did not even tell me about their decision to close the Fishguard site until the announcement had been made publicly, simply walked away from their commitment to an area with a low-wage economy to maximise their profits.

Despite our disappointments, it is interesting to note that between April 1997 and January 2003, there has been an overall fall in unemployment in my constituency of 37.7 per cent. If we had not lost those ITV Digital jobs, the picture would be considerably better. Youth unemployment has fallen by 80 per cent. and long-term unemployment by 75 per cent. However, Labour's goal is full employment, which is why the two projects to which I initially referred are especially important for my area.

When Chevron ceased trading, Petroplus, a small Dutch company, bought the site for storage only and not for refining. The irony is that Pembrokeshire has always thought of itself as an isolated area. For Petroplus, which is involved in the storage and distribution of oil, the area was central. It was amusing that its perception was completely different from ours, and we must build on that.

We have recently seen a review of security of supplies and energy culminating in the energy White Paper. Across the board, an assortment of predictions has been made about when the UK will become a net importer of gas. Some have said that that will happen in about 14 years, others that it could happen as early as 2005–06. Currently, interconnectors on the east coast of the UK provide our gas, but security of supply issues are important, with the liberalisation of other European gas markets still some way off. Security of the supply from Russia and Norway, which has had problems in recent months, is an important issue.

The establishment of a liquified natural gas terminal on the west coast will allow supplies of LNG to be imported by vessel from other locations in the world. Pembrokeshire has the expertise to deal with that industry after 30 years in the oil industry. The site is one of the very few UK deep-water ports that allows good access to even the largest vessels, and planning consent was granted in February by Pembrokeshire county council. There is still some way to go and the process has not ended, as it is subject to IPPC—integrated pollution prevention and control—authorisation and to COMAH—control of major accident hazard—safety assessment.

The development offers much to our locality and Wales as a whole. It will provide only limited jobs in our area, but the most important thing is that it will put Wales at the beginning of a high-pressure gas pipeline, rather than at the end, as at present. It will provide security of gas supply for Wales in a changing global scene and sustain existing refinery businesses by providing a reliable supply of competitive fuel. Local industry has been crying out for years for a high-pressure gas line. The line currently finishes at Swansea, 70 miles away. The development will be a tremendous boost for existing industry and a magnet for new investment.

The Secretary of State has given his support in principle and the project has passed the first hurdle, but my concern, which is shared by many people, including those in the company itself, is that unless Transco meets the challenges and time scale demanded by the project and the pipeline, we could lose out on this valuable infrastructure project for Wales as a whole. I ask him to do all that he can to ensure that Transco does not drag its heels and jeopardise the project.

The second project, Bluestones, is located over the border from my constituency in that of my hon. Friend the Member for West Carmarthen and South Pembrokeshire (Mr. Ainger). It has tremendous implications for my area because of the job opportunities that it offers. It is very much a new-generation tourism project and offers the opportunity to turn seasonal part-time jobs into full-time year-round employment. The development straddles the border between the national park and the county council, so planning responsibility lies with both those authorities, which are currently considering the matter.

I should like to mention national park purposes and duties. Unfortunately, there is a perception and a public rumour circulating in our county that the national park is determined to block the project. I sincerely hope that that is not true and I have every confidence and faith in the national park officer, Nic Wheeler, to ensure that the process is carried through correctly and as quickly as possible.

We must remember, however, that the principles of the national parks are to conserve and enhance their natural beauty, wildlife and cultural heritage and to promote opportunities for the public understanding and enjoyment of their special qualities. Those are the national parks' two primary purposes, but they also have duties. They have a statutory duty to seek to foster the economic and social well-being of their local communities in ways that are compatible with their pursuit of national park purposes. They should also have regard to the principles of sustainable development. In formulating policies for the administration and management of the parks, they must have in mind the wide range of interests that can be affected by their decisions.

Those responsible for the parks have a distinct duty of stewardship, but at the same time, they must recognise that the parks are a living and working environment for the people who live there. That is essential if they are to remain vibrant areas and not lapse into purely rural theme parks. The Government's creation of the sustainable development fund, which involves some new work for the parks, is a very positive move that demonstrates that the parks are taking on board those issues.

I ask both the national park and the local council to recognise the need to undertake their statutory duties without any unnecessary delays. As I said, in Pembrokeshire, the public perception is that there are commercial considerations and we do not want the authorities to be seen to hold back those processes and threaten the project. That would be a tragedy for Pembrokeshire and Wales as a whole, because of the 1,000 jobs that could emanate from the project and the services that would be available to local people as well as tourists. Given that the Carbon Trust, Ethical Pembrokeshire and other organisations are involved in seeking to ensure that the development proceeds in the most sustainable manner with the smallest footprint on the environment, any failure to proceed would be a tragedy.I also firmly believe that the project is an opportunity to create a top-quality tourist venture that abides by sustainable principles and could become a model not only for the whole of Wales, but for the whole UK. We must capitalise on that opportunity.

The Wales Tourist Board has identified seven main points that give priority to projects. Bluestones clearly matches every one of those targets by providing a strong competitive advantage for Welsh tourism, enhancing quality and service, extending the season and profitability, providing full-time job opportunities, demonstrating sound business planning, enhancing the environment and supporting Welsh culture.

The project offers opportunities for the national park to bring more people to appreciate the value of national park areas. I fear that if we do not take the wider vision, and if there is a blinkered vision among local communities and individuals, we could miss a tremendous opportunity for our community and for Wales in terms of the importance of the tourist industry as a whole.

I can best demonstrate that by giving two short examples. Oakwood, upon which the scheme is based, is a leisure park in Pembrokeshire that attracts daily visitors. It is, as its name suggests, primary oak woodland that is very valuable environmentally. The presence of Oakwood park has preserved that woodland, which, given the difficulties that farming is experiencing, could have faced being cut down.

My second little story was told to me by a former colleague in this House who is involved with the Forestry Commission. He happened to mention that he had been approached by a very sound environmental group about diminishing the amount of Sitka spruce in Northumberland and replacing it with mixed deciduous woodland. On the face of it, that appeared to be sensible and logical until it was pointed out that it could destroy 80 per cent. of the UK's red squirrel population. Although deciduous mixed woodland might seem preferable, it can support the grey squirrel, which would chase out the red squirrel. Environmental matters are not always straightforward; they can be much more complex than they seem to be.

I urge the Secretary of State on every level to support both projects because of the individual benefits that they can bring to my constituency and the tremendous opportunities that they offer to Wales.

3.21 pm

Lembit Öpik (Montgomeryshire): First, I emphatically agree with the Secretary of State for Wales, who said how delighted he is to see Welsh celebrities doing so well in the media. Things are going very well for Wales in that regard; I also speak in a personal capacity.

The St. David's day debate is always a great opportunity for hon. Members to remind ourselves of the vision of Wales with which most of us would agree. Our debates in the Chamber are inevitably partisan to some extent, but they do not diverge significantly in terms of the kind of Wales that we all feel we have been elected to try to achieve. It is a Wales that is economically, culturally and socially successful; where low unemployment is achieved, but not at the cost of unreasonably low wages; where there is a strong and confident culture that does not depend on the crutches of racism or exclusion; and where social diversity is humorous, lively, fresh-minded and experimental, as well as deep-thinking, wise and internally confident of its national identity. It is a Wales where the political structures are set not to rule the electors, but to serve them; where ideas are stronger than factionalism; where credit is given where it is due; and, crucially, where the public feel that those in politics know how to use the structures in the best interests of the people whom we are elected to serve. None of that is controversial, but we sometimes get so obsessed with arguing about the different process proposals that the parties make that we take our eye off the ball.

A classic example of a dark age for Wales was the period between 1999 and 2000 when, in the first 18 months of the Welsh Assembly, there was little better than feudalism—a moribund system in which the party politics of the situation seemed to obscure the opportunity for a strategic programme for government. Then, in October 2000, the political sun rose and a new dawn arrived as the Liberal Democrats finally decided that it was time to enable the Labour party to free itself of its Westminster shackles and to create some stability in Welsh politics. The seminal watershed in the effectiveness of the Welsh Assembly occurred when the Liberal Democrats and the Labour party took the mutual risk of attempting a partnership—a shared programme for government—that was intended to deliver outcomes rather than merely political st[illegible] between the parties.

Llew Smith: I want to make a correction. The Labour party did not take the decision to go into coalition; the respective leaderships took that decision. I assume that the party would have opposed it.

Lembit Öpik: I understand the bitterness experienced by the hon. Gentleman. Indeed, he might consider joining the Welsh Liberal Democrats. As he will immediately remember, the Welsh Liberal Democrats put the partnership proposal to a full party conference in Wales, where it was voted on.

Mr. Simon Thomas: How many people were there?

Lembit Öpik: It was very well attended. *[Interruption.]* I am delighted to see the enthusiasm that Welsh Liberal Democrat processes spontaneously generate among nationalist and Labour Members.

[Lembit Öpik]

Following the positive decision by the Welsh Liberal Democrats as a party to attempt to achieve that stability for Wales, profoundly important progress has been made. It was Lloyd George who said that the greatest eloquence is that which gets things done. I am fairly confident that, in our quieter and less confrontational moments, as we reflect on the achievements of Mike German and his team, we all accept that the whole has been greater than the sum of its parts in that partnership.

Sadly, the Secretary of State seems to have left, no doubt to congratulate Mike German on his achievements. It was frustrating to hear him imply—not even imply, but explicitly claim—that all the results delivered by the Welsh Assembly Government in the past two and a half years were a direct consequence of Labour party policy. [HON. MEMBERS: "Hear, hear."] If Labour Members—in many cases, I like to think of them as Labour friends—are willing to believe that, they need to compare the 2001 and 1997 Labour party manifestos with what appeared in the partnership agreement. They will find that the Welsh Liberal Democrat manifesto made a significant contribution in that regard. One example is the introduction of Assembly learning grants to higher education and further education students.

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): The hon. Gentleman talks of the new dawn after his party came into coalition in the Assembly, but does he recall that, until the creation of that coalition, his party, like the Tories and the nationalists, pursued wrecking tactics in the Assembly? By pursuing their own party advantage, they put our fledgling Assembly at risk.

Lembit Öpik: Although the Minister insists on making a partisan point when I was trying to make cross-party observations, I shall endeavour to draw a jewel from the mud of his intervention. I agree with his implication: all parties found it difficult to play a constructive role in the Assembly. The advent of the partnership agreement between the Welsh Liberal Democrats and the Labour party enabled the Conservative party and Plaid Cymru to settle their focus on outcomes. I shall be interested to hear what other Members think about that.

Few deny that there was a lack of stability or that there were huge internal pressures in the Labour party. Surely, we can all agree that the improved stability that resulted from the decision of two parties to form a partnership Government has been advantageous to the interests not only of all four parties but of the Welsh public.

Mr. Llwyd: To return to the Minister's intervention, it was in fact the Labour party that ditched the First Minister—nobody else. That is why there was confusion and difficulty during the first few months.

Lembit Öpik: The hon. Gentleman is correct to highlight the fact that there was great pressure, which was widely acknowledged, in the Labour party as it struggled to form an independent Administration. Ultimately, the project was not successful and the partnership came into being.

There have been many successes in the Welsh Assembly Government. I have already referred to the learning grant arrangement for higher and further education students. This is the first time that the binary divide between further and higher education students has been breached, which is tremendously important news for people who believe that lifelong learning requires sensible funding.

The Secretary of State talked of the increased number of doctors and nurses. That was one of the important early steps taken by the partnership to address some of the serious health difficulties, including the under-provision that was a direct consequence of underfunding since 1979 under successive Conservative and Labour Administrations.

Few deny the importance of free school milk for children at key stage 1, a proposal that was explicitly promoted by Mick Bates, the Assembly Member for Montgomeryshire, who just happens to be a Welsh Liberal Democrat. There are other successes: free prescriptions for the under-25s; free dental checks for the old and young; and free personal care for up to six weeks after diagnosis. Crucially, prescription charges have been frozen, while they continue to rise in England; I imagine that, for residents of England, they will be going up again from April. There are 700 new teachers and many other proposals.

I do not suggest that everything in the list of the Assembly's achievements came about because of the Welsh Liberal Democrats. However, if we are serious about the new politics of Wales, it is incumbent on our partners in government—the Labour party—to acknowledge that the Welsh Liberal Democrats have tried to play a constructive role, and that many of those achievements are a direct consequence of Welsh Liberal Democrat promises to the people of Wales, which, to the credit of the Labour party, it has enabled us to implement.

Mr. Simon Thomas: The hon. Gentleman mentioned several important innovations made by the National Assembly. Can he tell us whether any of them were opposed by Plaid Cymru? Can he tell us which of them was not in Plaid Cymru's manifesto, or indeed that of the Labour party? Does he realise that Labour Members would drop the much-vaunted partnership on which he relies as quickly as they could if only they could get a majority in the Assembly—*[Interruption.]* They agree with me.

Lembit Öpik: The Minister resists that acknowledgement except for a wry smile. Of course, other Members may be jealous of the power enjoyed by the Welsh Liberal Democrats in the Assembly, or perhaps they are showing humility or envy in the face of the enormous wisdom and maturity demonstrated by the Welsh Liberal Democrat-led Government in Cardiff.

Mr. Roger Williams: Does my hon. Friend agree that the formation of the next Government in the Assembly is in the gift not of the Labour party but of the electorate? That is the important point.

Lembit Öpik: I violently agree with my hon. Friend. However frustrating it may be for Members in this place, the decision will be made by the Welsh electorate. If there is no majority, the final decision on the future programme for government will be debated by Assembly Members and, I would hope, by the respective party conferences—although I suspect that will happen only if the Welsh Liberal Democrats do not actually win an overall majority. I would also go so far as to say that, on occasion, the stability that the partnership has brought has enabled Plaid Cymru and the Conservatives in Wales to come forward with some ideas of their own.

Once again, the fact that some of the friction that existed in the early days of the Assembly has been lifted has enabled everyone in the Assembly to adopt a more external focus. That is to the benefit of all. Nevertheless, it prompts the question of whether we should seriously consider moving further primary legislative power to the Welsh Assembly. I do not want to dwell on that, but I believe that there is a strong case for devolving transport, further education and other powers to the Assembly, now that it has proved itself capable and manifestly desirous of exercising responsible government for the people of Wales. This all comes down to whether we believe that devolution is working. For an establishment that has been going for only four years—and has been operational in an effective sense for only two and a half—the Welsh Assembly has done extremely well.

Looking ahead, we are about to have the elections, and much of what is said today will be tainted by that. However, it is important that we all recognise that, regardless of how the public in Wales vote, the Welsh Assembly does best when it focuses on outcomes. There will be a great opportunity to extend free personal care, further to cut junior class sizes to no more than 25, and to promote free access to sports centres for young people so as to promote health and fitness among youngsters and to reduce antisocial behaviour in young people. Those are some of the many opportunities that the Welsh Assembly has to diverge in its policy making from what goes on in Westminster. That brings me to an important point. As we see devolution take root, we see divergence in terms of local best practice—in this case, with regard to the three examples that I gave.

I noted with great interest the comments of the Secretary of State for Wales on student funding. I see the potential for a dramatic rift in student funding policy between what happens in Westminster for English students and what happens in Wales for Welsh students. There has already been an improvement in access for many target groups in Scotland as a result of fairly progressive student funding arrangements introduced in the Scottish Parliament by the Scottish Liberal Democrats and the Labour party. If the Labour party achieved that idea independently, why has it not done it for the whole of England and Wales? Why have we had to wait for devolution?

I suggest that one of the spin-off benefits of what has happened in Wales is that other party policies—for example, those of my own party, and occasionally those of Opposition parties—get more oxygen for their promotion, and can sometimes be passed on merit. Let none of us pretend, however, that if the Labour party had an overall majority in the Welsh Assembly and there were no partnership, there would not be massively increased pressure on the Labour Administration in that environment to toe the party line from Westminster.

While the first four years of Welsh Assembly government have been a learning process, in the next four years, we can really hit the ground running. There is great potential for the confidence of the Welsh Assembly Government to develop. The maturity of the established organisations and the flow lines of power make it possible for the Welsh Assembly to settle down and, crucially, for the relationship between Westminster Members, including the Lords, and Assembly Members based in Cardiff to become more relaxed and smooth-flowing. This is not a party political observation but something that I have noticed across all parties. If we are honest, I think that we have all felt that.

There have been some teething troubles and frictions between parties, simply because the Welsh Assembly is new, and we have all had to rebalance the way in which we operate in the political environment that has ensued. Things have occasionally looked threatening to the Welsh Assembly, as the Welsh MPs have seemed unhappy about what it was doing, and vice versa. However, etiquettes have been established, and we increasingly recognise that working together, far from being a threat to the jurisdiction of either Westminster or the Assembly, results in better outcomes and right decisions at the right levels. Devolution is a process, and requires us progressively to give up more power as the Welsh Assembly develops and becomes more confident about the exercise of power.

The focus of our debate should be positive, and I exhort hon. Members to consider another initiative that I hope is welcome from the Welsh Liberal Democrats—a campaign charter to try to improve the style of politics that we practise in Wales and, in the longer term, elsewhere. On previous occasions, I have said that I am not comfortable about embarking on negative campaigning and debates and, more than anything, running other parties down in a non-evidence-based way. Individual parties do not gain from that and, collectively, the body politic loses.

Mr. Wayne David (Caerphilly): Will the hon. Gentleman therefore publicly distance himself from the outrageous literature that his party produced in the Ogmore by-election?

Lembit Öpik: The hon. Gentleman will know that I have often said that, although it can help an individual campaign in the short term, it does not help any party or politics in the medium to long-term to embark on unreasonable campaigning. We can debate those leaflets—I have looked at them and had debates about them. The hon. Gentleman is smart enough to realise that I am not going to conduct a witch hunt in my own party.

Paul Flynn: Why not?

Lembit Öpik: The answer is simple. I respectfully and humbly suggest to hon. Members that we cannot mandate people's attitude, but we can propose a way of looking at politics. Our campaign charter has seven points, which I shall not go through in detail.

[Lembit Öpik]

Essentially, we focus on campaigning on positive records of delivery; positive policy proposals; and being willing to criticise other parties' weaknesses, but only where appropriate and in the context of party policy proposals. The charter says:

> "We will, on no account, comment or encourage comment on the personal lives of politicians . . . We will campaign honestly and fairly so that we can justify our statements"

and back them up with facts. The charter continues:

> "We will seek to engage people in the political process through argument, issue and comparison . . . We will work with people from political parties and none when we share objectives and interests."

None of that is very radical, and it would be a shame if any Westminster Member felt that it was an inappropriate form of campaigning.

Mr. Llwyd: The hon. Gentleman spoke about the Ogmore by-election, which was held during his tenure as Liberal Democrat spokesman on Welsh affairs. It therefore behoves him and any other leader to ensure that that kind of thing does not happen. I am sure that we all agree with the broad thrust of what he is saying. We do not want personalised politics, but first we must clean out our own stables.

Lembit Öpik: I am making that very appeal to right hon. and hon. Members. It would be neither feasible nor appropriate for me to attempt to clean out the stables of the Labour party, the Conservative party or Plaid Cymru. Perhaps I can do something to achieve a new style of politics among Welsh Liberal Democrats--we will find out. I am making not a mandate but a recommendation, and I urge hon. Members to bear it in mind. They do not have to respond to the charter today, but if they are interested in it they could quietly consider its content in their own time.

We have written to the Conservative party, the Labour party and Plaid Cymru. I detected some scepticism in the responses of Nick Bourne and Ieuan Wyn Jones, but we all know that, at the end of the day, people who go into politics do so on the whole for the right reasons. It is a great shame that individuals are besmirched and dragged down in what, in my judgment, is a noble profession simply because we cannot resist cheap shots when it would be better to remain quiet.

The hon. Member for Leominster (Mr. Wiggin) laughs, which prompts me to do what I did not intend to do, and give an example. He will know that there has been some debate about the prospective Conservative candidate for Llanelli, who made what I consider outrageous homophobic and racist statements. I will not name him, but he says:

> "I would like to see Britain take a stronger line on 'normalising' incomers . . . deplore the way Britain subscribes to every damn 'human rights' act so strictly . . . I cannot convince myself of anything other than homosexuality being a medical mental condition . . . they need medical attention."

There is no doubt whatever that the person who said that was a prospective Conservative candidate for Llanelli. If one intended to be cynical or opportunist one could give the impression that the entire Conservative party held those views, but I think that would be inappropriate, because I do not seriously believe that even the majority of Conservatives hold them—and, although the hon. Member for Leominster may not know this, I understand that the Conservative party in Wales, to its credit, has taken swift action and fired the candidate.

That is a practical example of what I am talking about. Any attempt to gain mileage from those views would rebound negatively on politics as a whole.

Mr. Simon Thomas: Why did the hon. Gentleman quote them, then?

Lembit Öpik: Because they constitute just one of many possible hostages to fortune that do not reflect the thrust of, in this case, Conservative party policy—although the same could apply to other parties.

Let me end with a request. Members find it hard to resist poking fun at my continued idealism in raising the game of politics. I hope that, in a quiet and perhaps less charged environment, they will consider whether they would be willing to give it a chance, and see whether we can clean up politics. The ultimate winner would be politics as a whole, and we would be able to focus on outcomes rather than process.

That said, the Welsh Liberal Democrats are here to get things done. We do not pretend to have a monopoly on good ideas, and we are willing to work with those who can add value to our views—even members of other parties. We regard politics not as an end in itself, but as a means to an end. We do not necessarily consider it to be a conflict; we see it as a competition rather than a war.

I hope that those who feel comfortable about occasionally stepping out of the tired old box of politics that runs us all down will find some resonance in what I have said. Most of all, I hope that the Welsh public—the people who elected us to serve them—find some resonance in the fact that one party is genuinely willing to step outside the negativity that has sometimes bedevilled campaigning, is willing to risk working in partnership to achieve results as we have in the Welsh Assembly, and is trying to live out the creed of Lloyd George himself and get things done. If they do, I hope they will consider supporting us in the forthcoming elections.

DEFERRED DIVISION

Mr. Deputy Speaker (Sir Alan Haselhurst): I have now to announce the result of the Division deferred from a previous day.

On the Question of social security, the Ayes were 279, the Noes 58, so the Question was agreed to.

[The Division Lists are published at the end of today's debates.]

3.48 pm

Denzil Davies (Llanelli): My right hon. Friend the Secretary of State was right to mention the growth in the Welsh economy that has taken place during the last five or six years. He was also right to mention the dramatic fall in unemployment that has occurred in most of our constituencies. In Llanelli it is now half the level in Germany, and I suspect that the same applies in many if not most constituencies.

My right hon. Friend was courageous to point out that economies in the euro area are in a much worse state. I believe that when he was a full-time Foreign Office Minister he used to travel around Wales extolling the virtues of the euro; but the Welsh, being sensible people, did not really listen.

We have better growth than the euro area partly—perhaps wholly—because of the Government's policies and the sensible economic policies of the Chancellor of the Exchequer. However, we have not solved all of Wales's economic problems, and no one believes that we have done so. We cannot solve in a short time the problems of a country whose infrastructure was built up over 100 years, but practically disappeared within 10 years; however, a good start has been made. We were told during the Assembly elections that it was to be an economic powerhouse. Without wishing to show any disrespect to it, that was one of the more exaggerated statements that were made. Sadly, these days no Government can be an economic powerhouse, given the global economy, the constant pressure on costs and the movement of industry to low-cost areas. It is far more difficult than it was in the 1940s or 1950s for a Government to interfere or intervene, in order to rebuild an economy such as Wales's; however, a good start has been made.

On the other hand, we should not fool ourselves: Wales is still one of the poorer areas of Britain. Some four or five years ago, I looked at budget figures showing the income raised and expenditure spent in Wales. Those figures will have changed, but I doubt whether the underlying position will have changed very much. On taking a percentage of the gross domestic product from those figures, the difference between income raised and expenditure spent—the Maastricht-type deficit—was 15 per cent. One does not have to be a slavish follower of balanced budgets or of the growth and stability pact to know that Wales on its own—I am not making a political point—simply could not finance or sustain a deficit of 15 per cent. It saddens me, as it undoubtedly saddens most of us, to note that according to the figures, Wales still has such a substantial deficit. One priority for the future should be to try to increase the wealth generated in Wales, and thereby to try to fund more of our public expenditure within Wales.

There are those who want to change the Barnett formula. I have no objection to that, although I have yet to see any positive alternatives. I suspect that those who want to change it are looking to obtain more money for Wales—I doubt whether they would be very happy if a new formula produced less money—but were we so to change it, the 15 per cent. deficit would undoubtedly increase. In the past four or five years, public expenditure in Wales has probably grown by between 4 and 5 per cent.; in the next few years, it will certainly grow by that amount. The economy is growing by 2 to 2.5 per cent, so I suspect that current figures would show that the deficit is even higher than 15 per cent. I am not saying that that should not be the case, but that is the reality of the position in Wales. We could use that as the benchmark in examining the progress of the Welsh economy, in order to establish whether it is improving.

Leaving aside the economic consequences of such a deficit, there are also constitutional consequences. The hon. Member for Montgomeryshire (Lembit Öpik) mentioned increasing the powers of the Welsh Assembly. In looking at that issue—as the Richard commission is—we must also consider the financing behind it, because in effect, there would be a considerable democratic deficit. If we transfer more power from this Parliament to the Assembly in Cardiff bay, it will spend more money but we will have no control over how it is spent. Yet much of the money that will be spent in Cardiff bay is raised not in Wales, but by taxpayers in other parts of the United Kingdom, and although Members such as I represent Welsh constituencies, we represent those people as well. I doubt whether it would benefit Wales to have such a total dependency culture. Nor would it benefit democracy if we in this House, who have to vote on the use of other people's money, were not to be consulted at all, and the money were simply transferred.

I hope that the Richard commission will take that into account. I am not suggesting that one cannot change various anomalies, but major transfers of power from this House to the Welsh Assembly must take account of the economic democratic deficit that would be created because Wales does not raise enough money to finance public expenditure.

The main consequence of that deficit is that we must make every effort to increase wealth in Wales so as to produce more income to pay for our infrastructure. That is not easy: we are an economy that depends heavily on public expenditure. I am not proposing cuts in that expenditure, as we have to have it, but the growth in public expenditure in the past few years has probably been greater than the growth of the economy. Expenditure on health and education has grown, but the growth in welfare expenditure—such as income support, housing benefit and the working families tax credit—reflects the relative poverty of the Welsh economy.

We all welcome the working families tax credit. It is needed in Wales, which has a low income base. However, it subsidises our fairly low wages, and I do not believe that it is sustainable in the medium or long term. Governments sometimes have to retrench. Recessions happen, not necessarily for internal reasons. An economy that is so dependent on what may be called subvention payments, however necessary, does not promise to be sustainable in the future.

I hope that we do not get carried away with the growth that has been achieved. I am sure that we will not. My right hon. Friend the Secretary of State was right to point out the successes, but we need more companies in Wales that make more money and create wealth. Of course, we need the public expenditure as well, but on its own that will not provide the wealth creation that the market sometimes can produce.

One area of growth in the Welsh economy is quangoland. We have quangos, executive agencies, non-governmental public bodies and governmental public bodies, although all of them exist throughout Britain, not just in Wales. We also have a strange entity that I find difficult to understand—the not-for-profit company. I am sure that other hon. Members receive in their mail from time to time glossy sheets of paper describing the creation of another new not-for-profit company. Such sheets usually have lots of logos at the bottom, saying that the new not-for-profit company is in partnership with lots of other such companies.

[Denzil Davies]

I am not sure what not-for-profit companies do. I do not know whether they spend their money wisely, and I am not sure about their accountability, but the not-for-profit company is a very post-modern, new-Labourish concept. What Wales needs is profit companies, not—and I hope that the House will excuse the double negative—not-for-profit ones.

Still, not-for-profit companies exist, and no doubt some perform a useful function. However, they do not come on their own. I am told that they come with social entrepreneurs—another concept that I, in my old-fashioned way, find difficult to understand. I suppose that the social entrepreneur is another post-modern, new-Labourish concept. I suspect that many are more social than entrepreneurial, as they are receptacles for much Government money.

There is no doubt that we must keep our eye on the growth of bureaucracy in Wales. We are a country that loves the committee, and the partnership fits into our culture nicely. We love to sit down and talk about such things, but we must be careful and remember the need for wealth creation.

Whatever their faults, the mining industry, the steel industry and the manufacturing and farming sectors created wealth in Wales. Somehow or other, we must make sure that we get into the new wealth-creating industries and we should not believe that by distributing money to all the various bodies that I have described, we will, in the end, improve the basis on which the Welsh economy is built.

Mr. Simon Thomas: The right hon. Gentleman makes a valid point about getting wealth-creating companies into Wales, but we must ensure that that wealth is not sucked out of Wales, as happened in the past. The right hon. Gentleman mentions mining, steel and farming, but the money from those sectors went out of Wales and into other institutions. The one valid job that we have—whether in an Assembly or a Parliament in Wales—is to ensure that that money is retained within the Welsh economy.

Denzil Davies: I accept much of what the hon. Gentleman says. Much of the investment in mining, steel and iron was made by people who came from outside Wales; naturally, they took their dividends back to where they came from. It is certainly important that we try to generate local Welsh industries to produce the wealth to fund infrastructure and public expenditure. A good start has been made but we must not get carried away. There is much still to be done.

4 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I intend to talk about health and the economy. First, I refer Members to Labour's 1999 manifesto and the pledges therein. Many have said that those pledges were hostages to fortune—there were no ifs or buts—because they announced that by the end of the Assembly term, no one would wait more than six months for their first out-patient appointment. In 1999, the figure was 21,828; today it is 82,574. The manifesto said that no one would have to wait more than 18 months for in-patient treatment. In 1999, the figure was 2,197; it is now 4,715.

Targets are supposed to be attainable. The doubling or quadrupling of waiting lists is not acceptable, and breaking a promise to end waiting lists is not acceptable. It was probably not possible to meet the 1999 manifesto promise and, perhaps, it was misleading, but the increased waiting times are catastrophic failures, condemning thousands to wait in pain and misery. At last week's Prime Minister's Question Time, the Prime Minister proudly said that

> "we have a situation whereby there is not a single waiting list national indicator, in-patient or out-patient, that is not better than it was in 1997."—[*Official Report*, 5 March 2003; Vol. 400, c. 812.]

He was talking about the situation in England.

Waiting lists in the health service are not the only problem. The number of NHS beds has fallen every year since the Assembly came into being, a drop of about 300 over that period. There are fewer full-time GPs in Wales, with vacancies for 130. We need to train 200 a year to replace those who are retiring or leaving; currently the level is 120. Things are improving slowly and, with the new training facility at Swansea, I hope that they will improve further, but we are struggling against a strong tide of disaffected NHS workers.

Albert Owen: The hon. Gentleman says that things are improving. Will he acknowledge that he is talking about an all-Wales situation and that, in north Wales, the situation is a lot better than in the rest of Wales? He is doing his and my constituents a disservice by talking down that area when they are working hard and providing excellent services in comparison with the rest of Wales.

Mr. Llwyd: I am trying to speak on an all-Wales basis, as the hon. Gentleman said. I will not go into figures about north Wales because I am not utterly sure—

Albert Owen: They are better.

Mr. Llwyd: I accept that he says that there is an improvement.

We in Plaid Cymru believe that health is as much about well-being as about illness; therefore, we need to have a revolution in the way we think about health. It follows that we cannot expect the Department of Health alone in Government to do all that is necessary for Wales to ensure that it is a healthy country. Health and social services are resources of the community and the community is a resource in terms of the aims of health and social services.

I shall suggest some things that might happen after 1 May to improve the position. We should put in place retention and recruitment measures for health professionals, including nurses, dentists, GPs and consultants. We should end the current Government's target culture, which merely steers funds away from more long-term strategic planning and empowers the system operating over the patient in such a way that it perpetuates the vicious cycle of poor services.

We should practise aggressive health promotion to prevent disease and illness and focus on primary care, since, of course, 90 per cent of care is delivered at this level. We need to direct strategy and funding towards community-based organisations and initiatives, including incorporation of the voluntary sector into national administration and planning. Of course, we must urgently tackle the "inverse care law", which means that those who most need care are least likely, under the present circumstances, to have it.

Julie Morgan (Cardiff, North): Will the hon. Gentleman give way?

Mr. Llwyd: I am moving on to talk about the economy, and I regret that I will not take another intervention at this stage.

The First Minster of the National Assembly was proud to boast in November last year that 33,000 jobs have been created in Wales since November 2001. That figure dropped by 8,000 to 25,000 when he was quoted a few days later in the *The Western Mail.* Be that as it may. In 1998, the average wage in Wales was 89 per cent. of the UK average. I listened carefully to the Secretary of State and agreed with much of what he said about the economy generally. Welsh workers, however, are getting 11 per cent. less than other workers in the UK. By the end of 2002, the level of their pay was worse: just 86 per cent. of the average. If we translate that into hard facts, a 3 per cent. decline has cost us about £100 a month each. If the First Minister's Government had kept things as they were, the average Welsh worker would be £25 a week better off. That is the true cost of this Government's current economic strategy.

What of the 17,000 manufacturing jobs that have been lost in Wales since 1999? The true cost of that is seen in the appalling statistic that, unfortunately, a third of Welsh children now live below the poverty threshold, five years after the Labour Government said that that would be tackled properly. Labour still pretends to look after the socially inept and socially excluded, but voting Labour has an economic and social cost. The gap between the rich and poor in Britain is widening. Welsh gross domestic product figures show that, per capita, the current figure of 82 per cent. of the European average is likely to drop even further during the next few years.

The Welsh Assembly Government have based their economic targets almost entirely on narrowing the gap in economic prosperity between Wales and the rest of the UK. The Chancellor refuses to acknowledge the regional need, and refuses full Treasury match funding under objective 1. I know that there have been arguments in the past about that, and there will undoubtedly be arguments about it in future. The hard fact, however, which anyone in any political party in the National Assembly will admit, is that full match funding is not occurring. We are not drawing down sufficient money, and we are not taking advantage of objective 1 as we could do.

That means that Wales is forced to find from its own finances—the health, education and social services budget—about £100 million a year to finance objective 1. There is neither match funding for objective 1 from the Treasury nor operating aids as an additional tool that would stimulate business growth in objective 1 areas. Despite the constant boasting, nothing has transpired from the current co-operation between London Labour and Cardiff Labour. The Westminster Labour Government continue to ignore the needs of Wales, as did previous Tory Governments. To rub salt in the wound, it is the Welsh Labour Government who reject a regional economic policy in Wales. There are neither regional direction nor regional employment targets.

The main aim of objective 1 and "A Winning Wales" is to increase comparative levels of GDP. No official statistics are available for Wales since 1999, however, which is disgraceful. That suits London Labour, of course, because the regional GDP figures remind everyone of the inequalities in the UK economy. It also suits the objective of Cardiff Labour, because every independent report indicates that, in spite of objective 1 status, the gap is widening between Wales's GDP per capita and that of the rest of the UK, and that the coalition has failed to change that.

The Chancellor was a strong supporter of the regions, and he probably still is. When he was in opposition, he regularly and tirelessly requested information about regional selective assistance from the Conservative Government. Unfortunately, that is no longer any concern of his. Payouts in 1997–98, when Labour came to power, were £295 million, two and a half times the estimated figure for 2002–03. The share of regionally targeted business support won by Scotland and Wales has fallen sharply in the past 10 years.

Before somebody asks what can be done, I suggest—in the cross-party way in which the hon. Member for Montgomeryshire (Lembit Öpik) always deals with such matters—the following points for consideration. Plaid Cymru believes that we should create seven economic regions in Wales, more appropriately reflecting the economic and social patterns, and develop a sustainable economic development strategy in each region, together with set job targets. Within each region, we should identify special development centres that will provide the focus for economic growth in the area. That should give people quality job opportunities, provide social infrastructure and help to stem the outflow of young people. They frequently end up in Cardiff, which is that city's gain but the rural areas lose out.

Albert Owen: The hon. Gentleman mentions a difference between London Labour and Cardiff Labour, but is there not a difference between London Plaid Cymru and Cardiff Plaid Cymru? The hon. Member for East Carmarthen and Dinefwr (Adam Price), who is not in his place, proposed that we move the capital of the United Kingdom to Liverpool. Is the hon. Gentleman proposing that we should move the capital city of Wales to Caergybi or Anglesey?

Mr. Llwyd: The hon. Gentleman knows that the comments made by my hon. Friend were not serious. If the hon. Gentleman had taken enough of an interest to read my hon. Friend's point in context, he might have understood it. As usual, he was not there for the debate, but if he had been he might have understood the point.

Our vision is of creating some major counterpoints in Wales to provide a magnet effect for industry and to kick-start the economy in all parts of Wales. Some of us who have been here a while remember the arguments with the Welsh Development Agency and the need to shift inward investment from the south-east corridor and the north-east to west Wales and the rural areas. I am sure that the hon. Member for Ynys Môn (Albert Owen) would agree with the need to do that, especially

[Mr. Llwyd]

since the Development Board for Rural Wales has gone. Policies were amended and people said, "Yes, it will be done, it is now part of our policy and half the moneys and half the effort will be put into those areas." Precious little effort was put in. It was far too easy, for example, for somebody behind a desk in the WDA to say, for example, "There are 4,000 unemployed within travelling distance of Newport. Let's get the semi-conductor plant in and soak up 3,000 jobs immediately." That is good luck for Newport, but bad luck for the rest of Wales. In one stroke, that person would achieve his or her targets for the next 18 months. That happens too often. We need to look strategically at the needs of the whole of Wales, not just some sectors of it.

We should set up in the Assembly a jobs unit that would take over the strategic and policy-making roles of the WDA and ELWa—Education and Learning Wales. The latter is greatly discredited and I wonder what job it is doing at the moment. The jobs unit would identify areas and sectors of potential economic growth in each regions and set targets for job creation. We need to improve access to finance for businesses that will boost the Welsh economy—not just large amounts of finance, but smaller amounts as well. The problem with the current regime is that if someone wants a small loan from the WDA, it is not interested. The loans have to be big. Some 90 per cent. of businesses in Wales are in the small and medium sector: they do not want several million pounds but £10,000 or £20,000. That does not interest the people at WDA, and that is not good enough. We need to cater for everyone in the business sector. It is important to focus on home-grown, Wales-based businesses, so that we can provide the maximum benefit for the Welsh economy.

We need to identify businesses with high growth potential and focus specialist funding on them so as to create a base of 10 to 20 fast-growing Welsh companies. I agree with the right hon. Member for Llanelli (Denzil Davies) on that point. Wales has one listed company per 130,000 people, but Scotland, for example, has one for every 30,000 people. Scotland is doing considerably better. We need to identify high-growth sectors and to focus resources more effectively on developing businesses within those sectors. I am thinking of businesses in optoelectronics and auto electronics, high-quality food, renewable energy and sustainable tourism—for all of which Wales is well placed.

We need to get objective 1 funding back on track, cut the length of time for applications, cut the numbers of committees and partnerships, and get the thing moving, encouraging local firms to gain more and more public sector contracts. That could add £3 billion to the Welsh economy. We have to unlock the potential of the south Wales valleys and create a specific strategy for infrastructure, communications and environmental improvements to develop the valleys as an area of polycentric growth. We need to keep pushing for operating aids, which have been promised but not delivered by the Welsh Assembly Government. We will fight for Wales to receive the maximum possible operating aids to stimulate growth in indigenous businesses.

The unemployment situation in Wales has improved—it would be wrong of me to deny that—but much needs to be done. The figures for gross domestic product show that we are still slipping behind. The right hon. Member for Llanelli highlighted many things that have still to be done. It behoves us all to strive to close the gap so that no longer will we be the poor relations of the United Kingdom. One way of doing that will be to elect a Plaid Cymru Administration in Cardiff in May. At this moment, that seems extremely likely.

4.16 pm

Mr. Martyn Jones (Clwyd, South): I apologise to right hon. and hon. Members for not being here for the opening speeches. This debate was changed from last week to this week, and I wrote to Mr. Speaker to point out that I was a Privy Council appointee to the disciplinary committee of the Royal College of Veterinary Surgeons—it was a quasi-judicial meeting that I was not able to leave.

I shall raise several issues, all of which are of great importance to Wales. I want to address the important principle of this House discussing more draft legislation for Wales. As Chairman of the Select Committee on Welsh Affairs, I believe that our Committee has some experience of those matters. I want to tell the House about some of the advantages that would derive from an extension to our discussions of primary legislation for Wales. As right hon. and hon. Members will know, the Health (Wales) Bill was an excellent start to the concept of draft legislation for Wales. The Welsh Affairs Committee was charged with providing the main pre-legislative scrutiny on behalf of this House. Even though I say it myself, the Committee did a good job of fulfilling the obligations set by the Government.

I pay tribute to the Health and Social Services Committee of the devolved National Assembly for Wales, which mirrored our responsibilities. All in all, the process was a huge success. It proved that Cardiff and Westminster can work in tandem in the interests of Wales and for the benefit of Wales. That is why more draft legislation would be welcome. The Welsh Affairs Committee greatly welcomed the chance to lead on the draft Health (Wales) Bill and now looks forward to fulfilling the same task on other draft bills.

In anticipation of the Government heeding my call, I would like to raise an issue that I have raised with the Serjeant at Arms in recent months, and will continue to press for. I would like this House to enter into a reciprocal arrangement with the National Assembly for Wales so that Members of both the Parliament and the Assembly may have security passes allowing them access to each other's buildings. Members may be interested to know that I and members of my Committee have security passes that allow us to gain access to the Assembly building in Cardiff. That came about because we spent a lot of time in the Assembly, taking evidence, meeting with Members and attending Committees. It makes excellent sense for MPs to have passes. Unfortunately, however, we cannot return the favour to Assembly Members. I find that very embarrassing. I am asking for a change not just as a reciprocal courtesy or a nicety, but as a practical convenience for Members of the Assembly who regularly visit this House on formal business. I look forward to the Secretary of State taking up this issue with the House authorities on behalf of Welsh Assembly Members. It is more than just a gesture; it is rapidly becoming a practical necessity. I look forward to a positive outcome.

I should like to give a brief outline of an element of work undertaken by the Welsh Affairs Committee that is not usually mentioned in the Chamber but, none the less, forms an important strand of scrutiny of the Executive by the House in respect of Wales. I refer to my Committee's scrutiny of the Wales Office's annual departmental report. As hon. Members know, a core function of the Committee is to take evidence on the departmental report. Unfortunately, for the sake of this annual debate, the report is invariably published nearly 12 months too late. I assure the House, however, that my Committee takes evidence on matters contained in the report and questions the Secretary of State closely on matters as they affect Wales.

For example, following the publication of last year's report, the then Secretary of State answered questions on Corus's restructuring of steel production in Wales. Sadly, that is a topical subject following the news that broke earlier this week. We also questioned him on how he monitored the potential impact on Wales of Bills introduced in the House. Other subjects included the Wales and Border rail franchise; post offices in Wales—both urban and rural; and the Welsh language scheme. As the House can see, they are all issues of great importance, and I look forward to the publication of the current Secretary of State's first report, which I hope we will receive in the not-too-distant future.

It may surprise some of my hon. Friends if I offer thanks to a Welsh nationalist Member, the hon. Member for Caernarfon (Hywel Williams), who is sadly not in his place. I was recently successful in securing a Westminster Hall Adjournment debate on employment in north Wales in which the hon. Gentleman and I had an interesting exchange about call centre jobs in Caernarfon. To put it in a nutshell, he complained that his constituency was not attracting enough call centre jobs. I intervened in his speech helpfully to point out that that was probably because the call centre companies had commissioned market research and concluded that some regional accents are more user-friendly than others. The fact that there is only one call centre in Caernarfon has nothing to do with Government policy and more to do with what the companies that run call centres perceive to be acceptable. My Committee initially discovered the research when it took evidence in our investigation of inward investment in Wales.

Interestingly, after the Westminster Hall debate the hon. Member for Caernarfon took it upon himself to rush out a press release to local newspapers castigating me for being less than generous about the Caernarfon accent and alleging that I had said that it was "second class". If he senses some reluctance on the part of inward investors to put their money into north-west Wales, I suggest to him in all sincerity—

Mr. Llwyd: On a point of order, Mr. Deputy Speaker. The hon. Gentleman has been here a long while, but evidently does not understand much about how this place works. If he is going to attack my hon. Friend the Member for Caernarfon (Hywel Williams), should he not have given notice of that?

Mr. Deputy Speaker: It would certainly be in accordance with the conventions and etiquette of the House to give notice in advance if sharp, critical comments are to be made about another Member. No doubt, the hon. Member for Clwyd, South (Mr. Jones) will consider his remarks in the light of that ruling.

Mr. Jones: Thank you, Mr. Deputy Speaker, for that ruling. I did not think I was making sharp comments about the hon. Member for Caernarfon; I was defending my position on the matter. The hon. Gentleman was in his place but left as I got up to speak, so I am embarrassed by his absence rather than by the fact that I was raising the matter. I had assumed that he would be here, but he has left the Chamber. I apologise for the fact that he did not know that I was about to mention him in my speech, but it is difficult for me to anticipate his movements.

I was trying to point out that the reluctance of inward investors to put their money into north Wales had nothing to do with accents, but more to do with extremist members of Plaid Cymru and others—I do not include the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) in this—who espouse anti-incomer and anti-English views to their economic detriment.

Mr. Simon Thomas: The hon. Gentleman said that he was not present for the opening speeches. Had he been present, he would have heard me intervene on the Secretary of State to point out that an independent review by the GMB judged the Plaid Cymru-controlled authority of Gwynedd, which I think is the area to which he is referring, as having the third or second best rate of economic development in the country. His calumnious words have no basis in fact whatsoever. He should know that a new call centre has just opened in Caernarfon selling books throughout the United Kingdom.

Mr. Deputy Speaker: Order. We might try to steer the debate into calmer waters. Mr. Speaker accepted what the hon. Member for Clwyd, South (Mr. Jones) told him about needing to be absent. Considering the hon. Gentleman's seniority and role in Welsh affairs, it was perfectly proper to call him at the time that he was called. He has said nothing in reference to hon. Members that I judged to be out of order, although I always appeal for moderation of language at any time.

Mr. Jones: Thank you, Mr. Deputy Speaker.

I find the intervention by the hon. Member for Ceredigion (Mr. Thomas) rather strange. I was making the point that in my Westminster Hall debate, the hon. Member for Caernarfon did not acknowledge that there was a huge upturn in economic activity—in fact, he did precisely the opposite. I am sorry that he is not present, but he did not even acknowledge what the hon. Member for Ceredigion just confirmed. There has been a huge amount of economic investment, but it happened under the Labour Government. It was churlish of the hon. Member for Caernarfon not to do that because the debate was about economic development and unemployment in Wales.

[Mr. Jones]

Youth unemployment in Caernarfon has gone down by 89 per cent. Caernarfon has done better than my constituency, which has experienced a reduction of 85 per cent. Caernarfon's overall unemployment rate has gone down by 43 per cent., which is better than that of my constituency, which has gone down by 31 per cent. However, the hon. Member for Caernarfon implied that that was not good enough. He must accept that we have a right to find out why he thinks that things could be better.

Mrs. Lawrence: What does my hon. Friend think about Plaid Cymru's alternative budget, published on 11 April 2002? It proposes abolishing the upper limit for national insurance contributions, restricting personal allowances to the standard rate, introducing a new 50 per cent. top rate on taxable income, and increasing the basic rate of income tax. Does he think that that will assist economic development in Wales generally?

Mr. Jones: Obviously I do not think that it would, but the document implies that Plaid Cymru would tax the rest of the UK just to fund investment in Wales. Given the party's separatist agenda of splitting Wales from the UK, I doubt whether the UK Government would allow the input of £13 billion from the Exchequer to Wales. Plaid Cymru Members would spend their time better by persuading those in their back yards to let go of the 1930s attitude of the founder of Welsh nationalism, Saunders Lewis. He hated the English-speaking people of these islands and had regular contact with Mussolini.

Paul Flynn: Having been taught by Saunders Lewis—I think that I am one of the few people in the House who knew him—I recognise him as one of the greatest literary figures in Wales. He was a man of genius and vision, and such slurs are cheap and unworthy of my hon. Friend.

Mr. Jones: I was talking not about Saunders Lewis's literary abilities but about his contact with nationalist movements in Europe. That has nothing to do with his writing, which I am sure is very good.

On the antics of the nationalists, a headline in *The Sunday Times* of 2 March screamed at readers, "Rail union plans to ditch Labour and fund Plaid Cymru". The article went on to say:

> "Britain's biggest rail union is preparing to sever a century-old link with Labour".

I shall not read it all because the story turned out to be absolute rubbish. I asked my office to contact the RMT last week about its intention to

> "ditch Labour and fund Plaid Cymru".

The reply was most interesting. My office was told unequivocally:

> "It is complete codswallop! There is absolutely no substance to that story!"

Albert Owen: Will my hon. Friend give way on that point?

Mr. Jones: I am afraid that I cannot, as I am about to be cut off.

If the nationalists are mounting a charm offensive on the unions, they should not tell untruths about senior union leaders, especially two weeks before such leaders are due to speak at their conference at their invitation. If the nationalists wants to be seen as donning the mantle of the people's party in Wales, they clearly have a great deal to learn.

4.30 pm

Mr. Simon Thomas (Ceredigion): I am pleased to follow the hon. Member for Clwyd, South (Mr. Jones), Chairman of the Welsh Affairs Committee. I am sure that he would be delighted to attend our conference on Saturday in Llangollen in his constituency, where he would hear for himself the words of the RMT leader, who could explain exactly his views on the future funding of the Labour party.

Mr. Martyn Jones: I am sorry to interrupt the hon. Gentleman so early in his speech. I am grateful to him for telling me that, because neither he nor any of his hon. Friends had told me that they were going to my constituency on that day. If he issues an invitation and he tells me where, I shall be delighted to welcome him to my constituency.

Mr. Thomas: That was an invitation. I should be delighted to welcome the hon. Gentleman to the conference—despite the fact that that part of Llangollen will be Plaid Cymru territory for a short period. I am sure that he recognises that before Saturday there are still several days in which right hon. and hon. Members could have given him notice of their presence in the town.

I am delighted to follow the hon. Gentleman not because of what he said, most of which was absolute rubbish, but because I want to talk about a feature of the work of the Welsh Affairs Committee. Hon. Members who have served in this House much longer than I—possibly including the hon. Gentleman—will remember that about 10 years ago the Committee conducted an investigation into planning policy in Ceredigion. As a result, for the past seven or eight years, planning decisions that are out of line with the county of Ceredigion's local plan have been referred latterly to the Welsh Assembly and previously to the Secretary of State. That is in recognition of Ceredigion county council's failure to uphold planning policy and to act in accordance with planning guidelines. In the next few minutes, I shall explain to the House that the situation has not improved since the Committee's report. Indeed, it is about to worsen considerably.

The collusion cabinet in Ceredigion—I would not call it a coalition—led by the independents but, unfortunately, supported by the Liberal Democrats has just produced a unitary development plan for the county that utterly fails to take into account the county's needs and the views expressed by its residents. We have had a draft version and then a deposited version of the plan, to which about 10,000 objections were made. The independents and the Liberal Democrats who try to run Ceredigion county council have failed to accept any of those objections and have pressed on regardless with a unitary development plan that the vast majority of residents hold in contempt.

It is worth hon. Members hearing a little of the reasoning—mine, at least—behind why those councillors are prepared to continue with a development plan that is so unacceptable to the people of Ceredigion.

Mr. Roger Williams: I have listened to what the hon. Gentleman has said about the preparation of the unitary development plan in Ceredigion. Will not it reach a public inquiry at which people's objections can be heard by an independent inspector?

Mr. Thomas: It will; I look forward to that public inquiry and to hearing the councillors' justification for their proposals. However, the hon. Gentleman surely would not close out the need for a democratic process before a public inquiry. Any responsible local authority should hear the views of its local people, especially when they are forcefully expressed in such numbers. I am sure that he would not wish to ignore that.

I believe the process by which the unitary development plan has been arrived at in my county to be fundamentally corrupt—and I use my words advisedly. There has been a distortion of the planning process to the benefit, real and potential, of individuals. Those individuals happen to be councillors, so we must ask who will benefit from the plan in Ceredigion.

Lembit Öpik: Will the hon. Gentleman give way?

Mr. Thomas: Not at the moment, I regret, but perhaps if I have time later.

The planning process arrived at the conclusion that 6,500 new homes were needed in Ceredigion by 2016. How can a rural county support 6,500 new homes? What effect will that have on Welsh-speaking communities? What proportion of those new homes has been designed for local need? What proportion has been designed for social need? What proportion has been designed to go with economic development? What proportion has been designed to meet the needs of the student population in Ceredigion? All those questions need to be considered when we examine the unitary development plan for the county.

The matter was the subject of an exposé on "Week In, Week Out". We in Ceredigion are all grateful to the BBC for that exposé on the planning processes that led up to the unitary development plan. How was it that so much extra land was allocated for housing in Ceredigion, and by what process was the figure of 6,500 new homes arrived at?

I held a public meeting with the leader of the council, Councillor Dai Lloyd Evans. The meeting was called by the Farmers Union of Wales, which opposed the plans; when farmers oppose land allocation plans, one knows that something needs looking at. At the meeting, the local planning process was explained: local councillors walked round their wards with the planning officer and identified the land that would be good for housing. That was then put into the local plan for development. The council took the plan forward as the deposit version, and the whole council agreed the plans for the entire county.

There are two fundamental problems with that, which is why I say that the whole process has been corrupt. First, local councillors who went round their wards allocating land for housing had some of their own land allocated for housing. They did not declare an interest until after the whole plan was approved and discussed at individual ward level. My argument is that they should have declared an interest when they first allocated land that included their own land for housing development in Ceredigion.

Secondly, the process is a nightmare. As any hon. Member knows, there is a local needs assessment planning process with guidelines from the National Assembly for Wales, which looks at local needs in terms of communities, and builds up from that the overall housing needs of the county. In the case of Ceredigion, one cannot depend on people of a certain age who have fought uncontested elections for the past 30 years deciding what proportion of land in the county should be allocated for housing, particularly when that land includes their own.

That land included the council leader's own land. He allocated for development land in his ward that he owned, and told the "Week In, Week Out" programme that he saw nothing wrong with councillors making money on the back of land that was being developed under the local plan. That was before he had declared an interest in that land. The process has, therefore, been corrupt from beginning to end.

Lembit Öpik: I would be interested in having a conversation with the hon. Gentleman outside. Can he confirm, for the record and for the avoidance of doubt, that he is not referring to a Liberal Democrat councillor? I should be grateful if he would make that clear.

Mr. Thomas: I made it clear who ran the local authority in Ceredigion. I have named only one councillor so far. The record will show that he is an independent councillor. Whether Liberal Democrats had land allocated in any ward for housing is a matter for the record to show. I do not intend to speak about that.

In an attempt to throw some light on a difficult situation, I have commissioned an independent report on the unitary development plan in Ceredigion, which I hope to publish next week. The report has been written by Mark Tewdwr-Jones, who, as many hon. Members know, is one of the foremost authorities in planning issues in Wales. He is a reader in spatial development at the Bartlett school of planning at University college London and has recently worked on two projects for the National Assembly for Wales. One of the projects dealt with second homes and he is currently working on a language planning project. His examination of the plan is fairly forensic. Although it is not yet available in its full version, it would be useful for me to tell the House what it has revealed to date.

First, the report has revealed that no local housing needs assessment has been made, as I have already alleged. Secondly, it points out that the local plan produced by Ceredigion depends on things called language impact assessments to protect rural communities. It says that those assessments as yet have no basis in planning policy and that Ceredigion county council has done no assessment of how they might work in that context. Thirdly, the report points out that

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Ceredigion has used something called the Norfolk model for working out student numbers in the county, but has not detailed how that model, which is literally a model from Norfolk, can work in an such an area. Finally—this is important not least in terms of social justice—the report has shown that the unitary development plan sets out no information about how much housing should be set aside as social or low-income housing or for the needs of local communities.

In other words, a huge amount of land—sufficient to provide more than the 6,500 houses to which the local development plan refers—has been set aside without any allocation whatever on the basis of local need. The expectation and fear is that that land will simply be developed in a piecemeal way with maximum profit for the landowner and minimum benefit to the local community.

The unitary development plan has now gone to the National Assembly, which has placed several formal objections, as indeed has the Welsh Language Board. I understand that the plan was very close to being called in by Sue Essex, as the environment and local government Minister, because she was so concerned about some elements of it. As the hon. Member for Brecon and Radnorshire (Mr. Williams) intimated, there will almost certainly be a public inquiry into the plan. More to the point, however, is the fact that that whole process will not happen until next April or May. Of course, that is when local government elections will occur both in Ceredigion and Wales as a whole and when a different Administration will—I hope—take over in Ceredigion and throw this ridiculous plan out on its sorry backside.

There is one final sorry chapter in the history of the plan: the use of public office by Cabinet members in Ceredigion county council—and by one councillor, Ray Quant, in particular—to carry out a nasty political witch hunt against the Plaid Cymru leader on Ceredigion county council, Councillor Penri James. Councillor James was accused of breaking an agricultural restriction on his home. Indeed, the county council began enforcement action against him, and him only, out of 500-odd people in Ceredigion who were in the same position. The local government ombudsman investigated the matter and Councillor James was cleared. The officers eventually saw sense and reined back their more extreme councillors, and enforcement action was not taken against him. Unfortunately, however, the campaign of personal vilification against him has continued in the press in a series of letters from Councillor Quant. That has served only to besmirch and reduce public trust in the whole planning process in Ceredigion.

The House has previously examined in detail, through the Select Committee on Welsh Affairs, the planning processes in Ceredigion and found them severely wanting. I think that it is appropriate and right for me again to bring before the House on the occasion of this Welsh affairs debate the fact that things have not improved. I remind hon. Members in all parts of the House that the same individuals are involved and that the council leader who was found so wanting 10 years ago is the same one whom we now find wanting in the planning process. The Under-Secretary used to have responsibility for planning in Wales and, although he no longer has such direct responsibility, he has a direct line into the Assembly. I ask him to ensure that he is fully appraised of developments in Ceredigion and to talk to Sue Essex as the Assembly Member responsible for those matters in Ceredigion. I ask him to ensure one thing. Whatever happens in the planning process in Ceredigion and in the final decision on allocating X amount of houses or land—it is important that we allocate new land for housing—I ask him to ensure that that process is seen to be above board, and above all else, is seen not to involve personal gain at the expense of our communities.

4.45 pm

Mr. John Smith (Vale of Glamorgan): It is a privilege to be able to contribute, albeit briefly, to this important St. David's day debate. I want to start by repeating the comments of the hon. Member for Ribble Valley (Mr. Evans), who said that as this is a Welsh affairs debate we should all be mindful of the Welsh service men and women who are in the Gulf. We all hope that they will not be engaged in military action, but if they are our thoughts will be with them.

I intend to focus on the subject of Y Ddraig Goch, or the red dragon—not the red dragon on our national flag, but the Red Dragon project in my constituency—but I want first to talk about one or two points that have arisen so far.

I agree with the remarks of my right hon. Friend the Secretary of State about how great it is to be Welsh and the success that we have recently enjoyed in Wales. One cannot open a newspaper without seeing a great Welsh film star or pop star—or even a great Archbishop of Canterbury. We should also recognise that that success attracts other success, and pay tribute to the adopted Welshmen who chose Wales instead of other countries. The name that comes to mind is that of John Fashanu, that well known Nigerian ambassador for sport and first-class soccer player, who could have had the choice of several Premier league or higher division clubs, but chose, just before Christmas, Barry Town football club—an excellent choice.

Lembit Öpik: Will the hon. Gentleman celebrate the BBC's decision to broadcast League of Wales football scores on "Grandstand" for the first time in the history of Wales, which was the result of a campaign run by myself and the BBC all-party group?

Mr. Smith: Given Barry's position in the league, I naturally welcome that decision.

My right hon. Friend the Secretary of State talked about the great economic success that we have enjoyed in Wales over the past five years. That is undeniable. Unemployment has decreased and opportunities have increased, and a huge redistribution has taken place through a combination of the introduction of the working families tax credit and the minimum wage. That has affected Wales enormously owing to its weak position in terms of incomes compared with the rest of the United Kingdom. We have benefited more than practically any other region of Britain except Northern Ireland. It has been a hugely successful policy.

In one area, however, we have not done enough. Welsh people who work are the hardest-working people in the whole of Europe. They work longer hours and have fewer holidays. Trade union rights have been improved—that is right, and they should continue to improve—but it is time we addressed the issue of holidays. As this is a St. David's day debate, I return to the subject of a public holiday on St. David's day. We can use any excuse to give Welsh workers more time off, because they deserve it—they should have more leisure time and more time with their families—but what better reason is there for doing that than to celebrate our patron saint?

Mr. Roger Williams: Would not one of the best excuses to give Welsh working people a holiday be the fact that it is a Liberal Democrat policy in the partnership Government of Wales?

Mr. Smith: Had I known that, I might have thought twice about suggesting it. However, this is an important matter. The Minister will be interested to hear that on St. David's day itself, on Saturday, I carried out a poll among my constituents, and there was a 100 per cent. response in favour of the call for a public holiday on St. David's day. I am sure that he will take that into consideration.

We have introduced some huge benefits, including the minimum income guarantee for our pensioners, the working families tax credit and one that has been very important for my constituents—the stamp duty exemption in less-favoured areas. Five wards in my constituency have benefited directly from that exemption, but unfortunately many of my constituents, like those of other hon. Members, have been unable to do so because the Inland Revenue, through its website and in response to telephone inquiries, continues to issue the advice that they are ineligible—because it is using out-of-date postcodes. There have been scores of inquiries in my constituency and we have recovered thousands of pounds for people who purchased houses since November 2001. We should take that matter up with the Treasury to ensure that people benefit from that exemption.

Another important matter for Wales was the announcement last week by the Department of Transport that for the first time, the Civil Aviation Authority is to be given a statutory responsibility for the health of airline passengers. I understand that this is the first time that such a responsibility has been given to an aviation regulator anywhere in the world. It is especially welcome in Wales, as two years ago the tragic deaths of a number of young Welsh people raised public concern about the problem of deep vein thrombosis among long-haul air travellers. I am thinking of the tragic deaths of young Emma Christoferson, as a result of a return flight from Australia, and of my constituent John Thomas, while returning from his honeymoon in Honolulu. That case began my involvement with the DVT campaign two years ago, although I knew little about the condition at that time.

The steps that the Government have taken are welcome. They have also announced the creation of an aviation health unit at CAA Gatwick, to be funded by a levy on the aviation industry and the airlines. The budget of £200,000 a year is modest, but it will ensure that there is a focus on public health concerns. The unit will be the first port of call for people who have concerns. Those steps are modest but they will be important in enabling us to discover the extent, incidence and causes of thrombo-embolic disease among air passengers, which is also the purpose of our campaign. We are still a long way from discovering those things because the necessary research has not yet even begun. I hope that it soon will.

My main focus is on the announcement on Tuesday 25 February of the go-ahead for the red dragon project at RAF St. Athan in my constituency. The project is not purely parochial; the benefits will spread throughout Wales. We shall all be able to take advantage of the project.

The decision was courageous; the project is the first of its type in the world, and there was a great deal of difficulty in obtaining Treasury approval. The Defence Aviation Repair Agency, made up of NARO, the Naval Aircraft Repair Organisation, and MGDA, the RAF Maintenance Group Defence Agency, achieved trading fund status in 1999. In April 2004 it will become a wholly-owned subsidiary of the Ministry of Defence, trading on the open market. It will no longer be dependent on vote money but will operate entirely on customer income. The organisation will be owned by the MOD, but run purely on commercial lines.

Getting the organisation together has been a long haul; it has taken five years and there have been many obstacles. It could not have been achieved without devolution, without the crucial role played by the Welsh Assembly Government. Interdepartmental differences in Whitehall would have delayed the necessary decisions indefinitely. However, the ability to work in partnership with the Welsh Assembly Minister for Economic Development, Andrew Davies, and with the Welsh Development Agency, which played a crucial role in bringing the project into being, has allowed it to happen.

The project will turn the biggest military base in the whole of Europe, a 1,000 acre development, into a unique aeroplane hangar—a superhangar. It will cost £80 million, and the work has already started. It started as the marquee came down the other Tuesday morning. There will not be another hangar like it in the world. It will not only be capable of taking in up to 47 fast jets for repair, but will be adaptable to take just about any aircraft, from a C-130J at one extreme to small helicopters or commercial planes—Boeing 737s would fit into it—at the other. It will be able to meet any demand in the military aviation market.

Alongside the hangar, an aviation business park will be built on this gigantic air force base, which had become largely redundant under the cuts made by the Conservative Government, who reduced defence spending by more than 30 per cent. in real terms. The development is a tribute to the Ministry of Defence, the Welsh Assembly Government and, most importantly of all, to the Wales Office Ministers, without whose constant direct intervention to push the project forward, it would never have happened. There will be nothing like this facility anywhere in the world, and it is in Wales. It will give the Welsh aviation and aerospace industry a critical mass that it has never had before, and it will become a centre of excellence in third-line military aviation—that is, garage maintenance.

I have to declare to my colleagues that the capacity in this market is almost limitless, if for the wrong reason—the fact that the military aviation business throughout

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the world is one of the most inefficient in existence. We have been courageous enough to commercialise ours. We have not privatised it; that was on the Tory agenda, and it would have been a disaster. The industry has to remain under the umbrella of the defence services, as the situation in Iraq illustrates. It has to have a surge capacity—which many private businesses do not—so that it can meet the needs of our front-line forces and pilots on demand. This was the best way to achieve that, and I congratulate my right hon. and hon. Friends on the Front Bench, and the Welsh Assembly, on this courageous decision. It will put Wales on the military aviation map. I also congratulate all my right hon. and hon. Friends on helping us to get the project in the first place.

Mr. Deputy Speaker: Order. I would like to say to the House that, given the time available, if everyone were to take their maximum allocation, there would be many disappointed hon. Members. Perhaps a certain amount of mutual co-operation would assist in enabling everyone to participate.

4.58 pm

Mr. Desmond Swayne (New Forest, West): Thank you, Mr. Deputy Speaker. I shall certainly take that advice to heart.

There are some 30,000 births a year in Wales.

Gareth Thomas: On a point of order, Mr. Deputy Speaker. I am not one to make frequent points of order, but with the greatest respect, I seek your ruling on this. Is it in order for an Opposition Member to be called in this Welsh debate when he has not even been present for the opening speeches, given the pressure on the Government side for people to be called? A great many of us have been waiting anxiously to be called. I realise that there is a 14-minute limit, and I simply seek your guidance on that point.

Mr. Deputy Speaker: The hon. Gentleman should not question the decision of the Chair in that respect. The Chair always has to try to achieve political balance in a debate. Mr. Speaker has made clear—most recently in a letter to hon. Members—the basic courtesies to be observed. Equally, it is recognised that, with the pressure under which hon. Members work, having to be in more than one place at a time—we have already had an example of that explained to us today, and I also know that hon. Members have had duties in Westminster Hall—there has to be some relaxation of the very strict rules of courtesy that we normally try to achieve in the House.

Mr. Swayne: Thank you, Mr. Deputy Speaker.

There are 30,000 births a year in Wales, or 750 in each constituency. Maternity services are vital both in themselves and in colouring many young people's impression of the health service. That impression is marred by the current shortage of midwives in Wales. In Swansea NHS Trust, 11.4 per cent. of vacancies are for midwives, and have been unfilled for more than three months. Across Wales, long-term vacancies for midwives account for more than 3 per cent. of all vacancies. That impacts on the care that can be given to women in Wales, and inevitably reduces the choice available to women.

Birth is a natural experience for women—*[Laughter.]* Hon. Members may laugh, but many women wanting natural births in Wales have to opt for intervention, whether a Caesarean birth or something less invasive, because there are insufficient midwives. An expectant mother who has opted for a natural birth may go into hospital and find on arrival that there is not a dedicated midwife to help her through childbirth. Instead, there is one midwife looking after three women, having to dash between three delivery rooms, so the expectant mother does not have the one-to-one supportive relationship that she was expecting. As the availability of midwives is a problem, it is highly likely that she will opt for an interventionist birth.

It is extraordinary that, although 20 per cent. of women express an interest in having a home birth, in Wales, only 2 per cent. have such a birth. I suspect that that is largely a consequence of the shortage of midwives in Wales. Pregnancy is not an illness.

Julie Morgan *rose*—

Mr. Swayne: I am afraid that I shall not give way, as I wish to be brief and take up as little time as possible.

Pregnancy is not an illness. It is a perfectly normal experience for women, who should be made aware of the choices available to them. The shortage of midwives in Wales has resulted in an inability to provide those choices, so women's options are restricted. From 2000 to 2001, nearly a quarter of the babies born in Wales were delivered by Caesarean section—an increase of 5 per cent. in five years. That figure is 5 per cent. higher than the figure for England, which itself has a high Caesarean birth rate—much higher than the rest of Europe, for example. Not only does the rest of Europe have a much lower level of Caesarean delivery, but that level is stable, whereas in England, and even more so in Wales, it is unstable and rising, from a much higher initial base.

Caesarean deliveries involve a much higher cost both to the health service, in terms of intervention, and to the long-term health of the women involved. I am sure that there is a connection between the shortage of midwives in Wales and the high rate of caesareans. More skilled, one-to-one midwife support is needed; women receiving the present level of care are much less likely to experience normal vaginal births. I hope the Minister will tell us what the Government are doing to deal with the midwife shortage.

Lembit Öpik: Will the hon. Gentleman give way?

Mr. Swayne: No.

I hope the Minister will also give me the figures relating to breastfeeding in Wales. Although the Royal College of Midwives specifically requested me to ask that question, I have a personal interest: my wife is a breastfeeding counsellor for the National Childbirth Trust. Perhaps the Minister could at least give me the latest figures in writing. I know that there is a relatively high rate among those beginning to breastfeed, which tails off markedly after a few months.

As the Minister doubtless knows, the first week of April is real nappy week in both England and Wales. What are the Government doing to promote the use of "real nappies" in Wales? The issue is particularly important to low-income families, who spend a significant proportion of their income on nappies in supermarkets. It also has landfill implications. We are storing up problems with nappies that are not biodegradable. Hospitals should make parents aware of the perfectly acceptable, less expensive "real nappy" alternatives, which are biodegradable and environmentally friendly.

5.7 pm

Mr. Martin Caton (Gower): I shall concentrate on the fight against poverty that has taken place in Wales over the last six years and the situation of low-paid people and their families, and make a couple of helpful suggestions.

Poverty affects every part of the United Kingdom, but all the statistics and our own observations show that the problem has been particularly acute in Wales for many years. Our gross domestic product is historically lower than those in England and Scotland, more people suffer from limiting long-term illnesses, and more claim related social security benefits. A higher proportion of the population receives meals on wheels, incomes are lower than those in both England and Scotland, and more income is derived from social security benefits. Things have improved in recent years, but we have not eliminated those comparative disadvantages, as others have pointed out.

A great deal has been done since 1997, both by the Labour Government here in Westminster and Whitehall and by the Labour-led Government in the National Assembly. The first big difference, for which both levels of government can take a share of the credit, is the reduction in unemployment. Unemployment in Wales is at its lowest for 25 years. We are all contributing information about our own constituencies today. In Gower, the overall unemployment figure is down to 3.1 per cent. Just over 1,000 people still receive jobseeker's allowance: that is too many, and there is much more to do, but in 1997, about twice as many people in my constituency were on the dole.

Since then, we have suffered our share of factory closures and job shedding, which has been traumatic for individuals and families; but there has been none of the desperation that was so evident in the same towns and villages when miners, steelworkers and others were thrown on the scrap heap under the Tory Government, with little prospect of alternative employment. The new deal, welfare-to-work tax credits, better child support, objective 1 and sound economic management have all contributed to those historic reductions in the jobless figures, and to the 61,000 new jobs created in Wales last year alone.

There have also been targeted attacks on poverty in particular groups, such as pensioners, the poorest families and the most deprived and disadvantaged communities. Again, it is action by the UK Government and by the National Assembly that is making a difference. There have also been specific measures to help the working poor through the tax credit system, and through the introduction of the national minimum wage.

Like many Labour Members from the 1997 intake, I remember the vote to secure the minimum wage, after an all-night sitting, as a high point of that first Parliament. I suppose that it was especially significant for many Welsh Members, because Wales contained some of the worst low-pay blackspots in the country. Research by the Low Pay Commission in south Wales in 1998 showed that 27 per cent. of employees in Fishguard, in the west, got less than £3.50 an hour, and that 25 per cent. in Monmouth, in the east, got less than that figure. In the run-up to the 1997 general election, I remember visiting jobcentres in my constituency and noting down the worst cases. One example was, "Security guard required: £2.80 an hour; must have own dog." However, what appalled me even more than the worst cases was the sheer number of jobs for which the going rate was less than £3.00 an hour.

Julie Morgan: Does my hon. Friend agree that there is, and always has been, a gap between women's and men's earnings, and that although it has reduced, it is still a major issue that needs to be tackled in Wales?

Mr. Caton: I thank my hon. Friend for that intervention. She is sitting next to me and has clearly read my speech, because I was about to point out that the national minimum wage has made a real difference in my constituency. In particular, it has made a real difference to women in my constituency, especially those whose work involves caring for other people, such as the young or the elderly.

The national minimum wage remains a notable achievement, but it has two weaknesses that we should now address: it does not apply to everyone to whom it should apply, and it is not enough. The people who are wrongly excluded from the minimum wage are young workers: 18 to 21-year-olds get a reduced rate, and 16 and 17-year-olds are not covered at all. When the Welsh Affairs Committee undertook its inquiry into social exclusion just over two years ago, we argued that the principle of equal pay for equal work should apply to young people, just as it should to everyone else. The evidence that we received then taught us that some unscrupulous employers would employ workers aged under 18 only to avoid paying the minimum wage. At that time, some were paying as little as £2.00 an hour. We called for the minimum wage regulation to apply to all workers aged over 16, and at the adult rate.

The Committee is conducting an inquiry into the empowerment of children and young people in Wales, and the minimum wage issue has come up both in formal evidence, and in more informal discussions with young people during our visits to Wales. Of course, I cannot predict what our report will say when it is published, but this inquiry gives us a new angle. One reason why we looked into the empowerment question was the concern that so many young people appear to be disengaged from their communities or from wider society—and that includes, of course, democratic politics.

A factor that has already been brought to our attention as a potential contributor to such disengagement is many young people's perception of how they are valued by society. All too often, they feel that they are not listened to, and that their contributions are undervalued in various ways. The message that they get from the current minimum wage rules is that they are

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second-class citizens. Now is the time to make the minimum wage embrace all working people, and to increase it in such a way that it makes a greater contribution to the incomes of the families of low-paid workers.

Compelling evidence for such an increase emerged in December, in the form of research commissioned by Unison from the family budget unit at the university of York, and by the national centre for public policy at the university of Wales, Swansea. I shall not go into too much detail, but the unit has established a methodology to calculate weekly minimum cost needs, taking into account food, clothing, housing, transport and all the other costs involved in maintaining a family at a range of standards of living. At the bottom of the ladder—level 1—is what is called the "low cost but acceptable" standard. The researchers have identified and costed the components of a minimum living standard designed to promote good health and enable lower-paid households to reach their full potential. It is tight, but more than survival standard. It recognises, however, that the income needed to reach that standard will vary according to where people live, as costs vary considerably between different parts of the country.

The study published in December looked at the net incomes required to avoid poverty by one and two-parent families in my home town of Swansea, each with a boy aged 10 and a girl of 14. The incomes needed varied from £252 a week for a lone mum working 17 hours a week, to £310 for a two-earner couple.

The good news is that, with working families tax credit, all the Swansea households with at least one person in full-time work were above that low-cost but acceptable threshold. Although the same was not always true in respect of part-time work, the Government's objective of decent incomes for families with work is in considerable part being met.

The bad news is that the current minimum wage level, and the consequent reliance on working families tax credit, means that the poverty trap is almost inescapable for some families. As long as they are receiving the working families tax credit, the most that such families can gain from every extra pound earned is 31p. Two-parent households in Swansea paying basic rate income tax would need above-average male manual earnings to escape the poverty trap and benefit by 68p for each extra pound earned. The lone mother needs close to three times average female manual earnings.

Unison has translated the £310 minimum needed for a minimum acceptable living standard for the one-earner family with two children into approximately £5.10 per hour. Is that so much?

The Low Pay Commission will report again in the near future. I welcome this afternoon's commitment by my right hon. Friend the Secretary of State to increasing the minimum wage. The figure of £5.10 an hour is the sort of amount that we need to secure to make a real difference to low-paid workers in Wales and across the UK.

5.17 pm

Mr. Roger Williams (Brecon and Radnorshire): It is a great privilege and honour to take part in this St. David's day debate, even though it has been delayed. Before I make my own comments, I should like to respond to some matters raised by other hon. Members.

The hon. Member for Ceredigion (Mr. Thomas) is no longer in his place, but I am sure that the House listened with great attention to his description of the problems encountered in Ceredigion in ensuring that the planning process is carried out properly and honestly. Before I was elected to the House, I read the report from the Welsh Affairs Committee on rural housing. It dealt with the planning process as well, and made some good recommendations with which I agreed. Although the hon. Gentleman said that the cabinet in Ceredigion unitary authority was led by independents, with Liberal Democrat support, none of the councillors mentioned by him were Liberal Democrats. I am sure that he took great thought before he made his contribution, but I wanted to put that on the record.

The debate has touched on manufacturing industry. There is great concern in Wales about the future of Corus and the huge redundancies that could happen as the company contracts. On a smaller scale, the Llanidloes aluminium casting company, KTH, looks like it is heading towards closure. That will have a huge impact on communities in the area. The company employs so many people in the local work force that its decline is very worrying, as is the fact that so many of the jobs have gone to parts of the EU and enlargement countries that have lower wage costs. That highlights what many hon. Members have said, which is that we need high-skilled, high value-added business to come to Wales. That will ensure that we will not be as vulnerable to such competition as we are now.

Members have spoken of the importance of air transport to Wales. It has been overlooked for a number of years but economic development in Wales would have been much more rapid if it had been available. It will make Wales a much more inviting place to put one's business.

Lembit Öpik: As my hon. Friend says, KTH is closing. Does he agree that there is a great opportunity to invest in mid-Wales to enhance opportunities for air travel at, for example, Welshpool airport, which—I observe wistfully—might be a good venue for British Airways to relocate its operations?

Mr. Williams: The Minister will have noted that and will make representations. A little village outside Llandrindod called Llandegley now has a huge sign saying, "Welcome to Llandegley international airport, terminals one and two." That may be someone's aspiration, which may take more to achieve than my hon. Friend's suggestion about Welshpool.

There has been political merriment today about ambassadors from Wales, but Wales has benefited over the years from an international outlook. We have had a huge amount of international inward investment that has benefited us greatly. Wales has a history of involving itself on the international stage and should not be too shy in encouraging that as we gain long-term benefits.

Mr. Evans: But it is costing £2 million to set up embassies when we already have embassies throughout the world; they are called United Kingdom embassies and high commissions. Should not Wales be working through those?

Mr. Williams: If we are to be serious about getting added inward investment into Wales, we have to put serious amounts towards that investment, which will be beneficial in the long run. The payback period will be short.

I want to turn to three issues that affect my constituency, Wales as a whole and the UK in general. The first is the criminal justice system and the importance of individuals having ready access to that system. The rights and privileges of individuals cannot be safeguarded unless they have the opportunity to defend themselves against charges of which they believe themselves to be innocent. I am thinking particularly about victims.

The Government have said that they are putting the rights of victims and witnesses at the heart of the criminal justice system. Yet, in my constituency and rural Wales as a whole, magistrates courts are closing, which makes it difficult for victims or witnesses to get to court without undertaking long and difficult journeys because so little rural public transport is available.

Hywel Williams (Caernarfon): Does the hon. Gentleman agree that there is also a problem for magistrates in my constituency who have to travel considerable distances? Following the centralisation of magistrates courts, that problem is likely to get worse.

Mr. Williams: The hon. Gentleman makes a good point. In Llandrindod magistrates court, the youth court was closed. Two magistrates who had been trained and had a particular interest in youth justice work resigned because they now have to travel more than 30 miles to get to a youth court and were not prepared to continue making the great sacrifices that magistrates make to provide those services.

Recently, I took a delegation to meet the Minister from the Lord Chancellor's Department with responsibility for magistrates courts and was accompanied by the hon. Members for Ynys Môn (Albert Owen) and for Meirionnydd Nant Conwy (Mr. Llwyd)—as well as my hon. Friend the Member for Montgomeryshire (Lembit Öpik)—to make points on this issue. We were advised that the county council, as the funding body, must make representations if the decision to close Ystradgynlais and Llandrindod is not to be a foregone conclusion.

I have grave doubts about the way in which magistrates courts committees operate. I do not know how accountable they are to the general public or how they perform their deliberations and consultations. The impression that was given— falsely, I think—by the magistrates courts committee is that investment in the courts in Newtown and Brecon may be lost if we oppose the closure of Ystradgynlais and Llandrindod. It is important that those courts remain open so that the criminal justice system is available to everybody in those areas. I hope that the Minister will join us in making representations on those matters, too.

I would like to turn to an issue that I raised with the Minister in a debate in Westminster Hall a couple of weeks ago: two-tier employment in public services that have been externalised or privatised. That has occurred in my constituency, and, I am sure, in other hon. Members' constituencies. In my constituency, residential homes for the elderly were externalised to BUPA. Although the staff who were transferred under the Transfer of Undertakings (Protection of Employment) Regulations 1981 to BUPA had their rights, conditions and pay retained, anyone employed afterwards was employed under much poorer conditions.

For example, the basic rate of pay for carers from the protected staff was £5.50 an hour, whereas, for BUPA staff, it was £4.20 an hour. It gets much worse than that. For protected staff, the Sunday night working rate was £12.86 an hour whereas BUPA staff were on the flat-rate minimum wage of £4.20, which the hon. Member for Gower (Mr. Caton) mentioned.

Not only that, the protected staff had 27 days' holiday plus eight bank holidays, whereas the BUPA staff had only 20 days. One can imagine the difficulty of staff working together on such differing rates of pay and conditions. It does not lead to good relationships among the work force. Those on poorer pay and conditions were not so loyal to the establishment in which they were working, which led to a greater turnover of staff. Hon. Members will agree that the quality of life of those in residential homes depends on building relationships between staff and residents. Obviously, that cannot be done if there is a great turnover of staff.

I was therefore very pleased when the Prime Minister announced that he would deal with the two-tier system of employment. On Thursday, I believe, a code of conduct will be published for local authorities in England, under which contracts for externalised or privatised public services will ensure that not only transferred but new staff have the same pay and conditions. I understand the problems in this regard, but, unfortunately, the press release states:

> "The Code will not apply retrospectively to any contracts which have already been advertised or entered into. The Government intends to publish statutory guidance on this for local authorities in early March."

Those who are locked into organisations that have already had contracts with local authorities seem more beleaguered and isolated than ever. I understand that Edwina Hart's office in the Assembly is considering the code of practice with a view to establishing it, or something better, in Wales. Will the Minister consider whether there is any way of dealing with people in such establishments who are on very different rates of pay and conditions from those who were originally transferred?

5.29 pm

Gareth Thomas (Clwyd, West): I know that many of my hon. Friends are anxious to make a contribution to this important debate and I am glad that the convention of having an annual Welsh debate has been observed, even in the context of these difficult times internationally. This debate is taking place closer to St. Patrick's day than to St. David's day, but we all know that St. Patrick was rumoured to be a Welshman.

I was glad that my right hon. Friend the Secretary of State was able to open the debate. He has made a considerable impact in his new job and has been able to

[Gareth Thomas]

bring his considerable flair, energy and communication skills to it. He follows in the distinguished footsteps of my right hon. Friend the Member for Torfaen (Mr. Murphy), whose great reserves of patience and diplomacy are now being put to such great use in Northern Ireland in an attempt to restore the devolved institutions there. My hon. Friend the Minister also does an excellent job getting around Wales—he has been to north Wales on many occasions and I hear good reports of him.

It is important to acknowledge that devolution is working. We are getting a dividend from having a democratic, directly elected institution in Wales. Some of us, including myself, express frustration and exasperation on occasion at the way in which policy is formulated in Wales. As someone who is comfortable with the direction of the Westminster Government—putting the emphasis on investment and taking a robust approach to the need to reform public services—I sometimes feel frustrated, but I am glad that the campaign, in which my right hon. Friend the Secretary of State played such an important part, was successful. I seriously believe that devolution is working.

The last four years have been difficult, but we are seeing a real difference. That is because the Labour group in the Assembly is working in partnership with the Labour Government in Westminster.

Hywel Williams: Does the hon. Member agree with Mr. Rhodri Morgan that there is clear red water between the Labour-Liberal Government in the National Assembly and the Administration here?

Gareth Thomas: I am relaxed about any differences. It follows the logic of devolution that the Assembly will take its own path, but there is a strong partnership between Labour in the Assembly and Labour in Westminster. Long may that continue.

We know that on the horizon is a report from an institution called the Richard commission, which is considering the powers and efficacy of the Assembly. We know, too, that the chattering classes—or the Pontcanna pundits, as they may be described in Wales—many of whom are from various academic boltholes, such as Cardiff and Aberystwyth universities, are obsessed by the need to gain parity with Scotland. As a committed devolutionist, I think that we should be very cautious about calling for further powers for the Assembly at this stage. It is a new institution that has to prove itself. We should adopt the test of whether any extension of powers would improve the quality of life for the people we serve. Would it mean better schools and hospitals? If not, it would not pass the test. We have to be pragmatic and cautious.

We are in an election period and I am sure that the electorate in Wales are interested in constitutional issues, but I intend to keep my powder dry. I expect that we will have a robust debate about further powers for the Assembly formulated by Labour members. We must also bear in mind the fact that Wales and England have separate legal systems and I cannot see how we could easily accord further primary legislative powers to the Assembly.

Very often, these debates concentrate on the negative comments of Opposition spokespersons. I am pleased that the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) was rather less negative than usual. In the Tea Room earlier, I had a little joke with him, saying that his speech would be something approaching a whingeathon. It was not—because even he has to give credit where credit is due. The Government have been a big success for Wales. Wales is benefiting from sound management of the economy. We have heard some of the statistics from the Secretary of State: we have had the longest period of low inflation for 40 years; long-term interest rates are at their lowest since the 1960s; and new business growth is high and the survival and growth of small businesses is excellent. That is good news and no mean achievement. Contrast that with what happened under the Conservatives. In 1997, inflation was up at 10 per cent. and interest rates were at a very high level of between 10 to 15 per cent. Unemployment was also high. We should not underestimate the fact that unemployment has fallen considerably in Wales. In my constituency, it has fallen by 63 per cent. The new deal and the minimum wage have made a real difference.

We can be justifiably optimistic. I know that a national characteristic of us Welsh is that of being somewhat melancholic, but I feel that we can be optimistic about the prospects for the Welsh nation, the Welsh economy, and the people of Wales whom we serve. It is a great time to be Welsh. The creative industries are doing well. We have massive extra public spending that is making a great difference to the health service, especially in my part of the world. There have been considerable achievements in education. The prospects are good and there is nothing wrong in talking up Wales. We should be positive.

I want to mention a few figures that relate to the Conwy and Denbighshire NHS Trust. I pay tribute to the excellent work of the management team—in particular, to Hilary Stevens, who is the chair of the trust, and to Gren Kershaw. In the trust, no people have been waiting for more than 12 months for in-patient treatment. In-patient waiting list targets are being met in a wide range of areas—orthopaedics; ear, nose and throat; general surgery and many others. For Abergele hospital and Ysbyty Glan Clwyd, it is a good news story.

On the economy, my hon. Friend the Member for Vale of Clwyd (Chris Ruane) has been active in promoting the St. Asaph business park. Many of my constituents work there. Let us not forget Airbus and let us pay tribute to Lord Barry Jones. Many of us consider him to be a great example. He has brought his considerable oratorical and people skills to bear and he has put Airbus on the map—as has his distinguished successor, my hon. Friend the Member for Alyn and Deeside (Mark Tami). Broughton is good news and Airbus is good news, for the whole of north Wales. Broughton has brought huge inward investment to the area, with a big investment in skills and opportunities. It is a genuine good news story.

I will wind up now because I know that my hon. Friends want to contribute. Let us talk up the Welsh economy. The future is good; the future is Labour.

5.38 pm

Mr. Dai Havard (Merthyr Tydfil and Rhymney): I will exercise discipline to try to give the rest of my comrades the opportunity to speak. It is a great privilege to contribute, as the first Member elected in 2001 to have the opportunity to speak in this debate.

I want to talk about employment and economic activity. Official unemployment rates are dropping dramatically in Wales—in my constituency and elsewhere. That has been because of the success of the new deal and so on. It is also because of new employment. There are many positive things that I could say about the Welsh economy—there have been new opportunities that have gone beyond simply manufacturing jobs. For example, the General Dynamics investment in Oakdale with the Bowman radio project has brought science to the area. The Canadian ambassador made the point very well to me. He said that, "If you have got science, you can get science." Part of the problem in Wales is that we have not had the higher-order activities in terms of the employment base that we need. We should continue to try to get that.

Oshkosh is developing its investment in Llantrisant to build heavy vehicles. If we can attract other Ministry of Defence investment contracts that are available, they could help to provide a new dimension to the vehicles economy in Wales and lead to the development of the heavy vehicle sector. Many good things are happening, so I certainly do not want to talk Wales down.

I come from and live in the valleys and the difficulty that we face is that of economic inactivity. Merthyr is said to have the greatest problem in that respect, with 28 per cent. of the real unemployment rate according to the studies carried out by Sheffield Hallam university. That problem needs examination and action is taking place. Members of the Select Committee on Work and Pensions visited my constituency last week, and I was glad to welcome them. We considered what could be done to help disabled and incapacitated people back into work through projects such as workstep.

The Committee met people from the local job service and some of the brokers involved. It visited the Merthyr Tydfil Institute for the Blind, which might sound like a strange place to visit. However, the institute goes beyond its terms of reference and makes a major contribution not only to Merthyr Tydfil but across the valleys by taking forward the workstep programme. I took my right hon. Friend the Member for Oxford, East (Mr. Smith), who was then in the Treasury team but who is now the Secretary of State for Work and Pensions, to the institute a year ago. As a result, extra investment has gone in to try to cure the problems that we face and that are the result of a legacy that I do not have the time to explain. I am sure that everyone knows the reasons for it.

New Members of Parliament have created opportunities ourselves. Several of my comrades and I commissioned research from the Bevan Foundation to try get a view as to what could be done and not just a measure of the angle of dangle of deprivation. We tried to get an idea of what policy initiatives could be taken to find solutions to the problems. The report should be published soon and I look forward to seeing it. I have not prescribed what it should say, so I shall be interested to read its conclusions. However, I know that it will say that investment is needed in the upper valleys.

Investment has gone in along the M4 corridor in Wales, but we need a strategic development plan that considers the development of the heads of the valleys and of the crescent across the old Welsh coalfields. That area needs sustained investment. In Merthyr, we will bring in the university of Glamorgan to create links with lifelong learning so that the community can develop a view of what it can do itself and how to achieve that. Our young people are back at work, but we need to develop the circumstances in which economic inactivity is addressed. To do that we need redistribution—I am not afraid to say the word. Indeed, redistribution is going on, and some Conservative Members have spotted that. They do not like it, but I think that there should be a damn sight more redistribution.

We should also consider the tools that we need to achieve our aims, which include operating aids and the extension of employment zones. In Merthyr, we have a great problem with people on incapacity benefits, but we do not have Jobcentre Plus. Some of the tools and techniques need to be brought forward. We need step changes as well as incremental progression. Objective 1 is helpful, but what will come after it? We need to consider that issue.

My predecessor in this place wrote a book entitled "Something Must Be Done", a phrase that originally came from a member of the royal family. He talked about sporadic and episodic investment in the valleys. We do not need that. We need sustained investment, and the Wales Office and its Ministers are well placed to help as brokers. We will bring the report that I have mentioned to the House so that it can be examined by all the Departments of the United Kingdom. We shall also take it to the Assembly, and I hope that my right hon. Friend the Secretary of State for Wales will be able to act as a broker. Because he also represents us in Europe, I hope that he will be able to take our suggestions to Wales, the United Kingdom and Europe.

5.44 pm

Dr. Hywel Francis (Aberavon): The debate on Welsh affairs always affords us a time for reflection. One of my constituents recently gave me some advice. He quoted a distinguished predecessor in the House, Aneurin Bevan, as saying:

> "Instead of living in a Wales that possesses you, create the Wales you desire".

In that spirit and as a representative of a steel constituency, I want to reflect on the centrality and importance of steel, despite all the problems that have, and continue to, beset it.

As recently as December 2000, in the document "A Strategy for Modern Manufacturing in Wales", the Wales TUC highlighted the modern advanced nature of the industry. The report said:

> "With plants in Wales producing record amounts of quality steel with much fewer workers than even 10 years ago, it would be hard not to recommend steel as a shining light for manufacturing."

The announcement this week that Corus is once again reviewing its UK operations with the possibility of, as it calls it, "significant capacity reductions", causes much anxiety and deep concern, especially in steel communities.

I welcome the positive comments made this week by the Secretary of State for Wales and the Secretary of State for Trade and Industry in support of steel. We all

[Dr. Hywel Francis]

know that steel has a vital and strategic role within Welsh and British manufacturing. I urge my right hon. Friend the Secretary of State for Wales to pledge that he will work to ensure that there are no further cuts in capacity in Wales, and in so doing secure the long-term future of Shotton, Llanwern and Port Talbot.

Despite the current internal and external problems of Corus, especially in relation to the sale of its aluminium production in Holland, the economic indicators for Welsh and UK steel are promising. The exchange rates in relation to the euro are increasingly more favourable. The demand for steel in the UK is buoyant and strengthening, especially in the construction industry, and steel prices are stabilising and improving. Industrial relations are good, as evidenced by the recent significant efficiency savings in Welsh plants. Llanwern is in profit, and Port Talbot and Shotton are performing well.

Steel workers in the UK are widely acknowledged as the most efficient in the world. In my experience, there is a growing optimism despite the trauma of recent capacity cuts and the explosion in the No. 5 blast furnace in Port Talbot. The rebuilding of that furnace in record time symbolises a rebirth of the Welsh steel industry. The new furnace very recently broke its production record by producing 33,000 tonnes of liquid iron during the month following its formal opening by the Prince of Wales. That was one of many records recently broken at Port Talbot in the hot mill, the cold mill and the "capl" line. Improved consistency in operations and in quality have been recorded.

That sense of optimism for steel communities is also represented by the community leadership provided by the steel unions in highlighting the importance of skills enhancement and lifelong learning. The Iron and Steel Trades Confederation training arm, steel partnership training, has led the way in many centres from Shotton to Ebbw Vale and Newport. In my constituency, unions have come together with educational providers to form the Port Talbot union academy. Again in my constituency, as a result of support from the Wales union learning fund of the Wales TUC and the Welsh Assembly Government, Amicus and the local authority, Neath Port Talbot county borough council, have created a unique work-based learning initiative at the new Baglan learning centre. It is therefore critical that the Governments in Cardiff and Westminster work in partnership with the Welsh steel industry as never before to secure its long-term future by pledging, by every means possible, to secure all productive capacity throughout Wales.

I began with the importance of reflection. As an historian, I am only too well aware that as the Welsh economy diversifies, there is potential for what is called cultural tourism, especially in the valleys of south Wales. That will be highlighted in a report by the Welsh Development Agency and in a report that colleagues and I commissioned, to which my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Havard) referred, which will be published by the Bevan Foundation later this month.

I recently heard the new Archbishop of Canterbury reflecting on what he called "political virtue", and how he defined that from the poetry of Waldo Williams, whose verse, in his words, exemplifies

> "the Welsh double commitment to the local and the international in a framework passionately seeking peace".

We meet at a time of local and international crisis. We should reflect in a Welsh way on that political virtue and that political legacy of the local and the international community, which we all share.

If we are to develop cultural tourism in Wales, we could start by reflecting on the lives and ideas of two Welsh political thinkers who were both modernisers in their own ways. First, there was Richard Price of Llangeinor, friend of the American and French revolutions of the 18th century, who gently advised his American friends to conduct the kind of foreign policy that would make the United States respected in the world.

Secondly, there was Henry Richard of Tregaron, a Liberal Member of Parliament for Merthyr. He was known as the apostle of peace. He initiated a debate in this House on 8 July 1873. His motion, which was carried, called on the Government of the day to contact foreign powers with a view to the improvement of international law and the establishment of a permanent system of international arbitration. In his own modernising way, he was a Welsh visionary who anticipated the necessity of the United Nations decades before its emergence.

Today of all days, we should reflect on the political virtue of striving to secure the local—in our Welsh communities that are dependent on steel and other employment—and the international by securing peace through the United Nations. By doing so, we would achieve Aneurin Bevan's dream of a Wales we all desire.

5.52 pm

Mark Tami (Alyn and Deeside): Thank you for giving me the opportunity to speak in this debate, Mr. Deputy Speaker. I want to talk about manufacturing and training. I shall try to be brief to allow as many other hon. Members as possible to speak.

Manufacturing accounts for 31 per cent. of gross domestic product in Wales—11 per cent. more than in Britain as a whole. It is clearly a key sector of our economy. Some would have us believe that manufacturing is dying on its feet and not really part of our future. Manufacturing is and always has been a dynamic sector of the economy. Innovation and change have always been part of its growth and, in some areas, part of its decline.

Thirty years ago, the manufacturing base in my area was dominated by the steel industry, which employed more than 12,000 people, and the textile industry. By the 1980s, both those industries—the area's main employers—were devastated. Shotton Steel still holds the record for the largest single loss of jobs at one plant on one day. I hope that no other area ever has to suffer holding that record. My hon. Friend the Member for Aberavon (Dr. Francis) spoke of the fears that are again surrounding the 12,000 jobs in the steel industry.

Steel and textile manufacturers needed to change and innovate, but importantly, both also needed the time and the economic stability to accomplish that. We are all aware of the Conservative party's economic policies, which meant that there was no such chance. The industries suffered the same fate as many other manufacturers during the years of the Thatcher Government.

Life is never easy for manufacturing, as I am sure every manufacturer would tell us. Manufacturers would also tell us that they need economic stability—an environment where they can plan for the future in the knowledge that they are not on the edge of another boom and bust, as we saw under the Tory Government. In Wales, as in Britain as a whole, work force productivity remains a major concern. We will improve it only if manufacturers invest not just in new technology but in their work force. Equally, our education system must work more closely with industry to equip our young people and some of our older people with the skills and know-how that they need today.

Productivity gains are rarely made by people working longer or harder; they are made by people working smarter. About 30 per cent. of employers in Wales state that they suffer from skills shortages. Many more suffer from skills gaps in matching skills with the appropriate job. We need to tackle the problem in a number of ways.

More than 13,000 people in Wales are taking up modern apprenticeships. Many of those young people will secure employment in manufacturing, putting their new skills into practice. I welcome the modern skills diploma for adults, introduced by the Welsh Assembly, which is delivering an apprenticeship-style training scheme for the over-25s in employment—a vital group in our work force whose training needs we have tended to ignore. Training and retraining those in employment is key to improving productivity.

In my area, Deeside college has done a great deal of work to tailor its training packages to the needs of employers, not offering the one-size-fits-all solution that characterised further education in the past. Deeside college recently won the Queen's anniversary prize for its work with business and industry. Much credit goes to the college principal, Will Edmunds, for that achievement.

As unemployment is, thankfully, very low in Alyn and Deeside—less than 2 per cent., thanks to the economic stability delivered by a Labour Government—work-based education and training is of paramount importance to our economic growth and regeneration. We must therefore ensure that its availability and success are not held back. ELWa must receive the level of financial support that it needs for training in the workplace via the further education institutions. It will receive the necessary investment only from a Labour-run Assembly that makes education a priority.

One of Deeside's largest and most successful partnerships is with Airbus, about which my hon. Friend the Member for Clwyd, West (Gareth Thomas) spoke. It is probably the largest modern apprenticeship scheme in western Europe and is a good model that other companies and colleges could follow. At present, 274 apprentices are undergoing various forms of training, with a further 80 new recruits hoping to start in September this year.

Airbus has a high retention rate—above 90 per cent. One major factor is the opportunities for apprentices. More than 70 per cent. of the senior management is made up of former apprentices, including Brian Fleet, director of manufacturing, Airbus UK. That important point demonstrates that an apprenticeship not only leads to a good quality job, but opens opportunities to progress in the company, even to the top levels of management.

Airbus rightly views training as a form of investment. Employees should be seen as valuable assets. Too many employers view employees as a form of disposable costs—something that can be put aside at the slightest change in the market. After the events of 11 September, which severely affected the market for airliners, one of the first things that Airbus did was to write to every apprentice in the company guaranteeing their job. Other British manufacturers would have written to apprentices telling them that they no longer had a future with the company. We have lost so many good people who could now be skilled workers, because they have been cast aside at an early stage.

The company's recruitment strategy has led to a growing number of female apprentices coming through the system, in an industry that has traditionally been male-dominated. I was pleased that this year the apprentice of the year was a woman. The company's commitment to training and the value it places on the work force are an example to other companies in Wales. Importantly, the partnership between the company, the college and the schools is producing well-trained people for good quality jobs.

As in Britain as a whole, education spending in Wales has risen significantly under Labour—a real-terms increase of some 6 per cent. in 2003–04 over the current year, with planned investment rising to a record £1.4 billion by 2005–06. That level of commitment is needed if we are to improve standards and produce youngsters able to work to the requirements that modern value-added manufacturers are looking for. Schools, colleges and universities have a major role to play in promoting a positive image for manufacturing and engineering. Too many youngsters still view a career in that sector as less valuable and important than one in the white collar, office-based professions.

If we are to ensure that success is guaranteed, we need continuing investment in education and training. We must see real improvements in this area.

6 pm

Julie Morgan (Cardiff, North): I am grateful for the opportunity briefly to contribute to this debate. I am pleased that we have an opportunity to concentrate on domestic issues in Wales. At the moment, whenever I speak to constituents or other people in Wales, they talk about the international situation, so I am glad that we can concentrate today on domestic issues, which should not be forgotten.

As many other right hon. and hon. Members, including the Secretary of State, have said, the great achievement that the Labour Governments in Westminster and Wales have achieved is the drop in unemployment in Wales, which has fallen by 40 per cent. since 1997. Wales has had the biggest increase in employment of any region in the UK and the biggest fall in inactivity. Other hon. Members have mentioned what has happened in their constituencies. In mine, there has been a fall of 46.6 per cent. in unemployment, which is tremendous. The equivalent figures are minus 80.9 per cent. for youth unemployment and minus 84.8 per cent. for long-term unemployment, so it is clear that we are now reaching all parts of the labour market. That achievement is a tribute to the Labour Governments here and in the Assembly.

[Julie Morgan]

St. David's day was recently celebrated and last Saturday was international women's day. I attended the launch in the old library in Cardiff of a book produced by the Honno press and edited by Professor Deirdre Beddoe. Some remarkable contributions were made by women who read out extracts about experiences in their lives in Wales. We heard contributions from Elaine Morgan, Molly Parkin and Jane Salisbury. Many women in the audience had contributed to the book, including the mother-in-law of my hon. Friend the Member for Aberavon (Dr. Francis), who made a tremendous contribution. All of the women had remarkable stories to tell. While listening today to various hon. Members talking about the great achievements that Welsh people have made in becoming stars in sport, film and other areas, I thought about the women who read to us about their experiences last Saturday. In many cases, those experiences were very ordinary, but they were a tremendous tribute to the wealth of talent that we have in Wales.

I thought that it would be interesting briefly to consider the position of women in Wales today. It is probably very much as hon. Members will imagine and as the jobs situation in Wales has always been stereotyped. In 2002, 46 per cent. of women were in part-time occupations, compared with 9 per cent. of male employees. That has not changed much. Women account for 69 per cent. of administrative, secretarial and consumer services occupations, while men account for 80 per cent. of skilled trades and plant and machine operators. A similar divide has existed for many years in Wales, so the situation has not changed very much.

As other hon. Members have mentioned, however, the introduction of the national minimum wage has increased the wages of thousands of women and part-time workers. That is a tremendous achievement. Along with devolution, the introduction of the minimum wage was one of the great ambitions of Keir Hardie, and we have brought those two things about. So far, we have failed in reforming the House of Lords, but perhaps we can achieve that in the future. The minimum wage has helped thousands of women in Wales and, on its introduction, it narrowed the pay gap between men and women by 3 per cent. Nevertheless, there still is a pay gap. In 2002, full-time women workers earned 13.4 per cent. less per hour on average than male full-time employees. That is grossly unfair.

In discussing the rise in employment and how well we are doing economically in Wales, we must bear in mind the disparities that still exist, especially between women and men. One of the main priorities of the Government women's unit here and the equal opportunities unit in Cardiff bay is to try to close the pay gap between men and women in Wales. The Welsh Assembly Government are putting their own house in order by carrying out a pay audit and planning over three years to equalise the pay of women and men, and they are setting money aside to ensure that that happens. Some Departments here are doing the same. Private bodies are being asked to undertake voluntary pay audits, but I am not sure whether that will work out in the long term.

The position of women in terms of employment has been improved by the introduction of much more child care. Many more child care places are available in Wales, although they are still too expensive for some women to be able to take advantage of them. Maternity and paternity rights have been increased and great efforts are being made to help people to manage the balance between their family responsibilities and work. That is crucial.

Hywel Williams: On child care, does the hon. Lady agree that the problems in rural and dispersed areas are a significant barrier to women taking up employment? Can she suggest how those difficulties could be addressed?

Julie Morgan: I agree that the provision of child care in rural areas is a key issue. The solutions that apply in urban areas do not apply in rural areas, where there has to be far greater emphasis on child minders and on provision for smaller children. The child care group in the Assembly is considering that.

I want briefly to welcome two initiatives in Cardiff that have come about as a result of the partnership between the Labour Governments here and in the Assembly. One of those is the opening of the new ambulatory care unit in Heath hospital in Cardiff, which is the biggest of its kind in the UK. It means that 4,000 people will receive treatment for minor surgery much earlier than they would have done. Opposition Members throw a great deal at us about health, but there have been enormous improvements. That particular development will be a huge asset to the people of the region around Cardiff.

Another initiative is the women's safety unit in Cardiff, which has had its funding secured by money from the Home Office and from the Welsh Assembly. It is a tremendous step forward in looking after the safety of women in Wales who suffer from domestic abuse.

6.8 pm

Paul Flynn (Newport, West): To experience at first hand the ugly reality of the threat that has come again to Wales as regards steel jobs, one has only to visit some of the four newly derelict sites in Wales. It is an eerie experience to go to Llanwern, which I know well. When the steelworks was laid out brand new in 1962, it was shining, vibrant and exciting, with the best people from steel plants all over Britain. Now, those gigantic structures are still standing, but they are silent and rusting where once there were jobs and prosperity. We should think about what has happened to the lives of thousands of our constituents. Not only have they lost their jobs and the scrap of dignity that comes from having a job, but the job itself has gone, because the skill has been destroyed. They have nothing to look forward to and no expectation of a similar occupation for their children. We have suffered grievously in Wales. In 2001, we lost 3,000 jobs, and now the sword of Damocles is hanging over our communities again. It is right that we should say in this debate that it is an awful threat that could have devastating effects on many of our constituents.

That situation is not the fault of the steelworkers. In recent years, they have been part of an incredible success story for the steel industry in Wales; they have adapted, rationalised, and shared and lost jobs. At one time, there were 9,000 jobs at Llanwern. That number went down to less than 3,000, yet the workers achieved record production of steel of record quality.

The main message that the House should send today is that we are anxious about the current situation for the industry and want the Government and the Assembly to do their utmost to ensure that steel jobs are saved and that there continues to be work in the industry.

My final point is on energy production. The most promising form of renewable energy in Wales—the most benign and non-polluting form—was not mentioned in the recent presentation made by the Secretary of State for Trade and Industry. Indeed, it was hardly mentioned in the White Paper. That form of energy is tidal power, which is not intermittent, like solar or wind power, but continuous. The tides around our coasts produce constant pulses of energy, which could provide valuable baseload electricity.

Many of us have supported the erection of barrages over the years. The barrage at La Rance has been a great success and produces the cheapest electricity on the planet. However, the environmental impacts, such as the disturbances to shipping and the effects on wildlife and tidal flows, mean that barrages are no longer the way forward. Lagoons are a far more effective way of tapping tidal energy. There are plans for three in Wales: one at Swansea, one off the north Wales coast and one at Uskmouth.

We must embrace such developments, which are the only way that Britain will reach its energy targets by 2010. Lagoons can be built cheaply; they are low cost and are not blots on the landscape. They are especially of interest in Wales, where it is likely that the first tidal lagoons will be built. They take only three years to build and will give us clean, non-polluting, inexhaustible British power.

6.13 pm

Albert Owen (Ynys Môn): As a member of the Welsh Affairs Committee, I am pleased to be called to speak in this debate.

One of the Committee's main inquiries recently was into transport in Wales. Although we investigated all modes of transport, I shall concentrate on ports and internal Welsh air services, as roads are a devolved issue. I shall do so in a positive light, given the exciting developments that have already occurred throughout Wales and those that are likely to occur in future.

I shall not be able to afford that generosity to the railways, however—and I say that as someone who regularly travels with my hon. Friends and the hon. Member for Caernarfon (Hywel Williams) on the west coast service from Holyhead to Euston. Although I welcome the increased UK spending, from £2.1 billion in 2001–02 to £4.3 billion in 2005–06, performance and reliability are not good. There is a general feeling that the fragmentation of the rail industry is hampering recovery, after more than 20 years of under-investment. The component parts of the industry—Railtrack, Network Rail, the regulator, the Strategic Rail Authority and the rail operators—merely seem to blame one another when confronted with difficulties.

There are great concerns about the west coast main line service. On 9 October 2002, the SRA published its west coast strategy. Under the heading "North Wales", it states:

> "From 2004 there will be a London-Holyhead through 125 mile/h *Voyager* service every two hours. There are further options to review the overall pattern of services on the route, including integrating the London timetable with services between Birmingham/Manchester and the North Wales Coast."

That fine strategy was echoed by the chief executive of Virgin Trains in his evidence to the Select Committee and in a meeting with the north Wales group of Labour MPs.

Excellent! That meant seven return journeys to the capital of England from north-west Wales. But in 2003, in a letter to me and other MPs and stakeholders, from which I shall quote selectively, the SRA stated:

> "The original plans by Virgin Trains were to provide a total of seven services each way between North Wales and London, but it has now become apparent from more detailed analysis that this level of services cannot be delivered to North Wales as originally planned . . . The core problem is that an inadequate number of units were ordered originally to operate the enhanced level planned by Virgin Trains, including its services to Holyhead . . . The current assumption is that there will be three or four new 125 mph trains each way from . . . 2004."

Why has Virgin Trains been awarded record compensation and made huge profits when it is unwilling to fulfil its original commitment?

Hywel Williams: Does the hon. Gentleman agree that the planned level of service is little better than the service from north Wales that we have at present, which is tempting people like me, who are committed users of the rail, to use cars? That is a disaster for Virgin Trains and for the environment, as well as for the economy in north Wales, because of the disincentive effect of such a poor service on inward investment.

Albert Owen: I agree that the proposed service, as outlined in that last letter from the SRA, is not going to encourage people to use the railways. The new trains might be faster, but they might also be smaller and have less capacity than the present ones. That, too, is a great worry.

The port of Holyhead is a major employer in my constituency, and it obviously relies on an efficient rail service just as much as it does on the new enhanced road service that has been developed since 1997 under the Labour Government. In recent months there has been excellent news of record investment in the port. Some £13 million has been invested in its infrastructure, and a £3 million objective 1 grant will be topped up with private cash, showing that objective 1 really is working for north-west Wales. I am going to make an overtly political point here, because whenever the Assembly Member for my constituency of Ynys Môn—the president of Plaid Cymru—gets to his feet in Cardiff, he says that there is no evidence of objective 1 working in north-west Wales. Yet that same individual is happy to have his photo taken outside the port with the managers, saying how good the delivery is locally for Anglesey. That says a lot about the double standards of the president of the party of which the hon. Member for Caernarfon is a member.

This investment will secure jobs and create new jobs, creating a world-class port—the largest on the western seaboard of the United Kingdom and the fourth largest in the UK—which is dubbed the European Celtic gateway. This new investment has already been earmarked as a catalyst for a further £33 million in road,

[Albert Owen]

port and town improvements. Some 2.5 million passengers travel through the port of Holyhead each year, and the planned expansion under objective 1 will result in a further 347,000. I pay tribute to the Under-Secretary of State for Wales, my hon. Friend the Member for Islwyn (Mr. Touhig) for his help in ensuring that the objective 1 bid was successful. Cruise liners berth in the port of Holyhead because it has excellent 24-hour tidal usage. Marine development is also taking place there, and it is well placed strategically to serve the Irish sea offshore wind industry, which I know will please my hon. Friend the Member for Newport, West (Paul Flynn). Investment locations close to the port are also planned. This proves that investing in our transport infrastructure and our ports results in good news.

In my remaining time I shall talk about air services—I realise that other hon. Members wish to speak. The hon. Member for Ribble Valley (Mr. Evans) has been very helpful in supporting my bid for the Anglesey airport at Valley. The Liberal Democrats have also assisted us in our bid to get a link between north-west Wales and the south-east. Indeed, the Secretary of State for Transport, in a statement to the House on the future of air transport in the UK on 23 July, said:

> "Because two thirds of passengers living in Wales fly from airports in England, the consultation covers improved surface surface links to airports in both Wales and England, and looks at the potential to start up internal flights within Wales, which would improve access where surface journeys are lengthy."—[*Official Report*, 23 July 2002; Vol. 389, c. 848.]

Anybody who has travelled on the A470 knows how lengthy the journey is between north and south Wales.

Will the Minister in his winding-up speech reassure me that the idea of an airport in RAF Valley, with which he is familiar, will be part of the consultation, so that we can advertise the facilities there? If we are looking for a model in which an RAF airfield has been used commercially, we need go no further than Newquay and RAF St. Mawgan, which is now a major and successful airport on the periphery of Cornwall, bringing thousands of tourists to the area and helping to stimulate economic regeneration. I want to echo that in north-west Wales.

6.20 pm

Mr. Wayne David (Caerphilly): The future of Wales depends on the success of our economy. We have heard a great deal over the years about objective 1 status for west Wales and the valleys, and it is extremely heartening that genuine results are being achieved in that programme. For example, 579 projects in Wales are funded by objective 1 resources, and £336 million has already been allocated to those projects. In my constituency of Caerphilly, the Tredomen business park, the new sports hall in Abertridwr, the new training courses at Ystrad Mynach college, the youth cyber café in Bargoed and many other projects have been funded by objective 1 moneys. That is one of the main reasons why there has been a dramatic 36.9 per cent. reduction in unemployment in Caerphilly. I was delighted by the announcement two weeks ago that 300 jobs would be created in Caerphilly with a new computer manufacturer. The previous week it was announced that 149 extra jobs would be created by three employers. That is tremendous news, and it is a fair reflection of how well the economy is doing in major areas of south Wales.

My constituents' quality of life is improving dramatically because of the policies of central Government and the National Assembly. More jobs have been created, and there are more training opportunities, more policemen on the beat and better health provision. However, there is still a huge problem: Caerphilly county borough council, a nationalist-controlled local authority. It is not just me, the people of Caerphilly and my hon. Friend the Under-Secretary of State who say that it is a problem, but the external auditors.

A few weeks ago PricewaterhouseCoopers prepared a devastating report that said quite clearly that Caerphilly county borough council was underperforming, and was one of the worst local authorities in Wales. In a third of all performance indicators the local authority was in the bottom 25 per cent. The report singled out poor education standards, and also said that the authority's social services regime was appalling. That nationalist local authority lacks coherent policies, vision and a sense of social purpose. It claims to be a listening council, yet only the other day, despite the presentation of a petition signed by 1,000 people against the location of a waste transfer station in the village of Bedwas, it went ahead, completely ignoring public opinion.

The person who has to take responsibility for that underperforming council is the leader of the council, Councillor Lindsay Whittle. There is a saying in Caerphilly—"Antisocial behaviour is a real problem". It is, but it comes not from disaffected young people, but from an underperforming local authority. Lindsay Whittle, the leader of the nationalist council, having made a complete mess of the local authority, now wants to stand for the National Assembly for Wales and represent Caerphilly. I can tell the House that he has tried and tried again to secure a parliamentary seat, and lost every time. I can also tell the House that he will fail to be elected to the National Assembly.

As we go into the elections we must not rest on our laurels, for although much has been achieved in Wales we should look to the future and what we might achieve over the next few years. We should concentrate on tackling economic inactivity, as my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Havard) has said. That means doing three things. We need innovative policies: we need, for instance, to develop intermediate labour markets to bridge the gap between welfare and work. We need more complementarity between policy areas such as health and economic development. Finally, we need better co-ordination between the Assembly and central Government, particularly the Department for Work and Pensions. I am confident that those things will be done in the future.

I can honestly say that I am proud of the Assembly's achievements since 1999. We have a proud record there—and, indeed, in central Government. I have no doubt that on 1 May we will secure a Labour majority in the Assembly—and we will, of course, hold Caerphilly.

6.26 pm

Llew Smith (Blaenau Gwent): I join the Secretary of State in congratulating Rowan Williams on becoming Archbishop of Canterbury. Anyone with the good sense and decency to oppose a war in the Gulf deserves to be listened to. I am sure that Rowan Williams would support those of us who say there is something wrong with our priorities when we are willing to devote some £1,750 million to preparing for war when that money could be used in communities not just in Wales but throughout the United Kingdom, to provide better homes, hospitals and schools. Indeed, the list is endless, but we could certainly use a lot of that money in Blaenau Gwent. It would enable us to transform our communities.

We have real problems in Blaenau Gwent, many of which—such as bad health and poverty—are interrelated. Everyone now accepts that although the national health service needs more money, and although we welcome the extra money that has been provided, tackling bad health is not enough: poverty must be tackled as well, and we have poverty in abundance in Blaenau Gwent. If we are to tackle poverty, we must tackle the causes of poverty, one of which is unemployment. Our unemployment rate is still unacceptable. We have lost big manufacturing plants—Bosal, Faurecia and Wyvern Furniture. We have lost the coal industry, and more recently we have lost Corus—and, indeed, the steel industry.

It is interesting to hear the Secretary of State talk of possible further redundancies at Corus, and the need to try to persuade the directors to change their plans. In my opinion, talking to Corus is an utter waste of time. It was set up for one reason and one reason only: to asset-strip the industry—and in that regard it has been successful. Sadly, while the directors became millionaires overnight, the people who built the steel industry and took pride in it were thrown on the scrapheap. The Labour Government are doing as much as possible to begin to rectify that wrong.

When we fought the 1992 election we used the slogan, "Tough on crime, tough on the causes of crime". I supported that slogan, and with it in mind I consider that what Corus has done for the steel industry constitutes a criminal act. I think, and I know that the rest of my community shares this sentiment, that we should jail the directors—jail the lot of them. They have not only inflicted a terrible crime on my community; they are increasingly doing the same in communities throughout the United Kingdom.

It is clear that this Labour Government have done many good things to begin to rectify poverty, of which the minimum wage is one. If we build on that, it will be the most important legislation produced by this Government since we came to power in 1997. The Government have also negotiated objective 1 funding, and the central Government public spending settlement for the Welsh Assembly is certainly one of the best for Wales that I can remember since becoming involved in politics. Sadly, much still needs to be done, and the Welsh Assembly needs to change its priorities in terms of how that money is spent. It is true that many good things have been done. In my community there is the reintroduction of the passenger rail service, the Cwm bypass, the redevelopment of the old Dunlop Semtex site, and the proposed new hospital. However, we must compare that with the money that is being invested in the millennium arts centre in Cardiff bay: £100 million, and a £2 million a year subsidy for ever and a day. The cost of that art centre far outweighs all the investment in the projects that I have mentioned.

Another problem that my local authority faces is the local government formula, which determines how much money goes to each local authority. Each local authority throughout Wales produces broadly the same range and level of services. However, council tax levels vary widely, with the poorest valley region often having to pay nearly twice the lowest level. Indeed, the valley regions suffer the highest levels of deprivation in Wales. For the poorest communities in Wales to have some of the highest council tax levels is an unsustainable position.

Whatever criticisms I may have of the Welsh Assembly are as nothing, however, when compared with my criticisms of the nationalists. We all remember valley communities asking the Welsh Assembly two or three years ago for some form of damping grant, to begin to rectify the wrongs and deal with the deprivation that they face. Sadly, the Welsh nationalists refused to vote for that additional money. They refused to support an initiative that gave more money to communities such as ours.

I suppose that the nationalists are in a somewhat difficult position. Deep down, they believe not in a partnership between the Welsh Assembly and this Parliament, but in separation and independence. I know that they are reluctant to put that argument, but it is difficult for them to hold back their enthusiasm for it. Some years ago, their glorious leader, Ieuan Wyn Jones, said:

> "Labour are clearly unable to win a general election and self-government for Wales is the only answer."

I think that he got that slightly wrong.

Sadly, Ieuan did not tell his good friend Cynog Dafis, who then said:

> "Plaid's aspirations remain full self-government . . . the status that used to be called independence."

Not to be outsmarted, Ieuan hit back and declared:

> "I think self-government now needs to be redefined. I much prefer to use"

the term "full national status."

That seemed to resolve the problem and to overcome some of their difficulties. However, in a nationalist leaflet that was distributed to my home a few days ago—it was one of the first, if not the first, in the party's attempt to win the constituency—Ieuan declared that what his nationalist party stands for is "self-government". So national self-determination, home rule and the many other phrases that the nationalists have used in their lifetime have suddenly been thrown out of the window. They now accept that they stand for self-government, and as Cynog said, self-government actually means independence.

[Llew Smith]

People are not stupid, and they understand what the nationalists are all about. No matter what words they use to hide their true feelings, the party wants Wales to be separated from the rest of the UK. That would be counter-productive. We must realise that there is no difference between unemployed people in south Wales and those in London, or between unemployed steel workers in south Wales and those in the north of England. Rural workers in mid-Wales are no different from rural workers elsewhere in the UK or England.

The problem is not one of nationality. We must change the system under which we live. Sadly for the nationalists, what they argue for would cause further problems for us as a community. It would split one part of the UK from the rest, when we should be united in recognising who the enemy is. The English are not the enemy. The enemy are the Coruses of this world, and such companies are raping our communities, as they were raped many years ago.

6.36 pm

Mr. Bill Wiggin (Leominster): It is a tremendous honour to wind up such a well-attended and wide-ranging debate. H[illegible]embers from all of Wales have contributed, and [illegible] try to do them justice.

Contributions were made by the Secretary of State for Wales, my hon. Friend the Member for Ribble Valley (Mr. Evans) and the right hon. Member for Llanelli (Denzil Davies). The hon. Members for Preseli Pembrokeshire (Mrs. Lawrence), for Montgomeryshire (Lembit Öpik), for Meirionnydd Nant Conwy (Mr. Llwyd), for Clwyd, South (Mr. Jones), for Ceredigion (Mr. Thomas) and for Vale of Glamorgan (Mr. Smith) also spoke. There was an excellent speech from my hon. Friend the Member for New Forest, West (Mr. Swayne) about the important subject of midwifery and childbirth in Wales—an important subject but, sadly, a short speech.

Other speeches were made by the hon. Members for Gower (Mr. Caton), for Brecon and Radnorshire (Mr. Williams), for Clwyd, West (Gareth Thomas), for Merthyr Tydfil and Rhymney (Mr. Havard), for Aberavon (Dr. Francis), for Alyn and Deeside (Mark Tami), for Cardiff, North (Julie Morgan), for Newport, West (Paul Flynn), for Ynys Môn (Albert Owen), for Caerphilly (Mr. David) and for Blaenau Gwent (Llew Smith). The last named made a weighty contribution.

My personal fondness for Wales began when I attended Bangor university and served with the Royal Welch Fusiliers. All our thoughts will be with our service personnel in the Gulf, especially with those from Wales.

I was delighted when the hon. Member for Aberavon said that my constituency, being on the borders, had a real Welsh name and he was kind enough to mention that that name is Llanllieni. In the true spirit of bilingualism, I thought that that would look very good next to the word "Leominster" on the annunciator screen. You can imagine my disappointment, Mr. Deputy Speaker, when the powers that be in the House told me that such a gesture of unity with Wales was not allowed. I hope that you will look into that rather strict rule.

The Government have a passion for devolution. That is clear from the amount of money, time and effort that they have put into forming and funding the National Assembly. It is a shame that their enthusiasm for the institution has not been more widely shared by the people of Wales. Indeed, the coming Assembly election will be a litmus test for the Labour party in Wales and the Welsh Assembly itself.

Before the siren voices of the nationalists call for more powers, I believe that the Welsh people will give credit where it is due. If they feel that the Assembly has used its powers wisely and credibly, I hope that they will turn out in support. Last time, turnout was only 46 per cent. If people see the Assembly as a stepping-stone for independence, they will be hesitant in their support. Hon. Members have rightly voiced their reservations, based on the problem that revenue earned in Wales does not equate to revenue spent in Wales.

The Government have other problems to deal with in Wales, as well as across the UK. Their railway policy has changed dramatically. The Wales and Borders franchise has been delayed for bureaucratic reasons. That is unforgivable, particularly when the Government and their Liberal Democrat helpers have gone to so much trouble to blame previous Conservative Governments for difficulties with rail travel. Now we have the Labour-created Strategic Rail Authority—

Lembit Öpik: Will the hon. Gentleman give way?

Mr. Wiggin: No, I will not.

The hon. Gentleman spent his speech telling us how important it was to be inclusive and not personal and then decided to attack Conservatives by quoting directly. He always does that.

In my constituency, we still do not have disabled access at Leominster station, so it is particularly disheartening when we find that the Labour-created Strategic Rail Authority is taking trains out of service and cutting £312 million from the rail budget. It is time for the Government to take some responsibility for undermining our railways.

Everyone in Wales, in some way or other, is a victim of the way in which the Government run Welsh affairs. I wish to turn to crime—*[Laughter.]* Solely for the duration of the debate. Crime is another issue on which the Labour Government have failed. It is no secret that crime in Wales has risen significantly since Labour assumed power in 1997. There has been a 27 per cent. increase in robberies, a figure that has grown steadily and continues to do so. From 1998 to 2002, violent crime rose by 13.7 per cent.

Those figures contrast with the fact that, since 1997, there has been a steady decline in the number of special constables serving in Wales. In 1997, there were 1,150 special constables, which decreased in 1999 to 940, in 2000 to 811 and finally to 701 in 2002. How can reducing the number of serving special police constables in Wales possibly be conducive to reducing crime in Wales?

Increased gun crime and the illegal drugs trade are serious issues throughout Wales. *The Western Mail* reported that, in Gwent, firearms offences increased by more than 64 per cent. last year. Again, how can a reduction in the number of serving special constables be helpful in that regard?

I now want to turn to health, another example of how, despite taxes going up in this country, public services do not appear to be getting any better. The Conservatives continue to press the Government on the rising waiting lists and GP shortages in Wales. The Government, with their Lib Dem coalition partners in Cardiff, appear to be oblivious to the horrendous waiting lists in Wales, which have risen by an average of 1,000 people every month since 1997. The number of people waiting over 18 months for in-patient treatment has risen by 240 per cent. since 1997, while the number waiting over six months for out-patient treatment has grown by a staggering 1,300 per cent.

The Welsh Assembly coalition has broken an important promise. They vowed that these waiting lists would be eradicated by the end of Labour's first Assembly term. We find that the Government have less than two months to fulfil that promise; it seems highly unlikely that they will. The latest figures, published last year, reveal that 1,747 NHS posts have been vacant for three months or more. That represents an 18 per cent. increase on the figure published just six months earlier.

Despite all the overwhelming evidence that the Government's tax-and-spend policy is not working, the Welsh Assembly Government are continuing to press ahead with further plans to restructure the health service and further bureaucratise and regulate the activities of hard-working doctors and nurses. Jane Hutt, the Welsh Assembly Health Minister, promised that this so-called restructuring would be cost-neutral. The crystal-clear reality is that there is nothing neutral about it at all. As we learned from my hon. Friend the Member for Ribble Valley, it will cost Welsh taxpayers at least £15.5 million.

Economic issues in Wales must cause extreme concern to us all. A recently published report by the Institute for Public Policy Research, "A new regional policy for the UK", shows that Wales has the second lowest level of business start-ups in the UK, the third highest unemployment rate, the third lowest levels of income and the highest percentage of people on sickness or disability benefits.

In manufacturing, the situation goes from bad to worse. Welsh manufacturers have been the victims of sharper falls in new orders than the rest of the UK. Orders fell by 24 per cent in Wales, compared with 19 per cent. in Scotland, the next worst affected area. That contradicts the Secretary of State's assertion that the Welsh economy continues to hold its own against the UK regions. Furthermore, the Welsh economy has lost 10,000 manufacturing jobs over the past year. I note yesterday's foreboding of a strong chance of closure of the Corus steel plant in Port Talbot, with the potential for another 3,000 jobs to be lost—*[Interruption.]* I am delighted if that is not the case, but that is what I read in the newspapers. That is what is published. I confess that I find it hard to reconcile such a gloomy outlook with the remarkable picture that the Secretary of State claims that he can paint of the Welsh economy.

The CBI in Wales also points out a stark picture and states:

> "Welsh output . . . is predicted to decline over the next four months . . . business finances are significantly under pressure. This partly reflects the difficult economic climate, but policy-driven cost increases, including business tax rises, have also played a key role."

If that is not proof that the Labour Government are a business-wrecking Government, nothing is.

I turn to the impending council tax increases. It is not only business that the Government are taxing into the ground but the ordinary people of Wales. Council taxes are set to increase by a staggering 14 per cent., which is yet another example of the Chancellor's tax-and-spend policies. The Welsh Assembly Government persist in telling us that council tax increases are nothing to do with them but are at the discretion of individual local authorities. The trouble is that local authorities must pay for the extravagant, wasteful policies initiated by the Assembly, not least the ridiculous, monstrous waste of money that is the plan for the new Assembly building in Cardiff bay.

The bottom line is that this Government, in their capacity at Westminster and in the Welsh Assembly in Cardiff, have failed the people of Wales. The Government's approach to so many issues—crime, health, education, industry, agriculture, local government—is fundamentally flawed. Their policies are failing the people of Wales because they do not work.

What would it take to reverse that pattern of decline in Wales? There is only one answer: a radical rethink of how Government policy is implemented in Wales, and a radical revision of the approach that this Government have taken. That radical revision and new approach can come only from the Conservative party. Only the Conservatives have the vision to take stock of what is happening in Wales and reverse the decline by radically changing the policy approach.

6.47 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): This debate has once again demonstrated the important role that Welsh matters play in the affairs of the House. I am delighted that so many Members have taken the opportunity to contribute to a wide-ranging debate. Let me remind hon. Members of the progress relating to Wales that we have been making in this place in the last year.

The Health (Wales) Bill has come before Parliament: the first Wales-only Bill to be subject to pre-legislative scrutiny. Other Bills containing important provisions for Wales, such as the Planning and Compulsory Purchase Bill and the Local Government Bill, have been debated. In the post-devolution world, therefore, Wales's voice at Westminster remains strong, which is what the people of Wales want: a strong voice in Parliament and an influential and strong voice in Government. They would not support proposals from other parties to dilute that influence and weaken Wales's voice. The Tory sham of supporting devolution while constantly sniping at it is not the answer, nor is the nationalists' efforts to undermine it in their claims for separation and for the break up of Britain. The Liberal Democrats agree with everybody—as they always do, depending on whom they are speaking to—and have no answer either.

Many of the speeches today have reflected the progress that the Government, working in partnership with the Labour-led Assembly, have made over the past year.

Mr. Win Griffiths: Will my hon. Friend give way?

Mr. Touhig: If my hon. Friend will forgive me, I will not do so, as I must try to make many responses.

[Mr. Touhig]

Let us make no mistake: we have a good story to tell. I am far happier talking about the record of our Government than about that of our rugby team at present. Confident and ever-optimistic, however, I believe that the Welsh rugby team, like the phoenix, will rise from the ashes.

There are over 60,000 more people in employment in Wales now than there were a year ago. The agricultural and tourism sectors are making a strong recovery from the setbacks of previous years and exciting projects in both private and public sectors are being developed across Wales, such as Airbus, DARA at St. Athan, the Wales millennium centre, the Baglan energy park, and the proposed film studios near Bridgend.

General Dynamics' investment in my constituency is another success story. The Labour Government, working in partnership with the Labour-led Assembly, are delivering results in better jobs and more prosperity for the people of Wales. Those examples are part of our success story and they show the partnership between a strong Labour Government in Westminster and a Labour-led Assembly.

I wish to highlight three areas in which I have personally witnessed the benefits of that partnership in recent weeks. Only last Friday I attended an event to mark the new deal helping 50,000 people into work. I remember the Opposition saying that the new deal would not help to reduce unemployment. What do they say now about the 50,000 people in Wales who have jobs as a result of Labour's new deal initiative? They have no answer. Secondly, we are delivering results in fighting crime. Our investment has delivered a record 600 extra police officers in Wales and overall crime levels are down by 15 per cent.

Thirdly, by working together, we are delivering compensation to miners, and their widows and families, whose lives were damaged by working in the coal industry. Under the two miners' compensation schemes, we have seen almost 25,000 claims settled and £281 million paid out. We are now paying out £3 million a week to miners and their widows in the Welsh coalfields. However, there is much that still has to be done and we must not give up until justice has been delivered to all our miners and their families.

The hon. Member for Ribble Valley (Mr. Evans) talked about the problems in manufacturing, and I agree that it has had problems. However, 20,000 new jobs have been created in manufacturing in Wales. One in eight jobs in manufacturing have been created since 2000. The Welsh economy is now much more diverse than it was 20 or 30 years ago. Public investment is important to that, and it is enabling the building of new schools and hospitals as well as providing work in the construction industry. What would a 20 per cent. cut in public investment do for the economy of Wales? Not much. The hon. Gentleman also complained about the council tax. As a result of the support given by this Government to our colleagues in the Assembly, funding for councils in the next year will increase by more than 9 per cent. in Wales, which is almost three times the rate of inflation. The hon. Member for Leominster (Mr. Wiggin) mentioned council tax increases, but one of the biggest increases is in the Conservative-run Vale of Glamorgan. Its council tax will go up by 10 per cent.

It is important that we ensure that funding goes to our local authorities to deliver improvements in services. The hon. Member for Ribble Valley also expressed concern about waiting lists, but 200,000 more people have been treated in Wales since Labour came into government. We have had to correct 18 years of under-investment. We remember the Conservatives in government, when 70 hospitals were closed between 1979 and 1997 and 8,000 general acute beds were lost as a result of their policies. The hon. Gentleman is also clearly at odds with the Tory health spokesman in the Assembly who has said that the NHS needs extra resources, which should be funded from taxation. That is not what the Tories say when we increase national insurance to fund the health service.

My hon. Friend the Member for Preseli Pembrokeshire (Mrs. Lawrence) made two important points. She talked about the exciting Petroplus project in her constituency. I recently visited it and I wish it every success. She also mentioned the Bluestone development, which is an important tourist initiative. I hope that the planning authorities will do everything possible to speed up the decision on that development.

The hon. Member for Montgomeryshire (Lembit Öpik) outlined the achievements of the National Assembly, and they are Labour achievements. Labour promises were made and delivered by the National Assembly.

Lembit Öpik: Will the Minister give way?

Mr. Touhig: I regret that I cannot give way, because I have to respond to so many contributions to the debate.

My right hon. Friend the Member for Llanelli (Denzil Davies) talked about the economic problems that we still have, but he acknowledged that we have made a good start. He made a powerful case for exercising caution before making the further constitutional changes advocated by the hon. Member for Montgomeryshire.

The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) also raised the issue of waiting lists. Long waiting lists are not acceptable and my colleagues in the Assembly are taking steps to meet that challenge. Vast sums of money are going into the NHS, and reforms are being made, so that we can deliver. My colleague Edwina Hart, the Assembly Minister for Finance, Local Government and Communities, has called in Derek Wanless, who will carry out a review of NHS spending in Wales, and we look forward to that.

The hon. Gentleman also talked about the problems of match funding. Well, this Government said that we would not let Wales down when we won objective 1 funding, and we did not. The spending review in 2001–02 delivered above-Barnett consequentials for funding in Wales, and we have benefited from that. His criticism of the WDA was unfair. The WDA is setting higher targets; next year, it aims to create or safeguard 48,000 jobs in Wales. That is important to the Welsh economy and we should welcome it.

My hon. Friend the Member for Clwyd, South (Mr. Jones) welcomed the way in which pre-legislative scrutiny has been handled. He mentioned the Health (Wales) Bill in particular and I thank his Committee for its work. I suspect that further work for it will be coming down the track.

The hon. Member for Ceredigion (Mr. Thomas) raised concerns about his unitary development plan. New legislation that is going through the House may help his constituency, but I was very concerned about his remarks. If he has not already done so, I suggest that he brings these matters to the attention of Assembly Ministers. I will undertake to ensure that a transcript of his comments is passed on to Assembly Ministers.

My hon. Friend the Member for Vale of Glamorgan (Mr. Smith) welcomed a number of measures, such as the working families tax credit and the minimum income guarantee, mentioning the benefit that they have brought to his constituents. I pay tribute to him for his campaign to improve the health of air passengers on long-haul flights. He has done a tremendous job.

The hon. Member for New Forest, West (Mr. Swayne) popped up and made a contribution. He was concerned about maternity services. His party, when in Government, presided over a 25 per cent. cut in nursing and midwifery training. That is his party's record. We were left to clean up the mess and to overcome the nursing shortages that we inherited. Our target is to employ 6,000 more nurses in Wales by 2010. We are on target.

My hon. Friend the Member for Gower (Mr. Caton) spoke about the dramatic cut in unemployment in his constituency and about the importance of the minimum wage. I agree with what he said. The hon. Member for Brecon and Radnorshire (Mr. Williams) spoke about KTH at Llanidloes. I know that Team Wales has been asked to see what it can do to save those jobs. My hon. Friend the Member for Clwyd, West (Gareth Thomas) mentioned that today's debate is closer to St. Patrick's day than St. David's day. He should not worry too much about that because St. Patrick was a Welshman. He came from Gwent. I know that for a fact.

My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Havard) talked about economic inactivity. He is right: 300,000 people in Wales are economically inactive. We have to use projects such as workstep to find ways of getting them into work. My hon. Friend the Member for Aberavon (Dr. Francis) spoke passionately about the steel industry in his constituency. I assure him that my right hon. Friend the Secretary of State and I will do all that we can to help to protect the jobs at Corus in Wales. My hon. Friend the Member for Alyn and Deeside (Mark Tami) spoke about the importance of manufacturing, training and modern apprenticeships, and my hon. Friend the Member for Cardiff, North (Julie Morgan) spoke about equal pay. I share her hopes and aspirations on that.

My hon. Friend the Member for Newport, West (Paul Flynn) reminded us of the suffering inflicted on communities as a result of steel job losses. That suffering has been all too stark in parts of Wales. My hon. Friend the Member for Ynys Môn (Albert Owen) raised important issues to do with rail transport. My hon. Friend the Member for Caerphilly (Mr. David) welcomed the improvements in his area as a result of objective 1. He also highlighted the fact that we have a terribly badly run Welsh nationalist council in Caerphilly; we have good officers and staff in Caerphilly but a lousy council leadership that is failing the people of Caerphilly. My hon. Friend the Member for Blaenau Gwent (Llew Smith) welcomed the minimum wage. It is right that we should build on that.

People in Wales face a choice on 1 May. They can return a Labour Administration to the Assembly, based on our record of managing a sound economy and improving the health and education services. They can choose a Wales that is going forward and working in partnership with the Government here in Westminster—a Labour Government that is undoing the legacy of the Tory years. That is choice that they face. We want no more Thatcher policies in Wales. We will ensure that the people of Wales understand that as we come towards the election.

There is something else that people will have to remember in a few weeks' time. Our own daffodil Tories, the nationalist party, would take us back to the time of Redwood and Thatcher. The nationalists' choice is a path of separation and isolation, leading to mass unemployment and a divided society. The nationalists' vision is a Wales of elites and divisions—a country savaged by unemployment and cut off from our closest friends and neighbours just to satisfy the delusions of an extremist nationalist elite. The people of Wales will certainly turn that down. That vision is a nightmare.

On 1 May, the people of Wales will have a choice of returning a Labour Administration or of returning a Tory Administration that is committed to 20 per cent. cuts in public expenditure. They will have a choice of returning a Labour Administration in Wales that will give Wales a world-class economy, or of returning a nationalist party that will cut Wales off from the rest of the United Kingdom, leaving a barren outcrop of deprivation, unemployment and poverty. Labour wants a Wales in which the people of Wales can be confident of their future. I believe that the people of Wales will make the right choice on 1 May. I believe that they will turn out in their thousands to elect a Labour Administration in Cardiff.

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

INDUSTRIAL DEVELOPMENT (FINANCIAL ASSISTANCE) BILL

Ordered,

That, during proceedings on the Industrial Development (Financial Assistance) Bill, the Standing Committee shall have leave to sit twice on the first day on which it shall meet.—*[Mr. Ainger.]*

PETITIONS

Pharmacies

7 pm

Mr. Kerry Pollard (St. Albans): This petition—*[Interruption.]*

Mr. Speaker: Order. I advise Members not to cross in front of an hon. Member when he is addressing the House.

Mr. Pollard: Thank you, Mr. Speaker. This petition from Janet Smith and other citizens of St. Albans declares:

> That proposals to allow unrestricted opening of pharmacies able to dispense national health service prescriptions would undermine the excellent service provided by communities pharmacists.

The Petitioners therefore call upon the House of Commons to reject those proposals.

And the Petitioners remain, etc.

To lie upon the Table.

7.1 pm

Mrs. Cheryl Gillan (Chesham and Amersham): I wish to present a petition from more than 1,000 residents in Chesham and Amersham who use the Collins and Jervie pharmacy at 52 Sycamore road, Amersham and members of Chesham and Amersham who use the Fox pharmacy in Holmer Green. The petition declares:

> The proposals made by the Office of Fair Trading to allow supermarkets a bigger role in dispensing NHS prescriptions will endanger the viability of neighbourhood pharmacies in local high streets which serve the needs of local people; notes that neighbourhood pharmacies provide many services for their customers such as stocking oxygen cylinders and organising repeat prescriptions; further notes that the pharmacy is a fount of advice for patients, particularly mothers with babies and elderly people and that the supermarket is not necessarily more convenient for either of these age groups to visit.
>
> The Petitioners therefore request the House of Commons to reject the proposals by the Office of Fair Trading to allow supermarkets a bigger role in dispensing NHS prescriptions.
>
> And the Petitioners remain, etc.

To lie upon the Table.

Rail Services (Wilmslow)

7.2 pm

Mr. George Osborne (Tatton): I am delighted to present a petition of the residents of Wilmslow, Alderley Edge and the surrounding area that was organised by Andrew Stephenson, Jim Crockatt, Joan Barnes, Rod Menlove and Keith Chapman. The petition declares:

> That they believe that Wilmslow's direct rail service to London is of vital importance to the local community and the local economy, notes that it is used by 78,000 passengers a year, further notes that Virgin Trains wishes to maintain the service, and therefore strongly oppose the arbitrary decision by the Strategic Rail Authority to scrap the service without any local consultation and for no good reason.
>
> The Petitioners therefore request that the House of Commons call on the Secretary of State for Transport to instruct the Strategic Rail Authority to maintain the popular and important direct train service between Wilmslow and London.
>
> And the Petitioners remain, etc.

To lie upon the Table.

Rail Services (Hassocks)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

7.3 pm

Mr. Howard Flight (Arundel and South Downs): I am pleased to have the opportunity to raise the issue of the problems on the railway service from London to Hassocks, the main commuter station in my constituency. Those problems also touch on all the stations and commuters served by the Brighton line south of Gatwick, in particular the station at Burgess Hill.

I raise the issue at the request and with the support of the Hassocks amenity association, which is backed by Hassocks parish council, a number of other parish councils, the Hassocks village action plan and all three political parties. We are all looking to improve the train service and to campaign to reverse the significant deterioration that has been experienced in recent years.

There are specific objectives as well as specific problems. The specific objectives are to reintroduce the off-peak services to London Victoria that are no longer available, to increase weekend services, to introduce a Sunday Thameslink service, to restore a late-night service from Brighton, to introduce a shuttle service to Gatwick and to introduce more direct services to Hove.

Major problems need to be addressed, however. Cancelled services and trains not stopping at Hassocks as a result of congestion affect, in particular, mid-morning Thameslink services north and south. The extent of the delays has resulted in a considerable increase in the use of cars, with people travelling to Gatwick to get a reliable train service. The number of carriages has been reduced from eight to four, which has caused considerable passenger congestion, resulting in people sometimes being unable to get on trains.

The recent decision by the Strategic Rail Authority to stop the through-service to Bournemouth at Southampton means that citizens of the area who travel south and west no longer have direct access to Bournemouth. There are occasional problems with power supplies and the station is a derelict 30-year-old prefab. The station premises, including the platform, are dangerous for disabled people and the platform itself is inadequate, which is one reason for the reduced number of carriages.

A year ago I was enormously heartened when I met the managing director of the new operator who was negotiating the franchise. One merged company, the Go-Ahead Group, now represents South Central, Thameslink and Thames Trains. The new operator wanted to address key fundamental, as well as operating, problems. The biggest single problem is congestion at Gatwick. The Gatwick special service to London gets priority because of its success, as a result of which trains to the commuter stations down the line are delayed or cancelled if there are pressures to do so. In addition, the number of trains that can use the line in both directions is increasingly limited by extra services to Gatwick.

I mentioned the infrastructure problems at Hassocks station. It is necessary to replace outdated and dangerous rolling stock. There were also problems with cancelled trains because drivers were sick or did not turn up. The operators have dealt with the number of drivers and are going ahead with investment in new rolling stock, with 700 new carriages due to be installed by the end of next year, but as a result of having been granted a seven-year franchise rather than a 20-year franchise, that is the extent of the capital investment that they are willing to make. The rest of the capital investment falls entirely at the door of the SRA. That is the fundamental problem.

Mr. Nicholas Soames (Mid-Sussex): My hon. Friend and I share the same problem with the line, especially as far as Burgess Hill is concerned. Does he agree that there is confusion in people's minds because they think that the operator is responsible for the infrastructure and the stations? Those who are responsible for the work that needs to be conducted, to a much greater extent, at Hassocks and, to a lesser extent—although it is by no means unimportant—at Burgess Hill, are unsure and unclear when the money will be forthcoming. Does my hon. Friend know when the SRA will provide it?

Mr. Flight: There seems to be no idea whatsoever about when the money will be forthcoming. That issue arose at a major meeting at Hassocks with representatives of the SRA, the operators and various others. I feel slightly sorry for the operators. They get the blame for everything that people object to but, with only a seven-year franchise, they do not have the power to address some of the major issues.

As I was saying, all infrastructure investment seems to fall at the door of the SRA, and there seems no prospect of Network Rail taking on responsibility for the station. Indeed, the SRA said bluntly at the meeting in Hassocks that, given the additional cost of the west coast main line, there was no prospect of it affording in the foreseeable future the necessary capital investment to build a new station, make other infrastructure improvements, or address the major need for—to use rather simplistic language—a bypass in the train line around Gatwick in order to avoid the bottleneck.

The operators have made some improvements. There are now three trains an hour to London—two Thameslink services to London Bridge and one to Clapham Junction—but there is no prospect of a direct train to Victoria, which is one of the main central London destinations for commuters. Commuters still have to change trains in order to get to Victoria. The SRA and others made the point that, in addition to the Gatwick bottleneck, limited capacity at stations in London was a major problem.

It is fair to say that the reaction of a large number of citizens who gathered at the meeting with the parties that I have mentioned was one of acute depression. In effect, they were told that, other than marginal improvements that the operators can make, there was no prospect of relieving the rest of the problems.

West Sussex is to be obliged to cope with a substantial number of new houses, and some 3,000 of them are to be adjacent to Hassocks, west of Burgess Hill. Two new runways could be built at Gatwick, which would greatly increase the demand for trains to and from the airport. If Gatwick expands, there will be a big increase in the number of commuters on the line from Hassocks. Indeed, if the growth in use of the network continued at the rate of the past decade, there would be a 90 per cent. increase in traffic by 2016. There is absolutely no way that the infrastructure or the operators can address that growth without the required major investment. Indeed, the Government's objective of increasing traffic by 50 per cent. by 2010 cannot possibly be delivered on the present run-down infrastructure.

The key question is this: why on earth was a seven-year rather than a 20-year franchise granted? That has frustrated the delivery by the operators of quite a deal of capital investment. There is clearly insufficient funding for the SRA, or the SRA is giving priority to other needs at the expense of a congested area of the south-east, particularly the Brighton line. The prospect for rail transport serving my existing constituents and the new constituents who will come to the area as new housing is developed—indeed for the whole of the mid-Sussex area—is disastrous. My hon. Friend the Member for Mid-Sussex (Mr. Soames) would point to problems of equal magnitude that are encountered on the service to Burgess Hill and commuter stations close to it.

We have been told that there is no prospect of the SRA addressing the capital investment and infrastructure needs that will be required to cope with the increased population. What on earth is the Government's transport policy? Why are the basic rail needs of a part of the world that is required to cope with a great deal more housing and many more citizens to be completely ignored?

I am grateful for the opportunity to present the problems on behalf of my constituents. I hope that the Minister will take note in a constructive way and discuss with the SRA what might be considered, especially bearing in mind the rising need as a result of the likely expansion of Gatwick airport.

7.15 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): I congratulate the hon. Member for Arundel and South Downs (Mr. Flight) on securing the debate and providing an opportunity for the House to discuss train services to Hassocks.

Hassocks is a station on the busy London to Brighton line between Burgess Hill and Preston Park, a suburb of Brighton. Train services to Hassocks are provided by Thameslink and South Central. Station facilities, such as staffing for the booking office, are provided by South Central. The passenger service requirements for the relevant franchises set out the minimum level of service that must be provided. In the case of Hassocks, there must be a half-hourly service to London Bridge on the Thameslink franchise, and an hourly service to Victoria on the South Central franchise. All these trains originate from or continue to Brighton.

During the morning and evening peaks, trains are more frequent and serve a wider range of destinations. In the morning—between 6.30 and 8.30 am, for example—12 trains call at Hassocks on their way to London, and in the evening 14 trains from London call in the down direction between 5.30 and 7.30 pm. I do not underestimate the frustration that can be caused when trains are late or do not run at all, but the current level of service being provided on the line does not seem unreasonable.

[Mr. David Jamieson]

I mentioned the range of destinations served. Most southbound trains terminate at Brighton, with the exception of a few peak-hour services that run on to destinations such as Hove and Littlehampton. Northbound, there are regular through services to Luton, Luton airport and Bedford via Thameslink. That provides connections to the east midlands, Sheffield and Leeds. The regular South Central service runs to Watford junction, calling at Kensington Olympia. Connections can be made there for Virgin Cross Country and west coast main line services to the north-west, the north-east and Scotland. All those services can be accessed without the need to cross London or change stations. The Brighton to Watford Junction trains also provide the hourly service to Victoria by way of connections that can be made at Haywards Heath, Gatwick Airport, East Croydon or Clapham Junction.

Of course, this complex web of services brings its own problems, some of which were highlighted by the hon. Gentleman. One is that Thameslink trains, in particular, have to thread their way through a complicated series of stations and junctions in the London area and on to routes carrying the trains of a number of other operators. The inevitable result is that they are sometimes delayed, often because of the late running of other operators' services. Decisions then have to be made about how that lost time can be made up. One way of doing that is to run trains fast between Brighton and Haywards Heath or vice versa. Unfortunately, the result is that passengers wishing to use Hassocks are occasionally inconvenienced.

The Strategic Rail Authority stresses to all train operating companies the need to run their trains as advertised. It also emphasises the need to keep passengers informed of disruptions, cancellations and any late running that may occur. There will inevitably be cases when it is preferable either to cancel a service that is running late or to run it fast through some stations. It can then start its next journey on time and not add to delays elsewhere on the network by being late. There is a delicate balance to be struck between inconveniencing a small number of passengers so that a larger number elsewhere on the network are not delayed by knock-on effects.

Thameslink recognises the importance of striking the correct balance, and with that in mind, has out-stationed a team of managers at Brighton to advise on late running and make decisions on the ground. The hon. Gentleman might well respond that it is always his constituents who lose out. I am afraid that such decisions will always involve hard choices, but the fact is that Hassocks is comfortably smaller than most of the other stops that could be missed out in that way, and Thameslink ensures that it resorts to station-skipping only when an alternative train is available within a short time. My information is that the number of occasions when trains do not stop at Hassocks is fairly low. If the hon. Gentleman knows otherwise or has other information, I am sure that he will bring it to my Department's attention.

I appreciate that schoolchildren rely on the stopping services to go to schools in and around Hassocks. I also know that with new house building the population is rising, and that existing roads are already close to capacity. The hon. Gentleman pointed out that Hassocks, like Burgess Hill, was developed as a railway commuter town. Its station continues to serve a substantial rural area, including many other areas as well as Hassocks itself. I am sure that Thameslink will keep arrangements under review, so that if relative passenger numbers at the stations concerned change significantly, operational practice can be modified to match those changes. Of course, it is our ambition throughout the country to keep services under review so that they match any changes and are appropriate to any population shifts.

On track capacity, the Strategic Rail Authority has undertaken extensive consultation about capacity utilisation. That is relevant to a number of suggestions that have been made about increased services from Hassocks. The time to consider those suggestions will be when the Strategic Rail Authority is conducting its review of track capacity on the London to Brighton line. At present, the line is being used to its maximum track capacity and opportunities to introduce new services or add extra station calls to existing services are very limited indeed.

The hon. Gentleman may think that that sounds less than encouraging, but we are clear that the priority for Network Rail, the Strategic Rail Authority and the train operating companies should be to ensure that existing rail services operate consistently, reliably and punctually. We need services that passengers can rely on. In fact, one of passengers' main criticisms about our train services is lack of predictability. Of course, that is very important.

The rolling stock used on the great majority of trains that call at Hassocks is accessible to those with disabilities, including wheelchair users—an issue that I think the hon. Gentleman has raised with my Department in the past. However, some services—mostly the peak period ones—are still provided with slam-door stock that is not accessible in that way. The good news is that those trains will progressively be replaced with Electrostar trains, which are fully accessible and have wheelchair-accessible toilets.

Hassocks station is not fully accessible to all those with disabilities, but the necessary work will take place to make it so. The hon. Gentleman will not be surprised to learn that priority for such work is given to the busiest stations that are not easily accessible—Clapham Junction is a good example—but the focus is now shifting to the smaller and less busy stations such as Hassocks.

When the Strategic Rail Authority was negotiating the new South Central franchise agreement, it arranged for GoVia to take over the franchise from Connex in August 2001. It then began work with GoVia to specify a range of infrastructure enhancements. Later, when a decision was made to reduce the length of the franchise, there were knock-on effects for that infrastructure programme. That does not mean that the work will not take place, because the Strategic Rail Authority is taking over sponsorship of some of it. A proposal for capacity enhancement at Gatwick, including what has come to be known as the Gatwick bypass, is among the schemes that have been put forward, but it is too soon to say whether it will go ahead. Notwithstanding the outcome of the current consultation on air services, that scheme will be another consideration in future years should a decision be made arising from the consultation.

It is clear that the Brighton line needs improvement to achieve greater capacity, better signalling and higher speeds. It is a busy stretch of railway that runs through growing centres of population, so anything that can be done to increase capacity and improve reliability will bring major benefits. Some signalling enhancement has already been completed, and more is in progress. There is also a continuing track maintenance and replacement programme. The vast majority of the track slowings caused by gauge corner cracking have now been removed, but old track and sleepers still need to be replaced in certain areas. Coupled with the major track upgrades on both the Brighton line and the Arun valley line, that will allow improved frequency and journey times to the Sussex coast. Enhancements are also taking place at Gatwick Airport station to provide further performance and capacity gains.

The power supply arrangements for the introduction of new rolling stock are not satisfactory. Upgrading the supply to cater for the higher-performance trains ordered for the south-east was not factored into the investment programme by the industry parties involved as quickly or as clearly as it ought to have been. The Strategic Rail Authority has now taken the lead—as it has with the west coast route modernisation project—and, in partnership with the industry, has produced a plan to co-ordinate the work. This is a multi-million pound project that will be authorised and funded in stages. It involves upgrading and replacing substations, replacing cables and conductor rails, and upgrading electrical control centres. All that work is necessary because the new trains need more power. They are heavier and have extra features such as air conditioning—bringing better conditions for travellers—and modern traction systems. The work is already under way. High-voltage cables have already been laid in the inner-London area and the main power supply contracts are now being awarded by Network Rail.

We want to deliver a bigger, better and safer railway with increased punctuality and reliability, reduced journey times and higher standards of customer services. That applies to the services we have been discussing today as much as to the network in general.

Mr. Soames: My hon. Friend the Member for Arundel and South Downs (Mr. Flight) mentioned the physical infrastructure of Hassocks station. Although the news about the upgrading of the lines is welcome, is the Minister aware that it is not only Hassocks that faces a major problem? To a lesser extent, Burgess Hill and Haywards Heath have requirements for the most basic improvements to station facilities, which, to the travelling public, are every bit as important as improvements of the kind that he is talking about.

Mr. Jamieson: Yes, I am aware of that. That is why I said that improvements were being made progressively. The Government have made very substantial investment, but it is progressive. The problem to which the hon. Gentleman alludes is not new. It goes back many years, and certainly predates this Government.

The hon. Member for Arundel and South Downs queried the seven-year franchise. As he knows, it was to have been a 20-year franchise, but the Strategic Rail Authority decided that the 20-year deal was poor value for money, so it was renegotiated at seven years. He asked about the Government's policy on railways and said that there was clearly insufficient funding for the Strategic Rail Authority. That may or may not be the case, but I can tell him that the funding that has been made available to the Strategic Rail Authority is at record levels. Never, throughout many years of neglect, was so much money invested in our rail service. Just after Christmas, the hon. Gentleman was quoted in *The Daily Telegraph* as saying:

> "I am digging through current spending, finding opportunities for cuts. It's too early to say how much but it could be up to 20 per cent."

I assume that when he does his digging, cuts will not be identified in the services that would affect his constituents.

Mr. Flight: If the Minister had continued to read the article he would have noticed that I said that it was in order to have the funds for necessary areas of additional investment.

Mr. Jamieson: At another time, I would be interested in arguing with the hon. Gentleman about how we can make 20 per cent. cuts while continuing the level of investment that the Government are making in the rail system. I must politely point out that the two aims are inconsistent, but I am sure that he will argue his case convincingly in some other place at some other time.

The Brighton line is an important link in the south-east rail network. Although the hon. Gentleman may not have been entirely encouraged by everything that I have said, I hope that he will at least feel that our plans will deliver the service that his constituents have every right to expect. The debate has provided a useful opportunity to air some important issues, and I am grateful to the hon. Gentleman for initiating it.

Question put and agreed to.

Adjourned accordingly at half-past Seven o'clock.

Deferred Divisions

SOCIAL SECURITY

That the draft Social Security (Contributions) (Amendment No. 2) Regulations 2003, which were laid before this House on 24th February, be approved.

The House divided: Ayes 279, Noes 58.

Division No. 113]

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blackman, Liz
Blair, rh Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hughes, Kevin *(Doncaster N)*
Hutton, rh John
Iddon, Dr. Brian
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morgan, Julie
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*

Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wilson, Brian
Winnick, David
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

NOES

Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Breed, Colin
Brooke, Mrs Annette L.
Burnett, John
Burnside, David
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, Gregory *(E Lond'y)*
Carmichael, Alistair
Cotter, Brian
Davey, Edward *(Kingston)*
Dodds, Nigel
Donaldson, Jeffrey M.
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Oaten, Mark *(Winchester)*
Öpik, Lembit
Paisley, Rev. Ian
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robinson, Mrs Iris *(Strangford)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spink, Bob *(Castle Point)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wishart, Pete
Younger-Ross, Richard

Question accordingly agreed to.

House of Commons

Thursday 13 March 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

EDUCATION AND SKILLS

The Secretary of State was asked—

University Admissions

Dr. Vincent Cable (Twickenham): Whether the access regulator will set targets for university admission for (a) pupils from state schools and (b) pupils from working class backgrounds. [102699]

The Secretary of State for Education and Skills (Mr. Charles Clarke): No.

Dr. Cable: Does the Secretary of State not acknowledge that loose and careless talk by Ministers about targets, quotas and benchmarks has caused a large number of pupils, and their parents and schools, considerable anxiety about the integrity of the university admissions system? Will he confirm that the access regulator will not approve schemes based on postcodes, parental occupation, accents or schools, but will concentrate on the academic merit of individual applicants?

Mr. Clarke: We will publish our proposals for the access regulator, which will go through the various points raised in detail, in the next two or three weeks. I can confirm that access will be based on merit—and I reconfirm that it is not careless talk from the Government that has caused this issue to be raised; it is a series of misstatements and wrong views, attributed particularly to Bristol university but also to other universities, that wrongly describe the current admissions practice of that university. Much of the discussion about this issue is wrongly informed and fundamentally incorrect.

Mr. Barry Sheerman (Huddersfield): Will my right hon. Friend continue to stand up to this wicked little campaign by the *Daily Mail* and others in the popular press—and, indeed, by the Liberal Democrats? The facts surely are that the Bristol innovation is aimed at finding the true potential of students to benefit from higher education. Schools that gloss pupils up to get three A-levels cannot expect that to be the only criterion on which potential is judged.

Mr. Clarke: My hon. Friend is correct in every respect. Bristol university is an excellent university, as are many others. There is substantial over-application for places, so it has to decide the best way to choose whether to accept the people who come through. It has rightly decided to consider the merit of the applicants and their potential to benefit. A great deal of academic research indicates that in certain circumstances, the capacity to benefit from university education is greater in people who come by non-traditional routes. I was at a conference of universities and others in Newcastle on Tuesday, and other universities expressed their own commitment to precisely the approach that my hon. Friend has described.

Chris Grayling (Epsom and Ewell): One of my oldest friends from university—I went to Cambridge—came from one of the roughest working class areas of Salford. How does the Secretary of State think his children should be categorised if the access regulator considers the background of an applicant?

Mr. Clarke: Fundamentally, those children should be categorised on the basis of their merit, achievement and talent. That is how it should be done, and that is how it will be done. As I said to the hon. Member for Twickenham (Dr. Cable), the detail of the assessments to be taken into account is the subject of a paper that we will publish in the next two or three weeks.

Mrs. Anne Campbell (Cambridge): Nevertheless, I am sure that my right hon. Friend will agree that the access regulator is trying to increase the number of students from lower-income backgrounds who go to university. Many universities, especially those that I represent, are anxious to know what performance measures will be used. Can my right hon. Friend give us an indication?

Mr. Clarke: I am sorry that I cannot do so today, for the reason I gave earlier: I will publish a paper on this subject in the next two or three weeks. In paying tribute to my hon. Friend's work to increase access to the university that she represents, I can tell her that many colleges of Cambridge university, and other universities, are working hard to achieve what she describes. The ambition of our proposals is to ensure that the good work done by some colleges and universities is done by all.

2. **Mr. Michael Jack** (Fylde): If he will make a statement on his guidance to universities on their admissions criteria. [102700]

5. **Miss Anne McIntosh** (Vale of York): If he will make a statement on the number of 18 year olds going on to higher education in each of the last three years. [102703]

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): Admissions are the responsibility of individual universities. They should select applicants by merit, based on their potential to succeed. We encourage universities to use a wide range of measures to assess that potential.

Mr. Jack: I welcome the Minister's comments and the observations made by the Secretary of State a moment ago. Nevertheless, it is clear that however accurate or inaccurate reports about Bristol university have been, young people are deeply troubled and confused about exactly how their applications for admission to university will be determined under the Government's new approach to higher education. Even though it may be the universities' responsibility, would the Minister please think about issuing some clear guidance to young people about precisely how their applications will be determined? Otherwise, they will be in a state of complete confusion.

Margaret Hodge: As the right hon. Gentleman will appreciate, it is not up to the Government to determine the admission arrangements for individual universities. It would be inappropriate for us to issue guidance. I hope that he will join me in ensuring that the misunderstandings that have been spread, not least by some members of his party, can be put to rest. Applicants should know that their applications will be judged on their merit and their potential to succeed at university.

Miss McIntosh: What proportion of university applicants and those applying to university for the first time this year are aged 18? What are the Government doing to increase the proportion of those over 30 who enter university, and also to increase the proportion of people entering both full and part-time education, to enable her Department to meet its targets?

Margaret Hodge: I do not have the figures for the proportion of university entrants who are 18, but I will write to the hon. Lady.

Are we encouraging older people, and those who want to study part time, to go to university? Yes, we are, and the application and acceptance figures for those groups are very encouraging. We believe that as we encourage more people to undertake foundation courses, part-time study will become a way for older applicants to raise their qualification levels and hence their work potential.

Valerie Davey (Bristol, West): Does the Minister not think it incongruous that Bristol university is being accused of bias against the independent sector, when 39 per cent. of its students come from independent schools?

Margaret Hodge: I entirely agree with my hon. Friend, who represents the interests of all her constituents, and of Bristol university, admirably. I understand that 40 per cent. of entrants to Bristol university come from private schools, and in those circumstances it strikes me as difficult to accuse Bristol of positive discrimination against students from such schools.

Helen Jones (Warrington, North): Is my hon. Friend as concerned as I am about the fact that not only at Bristol but at some other universities the proportion of young people from public schools is far in excess of the proportion of the population that they represent? Will she arrange for the access regulator to examine the admissions system, to ensure that while there is no bias against students with such a background, there is no bias in favour of them either?

Margaret Hodge: The aim of the Government's policy is to ensure that all young people with talent and potential have an opportunity to realise their potential at university, whatever their background. The Government have a role to play in raising standards in schools and raising aspirations. We want universities to play their part and reach into communities to help us raise those standards and aspirations, selecting students on the basis of merit and potential.

Mr. David Rendel (Newbury): I am delighted to hear the Minister say that aptitude and potential should be the basis on which university students are selected. That is what my party has been saying. But given that A-levels are clearly not a particularly good guide to the degree class that students will obtain, can the Minister give some idea of the criteria that should be used to measure aptitude and potential? She rightly says that they should not be set by the Government, but it would be useful to have at least an idea of what they are.

Margaret Hodge: I have been saying for a long time that talent, potential and merit should enable people to gain university places and to succeed. As we have said, attainment at A-level must be one criterion in the assessment of who can succeed and who has the potential to excel, but it must not be the only criterion. It is not for us to prescribe the criteria that universities should employ; but Bristol is doing what Oxford and Cambridge, Nottingham, Leeds, Manchester and a number of other universities are doing in the case of a range of school leavers, and that is welcome. We will certainly keep those criteria under review.

Vernon Coaker (Gedling): If we want to widen participation in higher education, we have a real chance of doing so if we improve standards in some of our schools. More young people from all backgrounds will then be able to go to university. Should we not encourage those schools, and also encourage universities to support them, as Nottingham Trent already does?

Margaret Hodge: I entirely agree with those sensible comments. Nine out of 10 young people with two or more A-levels currently enter university. If we want to change the composition of those who enjoy the benefits of a university education, we must work extremely hard to raise standards, achievements and aspirations in all our schools.

Mr. Damian Green (Ashford): It is extraordinary that the Minister and the Secretary of State do not recognise how widespread the anger about the Government's policy on university admissions is. Even Trevor Phillips, the chairman of the Commission for Racial Equality—someone as new Labour as it is humanly possible to be—has said:

> "The ... consequence of a crude admissions policy will be simply to shut out large numbers of"

black and Asian families

> "for their commitment to education."

Does she agree with Trevor Phillips that under her Government, there is exactly that unfairness in some universities?

Margaret Hodge: Both the Secretary of State and I have received enormous support for our attempts to ensure that everyone who has the potential to succeed at university gets the opportunity to do so, whatever their background. It is a fact that far too many people from minority ethnic communities do not have that opportunity to develop their full potential. That is why our policies in schools, our policies to raise aspirations and our desire to have fair and open admission policies in universities will ensure equal opportunity for all.

Mr. Green: The hon. Lady talks about the welcome the policy has received, but last week she had to be slapped down by the Secretary of State when she let the cat out of the bag and said, with characteristic honesty, that the Government did intend to introduce targets for university admission from different social groups. Will she make up for that by announcing today that she is dropping the financial pressure that she puts on universities to meet the Government targets, and instead use that money better to encourage aspiration and excellence in secondary schools, which is the fair way to ensure that the right applicants get to university, whatever their social background?

Margaret Hodge: My right hon. Friend the Secretary of State and I completely agree on both the aims and the mechanisms that we are adopting to ensure that there is fair access for every individual in our community to develop their full potential, so that it is potential and merit, not class and background, that determine who gets a place at university. If the hon. Gentleman is so concerned to ensure equality of opportunity, he should be questioning the tax cuts that his party wishes to institute, which will lead to a lowering of standards and opportunity for all in our schools.

Science Research Funding

3. **Hugh Bayley** (City of York): If he will make a statement on his policy on science research funding in universities. [102701]

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): The Government are committed to supporting and encouraging the highest quality research to ensure that we continue to compete internationally. We have recently announced the most generous research settlement for many years, with expenditure on science and research increasing by £1.25 billion a year by 2005–06 compared with 2002–03—an increase of around 30 per cent. in real terms.

Hugh Bayley: I congratulate the Government on their generosity to the university of York in capital funding. The university has responded, with biological scientists there winning more research funding per capita than any other university in the country, and gaining the highest scoring in research evaluation exercises—but York loses out on revenue funding because it is a relatively small university. Will the Minister look at that problem to ensure that universities are rewarded according to the quality of their research output, not just the quantity?

Margaret Hodge: Like my hon. Friend, I congratulate the university of York on the high quality of its research and on its success in the recent research assessment exercise—but I do not recognise his figures. The figures that I have suggest that the university's research grant has gone up by £2,136,000 to £16,680,000 for 2003–04. I will, however, re-examine the moneys that have been received by the university from the Higher Education Funding Council to assure myself that the allocation is fair and just. I completely take the point that quality, not size of unit, has to be a factor in determining the allocation of research funding.

Alistair Burt (North-East Bedfordshire): Is the Minister not alarmed that universities appear to be equally concerned about the policy for science, as set out in the White Paper, and issues concerning access? How does she propose to resolve the practical problems surrounding recruitment to research if the base is to become smaller and more intensive, and the practical problems of collaboration in science, which badly affect university teams that may be currently small, but are excellent?

Margaret Hodge: The allocation of research funding for HEFCE this year is the beginning of a move towards ensuring that we can support properly the most excellent and world-competitive research that is essential to the development of products and services. We are talking to HEFCE about how we put into place financial levers and incentives to encourage collaboration, not just across departments—to get interdisciplinary research working—but across universities so that where there is a small but excellent research capacity, it can be encouraged to work with other equally excellent research capacities in other universities.

Mr. Kelvin Hopkins (Luton, North): A study reported in *The Guardian* today suggests that low pay among academics is a major cause of weakness in our science research base. Will the funding allocated by the Government directly address the problems of low pay?

Margaret Hodge: We have given the most generous settlement to higher education in my living memory, with a real-terms increase of 6 per cent. in funding each year for the next three years. One of the reasons for the generosity of the settlement is that we recognise the issue of the pay of academics. If we are to recruit and retain the best academics in British universities, we must address pay, and we have put the resources in place to enable universities to start to do that.

Local Government Settlement

4. **Bob Spink** (Castle Point): What assessment he has made of the impact on school budgets of the local government settlement 2003–04. [102702]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): The great majority of local education authorities have set budgets that will pass on to schools the substantial increase in funding that we made available in the 2003–04 settlement. Essex is among those who have said that they will not be passing on the full increase to their schools.

Bob Spink: That is an outrageously complacent response, even from this Minister. Does not he know that the settlement leaves Essex schools with a funding gap of £7.5 million? How should schools accommodate that disastrous shortfall? For instance, should they employ more classroom assistants instead of teachers?

Mr. Twigg: The hon. Gentleman should calm down. The Secretary of State has said that we expect Essex to passport the full amount in future years, and I hope that the hon. Gentleman will join the Government in urging Essex county council to do precisely that. I recognise that there are difficulties in some authorities and some schools, and we are receiving representations from them, including from some in Essex. But I should point out that since 1997 there has been a 37 per cent. increase in the money going to schools in Essex, and a trebling in the direct grants that go to schools in Essex through the school standards grant.

Mr. David Kidney (Stafford): Would my hon. Friend be interested in the outcome of a meeting of the F40 authorities in Stafford last week? It is fair to say that LEAs are still digesting the effect of the new formula on their finances, and are wrestling with a number of factors that have nothing to do with a change in the system—for example, falling pupil numbers, the new national insurance contributions and the extra contribution to the teachers superannuation scheme. However, of those 40 authorities, four left the campaign before the end and 11 have left the bottom 40 positions because of the change in the formula. The authorities have, responsibly, arranged a conference for the autumn, on 11 October, to take a dispassionate look at where we go next. I hope that a member of the Government will be able to support the conference at that time.

Mr. Twigg: I am happy to agree to do that: I, or one of my colleagues, will attend that event. I nominate—*[Interruption.]* The Secretary of State, of course, does the nominating. He also allocates the questions, and I am delighted to be answering this one.

My hon. Friend the Member for Stafford (Mr. Kidney) clearly illustrates my point, which is that the local government settlement has had a different impact in different parts of the country. I reiterate that we recognise that the combination of factors that he describes creates difficulties for some authorities, and particularly for certain schools. The responsible approach is for us to monitor that situation, and to keep in touch with local authorities in all parts of the country.

Richard Ottaway (Croydon, South): Does the Minister recall that when his Department last intervened in Croydon's education budget, that intervention was described by the Labour-controlled council as presumptuous, damaging and unnecessary? Does he agree that it is becoming apparent, however, that that intervention was not presumptuous, but very necessary? He will have seen reports in *The Independent* that Croydon's schools are threatened with a four-day week, and he will be aware of the crumbling schools and the cuts in respect of special educational needs. I urge him not to back off in a cowardly way, as he did last time, but to intervene, and to do so quickly.

Mr. Twigg: We have indeed intervened in Croydon. I am delighted to say that as a consequence of my right hon. Friend's intervention, the amount of money going into schools in Croydon is significantly more than was originally proposed by the local authority. We want to ensure that the money that we say should be allocated to schools in Croydon actually reaches them, so that they can continue their excellent work to improve education standards.

David Taylor (North-West Leicestershire): Parents, teachers and governors in Leicestershire are reasonable people. They were not expecting miracles from the new funding system—just a fairer share of the increased resources that our Government have given to education. Yet their authority is 150th out of the 150 local education authorities. Does the Minister believe that Leicestershire's position is merited by its mix of people and by the results that it is obtaining? Is it fair that schools in Greater Leicester but outside the city boundary, which receive 4,000 city children, are funded for those children at the county rate, rather than at the much higher city rate that they would otherwise have enjoyed?

Mr. Twigg: I am tempted to say that I refer my hon. Friend to the answer that my hon. Friend the Minister for School Standards will give a little later to a question specifically about Leicestershire. However, I am aware of the issues in Leicestershire, and I have met head teachers there as part of a series of conferences for primary head teachers this term. Through the new formula, we have sought to ensure that pupils in identical circumstances in any part of the country are treated identically. That is what we have tried to bring about through the settlement, although it is clear that some authorities have gained more from it than others.

Mrs. Eleanor Laing (Epping Forest): The Minister will be aware that many local authorities are dealing with their budget problems by closing special schools. [HON. MEMBERS: "No."] Hon. Members may say no, but special schools are being closed all over the country, and more and more such proposals are being made every day. Do the Government not see that this way of dealing with budgets and education policy is potentially damaging to some of the most vulnerable children—the ones who need more care, not less? I am sure that the

Minister appreciates that this issue is very important to families with children with special needs. Will he undertake to impose a moratorium on the closure of special schools, pending an investigation into this cruel policy?

Mr. Twigg: I am certainly aware that many authorities are looking at the nature of their provision for children with special educational needs. In some cases—but only in some cases—that may result in decisions to close special schools. Such decisions must be rooted in educational evidence and educational good practice, and I do not believe that there is any evidence to suggest that they are driven by a desire to save money, or are a consequence of the local government settlement. We want to ensure that there is inclusive education, and I am happy to give the assurance that special schools continue to have a role in that regard. However, circumstances will vary between local communities, and rather than imposing a moratorium centrally from Whitehall, we should let local communities decide, provided that they make those decisions in full consultation with parents and others concerned in their local communities.

School Buildings

6. **Syd Rapson** (Portsmouth, North): What steps he is taking to improve school buildings. [102704]

The Minister for School Standards (Mr. David Miliband): Since 1997 almost £10 billion has been made available to meet priority building needs in schools. The Government have recently set themselves the aim of ensuring that secondary education facilities in every part of England are rebuilt and renewed to 21st century standards, while we continue to improve the quality of provision in primary schools. My written statement to the House on 26 February outlined a new approach to achieve that goal, starting with £5.1 billion available in 2005–06. We are now consulting widely on those proposals.

Syd Rapson: I thank the Minister for his informative answer. Will he lend his support to the Paulsgrove and Wymering learning community project, which has replaced five elderly schools with one new multi-million-pound state-of-the-art facility that will enable the whole community to benefit from education, not just the children at school?

Mr. Miliband: I think that I am right in saying that I met some of the parents, teachers and pupils from the Paulsgrove area when they came to the Jubilee Room to make a fascinating presentation about their education project. I am extremely tempted to make a friend of my hon. Friend by promising my support for his application to the private finance initiative round currently under way—but I fear that if I do, I will also make a large number of enemies. However, I promise that the application from Paulsgrove and Wymering will be taken seriously, as will all the applications for the current round of PFI funding.

Mr. David Heath (Somerton and Frome): I acknowledge the fact that schools' capital funding is better now than it was during the deplorable previous 20 years. However, there is a still a huge backlog of work; across the country there are more than 20,000 temporary classrooms which should be replaced. When will we see a scale of funding that acknowledges that problem and establishes an organised replacement programme for temporary classrooms throughout the education system?

Mr. Miliband: The hon. Gentleman was on firm ground with the first half of his question, and I agree that there have been major steps forward. He should know that this year about £3 billion is being allocated to capital improvement, but by 2005–06 it will be £5.1 billion, which is a major improvement by any measure. He is of course right that too many schools are in need of major investment—an investment to which we are committed. The plans that we announced a couple of weeks ago set out a bold vision for education investment on the capital side, and I think that the hon. Gentleman will see the benefits in his constituency, as we all will all over the country.

John Mann (Bassetlaw): One of the most remarkable achievements of the past five years is the way in which primary school results in coalfield communities have been catching up with those in the rest of the country for the first time ever. On the allocation of resources, so that we can finish the job in secondary schools, will the Government take due notice of the fact that we have an over-representation of clapped-out buildings? Give us the buildings and tools, and we will finish the job at secondary level.

Mr. Miliband: I congratulate my hon. Friend on his commitment to education and social renewal in coalfield areas. I think that I am right in saying that we may discuss the issue later this Question Time, and I look forward to that. I can assure my hon. Friend that his commitment is recognised and that the bids that are in at the moment will be taken seriously.

Mr. Nick Gibb (Bognor Regis and Littlehampton): How can schools in West Sussex continue to maintain their school buildings when, as a result of the second lowest increase in central Government funding and a 22 per cent. reduction in the school standards fund, they face a cut in funding of between £40 and £55 per pupil? Is it the Government's policy that West Sussex should be socially excluded from the Prime Minister's commitment to education?

Mr. Miliband: It is very unwise of the hon. Gentleman to start talking about cuts in education when his own Front-Bench spokesman on Treasury affairs has committed his party to a 20 per cent. cut in Government funding for public services. He is unwise to venture into that area. I urge him to be extremely cautious about bandying around figures for cuts when every authority in the country was guaranteed an increase of at least 3.2 per cent. per pupil in the education funding settlement announced by my right hon. Friend the Minister for Local Government and the Regions in December.

Mr. Bill O'Brien (Normanton): My hon. Friend is on record as saying that if children are to attain the best possible educational standards they need to be taught in modern school buildings. The children in my constituency are being taught in some of the worst buildings in the country, and teachers are working hard to try to improve standards. When will my hon. Friend attend to the appeal made on behalf of the local education authority, governors and teachers, and myself as MP for Normanton, to ensure that we get the buildings that children are entitled to if they are to receive the best possible education?

Mr. Miliband: My hon. Friend has been pressing the case for Normanton schools with real passion. Previously, he has put a similar question to my hon. Friend the junior Minister—*[Laughter.]* I mean my hon. Friend the Member for Enfield, Southgate (Mr. Twigg), who was doing such an able job earlier in allocating responsibilities. However, I assure my hon. Friend that the commitment that he seeks for his constituency is shared by the Government. We hope to come forward with our response in the not-too-distant future.

Student Debt

7. **Sue Doughty** (Guildford): If he will make a statement on current and projected levels of student debt. [102705]

The Secretary of State for Education and Skills (Mr. Charles Clarke): The average publicly owned debt of a borrower with a new income-contingent loan, entering repayment in April 2003, is estimated to be £7,240. Information on students' private-sector debt, such as overdrafts and other commercial loans, is not available centrally. The student income and expenditure survey 2002–03 will collect information on younger full-time students' current debt and expected debt on graduation.

Average levels of student debt for future cohorts of leavers will depend on a number of factors, including average course length, the proportion leaving their course early, and the proportion of loan entitlement actually borrowed.

Sue Doughty: I thank the Secretary of State for that answer. Is he aware that high levels of debt form a real deterrent to disadvantaged and low-income groups, such as the ethnic minorities, single parents and women? What assessment has been made of the impact of that debt on those groups?

Mr. Clarke: I am aware that debt can act as a disincentive in precisely the way that the hon. Lady has suggested. A number of research projects, including some commissioned by my Department, illustrate the points that she makes. However, in connection with the higher education White Paper, it is important to set the debt issue against the fact that we intend to allow students to defer the up-front fee of £1,100, which at present they have to pay. We also intend to raise the repayment threshold to £15,000—to make repayment through the tax system more affordable—to maintain the fee-remission scheme for students, and to reintroduce grants of up to £1,000, so that students from lower-income backgrounds have more money to live on. Also, any debt incurred will of course be based on a zero real rate of interest, not the sort of rate involved in using a Barclaycard, or in a car loan or mortgage.

Mr. Harry Barnes (North-East Derbyshire): Many adults who enter university education have to give up jobs to do so. When they return to the labour market, they may not find jobs that are better paid than what they gave up, but they decide to go to university not to enhance their financial status but because their interests in education change, and they want to move into other things. Will not those people be deterred from making such a decision if they think that they will be left with debts that they might not be able to handle?

Mr. Clarke: I accept that mature students enter university and higher education for a variety of motives that are different from those of people who go straight from school. That is one reason why the proposed £1,000 grant will go directly to independent students of the type described by my hon. Friend. It is also important to note that any debt repayment is entirely income contingent, with a £15,000 basic level. If the individuals concerned earn less than that when they go back to work, they have to pay nothing. If they earn, say, £20,000 a year, they will have to pay something of the order of £38 a month. As I said to the hon. Member for Guildford (Sue Doughty), I acknowledge that this is a legitimate issue, but I hope that my hon. Friend will accept that we are trying to take steps to deal with it.

Mr. Simon Thomas (Ceredigion): The Secretary of State has just mentioned the welcome reintroduction, proposed in the White Paper, of maintenance grants worth £1,000. However, the right hon. Gentleman knows that the Welsh National Assembly has already introduced Assembly learning grants of £1,500. What discussions is he having with the National Assembly to secure a transfer of responsibilities and funding in connection with student funding, to ensure that students in Wales are better off as a result of the White Paper, and not worse off?

Mr. Clarke: We are discussing, with my right hon. Friend the Secretary of State for Wales, the Wales Office and the Welsh Executive, precisely those questions. However, detailed work is being done to assess the financial implications of the sort of change that the hon. Gentleman suggests. It will be some time before we can come to a firm view on this and make the proper assessment. I can assure the hon. Gentleman that when we have come to that view we will publish the information so that people can see clearly the basis of any judgment that we finally make.

Mr. Charles Hendry (Wealden): Does the Secretary of State accept that the Government are impaled on a hook of their own making on the issue of student debt? Will he now drop his target of 50 per cent. going to university—a figure rejected by most institutions, parents and students—which would be responsible for pushing up the cost of higher education by so much? Does he not understand that most young people want to go to university where they meet the academic requirements and do not want to be saddled with massive debts for years afterwards or to have their admissions decided by a regulator who attaches more importance to their parents' income and education than to their own academic achievements?

Mr. Clarke: The last point is total nonsense. The hon. Gentleman is wrong to suggest that the proposals to widen access to 50 per cent. of the population are not generally welcomed. They have been widely welcomed both by the higher education sector itself and by all those concerned with the future of the economy. That is for the very good reason that in future the competitiveness of the economy will depend on high-level qualifications, and jobs will be for people with such qualifications, rather than for people who leave school at 16. That is why we focus on that. I know that the Opposition want to shrink university education and go back to the days when between 6 and 8 per cent. of the population went to university, but that simply shows how out of time they are.

Education Spending

8. **Mr. Andrew Robathan** (Blaby): On what basis he calculates the national education formula spending share for (a) a child educated in Braunstone estate, Leicester and (b) a child educated in the town of Braunstone, Leicestershire on the other side of Braunstone lane. [102706]

The Minister for School Standards (Mr. David Miliband): The calculation of funding for children in Leicester City and Leicestershire is done on the same basis. All comparable pupils attract the same level of funding from central Government. There is a basic entitlement for all children and extra funding for deprivation and additional costs.

Mr. Robathan: That does not answer the question. I should be grateful for an answer and I hope that the Minister will not witter on Goebelsesque about the fact that we believe that administrative costs in education and elsewhere could be cut by as much as 20 per cent. In the city of Leicester a child receives £3,476 in Government funding whereas a child educated in Leicestershire, such as at Winstanley high school or Kingsway primary school, just across the Braunstone lane and not half a mile away, receives only £2,932. Some 4,100 children cross the border of Braunstone lane to get a better education in Leicester. Will the Minister please explain this unfair discrepancy of £543 to parents, teachers and governors in Leicestershire who are as appalled and angered as I am by a 1 per cent. cut in real terms in education funding? Will he give a less complacent answer?

Mr. Speaker: Order. That is enough for the Minister to go on with.

Mr. Miliband: The hon. Gentleman should take some pills and sit in a dark room, to coin an old phrase. Let me give him the facts. Funding in Leicester city per pupil of £3,204 is higher than in Leicestershire, which on average is £2,835, mainly because 29 per cent. of pupils in Leicester city are on income support and in Leicestershire the figure is 9 per cent. Furthermore, the increases in spending over the past five years are instructive and the House will want to know them. Since 1997–98 in Leicestershire there has been a 36 per cent. increase in funding, worth £72 million, and in Leicester city a 25 per cent. increase, worth £30 million. If the hon. Gentleman is concerned about the pupils who are living in Braunstone village or town, he should address a question to his local authority and ask how it is reflecting different needs across Leicestershire in the application of its funding formula that distributes money around the county.

Sex Education

9. **Ann Winterton** (Congleton): If he will make a statement on the advice issued by his Department on the teaching of sex education in schools. [102707]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): In July 2000 we provided sex and relationship education guidance to maintained schools. The guidance places the responsibility of determining a sex and relationship education policy firmly on head teachers and school governing bodies. Schools should develop their policies and programmes in consultation with parents.

Ann Winterton: The Minister will be aware that teenage pregnancy rates in Britain are four times higher than in the Netherlands, where Dutch parents and school governors have more control over what is taught in schools and where family links are stronger. Bearing in mind our high teenage pregnancy rates and the even higher rates of sexually transmitted disease, which is almost at epidemic proportions in certain parts of the country, will the Minister follow and promote the example in the Netherlands which advocates sexual abstinence among the young and strengthens the role of parents and governors in these matters?

Mr. Twigg: The hon. Lady will know that our guidance indeed strengthens the role of parents and governors. She is correct to identify the high rates of teenage pregnancy and of sexually transmitted infections as a major cause for concern. That is an important part of the reason for providing our sex and relationship education guidance. I am sure that she will join me in welcoming the fact that the most recent figures show that teenage pregnancy rates have fallen again. Teenage conception rates have fallen for three years in a row and are now 9 per cent. lower than in 1998. I am not complacent about that, but the figures show that the existing programmes are having some impact.

Jonathan Shaw (Chatham and Aylesford): Is it not the case that, since the social exclusion unit's ground-breaking report on teenage pregnancy, this country has for the first time woken up to the fact that we have one of the highest levels in the world? In the 1970s, our teenage pregnancy rates were about the same as those in the rest of Europe but in the '80s and '90s they went up in the UK while they were going down throughout Europe. Does my hon. Friend agree that educational underachievement and teenage pregnancy go hand in hand? Will he ensure that his Department carries on relentlessly with its programmes and strategies on teenage pregnancy so that the rates continue to fall and that young people understand the consequences of sexual relationships? We must put an end to cases such as those reported by the social exclusion unit in which young people believe that by drinking vinegar they will not get pregnant.

Mr. Twigg: I am grateful to my hon. Friend for the powerful way in which he set out his case, which demonstrates the importance of Departments working together and with local agencies, including schools. Enabling young people to make responsible and well-informed decisions is at the heart of our sex and relationship education policy. The statistics on teenage pregnancy suggest that we are having some success but clearly we still have a long way to go.

Mr. John Bercow (Buckingham): Does the Parliamentary Under-Secretary of State agree that my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) was absolutely right to describe the sex and relationship education guidance issued in July 2000 as excellent, balanced and reasonable? Will he confirm that that is a far better basis for providing information and developing understanding among children than the offensive, redundant and irrelevant section 2A of the Local Government Act 1986 which, the other night, the House once again wisely voted to repeal?

Mr. Twigg: I am grateful to the hon. Gentleman and associate myself entirely with his remarks. I am delighted that we received firm cross-party support in the vote on Monday night, with a significant number of Opposition Members joining Labour and Liberal Democrat Members and Members from other parties in the Lobby. I very much hope that the other place will take notice of that strong cross-party support for repeal of section 28.

Ms Meg Munn (Sheffield, Heeley): Does my hon. Friend agree that schools can be usefully supported in their work on sex education by other services, such as those provided at Rowlinson youth club in my constituency where there is a drop-in clinic for young people who can discuss with health professionals, in a non-judgmental way, their concerns about personal relationships?

Mr. Twigg: Absolutely. I agree entirely. There are a number of such opportunities, where the school, as the hub of the local community, can work with other services to ensure that young people receive all the advice, guidance and education that they need.

Dr. Jenny Tonge (Richmond Park): Much as the hon. Member for Congleton (Ann Winterton) would like to turn the clock back to the days when we could only have sexual intercourse after permission from a priest or the local registrar, and while I congratulate the Minister on the welcome decrease in the number of teenage pregnancies, does he agree that sex education is part of general education? It is the same as history or politics and, in many cases, a good deal more useful. Will he pledge to the House that he will try to ensure that all children in this country, regardless of which school they attend and the flavour of its governing body, receive proper sex education?

Mr. Twigg: I am grateful to the hon. Lady and I very much agree with her. She was a little unfair on the hon. Member for Congleton (Ann Winterton), who, somewhat to my surprise, felt that we had lessons to learn from Holland in these matters. I am happy to look at the figures, because we can always learn lessons in ensuring that sex and relationships education is as effective as possible. We can provide the framework, but such decisions are best made at school level, involving governing bodies. A testament to the success of these programmes is not only the figures on teenage pregnancies that I gave earlier, but the fact that although parents have the right to withdraw their children from sex and relationships education, fewer than 1 per cent. do so. That demonstrates that we are having an impact, but the hon. Member for Richmond Park (Dr. Tonge) is right that we need to do more.

SOLICITOR-GENERAL

The Solicitor-General was asked—

Domestic Violence

17. **Mr. Ben Chapman** (Wirral, South): If she will make a statement on specialist domestic violence prosecutors within the Crown Prosecution Service.
[102719]

The Solicitor-General (Ms Harriet Harman): Each of the 42 areas of the Crown Prosecution Service has a specialist lead prosecutor on domestic violence. About 13,000 cases of domestic violence are dealt with by prosecutors each year, mostly in the magistrates court, with the most serious cases going to the Crown court. The CPS is doing important and very difficult work to ensure that perpetrators are brought to justice and victims are protected. I strongly support its commitment and professionalism and commend it to the House.

Mr. Chapman: Although I welcome both the fact that domestic violence is increasingly being reported and the success that the CPS is having, we still need to recognise that it represents a quarter of all violent crime. Will my right hon. and learned Friend join me in commending the work of the standing conference of women's organisations on the Wirral and Deeside, which has proactively and effectively tackled the problem? Will she also agree that the message that we need to get out loud and clear is that domestic violence is a serious crime and that it is not merely a matter for the privacy of the individuals concerned? That is true whether it be in relation to domestic violence against women, as it generally is, against men, or in mixed homes or single sex homes.

The Solicitor-General: I endorse my hon. Friend's comments. Domestic violence is not a private matter that goes on behind closed doors and is for the family to deal with—it has to be a public policy issue that is treated as seriously as an assault on a stranger in the street. I join him in his commendation for the Wirral and Deeside forum, with which the Crown Prosecution Service is fully involved. I emphasise to the House that our determination to tackle crimes of violence means that we must tackle domestic violence, because, as my hon. Friend says, it represents a quarter of all violent crime.

Mr. John Burnett (Torridge and West Devon): I hope that the Solicitor-General can assure the House that no domestic violence prosecutors and no members of the Crown Prosecution Service sell information to the media. What are her Department's policies in relation to briefing the media? She will be aware of the difficult balance to be struck between freedom of speech and the right to a fair trial. The Attorney-General is drawing up new guidelines on that. Will the Solicitor-General confirm that her Department will consult widely before any precipitate new guidelines are drawn up?

The Solicitor-General: The important point that the hon. Gentleman raises involves four issues: first, as he said, the freedom of the press; secondly, as he said, the right to a fair trial; thirdly, the privacy of the individual; and, fourthly, the confidentiality of police investigations. In addition to the guidance that the Attorney-General is drawing up, on which he will consult—I shall ensure that the hon. Gentleman gets a copy of the draft guidance and offer to place it in the Library so that other hon. Members, including Conservative Front Benchers, can see it—the Lord Chancellor's Department is reviewing certain aspects of the matter, particularly payments to witnesses, and the Select Committee on Culture, Media and Sport is considering the issues. We must recognise that when things go wrong it leads not only to the financial cost of lost trials, but to a terrible human cost to the people involved.

Mrs. Ann Cryer (Keighley): Is my right hon. and learned Friend aware that the Lord Chancellor's Department is organising a series of conferences on domestic violence in the Asian community? Conferences have already been held in Bolton and Brentford and another will be held in Bradford on 3 June. They are not being held because of a particular problem in that community, but because the subject is taboo and often skirted round. The hope is to encourage an open debate within the community. Someone from the Crown Prosecution Service will attend the Bradford conference, and it may be useful for a special prosecutor to be there to explain their position.

The Solicitor-General: I will ensure that that happens and that the CPS joins that important gathering in my hon. Friend's constituency. I will respond to her point about the Lord Chancellor's Department by simply commending to the House the work that is being done by the Parliamentary Secretary, Lord Chancellor's Department, my hon. Friend the Member for Doncaster, Central (Ms Winterton).

Domestic violence crosses all races, all cultures, all creeds, all classes and all socio-economic groups; it is not confined to any one or other. My hon. Friend the Member for Keighley (Mrs. Cryer) has made it clear that she will back up women in her constituency if they seek her help or that of the criminal justice system to tackle these crimes.

Motoring Convictions

18. **Andrew Selous** (South-West Bedfordshire): What her policy is on prosecuting drivers with numerous previous convictions for motoring offences. [102720]

The Solicitor-General (Ms Harriet Harman): The Crown Prosecution Service reviews each case on its merits, applying the tests of evidence and public interest that are set out in the code for Crown prosecutors. If sufficient evidence exists for there to be a realistic prospect of a conviction, a prosecution will proceed if it is in the public interest. A history of numerous convictions will provide the basis for the belief that the offence is likely to be repeated. It will also be a public interest factor tending in favour of prosecution.

Andrew Selous: Does the Solicitor-General share the concern of many of our constituents that someone who has been convicted of causing death by dangerous driving, and who has several previous driving bans—I understand that in this instance there are more than 80 previous convictions—can be sentenced for up to only 10 years? If she does, what does she propose to do?

The Solicitor-General: Sentencing in this area is considered carefully by the courts. When death has been caused by dangerous or careless driving, it is important that the sentence reflect the gravity of the effect of the crime on the victim's family. The hon. Gentleman may be aware that the Sentencing Advisory Panel has recently produced new guidance for use when death is caused by dangerous driving. The Court of Appeal will consider its response to that report on 31 March, when four cases will come for sentence. The Court of Appeal will consider what the tariff should be.

Mr. Tony McWalter (Hemel Hempstead): Does my right hon. and learned Friend agree that the concept of a "motoring" offence is rather strange? Often, a motor car is used as a weapon or is used to carry out various outrageous forms of antisocial behaviour. The concept of a motoring offence should be placed in a wider context, and policing should be organised in a way that ensures that the civil part of the offence is given due weight.

The Solicitor-General: Those points are well made. A good partnership between the police and the Crown Prosecution Service is important when tackling such offences. It is well recognised that offences that are labelled as "antisocial behaviour" or simply "motoring" can have devastating consequences, including loss of life or serious injury.

Mr. Nick Hawkins (Surrey Heath): Does the Solicitor-General acknowledge that many of the most serious motoring offences are committed by drivers who are under the influence of drugs or a cocktail of drink and drugs? Will she join her ministerial colleagues in the Home Office and the Department for Transport, who have undertaken to consider our proposals—which I put forward yesterday and which my noble Friend Lord Dixon-Smith is putting forward today in the other place—for new offences against drug drivers? Will she ask her noble and learned Friend the Attorney-General to consider this matter in the hope that the Government will accept our proposals?

The Solicitor-General: I will ask the Attorney-General to look at the hon. Gentleman's proposals, and I will also ask the Crown Prosecution Service about any difficulties that it has in relation to prosecuting drivers who commit offences while driving under the influence of drugs. The danger of drink driving has become much better recognised, as has the importance of effective prosecutions, but such prosecutions are more difficult with drugs. However, I will certainly take the hon. Gentleman's proposals seriously and respond to them.

Cruelty to Animals

19. **Norman Baker** (Lewes): If she will make a statement on her policy in respect of prosecutions for animal cruelty. [102721]

The Solicitor-General (Ms Harriet Harman): The Royal Society for the Prevention of Cruelty to Animals undertakes most prosecutions for animal cruelty. It has long-established expertise in both the investigation and prosecution of cases involving animal welfare.

Norman Baker: Is the Minister aware that, since 1997, there has been a decrease in proceedings for animal cruelty offences, a decrease in the number of convictions and a decrease in the percentage of those convicted, despite the fact that not all animal cruelty offences are even notifiable? Is that not very worrying, given the strong feelings among all our constituents throughout the country? What is the Minister doing to improve the situation?

The Solicitor-General: I am not able to say whether or not the situation is worrying, I am afraid. I will have to look into that and get back to the hon. Gentleman. I do not know whether there is less cruelty or less investigation going on, but I can certainly say, from the Crown Prosecution Service's point of view, that if there is evidence of a criminal offence and it is in the public interest to prosecute, it will do so.

Business of the House

12.30 pm

Mr. Eric Forth (Bromley and Chislehurst): Will the Leader of the House please give us the business for next week?

The Leader of the House of Commons (Mr. Robin Cook): The House will be aware that Iraq remains before the Security Council. At present, we do not know when a decision will be reached. When we know the final outcome of discussions in the Security Council, we will arrange for a debate and vote on Iraq as soon as possible. In the meantime, the business for next week will be as follows:

MONDAY 17 MARCH—Consideration of an allocation of time motion, followed by all stages of the Northern Ireland Assembly Elections Bill 2003.

TUESDAY 18 MARCH—Remaining stages of the Extradition Bill.

WEDNESDAY 19 MARCH—Consideration of Lords Amendments to the Community Care (Delayed Discharges etc) Bill.

The House may also be asked to consider any Lords messages that may be received.

THURSDAY 20 MARCH—Second Reading of the Waste and Emissions Trading Bill *[Lords]*.

The House may also be asked to consider any Lords messages that may be received.

FRIDAY 21 MARCH—Private Members' Bills.

The House will not adjourn until Royal Assent has been received to any Act.

The provisional business for the following week will be:

MONDAY 24 MARCH—Second Reading of the Licensing Bill *[Lords]*.

TUESDAY 25 MARCH—Opposition Day [5th Allotted Day]. There will be a debate on an Opposition motion—title to be confirmed.

WEDNESDAY 26 MARCH—Progress on remaining stages of the Police (Northern Ireland) Bill *[Lords]*.

THURSDAY 27 MARCH—Conclusion of remaining stages of the Police (Northern Ireland) Bill *[Lords]*.

FRIDAY 28 MARCH—Private Members' Bills

I should like to inform the House that the Government business in Westminster Hall for April will be:

THURSDAY 3 APRIL—Debate on the report from the Science and Technology Committee on science education from 14 to 19.

THURSDAY 10 APRIL—A cross-cutting question session on urban renewal titled "Liveability—Creating Decent Places", followed by a debate on the report from the Health Committee on the National Institute for Clinical Excellence.

Mr. Forth: I am sure that the House will be most grateful to the Leader of the House for giving a commitment to hold a debate on Iraq. I understand that 24 hours' notice is required in the United Nations before the laying of a resolution, and reports are telling us this morning that President Bush intends to give notice to the inspectors and the agency folk in Iraq, giving them a reasonable time to leave. Given those time scales, will the Leader of the House tell us whether he might expect to make a business statement to the House tomorrow, when a lot more will be known than today about how things stand at the UN and elsewhere, to give the House maximum notice of that debate on Iraq? But, in any case, we all welcome the undertaking that has been given that such a debate will be held as soon as possible.

My hon. Friend the shadow Attorney-General has a written parliamentary question to the Prime Minister for reply tomorrow concerning the advice that the Attorney-General has given to the Prime Minister on the legality of military action in Iraq. Given that there is an increasing belief that the Attorney-General's advice may well be against military action by this country, certainly if that takes place without any United Nations cover, may we please have a statement in the House by the Solicitor-General acting on behalf of the Attorney-General who, as we know, is in another place, and ahead of any debate on Iraq, as to the position with regard to the advice being given to the Prime Minister and the Government by the Attorney-General on the legality of military action in Iraq?

I do not, please, want the Leader of the House to hide behind the argument, as the Prime Minister did yesterday, that the matter is utterly confidential and cannot possibly be in the public domain. My advice is that although such advice may well normally be confidential, "Erskine May" states that it is always at the discretion of the Minister if he, or in this case she, considers it expedient, to share that advice with the House and with the public. My plea is that in this case it may overridingly be not just expedient but proper that that advice be put into the public domain. In any case, something must be said ahead of the debate so that our debate on Iraq is properly informed on a matter of such gravity.

The Leader will be aware of the report of the International Development Committee HC 444-I on the consequences of possible military action against Iraq, which was published recently and which states in paragraph 41:

> "Although Clare Short told us that humanitarian considerations must be paramount, there are still concerns that this will not be the case."

In fairness to the Secretary of State for International Development, I note that she lodged in the Library at 11.30 this morning a written ministerial statement covering the issue of humanitarian aid to Iraq. That is good only as far as it goes. Will the Leader please arrange for an urgent statement, or preferably debate, on the matter, if possible ahead of the debate on Iraq, but certainly to take place at around the same time, in order that the House can give due attention to this crucial aspect of possible military action in Iraq? I hope that the Leader of the House will agree that this is the only way to do justice to the issue and to the Select Committee report.

Mr. Cook: I am grateful to the right hon. Gentleman for the sombre way in which he approached the grave and serious situation that we are dealing with. I am grateful to him for his welcome for what I said about our willingness—indeed, our keenness—to come to the House as soon as we are able to do so.

[Mr. Cook]

The right hon. Gentleman asked whether I would make a business statement tomorrow. That is not ruled out. I will be in the precincts tomorrow, should it be required. We should, of course, bear in mind the time difference between London and New York. In effect, if there is anything for us to know, we will know it by the time we wake up tomorrow. There are unlikely to be any developments in New York in the time that we are sitting tomorrow, but if necessary and if it is appropriate, I shall make a business statement tomorrow.

The right hon. Gentleman asked about the Attorney-General's advice. He accurately summarised the situation. The Attorney-General's advice is, as a general rule, confidential—indeed, that is set out in the ministerial code—but there is provision in exceptional circumstances, by agreement, for his advice to surface. I will reflect on what the right hon. Gentleman said and make sure that my colleagues are aware of what he said. These issues will, I am sure, be fully debated and explored in any debate that we have on Iraq.

I repeat to the House what has been said at the Dispatch Box by a number of my colleagues: there can be no question of a British Government going to war if it were not sound of its legal basis and if it was not confident that it was acting within international law, nor would the British Prime Minister under any circumstances take that action if he believed he was acting outside international law.

On the international humanitarian relief that may be required should there be action in Iraq, and which is required now, even without any military action in Iraq, we welcomed the report from the Committee. It is important that all possible focus be given to the humanitarian need to respond to what may happen in the course of action, and to the very real humanitarian need of the people of Iraq, 60 per cent. of whom even now are fully dependent on food aid. It is for that very reason that the Department for International Development has already made available £7 million simply for planning and preparation. It will continue to do so intensely and will seek any appropriate opportunity to keep the House informed.

Mr. Paul Tyler (North Cornwall): We, too, welcome the commitment given to us by the Leader of the House about a prior debate and decision in this House regarding any hostilities undertaken by British troops. May I also welcome the support that we are now receiving from the Conservative Front Bench with regard to the request that we made to the Prime Minister, through my right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy) yesterday at Question Time, that the advice of the Law Officers be given to the House? Is there not a very important constitutional principle here? I accept what he said about "exceptional circumstances", but is it not right to say that the Law Officers are answerable and accountable to Parliament, not to the Government of the day? Surely it must be an exceptional circumstance when very important issues of international law are being challenged in the way implied in the statement of the Secretary-General of the United Nations? Should there not be a second Security Council resolution, is it not absolutely essential that the Law Officers make a statement prior to any debate in this House?

I wonder whether the Leader of the House heard or read the transcript of the very important interview given by the right hon. and learned Member for Rushcliffe (Mr. Clarke), now de facto leader of the Conservative Opposition, on the "Today" programme yesterday when he made it absolutely clear that there are precedents, mechanisms and means by which the Law Officers have to give an answer to the House on an issue of such importance. *[Interruption.]*

Mr. Cook: I am not sure that the hon. Gentleman achieves consensus in the House with his observations, but I did, indeed, hear the interview to which he referred and I can understand why the right hon. and learned Member for Rushcliffe (Mr. Clarke) may remember the previous precedent, as it was the Maastricht debates, which I am sure are written on the heart of everybody who was a member of the Cabinet at the time when those debates took place within the Government.

I hear what the hon. Gentleman says. He mentioned that advice had been challenged by lawyers. We must recognise that in the present developing state of international law, there will always be room for more than one view, if not 25 different views. Whatever may be said on behalf of the Government about the advice that has been received, I would not wish to commit myself to the proposition that it will not be open to challenge. It is in the nature of these things that lawyers will challenge any proposition.

Jeremy Corbyn (Islington, North): Does the Leader of the House accept that many people outside the House will find it simply incomprehensible that there is to-ing and fro-ing in the UN about not getting support for a second resolution, a determination by the United States to go to war and an apparent decision by the Prime Minister and the Cabinet to go to war without any resolution or legal basis whatever, and yet this House, which is representative of the ordinary people of this country, is denied the right to a debate and vote in advance of British troops being sent in? Is there any reason why there cannot be a debate today, tomorrow or even over the weekend so that the British people can see what their MPs are saying and voting on in advance of the start of a war?

Mr. Cook: Of course, I fully understand the passion to which this issue gives rise and the very strong feelings held by my hon. Friend and many others both in this House and in the country. I can only say to him that, as a member of the Cabinet, I am not aware of any decision of the sort to which he refers. I would also say that we have been quite clear that we will come to the House whenever there is any decision in New York in order either that the House can endorse any second resolution or that it may debate and vote upon a motion in the event that there is no decision on the second resolution. I genuinely believe that the right time for the House to consider and reach a decision on this matter is when the process in the United Nations has come to a close. In the meantime, I hope that all hon. Members will join me in expressing the best possible support for the British Government's efforts to get unity in the United Nations.

Sir Teddy Taylor (Rochford and Southend, East): Will the right hon. Gentleman consider allowing time for a debate next week on the growing practice among Ministers of delaying indefinitely replies to questions for a named day by saying that they will reply "as soon as possible"? In that connection, will he consider an issue that I raised with you, Mr. Speaker, on Tuesday, regarding detailed questions about the biological warfare material provided by the United States to Iraq and to the Iraq atomic weapons commission on which information is required urgently by the House, but on which Ministers are simply failing to give any knowledge or information, although they have it available to them?

Mr. Cook: Of course, the point with which the hon. Gentleman concludes is a very important issue of substance. Having had some experience of answering questions in the Foreign Office, I say to him that if he tables a question about material that may have been transferred back in the 1980s by another power, while that information may be available, it is not entirely surprising that it cannot adequately be pinned down within the five days required by a named-day question. If he wishes to pursue what I fully accept is an important issue, although it goes back some years and involves another power, he may have to be prepared to show a little more patience than is allowed for by a named-day question.

Mr. Eric Joyce (Falkirk, West): My right hon. Friend may be aware that there was an especially well-attended debate in Westminster Hall yesterday on community pharmacies. The debate was opened by the hon. Member for Totnes (Mr. Steen) and the Under-Secretary of State for Health, my hon. Friend the Member for Tottenham (Mr. Lammy) responded to it. However, for my constituents, health is a devolved matter and the perspective of the Department of Trade and Industry is equally important. Will my right hon. Friend find time for a debate on that important issue over the next while?

Mr. Cook: I am aware that the matter was debated in Westminster Hall yesterday and I am fully aware of the substance of the issue, which has been raised in business questions for the past four weeks. I fully understand the widespread concern in the House about the security and stability of the local pharmacy service, which is so important to our constituents. I have spoken to the Secretaries of State for Trade and Industry and for Health to alert them to the concerns that have been expressed in the House during business questions, and they are both fully cognisant of the great importance of the matter to the public. I assure my hon. Friend that the Department of Trade and Industry will be fully involved in any future decision. We will seek to ensure that we take on board the importance of having regard to competition principles, but also try to ensure that they operate in a way that is consistent with the Government's health policy and our commitment to a health plan to ensure that pharmacies are available to all members of the public.

Tony Baldry (Banbury): The Leader of the House will be aware that members of the International Development Committee, after hearing all the evidence, unanimously concluded that there is not a viable humanitarian plan for Iraq. The House has heard numerous statements from the Secretary of State for Defence in which he has kept us posted on preparations for the military campaign in Iraq. We have yet to hear a single statement to the House from the Secretary of State for International Development on the humanitarian plan for Iraq. I am sure the Leader of the House would feel that it must be in everyone's interest—not least the Government's—for there to be a clear statement from the Secretary of State for International Development on the humanitarian plan for Iraq. Otherwise, the impression will be given that the humanitarian plan will be very much an afterthought to the military campaign, which I am sure is not the impression the Government wish to give.

Mr. Cook: And I am sure it is not the impression that the hon. Gentleman would wish to convey either. He knows perfectly well that my right hon. Friend the Secretary of State for International Development has worked very hard to ensure that we develop humanitarian plans and she has, indeed, produced a statement. In fairness to her, I should say that she made a speech to the House on the matter only recently.

Mr. David Chaytor (Bury, North): Is it not the case that because Iraq contains the second largest oil reserves in the world, any debate on the conflict in Iraq is inseparable from a debate on the diversity, security and sustainability of our energy supplies? Does my right hon. Friend recall saying last year, in answer to my request for a debate on the Energy Green Paper, that the best time for such a debate would be after the publication of the White Paper? Given that we have had the White Paper and we are in the midst of a conflict with Iraq, will he find time for a debate on the future of our energy policy and, particularly, the balance of fossil fuels, nuclear, renewables and energy efficiency, as that goes toward meeting our Kyoto targets?

Mr. Cook: I am not necessarily persuaded that the best approach to having a strategic, long-term debate on the balance between renewables and fossil fuels would be in the context of the potential crisis in Iraq. Having said that, I acknowledge that I am aware of the deep interest in the House on energy policy. I recall giving such a commitment to my hon. Friend and I assure him that despite the difficult problem of balancing business—it continues to increase and there is pressure on our available timetable—we shall look for an opportunity to discharge that commitment.

Mr. Alex Salmond (Banff and Buchan): The Leader of the House said that as a member of the Cabinet, he was not aware of any shift of the Government's position on the second resolution. But if we extract the anti-French bile, that seems to be what the Foreign Secretary was saying this morning. Indeed, it seems to be what the

[Mr. Alex Salmond]

Prime Minister divulged to the Leader of the Opposition—remarkably enough—this morning. For the avoidance of any doubt and with the benefit of the Cabinet discussion, will the Leader of the House tell us whether the parameters for military action set out by the Prime Minister on 6 February—as he described it, the only circumstances in which force would be committed—still pertain?

Mr. Cook: May I say to the hon. Gentleman that the position is, as has repeatedly been said in the House over the last few days, that we are working extremely hard to try to secure agreement within the Security Council? We are looking for a second resolution. No decision has been taken beyond that, for the very simple reason that we are entirely focused on securing agreement to a second resolution and will continue to be so. I think that that is the best outcome for Britain, for the House and, indeed, for the international community.

Mr. Tony Lloyd (Manchester, Central): The Leader of the House has been very fair and consistent over recent weeks in promising that, where possible, there would be a debate and a vote before military action. With the uncertainty in the United Nations, however, we now face a situation in which there may not be a Security Council resolution, the Americans might move very rapidly to military action and events might overtake the ability of the House of Commons to have such a debate. I hope that the Leader of the House agrees that it is vitally important that there should be an opportunity for the House to vote, to give comfort to the Government or otherwise. How will he respond if it becomes apparent that no resolution will go through the Security Council by the end of tomorrow and that military action is imminent? The House would then have the capacity to sit on Saturday. How would the House be recalled in that eventuality?

Mr. Cook: I have already said that we will arrange for the House to debate and vote on Iraq as soon as possible when we know the outcome of the proceedings in New York. Should that require the House to be recalled over the weekend, that is not ruled out. I do not wish people to assume from that that it will necessarily happen, but it is an option that is not ruled out and we shall have to watch matters carefully on a day-to-day basis, depending on the progress of the talks in New York. On the general issue of principle that my hon. Friend raises, may I remind the House that, at the start of the present crisis, I said that it was inconceivable that any Government could commit their troops to action without the support of Parliament? That remains my position and the position of the Government. Of course, any Government must reserve the right to act immediately if the safety of troops is at risk, and I do not think that any hon. Member would object to that reasonable qualification. Subject to that one obvious reservation, however, I attach the highest importance to the House having the opportunity to debate and vote on the matter before conflict.

Mr. Roger Gale (North Thanet): Notwithstanding assurances given to the House by Defence Ministers, Members of Parliament with constituents in the Gulf continue to receive letters from worried relatives about the level of supplies. All hon. Members understand that in any major mobilisation there are likely to be local difficulties. However, given the number of complaints that are now coming forward concerning the lack of goggles and desert boots, will the Leader of the House arrange for the Secretary of State for Defence to come to the House and make a clear statement about how these issues are being addressed?

Mr. Cook: In fairness to my right hon. Friend the Secretary of State for Defence, I do not think that any single member of the Cabinet has made more statements to the House than he has over recent months. I am sure that he and his colleagues at the Ministry of Defence will continue to respond to these concerns at every opportunity. The hon. Gentleman will be aware that we have ordered a very large quantity of desert boots, which are currently being provided. I was pleased to note that, when the Leader of the Opposition and the shadow Defence spokesman visited the troops, they found them in good morale and, indeed, reported afterwards that food was in good supply.

Mr. Malcolm Savidge (Aberdeen, North): Since the last motion on Iraq on 26 February endorsed the United Nations process and not military action, as was explicitly stated by the Foreign Secretary at the start of the debate, is it not vital—particularly if there is no further United Nations resolution—that the Government should seek the endorsement of the House before committing British forces to the terrible and possibly illegal precedent of pre-emptive war?

Mr. Cook: I agree with my hon. Friend that the vote last time was not a vote on a commitment to military action, and that the Foreign Secretary said that specifically at the start of the debate. I said it myself in the business statement that preceded the debate on the Monday of that week. My hon. Friend is, therefore, within his rights to say that it is important that the House should meet and vote specifically on that question. In fairness, I would remind him that I have only just said that I attach the highest importance to the House having the opportunity to do that before conflict, subject to the obvious reservation—to which I do not think anyone objects—that we must always safeguard the safety of our troops. With that one reservation, however, we will do all that we can to ensure that that debate takes place before any action. As the Foreign Secretary has said, it is as important to the Government as it is to the House that that debate should take place in good time.

Mr. John Wilkinson (Ruislip-Northwood): Referring to the UN Security Council resolution again, may I ask whether the Chancellor of the Exchequer will come down to the House in the eventuality of a French veto of a second resolution or the frustration of such a resolution by France, Germany or any other EU country on the Security Council, and say that the United Kingdom is abandoning the studies into the adoption of the euro that the Treasury is undertaking? If there is such a divergence of fundamental political views, what is the point of wasting taxpayers' money on such a stupid enterprise?

Mr. Cook: I must congratulate the hon. Gentleman on the magnificence of his obsession. I would only say that our efforts to secure unity within the Security Council are unlikely to be enhanced by introducing the euro to the debate.

Mr. Martin Salter (Reading, West): Will the Leader of the House give us some indication of when we will be able to consider and vote on the Report stage of the Hunting Bill? May I respectfully suggest that, should we be dragged into a war in Iraq, it would hardly be appropriate for the House to be turning its attention to such matters?

Mr. Cook: I am not in a position at the moment to offer a date on which the House might consider the Report stage of the Hunting Bill, although I am aware that it has concluded its proceedings in Committee. I note what my hon. Friend says. As someone who served on the Committee and who has certainly taken a close interest in the matter, his words must carry weight.

Mr. Andrew Mackay (Bracknell): As there has been much damaging press speculation on the nature of the Attorney-General's advice to the Prime Minister, and as it is clear from "Erskine May" that the Prime Minister may, at his discretion, reveal the legal advice that he has received, is it not very important indeed that the Prime Minister should let us see this legal advice, ahead of the debate next week? It is to be hoped that that would set our minds at rest and add to his case.

Mr. Cook: For better or worse, we are probably all very grateful that the Government are not responsible for the speculation in the press. The existence of that speculation does not necessarily mean that it is well founded. Plainly, this matter is a factor in the debate, and I am quite sure that my right hon. Friends will consider how best they can respond to it in any future debate. However, I repeat, and it is important that the House and the country fully understand this, that there is no question of any Government—certainly not this one—proceeding to military action in circumstances in which they believe that they do not have international authority for it.

Mrs. Alice Mahon (Halifax): I want to return to the issue of advice from the Attorney-General. If we invade another country without international law on our side, it is indeed a matter of the utmost gravity, as the shadow Leader of the House said. Will my right hon. Friend impress on the Government that there are precedents for making such advice public? In these circumstances—these exceptional circumstances—it is absolutely vital that we get that advice.

Mr. Cook: My hon. Friend is, of course, absolutely right to say that these are very grave circumstances, and in this grave situation we have to conduct ourselves in such a way as to ensure that we build the broadest possible consensus for any action that may be necessary. She is correct in saying that there are precedents for such legal advice becoming known; the Maastricht debate was the previous such precedent. Such occasions are rare and infrequent, as the distance from that precedent confirms, and the Government would have to weigh very carefully whether it would be appropriate to do this. I would say to the House—this is consistent with what I have already said repeatedly—that we would only act within the context of international law. I do not myself imagine that, were such advice to be made public, it would have any dramatic or sensational impact.

Mr. Andrew Mitchell (Sutton Coldfield): May I urge the Leader of the House to reconsider his last answer and to bear in mind the fact that, as someone who supports what the Government and the Prime Minister are trying to do in this matter, he should bring into the public domain the advice that has been given by the Attorney-General? May I also urge him to disregard the wholly fallacious and inaccurate point made by the Liberal spokesman? The Leader of the House will be aware that my hon. Friend the shadow Attorney-General has consistently asked for this advice to be brought into the public domain.

Mr. Cook: I already have sufficient difficulty with the conflict between us and Saddam Hussein without intruding into the conflict between the Liberal Democrats and the Conservative party. I hear the points that have been made about the wish to be fully apprised of what the advice would be. I say again that I am not aware of the Government having any reason to hide or conceal that advice in the sense of having something that they want to suppress. We have repeatedly said that we will act only in a way that is consistent with international law. I do not believe that the Government would act in any other way.

Mr. David Drew (Stroud): My right hon. Friend will be aware that 14 B-52s are currently parked at RAF Fairford. That is in the constituency of the hon. Member for Cotswold (Mr. Clifton-Brown), but it has a major impact on all local Members. Will my right hon. Friend liaise with the Secretary of State for Defence on the arrangement with the United States air force under which those B-52s will be used? Will he also talk to the Home Secretary about whether it is right to use the Terrorism Act 2000 to try to prevent those who protest under our democratic rights in this country? Will he question whether that is the appropriate legislation to use?

Mr. Cook: I am not aware that the local police force or any other body has invoked that Act. If my hon. Friend wants to take up that complaint with the Home Office, I am sure that my right hon. and hon. Friends will willingly follow up the issue for him.

On the wider question of the role that may be given to the B-52s, my hon. Friend will be well aware of the long-standing agreement between us and the United States by which any action from British bases is fully cleared with the British Government. I am sure that that close co-operation will continue in the context of the B-52s and anything else.

Mr. Paul Goodman (Wycombe): The Leader of the House will be aware that there is widespread concern in

[Mr. Paul Goodman]

the Muslim community in Britain about the consistent application of United Nations resolutions, especially on Kashmir. Resolutions addressing the need of the Kashmiri people to determine their own future have been outstanding for roughly 50 years. I know that he appreciates the importance of these matters. Will we be able to discuss those issues in an early debate?

Mr. Cook: I cannot point the hon. Gentleman in the direction of a forthcoming debate on Kashmir in the House, but I am fully aware of the considerable interest in the issue among the many ethnic communities in Britain that have strong community ties with Kashmir and the two countries of the Indian subcontinent. It is a difficult issue, as I know well from previous experience, and I would not recommend any Member to tread lightly into that contested territory. I fully agree with the hon. Gentleman that it is important that those of us who wish the peoples of Pakistan and India well should do all that we can to enable them to find a way to resolve this long-standing sore.

David Winnick (Walsall, North): I fully support the policy on Iraq, as I did the liberation of Kuwait 12 years ago. Is my right hon. Friend aware that, when we have a debate, it will be an opportunity for some us to point out to President Bush that it would certainly help the allied cause if the US Defence Secretary were found a different job as far away as possible from the international scene? That would please many of us, and probably irritate France and Baghdad.

Mr. Cook: I hear what my hon. Friend says. I shall content myself with saying that I am pleased for him that he has got his comments on the record. He will appreciate that no member of the Government has ministerial responsibility for reshuffles in Washington.

Mr. Douglas Hogg (Sleaford and North Hykeham): There is an obvious risk that the debate on Iraq will take place after hostilities have commenced. In those circumstances, I hope that the debate would be on a substantive motion. If hostilities have commenced, many of us would wish to table an amendment to the effect that we pledge our total support for the British forces engaged, but none the less do not think that the case for war has been made. Is the right hon. Gentleman aware that we can do that only if we have a substantive motion to amend—hence the importance of debating Iraq on a substantive motion?

Mr. Cook: I fully understand the genuine concerns of the right hon. and learned Gentleman, which he has expressed in measured tones on a number of occasions. I, for one, would not for one moment suggest that people who express those legitimate doubts are lacking in support for British troops. That would be an unfair issue to bring into the argument. On timing, I attach great importance to our having such a debate before hostilities commence, but whether it is before or afterwards, I would prefer a debate to proceed on a substantive motion.

Mr. Ian Cawsey (Brigg and Goole): Given the major disagreement between the British and Dutch management of Corus over the sale of its aluminium works and the precarious position in which that leaves British steel production, will my right hon. Friend arrange for an early debate or statement on the urgent need to protect steel production in the United Kingdom?

Mr. Cook: I entirely understand the enormous importance of this matter to the general state of British manufacturing industry and to the local economies of the three areas most immediately affected. My right hon. Friend the Secretary of State for Trade and Industry is fully seized of the matter, and has spoken to her opposite number in the Dutch Government. I assure my hon. Friend that we will continue to do what we reasonably can to achieve the best possible outcome. Should that outcome tragically involve a closure, the Government will do all they can to assist the local community and local people to deal with the consequences.

Richard Younger-Ross (Teignbridge): Can the Leader of the House arrange for a statement on the workings of the National Care Standards Commission, with particular regard to the management of the closure of care homes? I ask this particularly in view of the closure of the Gatehouse care home in my constituency, whose residents were given only five days' notice to leave the home. All the research shows that such stress will cause illness and may even lead to premature death.

Mr. Cook: I am sure that all hon. Members share the hon. Gentleman's concern about such a deplorably short period of notice. It is certainly not consistent with the Government's view as to the reasonable notice period that should be required for people to be transferred from a nursing home that is closing. In this particular case, the home is privately owned, so we have no power to intervene regarding the period of notice, but it is not satisfactory. I hope that all responsible care home owners will follow the public sector in ensuring that any period of notice, if it has to be applied, is adequate and enables residents, their relatives and the local authority to respond adequately.

Mr. Robert N. Wareing (Liverpool, West Derby): Is it not imperative that we have a statement about the advice given by the Attorney-General? Members of Parliament who vote for an aggressive war launched by America and its collaborators may be culpable and may be committing an offence if the Attorney-General's advice were that Britain was going against international law. We would individually be responsible. Incidentally, should war start, would any time be allocated next week for ministerial resignation statements?

Mr. Cook: I shall certainly consider the latter point in my timetabling of business for the week. On the former matter, there is not much that I can add to the many answers that I have given already. I rather suspect that, if the advice were published, it would show that the Government's actions are wholly consistent with international law. Under those circumstances, I would not expect my hon. Friend necessarily to change his view of the action.

Angela Watkinson (Upminster): Will the Leader of the House ask a Minister to come to the House and make a statement on early-day motion 851, which relates to a grossly misleading report in *The Sun* about a visit from the Queen and the Duke of Edinburgh to Redden Court school in my constituency?

[That this House condemns the grossly misleading report in the Sun Newspaper on Friday 7th March on the visit of the Queen and the Duke of Edinburgh to Redden Court School in Upminster, which attempted to cast a slur on a highly successful and memorable occasion.]

Mr. Cook: I have seen the early-day motion, and I have first-hand experience of the extent to which Her Majesty's often excellent and much appreciated work is not fairly reported in the press. It is a mystery and an affront to local people when they participate in an event that they regard as successful and which they remember with a sense of gratitude to read a travesty of it in the local press. I urge those who write such pieces to try accurately to reflect the overall balance of opinion of people in the local community, who appreciate the visit and what the royal family has done for them.

Joan Ruddock (Lewisham, Deptford): Although my private Member's Bill is due to be debated tomorrow, I would welcome any statement my right hon. Friend could make to the House then. Does he agree that yesterday's withdrawal of virtually all the international UN staff who administer the oil-for-food programme is the clearest possible indication that war is imminent, and that the House urgently needs to know how food supplies will be resumed in the event of a protracted conflict?

Mr. Cook: The fact that, understandably, responsible employers—in this case the United Nations—must necessarily make contingency plans need not mean that there will be a conflict; but in the present circumstances I well understand why the UN might decide to err on the side of caution. I will not pretend that it would be possible to maintain the programme at its present level of efficiency and volume without UN staff, but the UN has taken steps to ensure that local residents will be trained and equipped so that it can continue in their absence. I hope very much that that proves satisfactory.

Mr. Geoffrey Clifton-Brown (Cotswold): If we are, as it seems, on the point of war, is it not essential for the British Government to continue to make the case for the need to go to war to the British people? The Leader of the House said this morning, in very profound terms, that the Prime Minister would not go to war unless he believed that he had proper legal cover. In the event, either there will be legal cover or there will not—in which case it is surely absolutely essential for the Solicitor-General to come to the House and make the legal advice public before we have a proper debate.

Mr. Cook: It follows logically from what I said that the Prime Minister is satisfied that he has adequate legal authority in international law for any action that may be taken. Whether it is necessary for any other Law Officers to say that, given that both the Foreign Secretary and the Prime Minister will undoubtedly participate in any exchanges in the House, is a matter of judgment; but I repeat that the Prime Minister will take no action that he believes to be inconsistent with international law.

Mrs. Ann Cryer (Keighley): Could we have a debate on the implementation of the Ottawa agreement, which was intended to ban the manufacture, stockpiling and use of anti-personnel landmines? That might allow us to discuss the inclusion of cluster bombs, and also to discuss the possibility of Ministers using their best endeavours to persuade their American counterparts to refrain from using those hideous weapons in any military action in Iraq.

Mr. Cook: I know of my hon. Friend's long-standing interest in this. She will recall that I was Foreign Secretary when we secured the Ottawa treaty, which I regard as an important step towards ensuring that we act to minimise the danger and risk that landmines pose to civilians. I am sorry that we could not persuade our United States colleagues to be a party to the treaty, and I hope that at some time in the future we shall be able to persuade them to reconsider.

Mr. Speaker: I call Mr. Clifton-Brown.

Mr. Clifton-Brown: You have already called me, Mr. Speaker.

Mr. Speaker: I apologise. It is the early morning start. I call Dr. Lewis.

Dr. Julian Lewis (New Forest, East): I am afraid I am a poor substitute for my hon. Friend the Member for Cotswold (Mr. Clifton-Brown).

When the debate on Iraq takes place, will the rule on collective Cabinet responsibility be relaxed for Ministers other than the Secretary of State for International Development? Would that not give Cabinet Ministers such as the Leader of the House an opportunity to explain to the House why they opposed the first Gulf war in 1991, when Saddam had invaded one of his neighbours, but apparently support the forthcoming second Gulf war when Saddam has not yet invaded any of his neighbours?

Mr. Cook: I am obliged to the hon. Gentleman for his interest in my views—

Mr. John Bercow (Buckingham): He has a detailed record.

Mr. Cook: I have never doubted it. Fortunately, so have I. At that time, the point on which I expressed concern was whether a bombing campaign lasting so many weeks was really required.

The short answer to the hon. Gentleman's question is yes, I think Cabinet responsibility will apply. It will apply to all who are in the Cabinet at the time of the debate.

Jon Trickett (Hemsworth): The Home Office recently published statistics on police authorities, revealing that West Yorkshire, where 39 of every 1,000 burglaries take place, is the worst-performing authority. Will the Leader of the House find time for a debate on policing? I might then be able to express my constituents' admiration for rank-and-file police officers in the area. I could also ask serious questions about the management of the West Yorkshire force, and insist that the chief constable begin replying to letters from Members such

[Jon Trickett]

as me. In my letters I have asked for enhanced policing, on behalf of residents of Girnhill lane in Featherstone, and have asked searching questions about the recently reported statement of a senior police officer that West Yorkshire has stopped investigating burglaries.

Mr. Cook: I appreciate what my hon. Friend says about the progress that has been made, and I echo his commendation of his local police force. I am sure we all appreciate the fact that we can make more progress in fighting crime now that Britain has a record number of policemen.

Several hon. Members *rose—*

Mr. Speaker: Order. I must now take points of order.

Points of Order

1.18 pm

Mrs. Caroline Spelman (Meriden): On a point of order, Mr. Speaker. The very first recommendation of the International Development Committee's report, published yesterday, calls for an immediate statement, yet this morning we were given a written statement that failed to address the report's 23 recommendations. Indeed, it raised more questions than it answered. The Secretary of State for International Development has said that her assessment of the "overall level of preparedness" for humanitarian contingencies in Iraq is

"limited, and this involves serious risk."

It is left there, with no opportunity for us to question the Secretary of State in the House about that serious level of concern.

The Leader of the House said in business questions that the Secretary of State had come here to make a statement very recently. That was six weeks ago today, when the Secretary of State responded to an Opposition day debate on the subject. Six weeks is a long time in the present crisis. The House allows us certain procedures, such as urgent questions. How can we use those procedures if the Government sabotage our legitimate right to a debate by publishing a ministerial statement that fails to answer our questions?

Mr. Speaker: The hon. Lady mentioned urgent questions. She submitted one this morning. I do not give a reason for refusing such questions, but there will be other days and other occasions on which I might be more disposed to agree to her request.

Harry Cohen (Leyton and Wanstead): On a point of order, Mr. Speaker. You are the defender of Back Benchers' rights to raise issues of the day. One issue of the day is the new benchmark tests that the Government are producing at the United Nations. They have sprung from nowhere, and they are effectively new triggers for war. Why cannot Back Benchers have the right to raise that in the House?

Mr. Speaker: That is really a point of disappointment, because I did not call the hon. Gentleman earlier.

Mr. William Cash (Stone): On a point of order, Mr. Speaker. As you know, I tabled a written question to the Prime Minister for answer tomorrow—before the leader of the Liberal Democrats raised the matter at Prime Minister's Question Time—regarding the legal basis of the war against Iraq. As was pointed out by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), the shadow Leader of the House, "Erskine May" is very clear about the question of confidentiality. Will you, at a later date, give a written ruling on the confidentiality of Law Officers' opinions?

Although the Attorney-General, regrettably, is in the House of Lords, he has personal rather than collective responsibility for the legal advice that he gives the Government. He gives advice not only to the Government, but to the nation and to the House. It is a matter for the Prime Minister to give a proper answer to the question that I tabled the day before yesterday and to reply to my request for the basis of the legal advice regarding war with Iraq, but he cannot do that by hiding behind an improper use of the so-called "doctrine of confidentiality".

Mr. Speaker: I make no commitment, except to say: let me think about that matter. That is the best commitment that I can give the hon. Gentleman today.

Mr. Alex Salmond (Banff and Buchan): On a point of order, Mr. Speaker. Is there a parliamentary point of order in the procedure by which the Prime Minister calls the Leader of the Opposition to Downing street, and the Leader of the Opposition then makes a statement outside Downing street that apparently is a shift in Government policy? In terms of order, can we introduce to our proceedings a means by which we can question the Leader of the Opposition on what is or is not Government policy, or does the Prime Minister speak only to the Opposition leaders who he thinks will agree with him?

Mr. Speaker: Those matters are nothing to do with me.

Gregory Barker (Bexhill and Battle): Further to the point of order raised by my hon. Friend the Member for Meriden (Mrs. Spelman), Mr. Speaker. Do you understand the considerable anger that there will be in the country at the failure of the Secretary of State for International Development to come to the House to answer questions from across the Chamber in response to the publication of the International Development Committee report? Non-governmental organisations as well as constituents of mine will see that the only reason why she is not coming is base political motivation—it is to stop her saying things that would clearly embarrass the Government. That is not good enough when there are so many important issues at stake, on which we are being denied an opportunity to question her.

Mr. Speaker: That is not a point of order.

Alistair Burt (North-East Bedfordshire): Further to the point of order raised by my hon. Friend the Member for Meriden (Mrs. Spelman), Mr. Speaker. Are you aware of any precedent where the immediacy of a demand by a Select Committee has been met by the Government, but where the political urgency of the situation, bearing in mind what is happening in Iraq, has been so woefully misunderstood as to produce a written rather than the imperative oral statement?

Mr. Speaker: The hon. Gentleman is drawing me into the argument.

I call Mr. Clifton-Brown.

Hon. Members: Hear, hear.

Mr. Geoffrey Clifton-Brown (Cotswold): I am grateful for the acclaim.

On a point of order, Mr. Speaker. I am sorry to have to raise a point of order on a different matter entirely. I had understood that it was the convention of the House that when a matter in one's constituency was to be raised by another Member of Parliament, the constituency Member of Parliament should be informed first. I have been sitting here since before business questions started. The hon. Member for Stroud (Mr. Drew), with whom I have very cordial relations, saw me sitting here. He could have easily come over to me and informed me that he was going to raise the sensitive matter of the B-52 bombers at Fairford, and I would have been happy for him to raise it, but it was discourteous of him to raise it without informing me.

Mr. Speaker: The hon. Gentleman is right about the courtesies of the House, but I think that the matter could be sorted out between both hon. Members. That would be the best thing.

Mr. John Burnett (Torridge and West Devon): On a point of order, Mr. Speaker. When you consider the matter of the Attorney-General's advice, if you come to the conclusion that the advice itself should not be put in the public domain, will you please ensure that the Attorney-General, and the Solicitor-General in this place, come to the House to confirm that they believe that the actions that the Government are taking are fully compliant with international law in all respects?

Mr. Speaker: Those matters are not for me to deal with.

Mr. Mark Francois (Rayleigh): Further to the point of order raised by my hon. Friend the shadow Attorney-General, Mr. Speaker. It now seems extremely unlikely that there will be a second resolution at the United Nations and, therefore, that the legal validity for war will effectively rest on the interpretation of UN Security Council resolution 1441. You have already undertaken to reflect on the point raised by the shadow Attorney-General. May I ask you to include it in those deliberations that, given the critical importance of that resolution, it must surely be right that there are exceptional circumstances, as defined in "Erskine May", whereby that legal advice must be made available to the House of Commons before we vote on a substantive motion? Will you please bear that in mind in your deliberations?

Mr. Speaker: All that I shall say to the hon. Gentleman is that he has been in the Chamber and heard what I had to say to the shadow Attorney-General. I will leave it at that.

Lynne Jones (Birmingham, Selly Oak): On a point of order, Mr. Speaker. Should not a Government Minister come to the House and give assurances that the Government have indeed received written legal advice on the legality of war with Iraq, and that that has been shared with all members of the Cabinet?

Mr. Speaker: The hon. Lady is capable of asking the Minister concerned herself. She does not need me to give a ruling on the matter.

BILL PRESENTED

NORTHERN IRELAND ASSEMBLY ELECTIONS

Mr. Secretary Murphy, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Robin Cook, Mr. Secretary Blunkett and Mr. Desmond Browne, presented a Bill to make provision about the date of the poll for the election of the next Northern Ireland Assembly, and for disregarding certain days for the purposes of the period after a poll within which an Assembly must meet; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. [Bill 74].

Fireworks Bill [*Money*]

Queen's recommendation having been signified—

1.26 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Miss Melanie Johnson): I beg to move,

That, for the purposes of any Act resulting from the Fireworks Bill, it is expedient to authorise—

(a) the payment out of money provided by Parliament of—

(i) any expenses incurred by the Secretary of State in consequence of any provision of the Act, and

(ii) any increase attributable to the Act in the sums payable out of money so provided under any other Act, and

(b) the making of payments into the Consolidated Fund.

It has been said in the past that money resolutions attaching to private Members' Bills deserve more consideration than those attaching to Government or public Bills. I am not sure that I entirely agree with that position but I agree that this important Bill requires full and proper consideration at all stages, including the money resolution.

On Second Reading on 28 February, it became clear that the Bill has universal support not just from within the House but from many other bodies. The Guide Dogs for the Blind Association, the Trades Union Congress, the British Medical Association and the National Farmers Union have all indicated broad support for the Bill's intentions. The diversity of that very small—I hasten to add—selection of the Bill's supporters shows how broadly its effects will be felt. Every one of us in England, Scotland and Wales could be affected by the Bill either directly or indirectly, whether through less noise and nuisance from fireworks, through better regulated firework displays or through buying fireworks from a properly licensed retailer.

The Bill contains enabling powers to make regulations dealing with a wide variety of matters relating to fireworks. As such, its full financial effects will depend on the content of such regulations. It would be foolish to try to second-guess at this stage exactly the shape and nature that those regulations may take. However, when regulations are made, normally, offences are created. The regulations that will follow the Bill will be no different. For example, there will be potential for creating offences for non-compliance, breaches and preventing enforcement of the regulations. Therefore the Bill will have certain financial implications for central and, perhaps more especially, for local government.

The Bill is unlikely to impact on central Government staff numbers, and it is likely to have a direct financial effect on central Government finances only while it progresses through its various development stages. It is more likely to have an effect on local authorities, whose trading standards and perhaps environmental health officers may have new or different roles. The police already have some enforcement responsibilities under existing legislation. Those could change under the Bill, but it is not envisaged that any revised role would require more officers or more time dealing with fireworks issues.

The Bill will have some implications for the court and legal aid system, so we must consider carefully the likely number of new cases that will have to be dealt with, and estimate the time that they will take up and how many appeals the courts may need to hear. That will all become clearer if the Bill makes progress and we get to the point of considering regulations to enforce it.

As I said on Second Reading, much of the detail needs to be thrashed out not only in debate in Committee but when the regulations are introduced and in light of the way in which such regulations should be constructed. Only then will the financial implications of the Bill in detail become known and better understood. I believe that this money resolution is drafted clearly and broadly without being drawn too widely. I commend it to the House.

1.30 pm

Mr. Andrew Robathan (Blaby): I understand that it is customary to table a money resolution such as this for a private Member's Bill, but I welcome what the Under-Secretary said. The Opposition concur on the likely costs. We welcome the Bill, and certainly its spirit, but we are slightly concerned about the lack of substance in it. We look forward to strengthening it in Committee.

Our constituents have real concerns about the proliferation of noisy fireworks throughout the year. I trust that the Bill will help them, and reduce the distress, disturbance and noise and the real fear that many people—especially the elderly—and their animals experience.

Mr. Andrew Stunell (Hazel Grove): The Liberal Democrats wish the Bill a fair wind and this short debate provides the opportunity for the House to discuss the funding and the support that it will need for its full implementation in due course.

Question put and agreed to.

MARINE SAFETY BILL *[MONEY]*

Queen's recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Marine Safety Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred by the Secretary of State in consequence of the Act.—*[Mr. Spellar.]*

MARINE SAFETY BILL *[WAYS AND MEANS]*

Resolved,

That, for the purposes of any Act resulting from the Marine Safety Bill, it is expedient to authorise the making of charges by fire authorities in connection with marine incidents.—*[Mr. Spellar.]*

Flood and Coastal Defence Policy

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

1.31 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): I am pleased to open this debate, which gives hon. Members an opportunity to discuss flood defence, a subject of particular importance to many people—*[Interruption]*—including, belatedly, the Opposition.

The Government have a good story to tell on flood and coastal defence, and a good record. Given the nature of our country—the number of our rivers and the fact that we are an island—we have effective structures in place. The Environment Agency, our lead body, is an effective organisation, and our system is based on river catchments, which is the most appropriate way of ensuring the delivery of flood and coastal defence, but we also integrate our approach effectively with issues such as the forthcoming water framework directive, environmental issues, diffuse pollution issues and biodiversity.

I pay tribute to all staff involved in the recent flooding incidents—most notably that of January 2003—including those who work for the Environment Agency, local authorities, internal drainage boards, British Waterways, our emergency services and many local community groups. Many of them worked through the holiday period and gave incredible support, dedication and unstinting service in dealing with those floods.

Mr. Martin Salter (Reading, West): I concur with my hon. Friend's tribute to staff at the Environment Agency, community groups, parish councils and volunteer search and rescue people, but does he agree—I raised this matter with him in Westminster Hall on 4 February—that there is a question concerning the amount of resources available to emergency planning officers throughout the country? I would contend—as would the Local Government Association—that there is a total lack of funding within the civil defence grant. I understand that the total civil defence grant—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I would contend that that is overlong for an intervention. Perhaps the hon. Gentleman will catch my eye later to develop his point more fully.

Mr. Morley: I understand the gist of what my hon. Friend says, and he did make that point in Westminster Hall. I said at the time that he was absolutely right: there is a need to overhaul and review the procedures for emergency response, which is a Home Office lead responsibility. The co-ordination of flood events and other civil emergencies is part of its responsibility. I know my hon. Friend's concerns about this and that he has been working with his community groups. I will draw his points about the need for adequate funding to the attention of my right hon. and hon. Friends in the Home Office.

Sir Michael Spicer (West Worcestershire): The Minister mentioned that it is Government policy to have catchment areas and integration on rivers, but that is

[Sir Michael Spicer]

not happening at present. There is a massive flood prevention scheme at Bewdley on the River Severn that has shoved all the water down to my constituency. The Minister has not got there yet; what he says may be an aspiration, but when will it become reality?

Mr. Morley: It is reality because it is based on catchments. There are three key criteria applied to any flood defence scheme. The first is the impact on the environment. The second is technical: whether the scheme works effectively and, within that, whether there are any implications for other communities in the area that must be taken into account. The third is a cost-benefit analysis. I can assure the hon. Gentleman that the implications of one scheme for other communities are taken into account.

Hugh Bayley (City of York): I am grateful to the Government for their response to the consultation exercise, but does my hon. Friend agree that a river is a drainage system, draining the entire catchment from source to sea, and that it would be wholly illogical to place the cost of carrying flood water away from upland areas to those living downstream by imposing a flood plain levy? Does he agree that drainage is a public good—one of those things from which everyone benefits, and to which everyone should contribute?

Mr. Morley: Drainage is a public good, and my hon. Friend is pre-empting what I am going to say about the funding review. The debate today is an opportunity for hon. Members to respond to that. I understand his point: drainage is important for the whole of our country, and it is for that reason that the recommendation of the funding review was that the bulk of flooding and coastal defence expenditure should continue to come from the Exchequer. We as a Government accept that. Some people get direct benefits in relation to the defences that are provided and there has always been a partnership approach between local and central Government, with central Government paying the bulk of the expenditure. Within the review, there were a number of recommendations about additional sources of funding, on which I shall expand in a moment.

My hon. Friend was right that a flood plain levy was one of the suggestions. We are looking carefully at the recommendations of the report, but the idea of the flood plain levy in the consultation was almost universally unpopular. I can reassure him that a flood plain levy is a very low priority for the Government and we would like to consider other issues.

I want to stress the positives in relation to flood and coastal defence and the improvements that we are constantly striving to make. However, I know that, despite our successes, there is no consolation to anyone who has suffered from flooding. I want to make that clear and express my sympathy to those who have been victims of flooding. We are not complacent and we are striving to make the system better. I shall touch on what we are doing today.

Jon Trickett (Hemsworth): I pay tribute to the work that my hon. Friend is doing, but does he acknowledge that, sadly, areas such as Hemsworth are subject to flooding by human excrement because of the lack of drainage? In his expenditure review, will he look at enhancing the expenditure on such matters by private companies such as Yorkshire Water?

Mr. Morley: That issue will not form part of this funding review, which deals with funding for flood and coastal defence. However, my hon. Friend makes a very important point that enables me to stress that the sources of flooding are not simply fluvial. For example, run-off from fields and roads, and small ditches belonging to riparian owners, can contribute to flooding, and sewer flooding is indeed a major problem. We, along with the Ofwat regulator, are embarking on a price review of the investment programme for water and sewerage companies for the next five years. I know that sewer flooding is an issue of particular importance to many hon. Members, and I want to reassure them that in my talks with the regulator, following the Government's initial submission, I have asked that more priority be given to addressing that issue in sewerage companies' future forward programmes. I know that many hon. Members will welcome that approach.

Mr. Mark Francois (Rayleigh): The Minister will undoubtedly be aware that flooding is a very emotive subject in the county of Essex. This year, Essex commemorates the 50th anniversary of the great flood of 1953, which killed almost 100 people in the county. He will also be aware that central Government funding for flood defences in Essex has recently been reduced, and that this, too, is an emotive issue, given our history. Will he therefore agree to meet me and a delegation from Essex county council, so that we can debate the issue of flood defence in Essex? Perhaps we can persuade him to look again at one or two of these important points.

Mr. Morley: As hon. Members know, I am always willing to meet them to discuss their individual constituency problems, and to do what I can to address them. I do not know the details of the Essex budget, but what I do know is that budgets in individual areas fluctuate from year to year, depending on the schemes that have been approved, and on the schemes submitted by the regional flood defence committees. Of course, the responsibility for deciding on local priorities rests with the regional flood defence committee, which, along with the Environment Agency, decides on the priorities and submits the scheme to Department for Environment, Food and Rural Affairs. Our job is to provide grant aid, and to make a technical evaluation of individual schemes. If the hon. Gentleman will write to me with his concerns, I shall be only too happy to see if I can address them.

Mr. Philip Hammond (Runnymede and Weybridge) *rose—*

Mr. John Smith (Vale of Glamorgan): Will my hon. Friend give way?

Mr. Morley: If hon. Members will give me time to develop my speech a little further, I shall be happy to take interventions.

Mr. Smith: I wanted to mention resources.

Mr. Morley: We will have the opportunity to discuss that issue. Indeed, the point that I was about to make is that we have increased resources substantially. The House might be interested to learn what has happened since we came to power in 1997. Back then, annual expenditure was some £310 million. After increases in successive spending reviews, we are now set to spend £564 million by 2005–06. That is an increase of £254 million—or more than 80 per cent., in cash terms, in less than a decade. That is a considerable increase.

Adequate funding is important, but flood defence is not just about spending money. We also have to put in place the means to target investment where it is most needed, to get the best value for taxpayers' money, and to ensure that our aims and objectives are achieved. They include the production of a set of high-level targets for flood and coastal defence bodies to follow; strengthened guidance to local planning authorities on building on flood plains; better procedures for appraising schemes, to ensure that taxpayers' money is well spent; and new scheme appraisal and priority score techniques, to ensure that the priorities are open and transparent in the allocation of funds for individual schemes. We also want to reinforce the strategic approach to flood defences by developing the shoreline management planning initiative, and by introducing new concepts of catchment flood management plans and coastal habitat management plans. As hon. Members have said, and as we accept entirely, it is important to address flood management on a catchment basis.

We also want to look at new technology, designs and innovations, such as temporary community defences, which can be erected temporarily in particular areas when there is a flood risk warning. My hon. Friend the Member for Worcester (Mr. Foster) has raised issues such as this in general terms, and in relation to his constituency. He might be interested to know that we have approved a £600,000 DEFRA grant for the purchase of temporary community defences in the Severn area. Worcester is one of a number of areas that will be included in the pilot trial scheme for such defences.

Mr. Michael Foster (Worcester): I want to say a big "thank you" to the Minister on behalf of the people of Worcester, and in particular on behalf of Worcester Action Against Flooding, a pressure group that is meeting tonight. It will be mightily impressed by his announcement, and the champagne will certainly be flowing tonight in Worcester.

Mr. Morley: That is the best kind of flowing to have in discussing these issues. Many organisations, and in particular those that are part of the National Flood Forum—a body that I regard very highly—are considering these matters. I have to be honest and say that, although we are increasing funding and looking at different solutions, sadly, for all sorts of technical reasons, in some areas it will be very hard to find an effective engineered solution. Although such temporary defences will not be the answer in all circumstances, they may be in some. We certainly want to extend such provision further in order to give communities flood and coastal defence.

Mr. John Smith: I agree with everything that my hon. Friend has said about increased resources, but what about the smaller schemes in villages such as Colwinston, in my constituency, which fall between the Environment Agency and the local authority? Such places can raise their own money—often, it is private sector money—but sometimes it is not quite enough. Is he thinking of any schemes to help them to get additional funding when they have shown their own initiative?

Mr. Morley: That is a very interesting suggestion. Indeed, I have encountered communities and individuals who have put up their own money to provide their own flood defences. Incidentally, they have to go through the same planning and appraisal process to ensure that they will not impact on other individuals or communities. I warmly welcome local community initiatives to try to raise funds. As my hon. Friend says, they sometimes fall just a little short, and I undertake to discuss this matter with the Environment Agency and the regional flood defence committees, to see whether some initiative might give financial support to those who are prepared to meet a proportion of the funding. We have examined one or two such schemes on a pilot basis. The particular circumstances must be considered, and the idea needs some thinking through, but I can assure him that we will discuss it.

Mr. Andrew Turner (Isle of Wight): I am interested in the suggestion that the Minister made, before he moved on to temporary flood prevention measures, about new plans. I am concerned that the creation and implementation of new plans will drive back much of the work that has already been done in some areas. A brief example is what happened in my constituency in 1994, when such a plan was drawn up. That plan still has not been implemented because of new regulations piled on new regulations.

Mr. Morley: I do not know the details of that plan, but it may well have come fairly low on the regional flood defence committee's priority scoring league table. Although the plan may be regarded as desirable, it may have a relatively low score. If the hon. Gentleman would like to write to me with the details, I will be very happy to provide him with some more information.

Sir Michael Spicer: I am grateful to the Minister for giving money to Worcestershire but, as he said, value for money counts as much as anything. In that context, why has he rejected the concept of helping self-help schemes, which seem to offer very good value for money?

Mr. Morley: We have considered a pilot scheme in partnership with a local council. Self-help schemes are designed to protect individual houses, which is fine, and the protection of individual homes is the responsibility of householders. The commitment for across-the-board grant aid for self-help schemes could be large and open-ended, and would divert money from larger-scale community defences, which protect a lot of homes and property. A balance therefore has to be struck. We take the issue seriously, however, and the hon. Gentleman may know that the Department has put money into the evaluation of various self-help devices and the establishment of a kite mark of standards so that people know that the devices have been tested and that they are buying something effective.

[Mr. Morley]

I welcome the innovation by many companies, including British companies, which have produced a range of products to assist people to protect their homes. The National Flood Forum has set up flood fairs—people in flood-risk areas can go along and see some of those devices being demonstrated and explained, which is useful and effective. We take such developments seriously. The support that we can give is limited but, where we can give it, we are certainly willing to do so in the way that I have described.

Yesterday, I announced the Government's conclusions on the flood and coastal defence funding review. The full written statement was given to the House yesterday morning, because I wanted to give Members an opportunity to read and think about it before raising their concerns in today's debate. I am happy to set out the main points of our response.

Norman Baker (Lewes): I thank the Minister both for giving way and for his courtesy in giving the House that statement, which was useful. Will he tell us what will require primary legislation and what can be done by regulation? If there are matters requiring primary legislation, will they be incorporated in the Water Bill?

Mr. Morley: One or two issues will require primary legislation, but those in our announcement, particularly the reorganisation of regional flood defences and local flood defence committees, will be included in the Water Bill.

To recap, in our response we accepted that the majority of the service should continue to be funded by the Exchequer. I have outlined the way in which expenditure has grown under this Government, but, to meet the challenges ahead, we need to investigate alternative sources of funding, recognising that there has always been an element of shared responsibility in funding, especially when the beneficiaries are identical to those of the flood defence service. That will reduce at least some of the burden falling on the general taxpayer, who may receive little or no direct benefit from flood defences—a point made by my hon. Friend the Member for Hemsworth (Jon Trickett).

I confirm that the Government are continuing to investigate alternative sources of funding identified by the review group. We are paying attention to the idea of a development connection charge—a tax to be paid by developers in the flood plain. I know that new taxes and charges are never popular, and shall certainly bear in mind the issues that were raised when we consulted. I should stress that no definitive decision has been made about a connection charge, as there are many details that have to be considered and resolved. However, we are giving thought to the issue.

I took careful note of the report on flood and coastal defence by the Select Committee on Environment, Food and Rural Affairs, to which I pay tribute. I have always held the Select Committee in high regard, and DEFRA takes its views seriously and tries to respond to them. The Select Committee called for streamlining and simplification of the institutional arrangements for flood and coastal defence. We concluded that the Environment Agency should take responsibility for all rivers creating the greatest flood risk, which will help to provide a much greater consistency of service across the country. Those rivers, responsibility for which is currently split between the Environment Agency, local authorities and internal drainage boards, will be redesignated as main rivers and brought under the control of the agency. We expect day-to-day maintenance and work on those rivers to be contracted back to the local authorities and IDBs if they are willing to take on that work and have a good track record on delivery.

We have retained IDBs—the former Select Committee on Agriculture recommended their abolition—and recognise that many of them do a good and effective job in draining land in areas of special drainage need. The Government's statement outlines a number of measures that we want to take to ensure that IDBs do their job in a way that reflects wider interests, including nature conservation and flood defences for people and property. I shall investigate ways of making the boards more accountable by, for example, bringing them under the ambit of the local government ombudsman, and I want to add impetus to the project to make the boards more efficient and better able to cope effectively with the full range of responsibilities now falling to operating authorities.

There are some very small IDBs, and there is a strong case for the smallest ones to consider mergers or working within consortiums, which have already been established successfully in many parts of the country.

Mr. Mark Todd (South Derbyshire): As someone who has participated in the various Select Committee considerations of this matter, I applaud the Government's response to the need for organisational reform to deal with flood defence. Ordinary consumers of flood defence services will now have a much clearer idea about who is responsible for the services on which they rely.

Mr. Morley: I am grateful [illegible] my hon. Friend, who is a member of the Environm[illegible]ood and Rural Affairs Committee, which has taken an interest in the matter and looked at it in detail.

Mr. Andrew Lansley (South Cambridgeshire) *rose*—

Mr. Morley: I would like to make progress and do not wish to take up too much time. However, I am glad that we have a little more time for the debate than we expected—*[Interruption.]* Well, on that basis, I will give way to the hon. Gentleman.

Mr. Lansley: I am grateful to the Minister for arguing himself into giving way. Part of my constituency is covered by an IDB. When we suffered some exceptionally heavy rainfall, the performance of IDBs in relation to the water courses for which they were responsible was generally better than was the case for bodies with responsibility for other rivers. Accountability can therefore be a good thing, but we do not want uniformity to lead to a reduction in the protection standards achieved by IDBs. If the operating authority is going to be the Environment Agency, will it contract out duties quickly and non-bureaucratically in a way that allows IDBs to do substantially the same job as they do now, because they often do it very well?

Mr. Morley: I accept the hon. Gentleman's point. To avoid contradiction, perhaps I should put on record my vice-presidency of the Association of Drainage Authorities. I am a strong supporter of IDBs—my constituency, like those of many hon. Members in the Chamber, relies on them very much. There are some tiny IDBs with tiny budgets, and we need to look at their efficiency and delivery of service. We expect the Environment Agency to contract a lot of work back to IDBs and local authority, but only if they deliver the work efficiently. That is an important consideration and it will be treated seriously, as hon. Members would expect of all decisions made by the Environment Agency. We expect the vast majority of IDBs to be capable of delivering such a service.

Diana Organ (Forest of Dean): Does my hon. Friend have a view about the optimal size of IDBs? In my constituency, there are two IDBs—one is a reasonable size and has a reasonable budget, and the other, the North Gloucestershire internal drainage board, is very small. Does my hon. Friend have a model for what he would consider a good, viable size of IDB with a budget that would allow it to do the necessary work to prevent flooding?

Mr. Morley: In all honesty, I must point out that the optimum size of an IDB will vary according to where it is. Many IDBs have given the matter a great deal of thought. I want them to consider the matter themselves, taking into account the guidance of their own associations. Considerable savings could be made by merging IDBs, or through the consortium approach. I know that my hon. Friend would welcome those savings, as she will welcome my announcement today that IDBs will come under the remit of the local government ombudsman. That will resolve some of the problems that otherwise come to my Department.

I turn now to the question of the Environment Agency's flood defence work, and how that is funded. We propose to change that funding. Subject to the passage of amendments to the Water Bill, the agency's work will be funded by a single stream of DEFRA block grant. That block grant will embrace the current DEFRA capital grant, which currently has to be awarded on the basis of individually approved schemes, and the revenue funding that currently goes to the agency from levies on local authorities. That will greatly simplify the present funding arrangements and provide much greater certainty of funding for longer-term planning.

Gregory Barker (Bexhill and Battle): I thank the Minister for giving way, and I am grateful to him for the interest that he has taken in flooding in my constituency, and especially for his visit to Robertsbridge. However, the picture elsewhere in Sussex is not so happy. The Sussex flood defence committee feels that the Department has led it down the garden path. It believes that it was promised 75 per cent. match funding from DEFRA if the county council raised the levy by 7 per cent. Only 65 per cent. was forthcoming. Will the new funding formula give the Sussex flood defence committee a better deal? So far, its experience has been pretty shabby.

Mr. Morley: I disagree. No formal funding arrangements would be made on the basis that the hon. Gentleman described. Funding should be provided by local authorities on the basis of the flood and coastal defence needs of their communities and areas. The level of grant has been increased by this Government. It has been set at different levels according to the priorities and needs of different areas. We take into account the needs in Sussex, and they are reviewed every year. I shall take that into account in future.

Mr. Ian Cawsey (Brigg and Goole): My constituents and I are grateful to my hon. Friend. I am sure that he will recall visiting Gowdall and other parts of my constituency several times. When the Environment Agency builds flood banks, that often requires work on people's land, and sometimes even in their gardens. Outbuildings and garages occasionally have to be demolished. Could local residents make a case for compensation in such circumstances?

Mr. Morley: This is a complex matter. I am aware of phase 2 of the Gowdall flood defence scheme, and I have visited the village three times in connection with the floods of 2000, so I know it and the details of the scheme very well. It appears that, over many years, some permanent structures such as garages have been built into the flood bank. People should give careful thought to what they build into flood banks but, because the structures are so long standing, I understand that the Environment Agency considers that there might be a case for compensation, in some circumstances, if they have to be demolished or removed. I assure my hon. Friend that the agency is looking at the matter. I am sure that the residents of Gowdall will be pleased about the significant additional expenditure being made on raising the local flood defences. I concede that the village was severely affected in 2000.

The idea is to simplify funding arrangements, to give more certainty to the Environment Agency so that it can adopt longer-term planning in connection with regional flood defences. As for delivery, we are also planning to streamline the current structure of regional and local flood defence by creating a single tier of committees. It is expensive and inefficient to run two committee tiers, and one committee often ends up second guessing decisions made by the other. Again subject to the passage of amendments to the Water Bill, we propose that the local tier of committee be abolished.

However, we recognise that local input is important. Local priorities and views must be taken into account, so we also propose to split some of the larger regions into, say, two or three smaller areas. Those areas will be served by a single-tier committee, but there will be more of them, thus ensuring that local accountability and involvement are maintained.

We are also changing the way in which DEFRA goes about considering proposed capital schemes undertaken by the Environment Agency. In particular, we will consider proposals at an earlier stage of development. That will avoid committing resources wastefully on schemes that are unlikely to be approved for grant. We

[Mr. Morley]

will try to identify preferred options, and then put them out for consultation. We also try to involve our engineers at an earlier stage in the development or proposals, so as to speed up the appraisal process.

I have to be honest with the House: flood defence provision is complex. The point has been made that we must ensure that one scheme does not impact on another. For that reason, a scheme has to go through the planning process, and often through a very detailed technical appraisal. I do not want to give the impression that putting in flood defence schemes, especially the major ones, will necessarily be a speedy exercise. In some cases, it can take quite a long time. I do not want to mislead people, but we want to try to ensure that unnecessary delays because of departmental bureaucracy are minimised.

Several hon. Members *rose—*

Mr. Morley: I want to come to my concluding remarks, but I give way to the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb).

Mr. Nick Gibb (Bognor Regis and Littlehampton): The Minister will be aware that the Chichester flood relief scheme sends water down the Pagham rife through my constituency when there is a danger of flooding, and that the Environment Agency last year missed the seasonal window of opportunity for installing sluice gates in the Pagham reserve. Will he assure me and the people of Pagham that the agency will not miss the window this year, and that it will install the sluice gates this spring and summer?

Mr. Morley: Yes. My understanding is that the agency can meet the deadlines for the work on the Pagham sluice gates. To be fair to the agency, in any scheme one is likely to come across unforeseen circumstances sometimes, such as geological ground conditions, water conditions, delays with contractors or even court cases with contractors. Such problems are not unknown. I know that the agency was confident that local communities were not at risk, even though the Chichester scheme sluice gates were not in place. I have visited the Chichester a number of times, and I was very pleased to turn the first sod when it began. I am glad that it is now in place.

Several hon. Members *rose—*

Mr. Morley: I give way to the hon. Member for Somerton and Frome (Mr. Heath).

Mr. David Heath (Somerton and Frome): I am grateful to the Minister, who is beleaguered by hon. Members. He has not mentioned the contribution that agri-environmental schemes can make to catchment management. I have raised the matter of water retention before, but is thought being given to soil management? Very often, compacted soil prevents water from flowing through to aquifers, and therefore being retained, before it goes into the river system. Is the agri-environmental review addressing that issue?

Mr. Morley: It certainly is. I touched on the matter briefly, in the sense that our general approach to flood and coastal defence involves the soft solutions as well as the hard ones. That is, we want to look at sustainable solutions that involve working with the forces of nature. That means using salt marsh, sand, various gravels and pebbles, and even agricultural land in flood defence schemes. We are issuing soil codes as part of the entry level pilot schemes. We want those schemes to include the various codes produced by DEFRA and which are based on good agricultural practice. In that context, we want to minimise soil compaction, as the hon. Gentleman rightly pointed out, and the run-off from fields that can cause flooding problems for people.

We recognise that agri-environment schemes could well be part of the range of measures that we can offer as coastal and flood defence solutions. The salt marsh option, for example, is part of our country stewardship option, and it is being used in a number of small schemes around the coast. We take such matters into account, and there may be greater scope for their use. However, once soil and the water tables are saturated—and agricultural land this winter probably reached its full water-carrying capacity by the end of December—the land can take no more water. Any further rain simply runs straight off into the water courses.

That is the situation that has faced us all this winter. The combination of those factors led to the flooding incidents in December and January, in conditions that were very similar to those in 2000. We have to take such matters into account.

Hugh Bayley: Is there anything that my hon. Friend can do to speed up the publication of the Ouse catchment study, which is being carried out by the talented staff of the Environment Agency at its York office? It is now two years since the devastating floods in York which affected 600 properties. The consideration of new flood defences to protect some of those 600 properties is dependent on the conclusions of the study, so naturally the people concerned want the study to be published as soon as possible.

Mr. Morley: I understand my hon. Friend's concern and I have followed the progress of the study. It is a sophisticated study, looking at York and the whole catchment in relation to the best approaches to deal with minimising flood risk down the whole of the Ouse in Yorkshire. My understanding is that the Environment Agency will be able to draw some conclusions from the scheme this summer. That will help guide it towards the necessary options. If the scheme demonstrates that there is a need for further investment in York defences, I am sure that the regional flood defence committee will take that into account in the normal way. I should emphasise that York is protected to a high standard at present, but it is important to look ahead. Part of the Government's approach is to look ahead with investments in flood warning schemes, improved weather forecasting and the Foresight programme, which is led by the Government chief scientist and is trying to look ahead for 50 or 100 years in relation to changing weather patterns and their potential implications.

Several hon. Members *rose—*

Mr. Morley: I know that one or two other Members wish to intervene, but I should like to bring my remarks to a conclusion. I hope that I will have the opportunity to answer their points at the end of the debate.

The series of measures that I have outlined today will streamline the flood and coastal defence service. Subject to the passage of facilitative measures in the Water Bill, which has had its Second Reading in another place and will shortly come to this House, we will be able to implement these measures relatively quickly. We will do so in consultation with other interested parties. I am glad to see the warm response that the proposals have received from the Environment Agency and the Association of British Insurers.

We will produce a proposed implementation plan on the Department's website which will also give some indications of time scales and the process for implementing the changes. We plan to review the measures after they have been in operation for three years. We do not want to disturb the arrangements for flood and coastal defences because their provision is a long-term business that requires long-term investment and stability in relation to delivery. We want to take account of developments and currently emerging issues, such as the implementation of the water framework directive and the Government's wider regional agenda and developments on new funding streams, and, of course, the way in which the IDBs react to the proposed changes.

I look forward to the debate and I hope to respond to as many points as possible. I believe that what I have outlined will be an improvement in the delivery of flood and coastal protection. It is part of our commitment, demonstrating that while we have a good record, we are not complacent about what we are doing or how we are delivering it. We are seeking ways to improve it as part of the constant investment we are making in reducing the risks of flooding to the British people.

2.13 pm

Mr. Jonathan Sayeed (Mid-Bedfordshire): Prior to this debate there were three resolutions which could have run for two and a quarter hours. Bearing in mind the large number of hon. Members who wish to take part in the debate, I am sure that we are all grateful for the expeditious dispatch of those resolutions, which took a total of some five minutes, allowing us rather more time for this important debate.

Some 50 years ago, on the night of 31 January 1953, the North sea flooded and a disaster took England by storm. Wind speeds of 125 mph were recorded before the tidal flood descended on the east coast. Some 307 people died, 24,000 homes were damaged or destroyed and over 30,000 people were evacuated. Nearly 200,000 acres of land were inundated and 100 miles of road and 200 miles of railway were seriously damaged.

Speaking on 30 January this year at the 1953 floods conference in Norwich, the Minister assured his audience that the Government were committed and on track to meet the challenges of flood and coastal defence today and tomorrow. He contrasted 1953 with today, stating:

"we do live in different times—not least because we are better at warning people. In 1953, there was no national warning service. Emergency plans were hampered by poor communications."

I suggest that the Minister may be accused of a certain wishful thinking in the light of the flooding disasters of Christmas and new year 2002–03. Despite 136 flood warnings, 645,000 properties were flooded and many were left stranded without communication as the Environment Agency's website was overwhelmed by excessive demand. Apparently the problem was 40 times worse than in the year 2000 and was not merely a matter of excessive water flow, but also one of sewage and drainage surcharge—a particular unsavoury phenomenon.

Flooding is often mentioned in the same breath as such admirable words as "sustainable", "strategic approach" and "integrated management". Yet how much of that did we see over the new year's flooding, and how far is it being put into practice in the Government's long-term vision for flood and coastal defence? Climate change, tilt and sea level rise mean that the UK will be increasingly subject to higher rainfall and risk of flooding, both along the coast and inland.

I start by welcoming the Minister's announcement yesterday to increase funding significantly, with a rise to £560 million by 2005, which is to be paid through a direct block grant to the Environment Agency. This at long last allows for longer term planning.

Hugh Bayley: It is a matter of concern to my constituents and constituents in many towns and cities which are subject to flooding whether the hon. Gentleman's party gives a commitment to maintaining this level of funding for flood defences should it return to Government.

Mr. Sayeed: I suggest that the hon. Gentleman allow us to get back into Government first. *[Interruption.]* We will not have too long to wait, I trust.

Both the money and the direct block grant make a step in the right direction towards a much more modern, efficient system of flood management. However, it is not enough simply to invest money. We also need to invest thought. Our thinking must be driven by an understanding of sustainability that is holistic, giving due consideration to the environmental, social and economic needs of our communities.

Much more needs to be done—the Minister touched on this—to champion new approaches to flood defences and to streamline institutional arrangements. I acknowledge that, at long last after six years, the Government have taken a significant step towards that with yesterday's announcement. However, I remain concerned that DEFRA's consultation on the flood and coastal defence funding review, which examined the funding mechanisms for flood and coastal defences, explicitly excluded from its scope

"emergency planning and emergency funding arrangements".

The Minister informed me in the Westminster Hall debate on 4 February, column 50, that a review of emergency planning had been delegated to the Home Office, so I sincerely hope that the two Departments can, for a change, demonstrate coherent government over the issue.

I have spoken a number of times in this House, warning the Government about the dangers of the multi-tiered system of responsibility. Before yesterday, operational responsibility for flood defences continued to rest with the Environment Agency, the internal drainage boards, local authorities and maritime local authorities, riparian owners, the water companies, the Highways Agency and many other interested parties.

[Mr. Sayeed]

That was hardly conducive to an integrated, strategic and streamlined approach, with the flexibility to recognise and react to specific local needs. It was, as it will continue to be until the changes are implemented, a recipe for arguing over responsibility until a problem escalated into an expensive and damaging disaster. I am thus delighted that the Minister appears to have taken up my proposal for the establishment of a single executive operating authority, funded by a central grant and able to require action to be taken in the event of an emergency, and later to apportion responsibility and costs. In that way, instead of a problem developing into a disaster while the parties argue about which of them is responsible, swift remedial action can be taken and blame and costs apportioned afterwards. There is no doubt that we need one body with the right and the might to enforce action, and I trust that will now be provided.

As I understand the Minister's statement yesterday, the Environment Agency has been given full responsibility for the major risk rivers, with power to contract some operational flood defence work back to competent local authorities and internal drainage boards. I welcome that. However, if the Environment Agency is to become the executive operating authority, there must be an appeal system against its decisions. The organisation could have a vested interest in its adjudications, so it is essential not only that it act impartially but that it be seen to do so and publish proof of that.

It also seems that overall responsibility for coastal defences will remain with local authorities. How will such local responsibility dovetail with the newly acquired powers of the Environment Agency in the general chain of command? Has the Minister considered instituting a statutory duty for operational authorities to carry out flood and coastal defence activities, rather than their present permissive powers? What is wrong with the Scottish example, where local authorities have a statutory duty of flood prevention?

The Minister has proposed the abolition of the local committees in favour of a definitive list of regional committees, and the draft Water Bill also included provision for the empowerment of regional flood defence committees. How is a region defined in that context? Would such provisions mean that, in the interests of regionalism, we should be sidelining internal drainage boards, which are often a valuable repository of local knowledge and experience? How will the Government ensure that decision making does not become too remote from local circumstances? How effectively will the process function when catchment areas overlap both regional and national boundaries?

Furthermore, when will the Government realise that floodplains contain areas that provide general economic and environmental benefit to the greater community—not for capital gain by the development and building industries, but as water-absorbing land that can reduce the risk of flooding elsewhere? Currently, more than a quarter of new property, by value, across England and Wales, including £80 billion worth of property in and around London alone, is built on floodplains. How many more millions of households are to be exposed to increased flood disasters, lack of insurance cover and a drop in property value, which will render their homes a worthless asset? Why are the Government putting more people at risk from flooding, while simultaneously planning to increase taxes to pay for more crucial flood defences?

Mr. Todd: The hon. Gentleman presents a somewhat unsophisticated argument. The main threat is not to the houses constructed on floodplains, as they are often well defended and raised above the floodplain, but to surrounding properties that are not so defended.

Mr. Sayeed: I agree with the hon. Gentleman's second point. The Deputy Prime Minister's proposals for the Thamesmead area will do considerable damage not only to that area but to the properties that surround it. Why should properties that have not been subject to flooding be caused to flood in the future owing to excess building?

Why are more than one in three applications to build homes on floodplains being approved in defiance of the advice of the Environment Agency? Last year, the Government approved 288 of the 758 planning applications to which the Environment Agency objected. On appeal, a further one in five was passed, again against the agency's advice. Perhaps the Minister would comment on the proposition that it is hardly unreasonable to ask that the agency, and indeed the water companies, be treated as statutory consultees on developments in a floodplain and that their advice be adhered to unless there are good published reasons to disagree.

Dr. John Pugh (Southport): I should hate the hon. Gentleman to think that the Environment Agency always got everything right. In my constituency, the whole of Southport PR9 is classified as a floodplain and under threat of flooding not from the sea, because we have an excellent sea wall—indeed, sometimes there is some difficulty in finding the sea—but from the river, even though we have no history of flooding from any river. None the less, organisations such as Marks and Spencer refuse insurance to people in the PR9 area because the Environment Agency is using a bad map.

Mr. Sayeed: The hon. Gentleman makes a fair point. The Environment Agency's first mapping was purely topographical. The agency did not ask the IDBs or other bodies which areas were at real risk of flooding. Maps produced by Norwich Union were far superior to those of the Environment Agency, and the agency recognised that it was at fault.

As I understand it, the agency's objections to the planning applications were not based on crude projections taken from an inaccurate map; they were well founded objections that were ignored by the Government. It would be sensible for the agency and the water companies to be treated as statutory consultees on developments in floodplains, as I pointed out earlier.

Mr. Todd: Would the hon. Gentleman support my proposal, which I understand that the Government are keeping as a reserve option, that any application in a floodplain to which the Environment Agency objects should automatically be referred to DEFRA for decision rather than being determined locally?

Mr. Sayeed: I am dealing with that point. If those bodies were statutory consultees, they would have to be consulted.

I now come to the Deputy Prime Minister's regeneration scheme for the Thames gateway region. That scheme will put another one million people at risk from flooding. More than 58 square miles are below the level reached by high tide and parts of Thamesmead lie 12 feet below high tide. As we know, the Thames barrier may not last as long as predicted, owing to tilt and rising sea levels, and is currently subject to a far greater proportion of closures than intended under its original design. As a consequence, development in the south-east will require major added investment to protect vulnerable areas from increasing coastal and fluvial flooding. The Minister has told us that he is considering a new tax on property developers who are planning to build on floodplains to pay for the erection and maintenance of flood defences.

Mr. Morley: The Thames gateway is currently defended to a one in 1,000 standard for flood defence, which is extremely high. It is true that, at some point, the Thames barrier will need to be upgraded or replaced because of its design limitations. That has been built into forward investment.

The hon. Gentleman referred to the floodplain connection charge. Planning authorities can ask developers to contribute directly to flood defence schemes as part of their development. That provision already exists under planning policy guidance 25. The idea is that the levy would contribute on a national scale to flood warning systems and the ongoing maintenance of flood protection schemes in all areas that are at risk.

Mr. Sayeed: I thank the Minister. I understand those points and will deal with them later. As he knows, however, the one in 1,000 figure is disagreed to by several other authorities. The fact is that if one builds homes that lie 12 ft below high tide, one runs a considerable risk. The consequence of all this development in the south-east will be that we have to invest considerable new sums of money to protect vulnerable areas from increasing coastal and fluvial flooding.

Will developers play a part in raising the revenue to deliver increased funding to the Environment Agency? Who will be required to pay for the increased drainage costs? Will it be householders, who do not want ever more urban sprawl, local authorities, who are opposed to building on floodplains, or the water companies, who will simply pass on the extra costs to their customers? How far has the Minister considered a supplementary one-off "connection charge" on all development projects that are likely to have an adverse drainage impact on a particular catchment? The funds raised from such a levy could be used to improve flood protection in the area, with money contributing to flood forecasting and early warning systems, floodplain mapping projects, emergency planning and post-flood clear-up strategies.

How can the Minister square all his admirable intentions with the determination of the Deputy Prime Minister to continue and increase building on floodplains, covering ever more of the midlands and the south-east with bricks and mortar? It seems that we are being treated, yet again, to an example of joined-up government in rhetoric and contradictory policies in action.

Can the Minister guarantee that planning policy guidance note 25 will be enforced to ensure that appropriate development and flood mitigation measures for new development and for neighbouring existing properties take place?

Why is so much house building being planned for these areas, given that in the north of England housing is being left derelict or destroyed and existing infrastructure is being wasted? Is it because there is such regional inflexibility that there is ever greater pressure for inappropriate development? The priority should be jobs in the north, not urban sprawl in the south. Surely it is time that the development of floodplains was capped and that the Minister spent more of his energy and resources on soft defences and the encouragement of sustainable land management practices that assist water retention and maintain hedges and ditches to act as buffers.

Why are flood defence moneys and agri-environment funds not linked to ensure that landowners can be paid for flood mitigation practices? Inland hard and artificial defence structures often shift the problem upstream or downstream, and are far less cost-effective than a softer approach. High fluvial flood defence embankments in fact produce external costs by displacing floodwater downstream and preventing valuable environmental functions such as groundwater recharge. Instead of that piecemeal approach, the whole river catchment should be considered, not just the areas that are prone to flooding. In some cases, water can be stored upstream in washlands, providing the same flood defence function as more traditional approaches, but with the additional benefits of creating wildlife habitats, helping to meet biodiversity targets, and providing social amenities to local people. A similar attitude to the coastal flood threat could also reap both environmental and economic rewards.

Building higher and higher defences against rising sea levels is not an efficient use of part of the United Kingdom's coastline. The realignment of coastal defences could save the taxpayer money, provide natural flood buffer zones and safeguard important inter-tidal habitats, such as salt marsh, against the threat of coastal squeeze.The Royal Society for the Protection of Birds—I pay tribute to it—has identified many realignment possibilities around the UK. That [illegible] result in shorter defence distances, which at present cost an average of £3,000 per km per year to maintain. In north-east England, it could cut the length of wall from 88 km to 56 km and create at least 1,500 hectares of salt marsh, with the potential for a valuable fishery. New areas of salt marsh and similar habitats could help to absorb the impact of winter storms and rising tides, resulting in less ongoing spending on maintaining harder defences, yet still protect property further inland.

Before I leave the question of coastal defences, I have to mention the plight of Happisburgh, because it illustrates how coastal erosion is destroying homes and livelihoods. Worse, it threatens to obliterate entire communities. Yesterday, my hon. Friend the Member for Aylesbury (Mr. Lidington) visited Happisburgh, which is on the north Norfolk coast. The Minister would not recognise that coast, which he visited in 1998, because so much of it has been eroded by the sea. Erosion has accelerated at a rate that exceeds anything predicted by Whitehall or by independent experts. An

[Mr. Sayeed]

entire community feels frightened and abandoned by Government. The plight of Happisburgh mirrors that of other villages and small towns on the south coast of England, for the Government have recently changed the formula for assessing bids for new coastal defence works. Happisburgh would have qualified under the old system, but is now in effect being told that nothing can be done. Indeed, the local council told my hon. Friend that even a town the size of Cromer would find it hard to qualify for coastal defence works under the terms of the new formula. I am sure that that cannot be the Government's intention. Will the Minister explain what value the Government place on the survival, not only of individual buildings or businesses, but of an entire community? Will he confirm that they will look again at the formula?

Mr. Morley: I am of course familiar with Happisburgh, as the hon. Gentleman says, as I am with all coastal issues. There is a contradiction in his comments. He supports soft defence, which I am pleased about—it appears to be something of a policy U-turn—but soft defence requires a dynamic coastline, and a dynamic coastline means recognising that erosion has taken place for centuries. Local authorities are the lead bodies for coastal erosion issues. The scheme that was submitted to us in DEFRA was withdrawn by the local authority because it had problems with local objections and land ownership issues. It is a matter for the local authority, and we will judge its application on its merits when we receive it. Of course, I am sympathetic to the situation in which people in that community find themselves.

Mr. Sayeed: There is a considerable difference between letting local farmland drop into the sea and compensating farmers for it, and letting whole communities fall into the sea. The Minister did not answer my question about the changes in the new formula, but he may care to consider it.

I urge the Minister to ensure that the criteria used to identify areas that qualify for flood defences be re-evaluated to take into account all the impacts and costs associated with flooding. That point has been made forcefully to me by Norwich Union. I congratulate that insurance company, which has done much more work on flooding than any other commercial organisation. It remains concerned that February's change to the scoring system did not clarify whether the cost and benefit evaluations took account of social and health costs, which can be significant. The risk is that some communities will not receive schemes because they are not prioritised correctly.

Will the Minister review the distinction that was made in the Coast Protection Act 1949 between coastal defence and river flooding? If the sea breaks through at Happisburgh, it could surge right through the Norfolk broads, causing irreparable damage to the national park. Despite that danger, the Environment Agency has apparently told local people that it cannot get involved in their campaign for coastal defences because its remit is limited to river flooding. There seems to be a serious lack of joined-up thinking.

Mr. Andrew Turner: Earlier, I referred to Castlehaven, and I accept that its case is not as bad as that of Happisburgh. However, in all such cases, does my hon. Friend agree that twists and turns in policy and designation, and the length of the process, can delay the implementation of proposals that local authorities are prepared to make? That can cause great stress to residents.

Mr. Sayeed: I agree with my hon. Friend's point, but I would admit that the Government are, at long last, moving towards reducing the number of different conflicting organisations that have an input to such cases. I agree that the planning system is a cause of considerable delays.

I want to discuss public information. I welcome the facts that householder comprehension of flood risk is said to be on the increase and that the Environment Agency is advocating more self-help. Yet I wonder whether that increase in comprehension is enough. In its "Home and Dry" advice pack, launched on March 5, Norwich Union states:

> "more than 90 per cent. of homeowners in some of the country's high-risk flood areas admit they haven't even taken the simplest of steps to protect their property—such as moving valuables upstairs—and say they don't really know what measures they can take."

In addition, 67 per cent. of the people surveyed in February this year were worried that not enough is being done about flooding and that sufficient progress has not been made in the past 12 months. Property owners must be made fully aware of the threats that are associated with living on a high-risk floodplain, and encouraged to take precautionary measures on a seasonal basis. For instance, I would have thought it logical—although it seems hardly to occur in practice, even in new homes—that electrical connections should be placed at a higher level above the floor.

We can all disagree over the causes of global warming. However, what is indisputable is that the dual spectre of coastal and inland flooding looms increasingly large. The exercise of those forces of nature is out of our control, but the minimisation of their impact lies in the hands of the Government. Although they cannot turn back the tide, stop the rain or reverse rising sea levels, they can do much to protect us from what is foreseeable today and may become a catastrophe tomorrow.

Reform is undoubtedly the key to environmental protection and value for money. Moreover, the implementation of the Association of British Insurers' statement of principles on the provision of flooding insurance, which applies from January of this year, is dependent on Government action. Even that commitment still leaves up to 200,000 homes in the most high-risk areas without flood insurance. Ultimately, if the insurance industry considers that it can no longer provide cover for certain domestic properties and small businesses, the onus will be on the Government to provide cover as the insurer of last resort. Flood prevention is actually the cheap option. The Treasury has to learn that. The delivery of a policy that looks beyond sandbags to a long-term preventive strategy is essential before the next disaster catches us as unprepared and underfunded as we were in 1953.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. May I share a thought with the House? Perhaps 180 minutes or so are left in the debate for Back-Bench contributions, but 17 Back Benchers are trying to catch my eye. There is also another Front-Bench contribution to come. I am aware that many hon. Members wish to raise particular matters as well as making general observations on constituency concerns. Perhaps everyone will bear that in mind.

2.44 pm

Hugh Bayley (City of York): Having had two opportunities to ask questions directly of the Minister during his speech, I am prepared, in order to allow other hon. Members to make speeches, to make this the shortest speech that I have ever made in this Chamber.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. The hon. Member has taken the Chair by surprise—just as the Chair obviously took the hon. Member by surprise. I am sure that everyone appreciates his forbearance.

2.45 pm

Norman Baker (Lewes): I shall try to be brief to allow other hon. Members to contribute. [HON. MEMBERS: "Sit down!"] I promise not to take in excess of half an hour, as did the Conservative Opposition spokesman; and I will give way to the hon. Member for City of York (Hugh Bayley) if he wishes to intervene.

I thank the Minister for his usual courtesy in presenting his case today. He allowed numerous interventions. He always gives way to local hon. Members and responds as best he can. He also meets local hon. Members and we had the courtesy of a written ministerial statement, which is in *Hansard*, for us to see before today's debate. I am sorry if those comments are unhelpful to him, but that is how I feel. I hope that they do not damage his prospects—especially as there may be some vacancies for promotion in the Cabinet and elsewhere in future.

Yesterday's written parliamentary statement, which the Minister has amplified today, is well balanced. It acknowledges that changes had to be made to flood arrangements. The arrangements were archaic and anachronistic, and they prevented proper flood defence measures from being brought in as soon as possible, which is what all communities wanted. Change was long overdue. The Liberal Democrats made the same proposals—although we would not be so arrogant as to call them our proposals. The ABI also recommended the same proposals. It may be that the Government will pay more attention to the ABI than they will to other people who argue for change. However, whatever the reasons, there have been sensible changes that will go a long way towards improving flood defences. The environment block grant to the Environment Agency is a sensible and long overdue measure. I also welcome the change that will give the Environment Agency responsibility for all rivers with the greatest flood risk. I take it that, by risk, the Minister is referring to the consequences for houses if they are flooded, rather than to frequency with which flooding may occur.

I pay tribute to the RSPB, which is very knowledgeable about flooding. It too has argued for these changes and will doubtless welcome the Minister's comments, just as I have welcomed them. Other hon. Members will welcome them too. It is sensible to streamline the present approval processes for flood defence schemes and to bring DEFRA engineers in earlier.

The Minister rightly concentrates on the flood-defence aspects of particular works—that is his job. However, I hope that he will acknowledge that flood-defence works often provide an opportunity for amenity improvements for local communities. For example, the construction of improved flood defences can provide river walks or other developments along riversides. They can enhance conservation areas; but they can also damage them if the materials used are not suitable. What discussions has the Minister had with his colleagues in the Office of the Deputy Prime Minister to see what tie-up there can be between his objectives and the ODPM's objectives, to ensure that both can be met in the introduction of a particular scheme?

Mr. David Heath: My hon. Friend might also be interested in the tie-up between the Highways Agency, which was mentioned by the hon. Member for Mid-Bedfordshire (Mr. Sayeed), and the Environment Agency because road schemes can often act as water-retaining measures, sometimes to the advantage of communities, but sometimes—as with Ilchester Mead in my constituency, where the A303 causes floods—to their great disadvantage. It is very difficult to convince the Highways Agency that correcting those problems is its priority, because its priority is building roads, not stopping floods.

Norman Baker: I agree with my hon. Friend, who makes an important intervention. Joined-up government is needed across Departments to look at those matters, but sometimes things work in reverse: the Highways Agency is currently advocating a scheme for the A27 in my constituency that was described as the worst possible environmental option when it was proposed previously, but the agency is justifying the scheme because it will have less impact on the floodplain. So those in the Highways Agency sometimes invoke that argument to save money when it suits them and ignore it when that suits them.

Mr. Bill Wiggin (Leominster): I should like to ask the hon. Gentleman about the Environment Agency's progress in my constituency. This is particularly relevant to him because the Welsh Environment Agency takes care of flood defences in my part of England, and, as he will know, it is run by the Welsh Assembly, which is run by the Liberal Democrats in coalition with the Labour party, so I am curious to see how he reacts when he hears that those on the Lugg internal draining board say that they are extremely unhappy with the agency's progress. What would he say to them?

Norman Baker: I am not familiar with the position in the hon. Gentleman's constituency, and I am sure that he is capable of arguing his case very articulately in the House and with other colleagues. Cross-border matters are an issue. Water does not respect boundaries between counties, flood defence committees, nations or whatever, and we shall have to address that in

[Norman Baker]

considering the Water Bill and different legislation for Scotland and England, so the hon. Gentleman makes a valid point.

Perhaps we know all this, but it is worth putting it on record that we are having debates about flood defences not simply because the system has been faulty for so long, but because we are facing climate change of significantly increasing proportions. Average surface temperatures on the earth are 0.6° C higher than 120 years ago. The 1995 intergovernmental panel on climate change predicted that global temperature would increase by between 1° and 3.5° by the end of this century, and models project an increase in sea level of between 13 and 95 cm between 1995 and 2100. Those are all those significant figures that affect this country, but they often affect developing countries far more.

Under those circumstances, it is incumbent on the Government not simply to put money into flood defence, which they are now doing, and to have a coherent strategy, which is now coming, but to ensure that their other policies that affect climate change are in line with the Minister's desires to minimise its impact, thus reducing the call on moneys for flood defences. So he will be disappointed that last year, for example, the amount of energy generated from renewable sources in this country dropped from 3.3 to 3.1 per cent. of all energy generated, notwithstanding the energy White Paper.

The Minister will be disappointed that carbon dioxide emissions from aircraft are due to double between 1990 and 2010, and the Department for Transport propose to do nothing about it. He will be disappointed that road traffic reduction targets have been abandoned, and we are now back to predict and provide methods for road building. He will be equally disappointed that the Kyoto protocol has not been signed by the United States Government, and our Government seem keener on discussing other matters with the US Government, rather than environmental issues and climate change.

The Government need to address the issue on a cross-departmental basis, and all the good work that the Minister and his colleagues in DEFRA may be doing is undermined if other colleagues in other Departments that have impacts on climate change are not following sensible policies and, in fact, are making matters worse for the Minister at DEFRA.

I will not run through the various problems with flooding that we have in this country—they are well documented and the hon. Member for Mid-Bedfordshire referred to some of them—but I will refer, as the Minister will understand, to the position in Lewes. He would be disappointed if I did not, and I must do so given the horrendous impact of the floods in my constituency in 2000.

I welcome the fact that we are now approaching a stage where a start will be made on the Malling Brooks scheme in the town. That was announced a couple of days ago.

Mr. Morley: Yesterday.

Norman Baker: The Minister confirms that that happened yesterday, and I very much welcome that scheme, as it will go some way to relieve the considerable anxiety about flooding in my constituency. However, there are still problems in identifying a proper funding mechanism, notwithstanding the announcement that the Minister has made today. For example, I refer him to a letter that I received on 7 March from Peter Midgely, the Sussex area manager at the Environment Agency, in which he says:

> "Elliot Morley has provided more funding for flood defence, but given the complicated nature of the level grant settlement, a further discussion with the Sussex Flood Defence Committee is necessary before I can give the exact figure, which will be sent to Lewes in the coming year."

He is unclear exactly how much money he has, despite the announcement that the Minister made some time ago that extra money would be forthcoming, and he is in the best position to know, yet does not do so.

I have also had representations from Councillor Roger Thomas of East Sussex county council, as other Sussex Members may have done. I see the hon. Member for Wealden (Mr. Hendry) nodding, and I suspect that he has received a similar representation. Councillor Thomas was concerned about Sussex flood defence funding for 2003–04, and says in a letter to Peter Midgely:

> "It is extremely disappointing that DEFRA has decided that the 75 per cent. grant rate will not be applied and that the rate will remain at 65 per cent. for 2003–04"

I will not read the whole letter, but he and other members of the flood defence committee were led to believe very strongly that the 75 per cent. rate would apply and they based their calculations on that only to have the rug pulled from underneath them at the last moment. That is how they see it anyway, and if we are to achieve co-operation between the different bodies involved—local authorities, DEFRA, the Environment Agency and others—we need some certainty about the financial arrangements in which they work. Clearly, those financial arrangements have not worked very well in Sussex this year from the point of view of the members of that flood committee.

The hon. Member for Mid-Bedfordshire mentioned Happisburgh, and my hon. Friend the Member for North Norfolk (Norman Lamb), who is taking a very close interest in the issue, has asked me to raise it in the House this afternoon. He is currently either speaking or intending to speak in the debate in Westminster Hall—one of the casualties of our double Chamber system. He has asked me to reiterate the fact that nearly 300 people have written to him about that issue.

My hon. Friend has taken up the matter with the Minister and asked for a meeting—I hope that the Minister will agree to that—and he has asked me to pass on his view that the people of that area feel neglected and that no investment has been made in protecting their community. I shall not go into the details for soft defences and managed retreat, but there is a strong feeling in that community, and the issue needs to be addressed. Clearly, that has not been done satisfactorily so far.

Mr. Morley: I can certainly confirm that, as with all Members who have a pressing constituency problem in relation to coastal defence, I will be happy to meet the hon. Member for North Norfolk (Norman Lamb) and discuss those problems. However, I want to deal with another problem: there has been misinformation about Happisburgh. The responsibility for drawing up the scheme lies with the local authority, as the lead authority. It is true that we have new criteria to assess flooding and coastal defence, but I am pretty sure that the original application that was made and then withdrawn used the old system and that the local council's advisers were concerned about some issues, so we have not been able to give proper consideration to any scheme proposed by the local authority to defend Happisburgh. Of course, if the local authority can put together a scheme that meets the three criteria—technical, environmental and cost benefits—we will consider it, but those criteria must be met.

Norman Baker: I am grateful to the Minister for that intervention, as well as for his willingness to meet affected parties. It is good that he put that on the record, and I shall draw it to the attention of my hon. Friend the Member for North Norfolk.

Mr. Sayeed: Will the hon. Gentleman press the Minister, as I have done, to look again at the criteria, so that they include the social, economic and environmental impact of the new demands, because they may well damage existing communities?

Norman Baker: I imagine that the Minister will take those criteria into account—it would be extraordinary if he did not—but the hon. Gentleman has put his view on the record, and I am sure that those issues will be part of any review by the Minister.

I want briefly to mention the insurance situation and to welcome what—at least in retrospect, if not at the time—has been the constructive attitude taken by the ABI, which has provided a two-year window of opportunity, which the Government have taken and the ABI has responded accordingly. The detailed mapping that Norwich Union and others have undertaken—like the hon. Member for Mid-Bedfordshire, I pay tribute to the work that Norwich Union has done—has been welcome. It is clear from that that for about 200,000 properties, there is a major flood risk and insurance will be difficult to obtain. Some of those properties may have been bought in the knowledge that such a risk existed, and the price may have been discounted accordingly. It is not the function of Government to subsidise people in that situation. However, given the increasing flood risk as a result of climate change and other factors, a small number of properties will be adversely affected, with no prospect of getting sensible insurance cover. Will the Minister comment on that when he responds to the debate?

I refer to the cost-benefit analysis conducted by the Environment Agency under Government guidelines to determine what flood defences are justifiable in a particular area. I have raised the matter before, and the Minister will know the strong concern in Lewes and elsewhere that the formula applied grossly underestimates the value of properties affected by floods. Had a realistic formula been applied to houses in Lewes—I am sure the same is the case elsewhere—a higher level of flood defences would have been justified on the Department's own criteria.

As matters stand, some areas of Lewes are not getting the flood defences that they consider appropriate, and the same applies in Uckfield, where the formula adversely affects the constituency of the hon. Member for Wealden. Will the Minister examine the formula to ensure that a proper value is put on properties to guarantee that the flood defences considered are in line with the properties' value, rather than with some artificially low value that has been applied following the floods of 2000?

The hon. Member for Mid-Bedfordshire mentioned soft measures. In Lewes the Environment Agency has been quite good at producing plans for the centre of town that have identified solid, architecturally robust flood defences. To my surprise, the agency has been less good at negotiating with farmers and those affected downstream to identify land that could be used for overspill, thereby reducing the need for hard defences, which may not only disfigure a town, but be expensive for local communities and the Department. What steps is the Minister taking to encourage the Environment Agency to look at its procedures in respect of soft measures to see whether more could be incorporated and to speed up the process by which they are implemented?

Mr. David Drew (Stroud): Does the hon. Gentleman accept that one of the soft engineering measures that can be included with flood prevention is reed bed technology to overcome some of the enormous problems with sewerage, which are not disconnected from flooding problems? Too often we look for hard technology answers, when there is a much simpler way that we could work with the environment, rather than against it.

Norman Baker: I agree. I hope the Minister will respond to that intervention when he sums up.

In conclusion, I thank the Minister again for his statement. The Government are moving in the right direction. The new measures that have been suggested and the extra money are welcome in tackling the flood defence challenges that we all face.

3.3 pm

Rev. Martin Smyth (Belfast, South): On a point of order, Mr. Deputy Speaker. I am sorry to interrupt the flow of the debate, but this is the first opportunity that I have had today to raise the matter, although I advised the Speaker of it this morning.

On 4 March I received an answer from the Northern Ireland Office concerning the granting of work permits for the Movie Star café in Belfast and the contacts that the Department for Employment and Learning had with Work Permits (UK) on the application made for a group work permit. The reply stated:

> "When processing work permit applications for Northern Ireland the Department for Employment and Learning applied the same criteria as used in Work Permits (UK). As no guidelines existed in respect of pole dancers, it was only after querying this aspect with Work Permits (UK) that DEL"—

that is, the Department—

> "treated the application in question on the basis of an entertainment application."

[Rev. Martin Smyth]

This morning's mail included a response from the Home Office, which states:

> "Work Permits (UK) was not consulted by the Department of Education and Learning on the issue of permits for pole dancers. Work Permits (UK) does not issue work permits for overseas nationals to work as pole dancers."

The reply goes on to make it plain that even for dancers, they would have had to be of a very high standard before a work permit would be granted. I therefore believe that, intentionally or unintentionally, someone has been misleading me and, as the matter is now on the record of the House, the House has been misled. I seek your guidance as to what action could be taken.

Mr. Deputy Speaker (Sir Michael Lord): The hon. Gentleman will appreciate that this is the first that I have heard of the matters that he raises, which he clearly considers very serious. I suggest that in the first instance he has a word with the Table Office and sees what its reaction is to the problems that he is experiencing. He can then decide where and how to pursue the matter from there.

3.5 pm

Mr. Charles Hendry (Wealden): I am grateful to be called so early in the debate. I begin by apologising to you, Mr. Deputy Speaker, to the Minister and to the House for the fact that I shall have to leave before the end of the debate for a public meeting in my constituency, where flooding will be one of the issues discussed.

Let me begin with a little background to the problems of flooding in my constituency. As the Minister is well aware, in October 2000 there was severe flooding in Uckfield and flooding in the surrounding villages of Buxted and Isfield, and also in Hellingly on the Cuckmere, rather than on the Ouse. There was an intense period of incredibly heavy rain. It had not been raining for very long; the problems were caused by the amount of rain over the previous day or so. The results were dramatic. Many people will remember from their television screens the sight of a lifeboat in Uckfield high street. Although it caused some amusement to find a lifeboat inland, we should not forget that one person was washed away and almost drowned. There could have been significant loss of life, had the problems been worse.

The frustration in the constituency arises because two and a half years on, there is no serious sign of progress. The Minister will well remember his visit to Uckfield shortly after the floods, and his promise at that time that action would be taken to reduce the risk of flooding again. He knows that shortly afterwards, the Prime Minister called to Downing street councillors from the areas affected by flooding and he, too, made a personal assurance that the issue would be addressed. There was some jocularity in the House recently when my remarks were interpreted as implying that the Prime Minister had promised to stop it raining. We know that he walks on water, but even this Prime Minister would not promise to stop it raining. However, he promised to take action to minimise the risk of flooding affecting those communities in future. It is a great disappointment that two and a half years down the line, nothing concrete has happened.

The Environment Agency has been trying to drive matters forward, and I join the Minister in paying tribute to the staff, particularly Peter Midgley, who seems to have been taking lessons from the Minister in dealing in the most emollient and caring manner with those difficult and frustrating issues. Peter Midgley has genuinely been seeking to address matters, but he is working with his hands tied. At the end of the day, it is a question of money. If he were given millions of pounds more to spend this month, he could spend millions of pounds more this month.

We all accept that many of the measures that we would like to see implemented would take a long time to assess and evaluate, but there are some cheaper measures that could be introduced quickly. If the funds were available to the agency, that could start straight away. I accept that there is a limit, but I do not believe that it has been reached. Will the Minister speak to his ministerial colleagues about whether a national emergencies fund could be set up, perhaps through the national lottery? The great frustration after the floods of 2000 was the incredibly lengthy process of evaluating every scheme that was proposed. It would be much better if there were a fund, independently administered, and run by people who knew how to say yes, rather than always saying no, hold on or maybe. In the circumstances, when there is a national emergency such as the horrific floods that occurred throughout the country in October 2000, we need money to be quickly available.

It is my contention that most of the positive developments have been local. In particular, I pay credit to the work of the Cuckmere valley flood forum. The hon. Member for Lewes (Norman Baker) and I have both attended meetings of the forum, which works in a positive way in bringing together different parties to try to find agreement on the way forward. While there are difficulties in respect of some of the solutions that are being considered for the Cuckmere, we would all pay tribute to the forum for allowing the issues to be dealt with in the most constructive way possible.

I also pay tribute to the local authorities. Wealden is very keen to make progress. The district authority has put money to one side for work to start straight away, but it is being held up because the Environment Agency says that it needs to take that work into account as part of the whole scheme of things and cannot give it the go ahead. My plea to the Minister is that, where alternative sources of funding are available, he should look to see whether some ideas can be fast-tracked. That does not mean cutting out the necessary work that has to be done; once we know that funding is available from a local authority or elsewhere, he should see whether it is possible to short-circuit, or rather cut short, the system so that those schemes can be carried out more rapidly.

Mr. Morley: I am happy to consider how local authorities can apply funding as quickly as possible, but issues of flood defence must go through technical and environmental assessment, as well as cost-benefit analysis. The money aspect may be less important, but the technical aspect is very important. The problems of Uckfield are not simply a matter of money, as I think the hon. Gentleman accepts. In 2000, when I stood with his predecessor on the bridge at Uckfield, we agreed how difficult it would be to try to resolve the problem because of the pinch point where the bridge and mill are situated. Nevertheless, I understand that the Environment Agency is to proceed in the very near future with work designed to improve flow at the bridge and will do what it can, bearing in mind physical restraints and technical problems, to improve the situation.

Mr. Hendry: As always, I am most grateful to the Minister for that assurance. If I may, I shall return to that issue in a moment.

The county council has also been keen to work on the process. It has done good work in trying to keep the ditches clear, but as the hon. Member for Lewes and my hon. Friend the Member for Bexhill and Battle (Gregory Barker) have said, it is extremely frustrated this year that what it thought was a genuine commitment has not been met. It was believed that, if the contribution was raised by a certain proportion, the Government would match 75 per cent. of the funding, but that has not been carried through. If that is not the Minister's interpretation of events, perhaps he could write to us to explain his interpretation so that those facts can be clearly established.

I welcome the decision to give the Environment Agency responsibility for rivers prone to flooding and to contract local authorities for some of the work on maintaining them. As the Minister is aware from our recent meeting, there is frustration that the Environment Agency does not seem to have been doing enough to clear trees along the banks and remove fallen trees, supermarket trolleys and other junk in the rivers, when more could be done to prevent flooding in future.

At new year, we again had some minor flooding in Buxted and very nearly had flooding in Uckfield. I went every couple of hours to look at the situation in Buxted. It was shocking to see how much could change in only two hours: the river would rise from a small stream to something more akin to a raging torrent some 6 ft higher. It was easy to see how the floods in Buxted had occurred. Inevitably, the problem was lots of water coming into the village. When it could go under the bridge, it did so, but when it reached a level at which it could no longer go under the bridge, it went around the side and started flooding the neighbouring properties.

It does not take rocket science to understand what the solution might be. We must either enlarge the bridge—we all know that that would merely pass the problem downstream to Uckfield—or do more in terms of upstream storage. There is great frustration in the village of Buxted that the Environment Agency, with Government endorsement, has turned its mind against the idea of upstream storage with regard to those local rivers.

The frustration in Buxted turns to anger when we look at the plans for Uckfield. Again, there is no intention to consider upstream storage. As the Minister said, there is the possibility of enlarging the bridge, but the Environment Agency's principal response, which is endorsed by the Government, is that the industrial estate built on the floodplain should be moved, and other houses built there. We could stand here for ever debating the rights and wrongs of historic building on floodplains. If we could start again from the beginning, we would say, "No, we should not have done it", but we cannot; we are starting on the basis of decisions made 20 years ago.

When the industrial estate was built, it was approved by all the authorities—the rivers authorities, the predecessors to the Minister's Department and others. They all considered the proposal and decided that it was reasonable to build a large industrial estate on the site. The estate is the largest in East Sussex, employing some 1,500 people, and moving it is simply not an option. The nearest site that would be available is only about a quarter of the size. As a result of relocating to that site, we could lose 1,000 jobs in Uckfield, so the majority of jobs on the current site would have to be lost if that route were taken.

Even if that proposal goes ahead, who will pay for it? When we came to see the Minister, he made it clear that the Government could not be expected to do so. I wonder whether his new tax could be used to pay for relocating buildings judged to have been built in the wrong place. Looking at his reaction, I suspect that he already has other plans for that money. Similarly, my constituents cannot be expected to pay. If we tell those businesses that their premises are essentially worthless because of their location and that nobody will take them over, they will simply be unable to afford to relocate elsewhere in the community. The only solution would be for those businesses to close, which would be a devastating blow to a community such as Uckfield.

In addition, houses are being built in those communities, notably at Olive's meadow. The Minister may say that there are not many houses, as only 17 or 20 are involved, but people have invested their life savings and brought up their children in those houses. They are places to which people have intended to retire and may be their nest eggs for when they need some funds for their later years. To say that the homes are valueless and cannot be sold because the Government have deemed that they should not be located where they are would be a terrific and awful blow to the people who live in them. I ask the Minister to look again to see whether more can be done. Will he also tell us where else in the country the primary recommendation for a solution to flooding problems has been moving buildings on the floodplain? It is my impression that Uckfield is the only place where that course of action has been proposed as the solution.

I do not want to detain the House unduly, as I know that other hon. Members wish to speak. I accept that residents must do all that they can to prevent flooding and I join colleagues in paying tribute to Norwich Union for its work in highlighting how that can be done. Ultimately, however, it will have to be the Government who address the problem at the most fundamental level. It is two and a half years since the floods that did so much damage. As I said, in Uckfield, nothing has so far been done.

I hope that the Minister can give us additional assurances as to how that process can be speeded up. In October 2000, we had meetings with the Environment Agency followed by meetings with him in Uckfield to consider the problem. The Environment Agency came up with its recommendations in July 2002. At the end of 2002, the Minister's Department approved the building of a working model enabling us to see the effects of different solutions. By the time that that model has gone out to contract and physically been built, a further six months will have passed, and it will be even longer before the actual measures can properly be evaluated, so the earliest time when we can expect specific proposals

[Mr. Hendry]

and realistic alternatives will be at the end of 2003. The awarding of the contracts would then happen some time in 2004, after which it would take a year or more for them physically to be built. We are therefore looking at a period of five years-plus from when the flood took place to when a solution will be put in place.

For many reasons, I hope that the Minister is not in his post in 2005, primarily because I hope that the Conservative party will be in government. However, if a Labour Government are still in power, I hope that the Minister will continue to hold his position, as he understands the issues and, if there is another flood in Uckfield, I want it to be him who returns to the town and explains why, in the course of five years, nothing has been done. It is appalling that every time we have heavy rain, my constituents are caused tremendous concern. I urge the Minister to do more.

3.19 pm

Diana Organ (Forest of Dean): As the hon. Member for Wealden (Mr. Hendry) said, it is always a pleasure to have a debate to which my hon. Friend the Under-Secretary replies, because he is so knowledgeable and gives informed and concise answers.

Before I go any further, I apologise to you, Mr. Deputy Speaker, if occasionally I do not realise where I am in my notes. I lost my spectacles this morning and I am wearing those of my hon. Friend the Member for Feltham and Heston (Alan Keen).

In 1985, when I was pregnant and had a three-year-old child, I returned home from a half-term holiday to find a fire engine pumping gallons of water out of my house. For three months, my family was disrupted while we lived upstairs. It was not quite as dreadful as the scene in "Angela's Ashes" where the family goes upstairs to Italy, but it felt grim at the time. For example, the kitchen was not in use because the electrical goods had gone. I shall not forget that episode, and my child, who is now 21, never forgot that her birthday celebrations were held upstairs.

Thousands of people had such an experience in the floods of 2000 and 2001. Indeed, the Association of British Insurers suggests that 1.8 million homes are at risk from flooding. Our climate is increasingly stormy, and the weather is expected to get 30 per cent. wetter by 2080, so the problem will remain well into the future. However much the Government try to do, we cannot fight mother nature and what God may do with his storms.

Given that we can do something but not everything, people who fear the possibility of flooding will welcome the Government's announcement of an 80 per cent. increase of £255 million by 2005, and changes to organisation such as the streamlining of administration, the Environment Agency's new river basin, catchment area approach and the direct block grant that it will receive.

I understand that if the Scottish equivalent of the Environment Agency is asked about future planning development in a flood plain, it is almost mandatory to take its view into account. It is not simply treated with due respect. When the Environment Agency gives local authorities a view on proposed development and flood risk, the planning authority can simply ignore it. Does my hon. Friend hope to add to the weight of the Environment Agency's views in the planning process through the proposed streamlining?

My constituency is known as the land between the Severn and the Wye. That is a blessing, albeit mixed. It is prone to severe flooding. I am grateful that my hon. Friend has visited the constituency when flooding has occurred in the past. He has met many parish councillors and constituents and been helpful. I also pay tribute to the Environment Agency's work in the tidal Severn flood management strategy and along the Severn generally.

I pay especial tribute to the Environment Agency's handling of constituents who believe that the answer to the problem is to dredge the Severn, as was done in the past. It makes practical sense and is logical to some extent to take the sand out of the bottom of the Severn and dump it on the side. We thus have a bank to save us from the Severn flooding and we lower the draw of the estuary. I am grateful that the Environment Agency has patiently, carefully and courteously explained that the dynamics of the River Severn are much more complicated and that one would have to dredge night and day ad infinitum to gain even the slightest benefit.

Mr. Michael Foster (Worcester): Does my hon. Friend acknowledge that in places such as Worcester on the River Severn that are approximately 6 m above sea level, the river would have to be dredged by 5 m? That would make the Severn tidal all the way upstream to Worcester and thus cause huge environmental and other disasters.

Diana Organ: I am grateful to my hon. Friend, who, through the all-party group on flooding, invited a well informed hydrological engineer to speak to Members of Parliament. He explained to those who, like me, have a modest interest in and knowledge of geography, why dredging is not the answer for the Severn.

I am grateful for the work that is being done on the Severn in my constituency, especially on Lydney docks flood defence, a scheme that costs £5.5 million. It goes from Lydney to Aylburton. During the terrible floods in 2000, the industrial estate flooded badly and threatened the working day of Watts Industries, a major employer, in Lydney. The work that is being done means that that should not happen in future.

I am also grateful for the work that was mostly completed by 2003 on upgrading and improving the maintenance of the River Severn between Westbury and Minsterworth. I understand that one last part needs to be completed at Minsterworth, and that that should happen by 2004. I hope that it is completed on time.

The Environment Agency has also undertaken work, which is important for local householders, on an improved early warning system for three new areas: Gloucester to Westbury, Westbury to Aust, and Aust down the Severn. There are different dedicated lines from which householders can get information about flood awareness and the possibility of flooding.

The Environment Agency has also run a flood awareness campaign, comprising a roadshow, a bus and radio advertisements. It tells the public about checklists, available information and the actions that people can take to help avert a flood in their homes.

Mr. Hammond: The hon. Lady has a rather rose-tinted view of the work of the Environment Agency. Did she try to access its website on 3 or 4 January? She would have found that it had crashed completely. A few days later, she would have found that parts of the website that claim to be updated every 15 minutes had not been updated for several days. My constituents' view is less rosy.

Diana Organ: I do not have a rose-tinted view, but I want to note the Environment Agency's work and response to the problem of flooding on the Severn.

I have one or two worries. In Gloucester, a scheme costing more than £500,000 over two years will complete repairs. However, in the long-term, there is a proposed £20 million scheme for Gloucestershire and other work in the Severn estuary that will start in 2009. My constituents are concerned that the work that is to be carried out in Gloucester might result in all the good work that has been undertaken in the section between Minsterworth and Westbury being made vulnerable, because the water has to go somewhere, and if we are stopping it going into Gloucester, it might be pushed further down the river. I would like reassurance from the Minister that the work that is being done to save households from flooding in Gloucester will not be to the detriment of my constituents further down the river.

Mr. Drew: If it is not going to flood in the Forest of Dean, it is not going to flood in Stroud either. Seriously, the water has to go somewhere, and it is clear that the way to form a solution to this problem is to look at this part of the Severn and come up with an estuary solution based on which areas can be allowed to flood. I hope that if and when this proposal is put together, the Minister will bring all the relevant Members in on it.

Diana Organ: Yes, it is important that the MPs adopt a catchment approach to dealing with flooding in the area.

The hon. Member for Somerton and Frome (Mr. Heath) mentioned the role of the Highways Agency. The A417 between Gloucester and Maisemore, which the Minister has visited with me, floods regularly. If only we could raise the level of that road a little, it would act as a flood defence against the Severn while keeping the route into Gloucester open. Could we consider a joint project between the Highways Agency and the Environment Agency?

I have come to the point at which the rose-tinted spectacles come off. I am very concerned about the internal drainage boards. I am grateful to the Minister for allowing me so much time last week with the clerk and the chair of Chaceley parish council, who came to raise their concerns with us. I sat on the then MAFF Committee that made the recommendation to abolish the internal drainage boards, and I recognise that in the proposed streamlining the intention is to retain them. When the boards are small, it is possible for them to spend at least 50 per cent. of their money on administration rather than on the real job of maintenance. I am also worried about how the boards hold proper elections when they are so small, about minutes being circulated to the people who are paying towards the work of the boards, and about their accountability. I wonder, too, whether they cover the whole of the area that they are meant to cover, or whether they give preferential treatment to certain landowners in particular areas, as seems to be the case with the North Gloucestershire internal drainage board.

I am very pleased to hear that the Minister has decided that the boards will now be covered by the local government ombudsman, but people can take a case to the ombudsman only after the inefficiency and incompetence have occurred. What measures is he putting in place to monitor the work of the boards to ensure that they spend public money efficiently and competently and that they are truly accountable? Many of us are worried that the boards can differ so widely—just as parish councils can—and that some are very good and some are terrible. I would like to hear from the Minister about any further measures to make them more accountable. I was delighted to hear about the extra resources and the streamlining. It is important, though, that the Government should meet their commitments and that they intend to do so on time, so that people do not have to suffer as I did in 1985.

3.33 pm

Mr. David Wilshire (Spelthorne): In a dry summer, 20 per cent. of my constituency is under water. Every winter, that figure is significantly higher, and occasionally—as in 2000 and 2003—a great deal more of Spelthorne is under water. We had a very useful Westminster Hall debate on flooding in the Thames valley, and the Minister said then that he would make time available for a debate on the Floor of the House. I thank him for doing just that. During that earlier debate, I said that I had no wish to play the blame game, and I say that again this afternoon. What I want to do is to try to get him to do more than he is already doing.

Most of these debates tend to focus on rivers, but as the Minister has said, there are two separate issues: rivers and sewers. They are interconnected, but they raise very different issues. The hon. Member for Forest of Dean (Diana Organ) rightly recounted what it was like to have her house flooded. I, too, have had that experience. With all respect to the people who have had river water in their house, that is as nothing compared with having the contents of someone else's toilet in one's living room. Whenever we have these debates, we should spend as much time asking ourselves what we intend to do about sewer discharges as we spend discussing river flooding.

Mr. Hammond: Much of what the Minister said related to money, but one of the big problems of sewerage flooding is illegal connections of surface water drains to the foul sewers. He did not pick up on that point. That problem could be addressed without the expenditure of large sums. Does my hon. Friend agree that that would be a good starting point?

Mr. Wilshire: I do indeed, and I shall deal with that a little later. The thrust of much of what I want to say is

[Mr. Wilshire]

based on the contention that many inexpensive steps could be taken, in addition to the major schemes that most debates focus on. Indeed, some measures would cost nothing.

Before we discuss what we intend to do about the problem, we should establish the facts, certainly about what happened in the lower Thames earlier this year. There is a raging debate—rather like the raging torrent that occurred—and assumptions are made so often that they are now bedded deeply into the minds of my constituents and those in neighbouring constituencies.

Three things are being blamed. For those who do not know the intricacies of the Thames, the Jubilee river scheme is the flood relief scheme that keeps Maidenhead dry. Most of my constituents are convinced that it causes more houses in my constituency to be flooded. The Minister shakes his head, but the Jubilee river figures large, the Thames barrier figures quite a bit and the lack of dredging gets mentioned.

The Minister has studied some facts, and he has come to a conclusion. He kindly wrote to me on 22 February about my request for information. He said:

> "Given all the work done to date it is clear to me that the Jubilee River is not responsible for flooding and it is really not logical to claim otherwise."

He may well be right, or he could be wrong. I am not suggesting either that he is right or that he is wrong, because I have not seen the facts that he has seen. The message that I want to give him is that, however correct he may be—even if he is 100 per cent. right—a simple statement merely asserting that will not do.

Mr. Morley: I accept that it is important that people have an opportunity to consider the facts. My conclusion is based on measurements of the Jubilee river taken by the agency upstream and downstream, which show no significant difference in the performance of the river, and on the hydrological modelling of the flooding both before and after the flood event. The agency will rightly make that information publicly available, so that people can quite properly see why the Jubilee river is not in itself a major contributor to the flooding that people have experienced.

Mr. Wilshire: That is the point I am trying to draw from the Minister. Many of my constituents would argue, "The Minister would say that, wouldn't he?". The Environment Agency will come along and say exactly the same, and my constituents will argue, "Well, it would say that, wouldn't it?", and the local MP may stand up and say the same thing, and the response would be, "Well he would say that as well, wouldn't he?"

Mr. Paul Goodman (Wycombe): Does my hon. Friend agree that we are touching on a problem raised by my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed)? There is no court of appeal higher than the Environment Agency, and it does not seem right that it should be judge and jury in its own case. That is why my hon. Friend's constituents and mine in Medmenham and Marlow are justified in calling for an independent inquiry.

Mr. Wilshire: I am sure that that is one commendable solution. We need an inquiry or some other form of independent verification, so that we can tell sceptical constituents that it is not only people with a vested interest who say that the Jubilee river was not to blame: independent experts say the same. That is why I commend Spelthorne, Runnymede and Elmbridge borough councils, which have taken it on themselves to engage an independent expert. I applaud them for that. I would be eternally grateful if the Minister could see his way to paying some of the cost of that—he would expect me to ask that. I invite him to join us in trying to convince people of the truth, whether it is what he says or something else.

Mr. Morley: May I stress a point made in an earlier intervention? The modelling was done on behalf of the agency by independent consultants; it was not done by the agency itself. It would be a bit much to ask the agency to pay for even more independent analysis.

Mr. Wilshire: With the greatest respect, I would suggest that if the model was wrong in the first place and produced a certain answer, if it was still wrong it would give the same answer. I am merely asking the Minister to join us in trying to find some independent means of convincing my constituents of the truth, whatever if may be.

The same applies to the sewers: we must establish the facts. My hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) made one of the obvious comments when he said that there were unauthorised connections. When constituents ask, "What are they going to do?", or indeed, "What are you going to do?", we must pluck up courage to say, "One thing we might have to do is disconnect your downpipes from your patio and put them somewhere else."

In my constituency, which has combined sewers, a Victorian legacy is part of the cause of the problem. Close to a river everything must be pumped—gravity plays no great role—and if pumping is inadequate, something must be done. We must ask how much more development we can put into existing infrastructure without its causing a problem elsewhere.

We must decide what action to take. It is all too easy to say that we need another grandiose scheme—another Jubilee river, for instance—but the years go by. As my hon. Friend the Member for Wealden (Mr. Hendry) pointed out, if we are not careful we find that five or 10 years have gone by and more floods are happening. There are certainly minor things that the Government can do.

I think that the Minister should look again at planning guidance note 25, and do more to protect open spaces. We keep having this debate about flood claims, and I think we must now say that enough is enough. My constituency still maintains a reasonable amount of open space next to the Thames; there is enormous pressure for that to be built on, and the Government are putting enormous pressure on us to build more houses in the south-east. Given that every part of my constituency that is not liable to flooding has already been built on, we know where the pressure will inevitably lead us. Protecting the flood plains must be one of the Government's priorities—and it will cost them nothing, as all that is needed is a new planning guidance note.

The Government must also go back to the planning process. A planning Bill is currently before the House, and it cannot be beyond the wit of the draftsmen to come up with a clause giving the Environment Agency power to direct rather than recommending refusal. Time and again, when I ask why this or that happened in my constituency, the agency tells me, "We objected—we said what would happen and it happened, but someone overruled us." When I learned about planning all those years ago as a councillor in a coalmining community, what was then the National Coal Board had power to direct refusal if something built near a mine might fall down it. I do not see why the Environment Agency should not have the same powers.

Mr. Drew: I agree. Moreover, there is always a problem when local authorities make their own judgment about planning permission. It is not unknown for them to act against an Environment Agency recommendation because they have a vested interest.

Mr. Wilshire: Indeed. I objected to the right to determine one's own application as an exception to the rule 20 years ago, and I have objected to it ever since. Control must be handed to the Environment Agency when there is a risk of flooding.

Another inexpensive step that the Government could take is persuading people to take up the offer of a warning scheme. I was amazed to learn how few of my constituents had signed up to what is, in fact, a very good scheme. The more we do together, the better. The Government, the Environment Agency and local councils can all help to publicise the scheme, and financially it will be a relatively painless operation.

There is one other little thing. I discovered to my horror that among my constituents there are at least a few thoughtless people. The county council has road closure powers. It puts up a sign. The Government refuse to fund Surrey police adequately to enforce it. People remove the signs, drive large four-wheel drive vehicles down flooded roads and flood houses that until then had not been flooded. I urge the Government to look hard at doing something about the road closure powers and the penalties for those thoughtless individuals who could not care less about other people's property. Again, that is not an expensive thing to do.

The other thing that must happen is that the Government, and other people, must provide more money. In 2000, after the floods, the Government provided £16.3 million as emergency relief. How much will be provided this time? I hope that it will be more, but it should be at least the same. Why is the flood committee grant for the lower Thames, which was £1.1 million in 2003–04, being cut in the coming year to £300,000, after we have had two flooding episodes recently? Why does the flood committee have reserves of £17 million? I assume that that money was given to it to spend on flood defence, not to put into a high-interest account in Zurich or wherever it is kept. It should spend it. Why has it not spent it?

The other thing that the Minister needs to do in relation to financing is persuade his colleagues elsewhere to revisit the grant formula for the fire service and for the police in the south-east. Almost no allowance is made in the funding formulae for flood defence work by either police forces or the fire service, and something needs to be done about that.

There is another thing that the Minister needs to deal with in relation to funding. Let us take Thames Water as an example. It tells me that, in its area, it has 5,000 properties that are liable to internal flooding from sewage. It also tells me that it will cost £100,000 per property to put it right and that it is committed to putting it right by 2010. There is a need to spend £500 million. Is Ofwat prepared to sanction that? Do the Government believe that it is right that the customers of Thames Water should meet the whole of that enormous cost? Because so much of it is the result of inherited clapped-out Victorian infrastructure, should not the Government consider contributing to that, rather than just leaving it to the water companies themselves?

As I said earlier, the reason why I speak today is not to try to blame anyone for what has happened. These are acts of God. Understandably, we cannot stop the rainfall when it chooses to come down. I speak to seek the Minister's help. With regard to establishing the facts, can he give us an undertaking that he will publish all the information that he receives about what happened earlier this year? Will he give us his help and fund some independent verification, so that we can check the facts?

On planning for the future, will the Minister ensure that he encourages lots of little schemes as well as one or two big ones? Will he ensure that his plans, which I support, to streamline the bureaucracy and planning process are brought into effect at the earliest possible moment? Because the fiasco over the terminal 5 public inquiry is always close to mind, will he ensure that any schemes that are developed do not get bogged down in the awful planning process that goes on and on and on before anything starts?

Will the Minister ensure that we get adequate emergency grant to cover the costs that have occurred this year, and assure us that we will get adequate funding to do the new flood defence works that have to be done?

As a very last, personal request, either next month or at the beginning of May, I am planning to hold a major public meeting in my constituency. Will the Minister arrange for people from DEFRA to come to explain to my constituents the role that they have been playing and will play in future to ensure that fewer of my constituents' houses flood in future?

3.50 pm

Mr. Michael Foster (Worcester): It is a pleasure to follow the hon. Member for Spelthorne (Mr. Wilshire), particularly as I share his sentiments on the take-up of automated warning systems and on the thoughtlessness of some drivers. In his constituency, the problem is caused by 4x4s; in mine, it is articulated lorries.

I welcome the debate. The floods of 2000—when Worcester had three incidents in five weeks, all of which were 5 m above normal level—gave real impetus to the need to improve flood defences in that county. As a result of the floods, the all-party group was set up after the general election in 2001. It has been successful, in that several of its recommendations have been taken on board by the Government. The increased investment is most welcome, and I was delighted to hear the welcome from Conservative Members. I listened with care to their call for more money and I shall remind them of that in time to come. That is enough partisanship for now.

Mr. Andrew Turner: Acknowledging the end of non-partisanship, does the hon. Gentleman accept that one

[Mr. Andrew Turner]

of the problems is obtaining value for the money that the Government make available? Continually revisiting schemes because of changes in regulations is a waste of money.

Mr. Foster: I understand where the hon. Gentleman is coming from, but some schemes that have been changed have benefited constituencies that tend to flood.

I am delighted that the extra funding in the spending review has removed the threat that many of my constituents feared—that they would no longer get household insurance cover. I welcome the response of the Association of British Insurers to the spending review.

I want to concentrate on the challenges facing my constituency, but I shall make a few minor, but more general points. The single point of contact for flood defence has been widely welcomed in the House today, although I do not think that one particular individual first thought of it. Certainly, the National Flood Forum and the all-party group have discussed the issue, as did the Select Committee before that.

The bulk of the cash increases are coming from general taxation, and I want to explore the alternatives that were touched on in the discussion document. On the use of connection charges, I welcome the prospect of those who undertake development in at-risk areas contributing to the wider community for that risk. I look forward to the raising of cash through that route because more cash is needed, as Members on both sides have said.I am also delighted to read that the flood plain levy has, in effect, been kicked into the long grass. Most Members in the Chamber would welcome that.

The hon. Member for Spelthorne mentioned the awfulness of flooding and how dealing with silt left over in one's house compared with dealing with a sewer flood. There is a big difference between the two. Having witnessed more sewer floods than I would like, they are difficult to describe to someone who has not been there, experienced the smell and waded through what can only be described as papier maché. People will understand exactly what is coming up in kitchens and living rooms. I do not know how people can go on to lead a normal life in the house afterwards.

In Worcester, there has been severe sewer flooding in the Waverley street and Cavendish street areas, and I pay tribute to Severn Trent, which has improved the pumping of sewage across the River Severn. With any luck, we will no longer have the problem of water back-filling the old Victorian sewers, which are combined surface water sewers, and coming up into people's houses at low levels.

In January, the Environment Agency presented a pre-feasibility report for Worcester to a meeting of Worcester Action Against Flooding. It covered the 5.5 km from upstream of Barbourne brook, in Worcester, to the confluence of the River Teme. In total, it covers 220 properties that are prone to flooding in one in 100-year events such as the one that occurred in 1947. The Worcester floods that occurred in November and December, which affected some 90 properties, were a one in 50-year event. The Environment Agency has split Worcester into three distinct flood cell locations. My hon. Friend the Member for Forest of Dean (Diana Organ) pointed out that dredging is no longer an option, certainly for a river the size of the Severn; however, building upstream capacity has been mentioned in the past as a way to protect Worcester.

Mr. Ian Liddell-Grainger (Bridgwater): The hon. Gentleman says that dredging is not practical for a river the size of the Severn. However, dredging is taking place at the bottom of the Severn, in the River Parrett, near Bridgewater, and it is proving quite successful. Would he like to expand on why that is so?

Mr. Foster: At Worcester, the River Severn is about 6 m above sea level. In order to lower it to a level at which it would no longer flood residences, the bed would have to be lowered by 5 m. To do so would make the Severn tidal at that point, and the risk of flooding would probably be greater, with water coming up from the Severn estuary. For that reason, it is not a practical option. Building upstream capacity would require the equivalent of three Clywedog reservoirs upstream of Worcester, to prevent its houses from flooding. For those who are not familiar with such reservoirs, each one would be 70 m deep and cover 620 acres. Trying to find that capacity upstream of Worcester would not be an option, so we have to look at defences as a viable way forward.

Under existing cost-benefit rules, benefits accruing to Worcester for all 11 cells taken together would be in the region of £1.9 million, for an expense of £5.2 million. It is clear that that is not a viable option, but under the rules that will come in from this April, benefits will rise to £6.4 million, making such schemes viable in the city of Worcester. I welcome that change in the cost-benefit rules, for which the all-party group has campaigned. For Hylton road, in Worcester, a cost-benefit of what was in the region of 0.55 to 0.87, requiring a ratio of at least 1:1, has moved to 1.8 to 2.84. Hylton road has therefore become a viable proposition, in terms of covering the 24 domestic and commercial properties.

I reiterate my welcome for the temporary flood defence grant for the Severn area. It is along places such as Hylton road that pallet barriers or Danish sausage barriers—depending on which the Environment Agency uses—will have a real impact in protecting residents, until permanent defences are found.

Mr. Hammond: The hon. Gentleman is an expert on this subject, but he is perhaps being a little too relaxed about the change in the cost-benefit calculation. If many schemes previously considered financially unviable now become financially viable, surely all that will happen is that many that appear viable will not, in any case, be financed. The change is setting an order of priorities; it is not, I think, guaranteeing that every scheme with a positive cost-benefit outcome will be financed.

Mr. Foster: I thank the hon. Gentleman for his intervention; however, I was about to qualify my comments with the word "but". I want to press upon the Minister my real concern not about the new cost-benefit scheme, but about the prioritisation of projects that pass the test. Once the test has been passed, schemes are, in essence, run against each other to establish an order of priority.

If schemes were being assessed today, the Hylton road scheme that I mentioned would qualify as a priority, and would score 24 out of 30 points, with a threshold of 20, so everyone in the Hylton road area would be happy. Indeed, five of the 11 cells in Worcester would qualify, and a further four would be just two points below the threshold. However, under the planned new scheme there is a ranking of 44 points, and the same Hylton road flood defence would score just 5.6. It would clearly not pass the threshold test—even though the cost-benefit test showed that it was a viable financial option—and would not rank as a high priority. I believe that that addresses the point made by the hon. Member for Runnymede and Weybridge (Mr. Hammond).

Perversely, Toronto close in the Lower Wick estate, which does not qualify under the cost-benefit rules, achieves the highest priority rating of the 11 cells in Worcester. I suggest to the Minister that there may be something amiss in the way in which prioritisation is dealt with, and I urge him to have a look at that. Under the new prioritisation scheme, the category of people gives priority to the elderly, single-parent households and disabled people. The chair of Worcester Action Against Flooding wrote to Sir John Harman of the Environment Agency when she found out that the cell in which she lives scored 0 in the people category. She said:

> "I live in cell 10—we scored 0. To my knowledge (and I don't know every one by any means!) there are 3 disabled children, 1 registered disabled adult living on benefits (also a single parent!) and at least 8 people over the age of 75 (one in her 90s) two of whom are disabled!"

Even so, that cell scored nil in the people category. The chair of WAFF has made a good point, and I urge the Minister to look at it.

Mr. Morley: My hon. Friend has raised two issues. First, if there is a new scoring system, new schemes could be introduced. That is true, but we are spending more money, as I have outlined, so we are planning on the score going down in years 2 and 3 as we will have the capacity to accept more schemes. Secondly, on his detailed points, part of the problem in Worcester is that houses are scattered in some areas. There are also problems with fluvial gravels and the high cost of building programmes.

The new scheme is, I believe, more accurate and has certain advantages. However, I am concerned about some of the examples that my hon. Friend gave, and it would be worth while looking at a town like Worcester to see how the scheme is working and what its effects are.

Mr. Foster: I am grateful to my hon. Friend, and I know that people in Worcester will welcome his special interest in the way in which the prioritisation scheme works.

In summary, many tributes were rightly paid to the Minister for the work that he has done on flooding and flood defences. He has taken time to talk to Members, including myself, with serious constituency interests. He has been successful in getting money from the Treasury and changing the cost-benefit rules. As of today, he has been successful in getting temporary defences for areas along the river Severn. If he could look at those prioritisation scores and perhaps give them a bit of tweak in favour of places such as Worcester, he will have done everything that a Minister can do to help to keep the people of Worcester dry.

4.3 pm

Mr. Robert Key (Salisbury): In a constituency such as Salisbury it would be surprising if flooding were not an issue. After all, the heart of constituency—the city of Salisbury—lies at the confluence of five rivers: the Nadder, the Ebble, the Wylye, the Avon and the Bourne. This winter, 11 villages in my constituency were flooded, some gravely. Some flooded that did not flood in 2002. I have a long association with those rivers and their tributaries. I have an advantage because I have had the honour of serving as a Member of Parliament for nearly 20 years, and have seen Ministers come and go. How delightful that the present Minister has stayed long enough to understand the issues. I wish him well, promotion and all the richness that will come to him one day—but not yet, I hope

I first acquired personal knowledge of the River Avon in 1947, when I fell into it, aged 2. Were it not for the quick action of the Bishop of Bombay, I might not be here today, as it was he who pulled me out. Ever since, I have paddled in the River Avon and its tributaries—for pleasure in my childhood, and dressed in wellies and a Barbour jacket over the new year.

I visited many villages over the new year period—Orcheston, Tilshead, Shrewton, Tisbury, Chilmark, Winterslow, Cholderton, Allington, Hurdcott, Ford, and Pitton. I also visited Downton, of course, as it had the worst floods this year. I discovered that two different sorts of people exist. Some people see a lovely house in an idyllic rural setting by a river and decide that they must live there. They buy the house even though they know that it is going to be flooded. In Downton, I met one such gentleman wearing wellies who shrugged his shoulders and said he knew that it might happen.

Increasingly, people dwell in houses built in rather obviously flood-prone places. One of my favourite examples concerns the poor, sad people who bought a house in a very attractive area, only to discover that it flooded almost every winter. One did not need to be a rocket scientist to work out why that was, as the house was on a very flat bit of land through which a winter bourn clearly flowed. Perhaps they might have known that the house would be flooded, given that flooding looked so obvious on that site, and that the name of the village was Lake. However, the district council at the time thought that it was a good idea to build in that spot.

I heartily endorse what my hon. Friend the Member for Spelthorne (Mr. Wilshire) said about road closures. I hope that the Minister will liaise with the Department for Transport and, if necessary, the Home Office on the matter. It is appalling to see HGVs pile down little village roads and through villages that are flooded. Bus drivers and even local people are also to blame: they seem not to understand that doing more than about 1 mph in a four-wheel drive vehicle will cause flooding because the wash will raise water levels the vital two or three inches that causes water to go over front-door sills. That really matters. Sadly, on one occasion in 2000, I had to report a police Land Rover for doing exactly what I have described. I am glad to say that that is a rare occurrence.

[Mr. Robert Key]

I should like to take a short trip down memory lane. A remarkable author called Ralph Whitlock was born in the village of Pitton and many years later died in the neighbouring village of Winterslow. In 1988, he wrote a book about life in the villages on the edge of Salisbury plain. I shall quote one passage, which states:

> "More than twenty years have now elapsed since the springs last broke in Pitton. The water-table in the chalk has evidently been sinking steadily. New residents tend to be sceptical about the tales of floods, and it *is* difficult to believe them.
>
> The senior citizens who remember them well regard wet summers and wetter autumns with hopeful anticipation: "I hope I live long enough to see the springs down just once more!" they say. It would, they feel, be a just nemesis falling on those who ignored their advice and built new houses on sites which were once flooded regularly.
>
> But the years pass and the springs stay well below the surface. It is unlikely that they will be seen again."

He was wrong. We need to remember that in the 1960s this country's climate was unusually dry. In that period, many planning authorities and river boards allowed houses and industrial estates to be built on flood plains. That is at the root of many of the current problems.

One of the saddest examples can be found in the village of Pitton. Ralph Whitlock told me that one could tell when it was going to flood there by checking the black stone 4 ft from the top of the well at Box cottage. When the water reached that black stone, the village would flood three days later. Box cottage has gone now. The land has been built over. The well is no more. The village floods, heavily and regularly.

Flooding is a tremendous problem, but some really quite simple solutions have hardly been touched on today. Tom Ridout, clerk of Allington parish council, wrote to me on 10 January. The matter could not have been put better. Mr. Ridout said that changing weather patterns and increased river flows were crucial factors, and added:

> "If this calamity is not to recur annually serious forethought and expensive measures must be taken to quickly improve maintenance of the river—dredging, clearing of weed, clearing of banks, raising bunds, raising bridges where they have a dam effect, etc. This will require a national initiative.
>
> At the local level, the parish council are constantly chiding their masters over matters of basic maintenance. Ditch clearing, weed cutting, drain emptying, etc. Though these factors may not have an influence on the full measure of these floods there can be no doubt that regular basic maintenance has a part to play. The local authority are ever ready to issue glossy brochures and send out wordy consultation documents and letters but slow to send men regularly, with tools, to do what needs to be done. Particularly this is so in the countryside where so often the inhabitants are at the very end of the queue for resources."

I therefore commend Wiltshire county council for reintroducing the ancient concept of lengthsmen who are attached to a village so many weeks a year and go round doing just that. It is no good weeping over the fact that our farmers no longer have a surplus of labour who used to spend the growing months ditching. They no longer ditch because there are no longer people to ditch.

On 29 January, Earl Peel, in the other place, asked the Government about the duties of the Environment Agency to clear arterial drains. The Minister, Lord Whitty, replied:

> "The Environment Agency is not under any duty to maintain and clean arterial watercourses. Primary responsibility for the maintenance of all watercourses rests with the riparian owners."—[*Official Report, House of Lords*, 29 January 2003; Vol. 643, c. *WA*164.]

Quite so.

When we had serious flooding in Salisbury I tabled a parliamentary question to the Minister and he replied that the Department for Environment, Food and Rural Affairs had certain responsibilities, as did the Environment Agency and local authorities. I forwarded that to each of my local authorities, saying that that was what the Minister said, and could we all agree on who did what? Of course, we could not.

The district council wrote back to say that it had no statutory duty to prevent flooding, but there were two areas of legislation which give it discretionary powers to take action when problems occurred. In its wisdom, Salisbury district council has set up a working party to look into the whole question of flooding across south Wiltshire, and I commend it for that and look forward to seeing the result. The district council has undertaken various plans.

The county council wrote back to me and said that the Environment Agency had published a study which contains specific relevant areas of responsibility and that it could do no better than enclose a copy. It did not answer the question about what it had responsibility for; it just sent me the Environment Agency handbook. That is fine. Some very good ones are produced by county councils. Hampshire and the Isle of Wight county council has produced a very good flood defence information sheet and the Environment Agency has done some very good work.

I asked the Environment Agency what it was responsible for. The local regional director from Blandford wrote:

> "On ordinary watercourses, sewage, highway, and groundwater flooding, we do not have a remit to provide a warning or a defence. Notwithstanding that, we have tried to influence our partners, and, where possible, will provide advice."

That is fine. I then asked the Library of the House if it could point me in the direction of a textbook or reference book which would tell me who was responsible for what. It did. It got the British Library to provide an excellent book published by the Institution of Civil Engineers called, "Land Drainage and Flood Defence Responsibilities". It was published way back in 1996 in the third edition, but unfortunately has not been reprinted since. There is no compendium for people to know exactly what to do. We find ourselves with lots of advice, but when flooding happens no one knows who is responsible for what.

Mr. Hammond: Does my hon. Friend agree that one of the anomalous areas is the position of riparian owners? In theory, riparian owners are primarily responsible for the maintenance of all watercourses. In the case of the River Thames, for example, it is clearly impracticable. It is unclear where the boundary lies between rivers on which riparian owners are expected to discharge their responsibilities and those where it is broadly accepted that they cannot. Would it not be better now to sweep away the responsibilities of riparian owners in respect of all main rivers?

Mr. Key: That is the problem. What is a main river? How do we define when a river is a main river or when it is a watercourse? When is a watercourse a ditch? When does a ditch become a watercourse? Where does a mill leat fall into all of this? There is a real problem here and I urge the Minister to try and sort it out. That sort of detail will help enormously. Above all, if people undertook their riparian ownership duties seriously, it would do a great deal to help.

A different area that concerns me is weather forecasting. I visited the Met Office in Bracknell a couple of weeks ago to learn about the UK weather radar network. It consists of 12 radars owned by a consortium of Government agencies, with the Met Office providing operating support. The radars operate continuously and send back information on rainfall over almost all the UK land area and inshore waters. They measure rainfall rates at five-minute intervals, averaged over three sizes of grid squares. The Met Office can thus feed into its forecasting information about when there will be dangerous flash floods. Such flooding can be accurately anticipated and pinpointed to within a kilometre every five minutes.

That is a huge technological advance and I hope that the Government will continue to expand the network. I know that they want to erect a radome at Dean hill, a prominent hill in my constituency. No doubt the scheme will be controversial, but if it goes ahead the advantages will be enormous. The entire UK weather radar network is of huge benefit to all citizens in alleviating flooding.

Another problem that has not been mentioned is Crown immunity. There are conflicting problems in the villages on Salisbury plain and thereabouts, which are the inevitable consequence of the chalk landscape. In the winter, there is saturation and flooding, while in the summer there is over-abstraction and low flows. I shall explain later why that is important. I have discovered through tabling parliamentary questions that the Ministry of Defence has sunk many boreholes in the Salisbury plain area, yet under Crown immunity, English Nature does not know about them; there is a massive void in its knowledge. However, on a top-secret basis, the Environment Agency has some answers and is allowed to know how much water the MOD is abstracting, although it does not know where the water goes—sewerage patterns in the area are notorious. Twenty-four boreholes are in use by the Army, plus one for emergencies, and substantial quantities of water are abstracted. Crown immunity has gone past its sell-by date in terms of water resources management in the countryside.

The Ministry of Defence is to be congratulated on introducing project Aquatrine, which provides it with water and waste water services throughout the country and seems, for the first time, to have allowed it to count its boreholes. The military's use of water is increasing, however; for example, project Allenby will mean that several thousand more families are housed in and around the chalk areas of south Wiltshire. There will be substantial new abstraction and we shall need careful planning for that.

One of the ironies of the situation is that the Hampshire Avon is one of the cleanest and most beautiful rivers in the country and has been designated a special area of conservation, yet in winter there is emergency dumping of sewage in rivers. This winter that occurred at Hanging Langford. What is the point of going to the trouble and expense of designating a special area of conservation, where there is a river of the highest quality in Europe, if we allow water companies to discharge sewage in that river?

One Monday morning, the Wiltshire Wildlife Trust phoned me to ask for help in dealing with a huge sewage discharge next to the Hanging Langford wildlife reserve. The matter has been pursued by several agencies, but it illustrates the problem. I warmly welcome the SAC strategy, but there are enormous manmade problems that cannot be disaggregated from flooding. Flooding causes substances to enter watercourses that destroy delicate environments, and it is humans who cause the trouble. For example, hormone-disrupting substances—that is, the pill—are one of the greatest problems in the River Avon SAC, and do great damage. They desex the fish and even the flies. The fish cannot live because the flies do not breed. The whole cycle is grotesque. It is our fault that that is happening, and we need to address it.

In the end, we are talking about the use of water, the cost of treating and disposing of water, and our attitude to that. I am concerned that we are obsessed with keeping down the price of water at the cost of the environment. That makes me greener than the greens, I suppose, but I intend to be pretty horrible about the water consumers' body. I was very disappointed to see that the review by the "WaterVoice" newsletter representing water customers, which most Members of Parliament will have had in their post in the past couple of weeks, wants to delay the environmental schemes. It says:

> "We recognise that, because of legislation, there are still environmental schemes that need to be carried out, but we believe there is scope to defer some schemes beyond 2010 in order to reduce the impact on customers' bills."

That is wrong, and Ofwat is wrong. We should be prepared to pay more for our water to have better water quality where it counts. We can either go with the grain of nature and ensure that future generations enjoy the valleys and rivers that I loved, and indeed fell into, in my childhood, or we can play around with nature and destroy that heritage.

4.21 pm

David Wright (Telford): My constituency sits in one of the largest inland counties in the country, so it will be no surprise to hon. Members that I do not intend to talk about coastal defence. The one image from my constituency that many hon. Members will know is the great iron bridge that spans the River Severn in the Coalbrookdale area. I want to talk about Ironbridge and the communities around the Ironbridge gorge, and the devastating impact of flooding in that area.

Hon. Members will know the image of the bridge; they will also know the image of the coracle, which is the craft of the upper River Severn. One of the last great makers of the coracle, Eustace Rogers, recently died. He could never tempt me into a coracle. Several friends of

[David Wright]

mine who have gone into a coracle have very quickly gone into the River Severn. I do not intend to try that out. My hon. Friend the Member for The Wrekin (Peter Bradley) might do so during the summer months, although he does not know that yet.

The Ironbridge gorge is a fantastic sight. It is a world heritage site—indeed, it was the first industrial world heritage site ever to be declared—and it provides an economic engine for the county of Shropshire. Several museums sit alongside the river, including the museum of the river itself and Blists Hill, the museum of iron. In recent years, Shropshire has had serious problems, especially relating to the rural economy. One of the things that has helped it through those troubles has been its ability to draw tourists into the area. The Ironbridge gorge and the iron bridge itself represent a magnet for tourists. Of course, it is also a living community. Some 4,000 people live within the boundaries of the world heritage site and several businesses operate in that locality. It draws people into Shropshire who then go on to visit places such as Shrewsbury, Cosford aerospace museum and other parts of our wonderful county.

Alongside the image of the great iron bridge of which hon. Members will be aware is the image of the significant flooding that has happened in recent years. Flooding is nothing new in the Ironbridge gorge. The greatest flood that took place there was in 1795. I am not sure who the Member of Parliament was at that time; perhaps he paddled a coracle. In terms of recent floods, during the last century there were fairly significant floods in the gorge in the 1940s, the 1960s and throughout the 1990s. The autumn 2000 flood was a one in 50 incidence flood that was quite devastating in the locality. Many of my constituents recall how awful it was and the impact that it had on the museums and local businesses. It took several months—eventually, it may take years—for the gorge to recover all the trade that was lost owing to the many people who stayed away during that period. Some properties in the gorge flood on an annual basis and the geography of the gorge is so problematic that we may never be able to protect them.

The problem is that the River Severn meanders on its floodplain before it reaches Ironbridge, and is then channelled into a steep-sided gorge with no floodplain at all. The rises in water level are dramatic during a flood. Shrewsbury is our main warning that we are going to get flooded. If Shrewsbury gets hit, it is guaranteed that Ironbridge will get hit as well. Experience of floods has prompted the creation of a strong local group to try to draw agencies together. The Ironbridge Gorge Community Against Flooding group is superb. The chair of the group is fantastic and so is the secretary—Jemma McLay-Fortune—who does an enormous amount of work to assist residents and to work with the range of agencies involved. We also have an excellent councillor in the area—Louise Lomax. Other hon. Members have talked about officers from the Environment Agency. Peter May, who works for the agency in the midlands, has been superb. I will return in a few moments to some of the issues that he has raised with the local community.

We have good interagency working. The local authority has worked extremely well with the Environment Agency and DEFRA, but also with Severn Trent Water, to try to alleviate some of the worst effects of flooding in the Ironbridge gorge. I want to thank the Minister for the commitment that he has given to meet residents from Ironbridge in the next few weeks, and for his commitment this afternoon to fund temporary barriers and measures. I assume that one of the areas that will benefit from that, in relation to the wider Severn catchment area, will be Ironbridge.

There is a system in Europe that we hope to pilot, whereby a number of pallets are laid on metal stanchions. We hope to create a burn along areas such as the wharfage in Ironbridge, to alleviate some of the worst effects of flooding. Such a scheme would not stop the one-in-50 style flood of autumn 2000, but it would prevent some of the less severe flooding that frequently occurs in the Ironbridge gorge. As I have said, that could be only a temporary or partial solution to the problem. Many residents in the gorge will still regularly suffer from flooding.

I hope that the Minister will think a little more about support for individuals in the form of defence funding. We had a flood fair in Ironbridge last year but it was not especially well attended. I do not think that residents are aware of the types of product that are on the market to defend their properties. A much stronger push is required on that issue. Some innovative products can be put in place in people's homes. There are blocks that can go over doorways, and ways in which basements can be secured to stop flooding. We have to support local people in purchasing those innovative products, which are produced by many companies in the United Kingdom.

I welcome the fact that the Severn gorge area is a test case. Throughout the catchment area, we are trying to model what happens in floods. Many communities such as Shrewsbury will benefit from more permanent solutions; others, such as Ironbridge, will not. We have to understand the dynamic of the way in which permanent and temporary measures sit together and to understand what will happen during a significant flood. We may find that areas with temporary measures may not be able to cope. They may need more permanent defences.

I would like to touch briefly on the cost-benefit analysis that is being used by DEFRA and the Environment Agency to assess flood risk. I welcome the commitment in recent months to change the cost-benefit analysis. However, I am worried that it continues to downplay the impact that flooding can have on local businesses and specific sites. The Minister has acknowledged that worry. Several months ago, he wrote to me and said:

> "The unique status of the Ironbridge Gorge as a world Heritage Site clearly poses a challenge in both assigning it an economic value and determining how this is accounted for in the cost/benefit analysis."

In the wind-up speech, I would welcome some comments on whether the Minister has thought about the way in which issues such as world heritage status can be drawn into the cost-benefit analysis and the way in which the impact on businesses is being considered. As I have said, places such as the Ironbridge gorge are an economic engine-house for counties such as Shropshire.

They draw people into what are, as I have said, living communities. We have to consider the impact that flooding has on those communities.

Mr. Morley: I should like to say something following the representations that my hon. Friend and other hon. Members have made about the heritage issue now, in case it slips my mind in during the winding-up speeches. Heritage is a criterion in the new scoring system that will start in April, so heritage sites will be a consideration. Of course the problems of Ironbridge, as he well knows, go much deeper—literally deeper. Again, fluvial gravels are a problem, and there are real technical challenges in providing a cost-benefit solution. I very much hope that the temporary solutions that are being paid for in the Severn area—Ironbridge is one of the areas under consideration—may at least, as he says, help to alleviate the problems. Of course, in the onging catchment studies, we will look for further solutions to try to improve the situation.

David Wright: I am very grateful to the Minister for that response, and I welcome the fact that heritage will be drawn into the criteria. We need to focus on the range of support services provided by local authorities in areas that flood, such as the gorge. Telford and Wrekin council has produced an excellent pack for residents that contains information on what the agencies can offer and what support is available.

It is important that we consider temporary defences not just as a sandbag replacement policy, but as a more effective system than that, and we should monitor and evaluate it properly to find out whether we need to provide more permanent defences as time goes on. I welcome the Minister's comment in relation to heritage, and I look forward to working with him and Ironbridge residents to explore how that will impact on a perhaps re-evaluated cost-benefit model in the coming months.

I want to close by reflecting on an issue that has not been discussed extensively this afternoon: how we can try to alleviate flooding through agricultural processes. We have seen significant change in the style and structure of farming policy and strategy in this country in recent years. Hedgerows have been removed and there is a totally different style and technique of farming. I should like to ask the Minister to reflect, perhaps in his winding-up speech, on how we can promote better agri-environmenal schemes to reduce run-off from land, and on how we can perhaps subsidise and support farmers and landowners to improve the use of their land, so avoiding significant run-off into rivers, such as the Severn, which has such devastating impacts downstream in areas such as Ironbridge. In summary, to coin a phrase, much done—much still to do.

4.32 pm

Mr. Philip Hammond (Runnymede and Weybridge): I, too, will concentrate on fluvial flooding, some 150 dwellings in my constituency having been affected by flooding along the River Thames earlier this year. I should like to express my sympathy with all those of my constituents who were so traumatised by that event, coming just two years after what they all thought, in October 2000, was a once-in-a- lifetime experience. Sadly, that was not to be.

As the anger that many residents initially felt has given way to a more analytical desire to understand what has happened, I should like to draw out and bring to the Minister's attention some issues that were brought to my attention in correspondence and two very large public meetings, which I chaired, attended by more than 500 people and representatives of all the relevant authorities, including the statutory water undertaker and the Environment Agency.

The hon. Member for Lewes (Norman Baker) talked about climate change being the driver for the flooding events that occurred early this year. That may well be the case, but as was mentioned by my hon. Friend the Member for Spelthorne (Mr. Wilshire), there are considerable concerns along the lower Thames that other, man-made factors may be at work and may also contribute as well as climate change, which we all recognise is inevitably a factor.

I would tell the Minister—my hon. Friend the Member for Spelthorne also made this point—that there is a considerable credibility issue about statements made by the Environment Agency. Well meaning, well intentioned Environment Agency officials attended the meetings in my constituency and stated very clearly that they did not believe that the operation of the weirs on the River Thames, the Thames barrier or the Jubilee river had in any way negatively impacted on the situation that my constituents experienced. Yet the people who were affected this time were, in many cases, affected much worse than they were in October-November 2000, but the flood event was much less extensive on this occasion than it was in October-November 2000. The Minister shakes his head. I speak with a certain degree of heartfelt knowledge, as in October-November 2000 my house, which is located on a tributary of the Wey, was seriously affected by flooding. In January this year, areas back along the Wey towards Guildford were not affected at all, while the flooding along the Thames in Chertsey and Egham was particularly severe.

Mr. Morley: That is right, although it could be explained from the areas of downfall and run-off. While that may be the case on particular tributaries of the Thames, I must make it clear to the hon. Gentleman that the levels in the Thames in 2003 were worse than in 2000. In fact, such levels had previously been recorded only in 1947.

Mr. Hammond: The Minister is right, but the level in the Thames is not a natural phenomenon. The level in the Thames is controlled by weirs and by the operation of the barrier. Therein lies the problem. Constituents of mine and of my hon. Friend the Member for Spelthorne are not yet convinced that the actions of the Environment Agency in operating those devices along the Thames were not a contributory factor.

I shall put to Ministers some of the issues that arose at those two large public meetings, and try to draw out of them a couple of more general themes that may have wider applicability than the flooding effects in Egham and Chertsey. Maintenance of rivers was a major theme—the maintenance of the Chertsey Bourne, the lack of clearance of the river and the division of responsibility between the Environment Agency and the local authority. Part of the Chertsey Bourne is a main

[Mr. Hammond]

river; part of it is not. That creates confusion in itself. I take it that the Minister's announcement about the Environment Agency having responsibility for high flood-risk rivers applies not just to large rivers, but to all rivers, even smaller rivers like the Chertsey bourne, which pose a serious flood risk to dwellings—in the case of Chertsey, 60 or 70 dwellings were affected on the last occasion.

Of course, concerns were expressed about development in the floodplain. I heard hon. Members speaking about the Environment Agency having much stronger powers to prohibit development in the floodplain. I do not disagree with the sentiment, but I suggest to the Minister that if that is to happen, the Environment Agency's act will have to be sharpened up. I think I am right in saying that at present the Environment Agency objects as a matter of course to any development occurring within the area shown by the agency's map as the indicative floodplain, yet we all know that its maps are far from accurate. If the agency is to have stronger powers, they must be based on very much better data than it has at present.

I mentioned the active intervention of the Environment Agency in the management of the river. Constituents of mine who live on the River Thames and know the river well experienced some rather unusual occurrences this January, in particular over the weekend of the 4-5 January—a sudden drop in the level of the river. That was after the flood event had occurred. I have not yet heard from the Environment Agency a satisfactory explanation for that sudden and significant drop in the level of the river.Other hon. Members have mentioned dredging. The Thames is no longer subject to the kind of dredging programme that went on for many years, and the level of the river-bed has visibly risen in some areas, particularly on bends of the river.

I should like to ask the Minister about the cost-benefit analysis model that is used in relation to fluvial flooding. A number of people who attended those meetings could not understand how it worked. It is abundantly clear from the figures provided by the Environment Agency that it is not aware of all the dwellings that are affected by flooding. Not everybody claims insurance when they are flooded. Sadly, some people do not have any insurance on which to claim. The discrepancies between the figures given by the EA and those given by the local authorities and residents groups made it clear that not all flooded dwellings were coming to the EA's attention. Can we be sure that the cost of flooding is being properly evaluated if it is clear that at least some flooded dwellings are not being counted? Can the Under-Secretary give an assurance that the cost of increased insurance premiums for all residents of an area when postcode-related premium setting occurs—an on-cost to the whole community—is being properly taken into account in the cost-benefit analysis?

Does the Under-Secretary recognise that there is a problem of public credibility in respect of the Environment Agency's multiple role? It is the promoter of schemes such as the Jubilee river, and it is also the operator of that scheme, as it sets weir levels and decides when and how to open the Jubilee river and bring it into use. Yet it is also the regulator and, as someone else has said, the final court of appeal. Has he considered whether the need to restore public confidence in the system might call for a split between the roles of regulator and operator, which would ensure that the EA works in relation to the operation of rivers just as does in relation to the statutory water undertakers—a function that it does not carry out, but supervises and regulates?

Is the Under-Secretary aware of another conflict in the Environment Agency's role, of which I became aware only by virtue of comments made by its personnel at the public meeting that I was chairing? I refer to the fact that the EA has a statutory duty to maintain the navigability of rivers such as the Thames. On the reach of the lower Thames that I am talking about, navigation is done almost entirely for pleasure. The duty to maintain navigability means that the target normal water level in the river is allowed to fluctuate only over a very narrow range. People who have lived on the river for many years tell me that, in the past, when heavy falls of rain were expected or taking place, it was accepted practice to allow the river level to fall in autumn and early winter in anticipation of heavy run-off during the winter season. That no longer happens, because of the EA's statutory duty to maintain navigability of the river. That issue needs to be considered; some correction may be needed in the form of legislation to create a clear set of priorities in which flood prevention comes ahead of navigation.

I want to mention one more issue that has not yet been raised: the impact of waste landfilling on the absorbency and permeability of the ground. Most landfill takes place in areas where gravel has been extracted. By definition, most of that land is situated in floodplains, and there is a great deal of it in my constituency. The modern practice is to clay-line waste disposal sites, which means that they become huge, impermeable voids in the water table—large areas of water absorbency capacity that have been removed from the equation. That is almost certainly a factor in my area. The EA pointed out to me that no statutory agency has responsibility for flooding that is occasioned by flows of ground water, as opposed to fluvial waters.

I understand the calls that have been made for public inquiries. I share the scepticism of my hon. Friend the Member for Spelthorne about the appropriateness of holding a full public inquiry into the events of January 2003 because of the delay that that would inevitably involve. Like him, I welcome the action of our local authorities in commissioning some independent expert research, but it will take much more than that to restore public confidence.

I hope that the Under-Secretary will take on board the key point that public confidence in the Environment Agency is low, certainly on the reach of the Thames that I have discussed. He should consider whether the Department can do anything, perhaps through splitting roles, to help restore confidence and thus give the public a greater sense that the serious threat to their well-being and livelihoods is being properly controlled and managed.

4.45 pm

Mrs. Janet Dean (Burton): My constituency is about as far inland as one can get, but the River Dove and the mighty Trent flow through it. My hon. Friend the Member for Telford (David Wright) mentioned heritage. If it were not for the quality of the water in Burton on Trent, we would not have such fine beers.

I welcome the extra funding and the greater responsibility that is being placed on the Environment Agency. However, I accept that all bodies need to continue to work together to deal with flooding problems because they do not derive from one source. Other hon. Members have referred to sewage flooding; that means that the sewerage companies are involved. This week, I had a site meeting in Rolleston-on-Dove in my constituency, which representatives from the highways authority, the Environment Agency, the local borough council, the Severn Trent sewerage company and the local parish council attended.

I pay tribute to all those who work to prevent flooding recurring, especially parish councillors who try to be the watchdog for their villages. Representatives of the local landowners were perhaps the only people who were not at the site meeting. We need to work with them on clearing the drains and ditches that run through fields and can create a backlog and cause flooding.

Whether flooding occurs in an individual property or a large group of properties, it is a terrible event for the people who live there, especially if sewage is involved. In the floods in 2000, approximately 40 properties were flooded in my constituency. However, we were within 2 in or 3 in of flooding in 7,000 properties in the town centre. The flatness of the land in Burton on Trent means that that would have happened if the flood defence barriers had been breached. Indeed, reports on local radio and elsewhere suggested that the bridges had gone, and the evacuation began in the town. That caused great problems on the roads. There was a need to evacuate some streets that were closest to the river, and that happened.

I have great sympathy for the people in the 40 houses that were flooded and those who suffered elsewhere, and I want to ask about the new priority scoring system. As I said, we were within 2 in or 3 in of having 7,000 properties at risk. We are in the "one flood in 100 years" category. I am worried that climate change may necessitate further improvements to the flood barriers in Burton on Trent.

If the flood defences in Burton had not been repaired and maintained before 2000, they would have been breached. I understand that improvements were not made on the standard that was established more than 30 years ago. In other words, we were not making the standard better than it was 30 years ago. Burton-on-Trent is protected to the one in 100 standard, but we came very close.

What calculations have been made of the effect of global warming? Are we changing our assessments owing to the likely increased risk? No one wants to scare the local population, but everyone should be aware of the risks. I am pleased that there was a local flood fair in my area recently, although it was not attended by as many people as we would have liked. There is a need to raise the awareness of people in towns such as Burton on Trent of the potential for flooding, without frightening them. There is also a need to ensure that the money is spent on protecting the areas in which many properties are at risk.

I welcome yesterday's announcement that the Environment Agency is to be given a block grant. I am sure that that will provide continuity and allow the agency to plan and develop schemes better in the future. The one disadvantage that it will bring is a loss of some democratic control, and I would like to ask what mechanism will be put in place to ensure fair distribution in all regions and areas—including Burton on Trent—under the new funding system.

4.51 pm

Dr. Richard Taylor (Wyre Forest): I shall be very brief, as I know that many other hon. Members wish to speak. It is not surprising that a lot of Members with constituencies on the Severn—our longest river—have spoken, and I am pleased to join them. We in Wyre Forest are very grateful to DEFRA and to the Environment Agency for the beginning of the very effective flood defences that we have, and I am grateful to the Minister for the reassurance that there is quite a good chance that the next phase will be completed on time.

We are very sad that neither the Minister nor the Secretary of State can come to inaugurate the flood defences at the end of this month, as we were hoping they would. In fact, I was asked to stand in for them, but I did not really think it was appropriate. I did not know whether one should crack a bottle of champagne over these things, cut a tape, or whatever. So I have suggested that the ceremony should be deferred in the hope that either the Secretary of State or the Minister can come later. The defences are really worth seeing when they are erected, and, as we get something like 36 hours warning of a flood, the speed with which they can be erected is very impressive. There is a flood risk in Kidderminster—although it is much less than in Bewdley—and there are very exciting developments there, including the building of a burn to delay the flow of the Stour and to recreate one of the original marshlands just above the town. I would love to have the opportunity to take the Secretary of State or the Minister to have a look at those developments and to see something that is really functioning.

I would like to add my queries to those made by other hon. Members about what an ordinary watercourse is. The press release and the statement used the term "even minor streams" and I would like to know what the definition is. I hope that the provisions will allow other areas to avoid the kind of Gilbert and Sullivan experience that we had in 2000, when a very minor stream caused serious flooding to a group of houses. The residents of those houses built a sort of dam to protect them, which immediately deflected the flood to another group of houses. In the middle of the night, the owners of the second group of houses crept up and removed the dam. We would like to see that kind of chaos eradicated.

I welcome the Minister's high regard for the national flood forum, which was set up by just three people on the Bewdley residents flood committee. With a generous grant from the Environment Agency, two of those people are now paid a moderate salary. The amount of work that they do, with volunteers, is absolutely amazing. They are involved in research, and they have done many presentations and organised flood fairs throughout the country. They are also creating a database. Their office will be in a converted building that always floods. If anywhere in Bewdley floods, this building does. It will demonstrate how to have an office that is relatively flood resistant. They have huge contact with local firms and individuals. I support their wish to

[Dr. Richard Taylor]

develop their service further, which obviously requires more financial help. They provide a national service of advice for the people who need it.

4.55 pm

Mr. Alan Hurst (Braintree): Like probably every Member who has spoken in the debate, my constituency has suffered from floods in recent years: in our case, in 2001. We have heard about many famous rivers, including the Thames, Avon, Trent, Severn and Wyre. The rivers that I shall mention may not be as internationally well known as they are, but the main rivers running through mid and north Essex are the Blackwater, with its tributaries the Pant and the Brain, the Chelmer and the Ter.

The question that Members have asked again and again is: where does the river system stop? A large part of the damage in my division was caused by brooks, which run into the minor rivers that run into the main river. Into those brooks run drains and the run-off from fields. The whole system goes back and back, almost like all of us descending from Adam and Eve. We have to go far back to judge where the danger is coming from.

The other issue that a number of hon. Members have highlighted is the division of responsibility between the various bodies. Until we resolve that question, I fear that there will be some delay in finding solutions to many of the problems that we all face. Hon. Members may have heard of a case in Finchingfield in my constituency—if not, they will have after today. It is usually regarded as the most beautiful village in England. It is much photographed, but in October 2001 it was not photographed as an inland village: it was a series of houses under or around a lake. The Finchingfield brook overflowed, and the water went higher than anyone in living memory can recall. My good friend Councillor Ron Hawkins is a local historian, and he can find no record of the waters going as high as they did that year. They went beyond the war memorial, well up on to the green, and flooded the pub, the teashop, the antique shop and residential properties. All of us will be aware that, when flood waters go away, houses are not put back into occupation straight away. It takes many months for those houses to be habitable again.

The difficulty we have with the Finchingfield brook is that the Environment Agency has responsibility only for the area just past the village green, but the brook runs beyond that, and there lies the problem. Unless we deal with the whole length of the brook, we cannot prevent further flooding.

Of late, I have been disappointed with the Environment Agency. After the floods in 2001, I was clearly told that a number of schemes would shortly be introduced, on which action could be taken. I was shown the outlying schemes for certain villages in my division, particularly in Kelvedon, but no such report was published in 2002. Being ever the optimist, I again spoke to the agen[illegible] in the autumn of 2002. I was shown schemes for the [illegible]llage of Finchingfield, which I was assured would b[illegible]onsulted on after December 2002. I am a patient ma[illegible] and I did not raise the matter again until February 2[illegible]3, when I was referred to the regional office in Ipswich. I was told that because the scheme involved a flood park beyond the agency's jurisdiction, it would not be able to carry it out. It was an inexpensive scheme, and on the face of it would not only have solved the problem of Finchingfield and down river to Great Bardfield, but would have had consequences all the way down the river system. I could not fathom whether the agency had a reason not to go ahead or whether it did not wish to go ahead, but officials in the local office told me about the schemes in good faith. Clearly there was an overruling higher up in the system.

I should like to know from the Minister whether the agency currently has power to construct flood parks beyond the line of the main river, which it operates, provided that the construction of those parks provides flood defences within the main river. If the answer is yes, I shall be greatly strengthened in my discussions with the local office. If that is not the case, can it become the case? Otherwise valuable schemes in all our constituencies will be blocked, and no real progress will be possible.

Obviously I spoke about the whole issue of flooding in my constituency after the severe floods of 2001. All of us who represent areas where flooding has been a problem know of the fear that many residents feel at certain times of the year, and the relief when spring arrives and the danger has presumably passed. The trouble is that public bodies take too long considering before they act. Some of the schemes that could solve the problem are not very expensive, but they need to be put in hand promptly rather than being contemplated at length. People should not be fobbed off with the excuse that the problem is not the responsibility of a particular agency or Department.

5.1 pm

Mr. Paul Goodman (Wycombe): I apologise to the Minister for missing the first five minutes or so of his speech.

Many Members have described the distress and anger of their constituents following the flooding early this year. I encountered some of that distress and anger at a public meeting in Medmenham in my constituency, which I attended to find out what local people felt about the flooding that had afflicted Medmenham and Marlow.

I shall try to emulate the tone adopted by my hon. Friend the Member for Spelthorne (Mr. Wilshire), who tried to approach the issue in a bipartisan way. I appreciate that there were very heavy levels of rainfall this year, and that, not being a rain god, the Minister cannot be held responsible for all the difficulties thrown up by nature. I was amused when my hon. Friend the Member for Wealden (Mr. Hendry) said he hoped that the Minister would still be there at the end of the current Parliament. I believe, although the Minister may correct me, that he is already the longest-serving Minister in the Government, but he may well look forward to continuing to serve for as long as my hon. Friend wishes him to.

As the Minister knows, some of my constituents believe that the Jubilee scheme was responsible for the exceptionally heavy flooding. As he also knows, the Environment Agency says that it was not, and proposes to run a hydraulic model downstream to confirm that. There are two difficulties for my constituents. First, the hydraulic model is not being run upstream to where they live; secondly, what if the model is wrong—a possibility that has already been raised today?

My view, for what it is worth, is that the agency may well be right, but let me return to a problem that has surfaced repeatedly today: the agency cannot be judge and jury in its own case. I commend to the Minister the ingenious suggestions made by my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) about the need for re-examination of the agency's responsibilities, and urge him to look again at the arguments for an independent inquiry into what happened. I ask him to respond, perhaps in writing if he does not have time at the end of the debate, to the question of whether he would fund or help to fund any independent examinations upstream, perhaps by some public body, just as some of my hon. Friends want him to help to fund independent examinations downstream.

My constituents are concerned not merely about what has already happened but, naturally, about what will happen. I welcome in that context the announcement by the EA, which the Minister has made known in a written answer, that it will be undertaking pre-feasibility studies to identify options for the alleviation of flooding in both Marlow and Medmenham. I put on record my appreciation for the courteous way in which the EA has always dealt with me in providing information.

I would appreciate it if the Minister let me know in due course what the timetable for that is and what efforts the EA will make to discuss those plans with other bodies. In the written answer, the Minister made it known that the EA would be discussing the matter with the district council but I would be grateful for any further information that the Minister has available.

Many hon. Members have already referred to the difficulties of dealing with flooding when it is dealt with by such a wide variety and number of bodies. As the Minister will know, what constituents want in these circumstances is effectively a one-stop shop, somewhere they can go to with ease to find solutions to the problems that they face. I will want to examine carefully the Minister's announcement earlier about the way in which he is rebalancing the responsibilities of the public bodies for flooding. Since he said earlier that he is always willing to meet any delegation of constituents—

Mr. Morley: Within reason.

Mr. Goodman: The Minister is now adding "within reason". I hope that, when he says that, he is not indicating that he would not be prepared—I apologise for the double negative—to meet a body of my constituents if they wished to come to see him about these matters. I may make such an approach to him and I trust that he will respond favourably.

5.7 pm

Lawrie Quinn (Scarborough and Whitby): It is a pleasure to follow the hon. Member for Wycombe (Mr. Goodman), although like every other contribution to the debate, his tended to be a bit landlocked. As the hon. Member for Scarborough and Whitby and, as you know, Madam Deputy Speaker, as a chartered civil engineer, I shall take this opportunity to make some general and some specific points. I made the Minister aware of those in advance of the debate in the hope that he could answer some fairly key questions that my constituents have asked me to raise.

While I am on my feet and paying due acknowledgment to the facility of being involved in this important debate on behalf of my constituents who live at the seaside, I remind the House that Scarborough and Whitby is one of the largest rural constituencies in the whole country, certainly in Yorkshire.

Mr. Liddell-Grainger: Rubbish.

Lawrie Quinn: In the context of the area of the national park that I represent, it is fairly large. The annual mileage on my car indicates a fairly large constituency.

I have a technical and complicated problem to resolve. I was concerned to find that the journal that I receive every week as a chartered civil engineer, the *New Civil Engineer*, was not available in the Library of the House. I have taken the suggestion of the Speaker's Office that I provide not only the Minister, but the two Opposition spokespersons, with a copy of a document to which I shall refer later. I want to thank the Speaker's Office and the Library, which will make the document available to other hon. Members, should they need to look at it.

Before I turn my remarks seaward, as it were, I ask my hon. Friend the Minister to consider some of the experiences of those communities in the landlocked part of Scarborough and Whitby. I think immediately of Stepney road in Scarborough or the residents of Golden grove in Whitby, whose lives have been blighted and their health affected by nasty sewage spillages that are still being investigated. I pay tribute to the Environment Agency and to Yorkshire Water, who have done their utmost to try to get to the bottom of the problem. Some of the problems might be associated with an overload—as we have heard today from Members on both sides—in which properties are added to an area and overload the system. We will find out in due course.

I pay tribute to the Minister's immediate team, and to Mr. Reg Purnell, the chief engineer at DEFRA and his team. We have heard many compliments paid to the team, particularly with regard to its work with the all-party group on flooding. My hon. Friend the Member for Worcester (Mr. Foster) referred to its contribution. The team is excellent and the level of professionalism is to be admired. Members will understand later why I make that comment.

The Minister is a regular visitor to my constituency and he is welcomed whenever he comes, particularly by members of the fishing industry. With me, he has visited remarkable works along the River Derwent and the River Esk nearer Whitby. However, local parish councils have asked me to ask him whether parish councils could be more formally included in the emergency recovery programme. In the area covered by Scarborough borough council, it can take a long time for sandbags to be delivered to some of the more remote parishes. Often, because of the nature of flash floods in small streams across the national park, the problem has gone from villages such as Lealholm, but the damage has been done. Could a closer liaison be achieved, or could the Minister suggest that local authorities work

[Lawrie Quinn]

more closely, and try to get contingency plans in place, with parish councils, which are on the spot and can respond more quickly to emergencies?

We have had serious problems with the so-called "sea cut" that goes into the sea adjacent to Scarborough. The Minister will be aware of that man-made feature, which was constructed by Lord Derwent's ancestors, who drained the family land to help their agricultural pursuits. Recently, the sea cut has been subject to flash floods and the Environment Agency has tried to respond to the flooding in the communities immediately around it.

I urge the Minister and the Environment Agency to remember that the people affected by flooding remember it and, as has been graphically suggested today, they remember those moments when they cannot get on with their lives because of flooding. The more work done to bolster the relationship between the Environment Agency's experts and technical engineers with parish councils, the stronger community bond there will be, so that communities understand the difficult technical issues.

As an engineer, I often tried to solve problems by applying lateral thinking. Given the nature of my work—bridge design and geo-technical matters—I was often cash-strapped and had to work within a very tight budget. That is why engineers seek lateral solutions to some of the problems that they face. With that in mind, I commend the excellent scheme introduced at the estuary of the River Eske, in Whitby. We found it difficult to attract grant for the necessary sea defence work, because the affected area was within the harbour bar. The very good engineering team, with encouragement from me, applied lateral thinking and, with the help of the Admiralty, redefined what was estuary and what was sea. By redefining the cliffs within the harbour bar, which are immediately underneath St. Mary's church and Whitby abbey, we were able not only to protect numerous properties, but to keep alive a very vibrant part of Whitby and to sustain it for probably the next 100 years. Such lateral thinking and the excellent experience of the Haggerlythe, in Whitby, are a tribute to what can be achieved by engineers who work with communities.

The Minister will know that my main purpose in speaking today is to highlight what my constituents regard as a big success: the considerable resources that this Labour Government have provided for the coastline of north-east Yorkshire. For the nation to recognise the need to sustain this attractive heritage coastline for communities along the Yorkshire coast is a fantastic step forward. I pay tribute to the officers of Scarborough borough council, in particular, who have taken a leading role in seeking innovative solutions to coastal defence problems along the wider Yorkshire coast—from the Humber to the north-east, as far as the River Wear. Excellent work has been carried out at Runswick Bay, at Robin Hood's Bay and along the coastline in general. Such projects would not have been possible without the resources that the Government have supplied for the people of the Yorkshire coast.

As if that were not good enough, I also pay great tribute to the abilities of my hon. Friend the Minister, and for his excellent work in persuading our friends at the Treasury, as evidenced in his statement. I am sure that many of my constituents will regard that as a great success, and my remaining comments will make it clear why I say that.

The main problem that I want to bring to the attention of the House concerns the classic landscape of the town of Scarborough. I hope that Members on both sides of the House have been able to visit Scarborough. It is a great conference town, and most people who work in politics get an opportunity to visit it at some point in their careers. The promenade, the classic Marine Drive, is the result of the forethought and foresight of Victorian engineers, and it is a classic example of Victorian engineering. It is a beauty to behold, but sadly, in the decades before I became the Member of Parliament for Scarborough and Whitby, it was neglected. Like many seaside communities throughout the country, the basic infrastructure did not get the attention that it demanded. As I have said, the fact that we have considerable resources to put right years of neglect is a great tribute to the work of the Minister and his team.

It is not just about years of neglect; we must recognise the power of the sea and mother nature. People who live on the coast know that, ultimately, the sea will always win. Although many Members have rightly paid tribute to him today, not even the Minister would claim to be Canute. The sea will always win—I know that as an engineer, and everyone who lives on the coast does too. However, for perhaps the next 50 years, we have an opportunity to protect vital parts of our local economy, and support and protect residential areas in Scarborough. I urge the Minister to recognise that the partnerships that have evolved since 1997 between the local authority, Yorkshire Water, the ministerial team and engineers have failed to give due acknowledgement to the sentiment, affection and high regard that many of my constituents have for that fantastic part of our heritage on the Yorkshire coast.

The Minister was able to support with a 75 per cent. grant works to East pier, Castle headland and the Holms—a coastal protection scheme, the like of which Scarborough has never seen before. Work started in earnest in April 2002, but unfortunately a number of technical problems arose in the first season of operations. I hope that Members will recognise that it is difficult to do any work next to the sea because there are problems with the tide, weather and storms, which can inflict considerable damage as people try to achieve a technical solution. The problems on the coastline that the Government inherited demand considerable attention, technical understanding and lateral thinking. Above all, community members must feel that they are stakeholders in the solution that emerges.

The Minister knows that those works have run into considerable financial difficulty, and I believe that at the beginning of last week the Department received an application from Scarborough borough council, the main promoter or client in the contract for the works, for extra funding of £7.6 million. I hope that the Minister can confirm whether yesterday's ministerial statement on resources means that the consideration of that application can be expedited, or whether the community will have to wait and see whether the final estimated cost of the works will be fully funded by central Government and the Treasury. I trust that he will give a response in his winding-up speech.

Communities in Scarborough, Whitby and other parts of my constituency are waiting to find out whether they will have to use their council tax resources to fill the funding gap caused by the extra costs of those works. The Minister knows that locally we have a strong civic society and an internationally recognised environmental group, the Sons of Neptune. Indeed, he has met some of the individuals involved. They have strong reservations about a small aspect of the scheme, which I shall attempt to bring to the attention of the House and the Minister; otherwise the community in Scarborough will feel that its MP is failing them.

The document to which I referred earlier is available in the House of Commons Library. I hope that the House will consider using visual aids in the near future, so that hon. Members will be better able to consider complicated technical matters such as this.

The scheme involves reinforcing a lot of promenade masonry. Part of it is called a wave return wall, which will run for about 1,500 m along the promenade. The wall will be a considerable lump of concrete. It will replace some Victorian railings that are much loved by local people and the millions of visitors to Scarborough.

The Sons of Neptune and Scarborough's civic society have never been happy with the local authority's plan to replace an elegant sweep of Victorian cast-iron railing with a 3 ft-high lump of concrete around the whole of the town's bay area. They feel that it will blight the area and attract graffiti. They are also worried about health and safety aspects of the replacement wave return wall, and believe that the Minister is giving generous funding for dental work in the face of Scarborough that will never allow the city to smile again.

I hear that accusation regularly. People's affection for Scarborough has shown itself in a campaign of letters—to me, and to local newspapers and radio stations. Last Sunday, objectors to the proposal got local residents to tie ribbons to the railings. More than 1,000 ribbons were tied and, within two hours, almost 400 people had urged me, as their local MP, to ask the Minister to consider the matter.

The Minister must deal with the matter of costs. I know that he has great respect for the technical people involved. I hope that he will urge Scarborough borough council to sit down with the technical experts put up by the Sons of Neptune and the civic society. In that way, the experts and engineers might be able to find some way of restoring the smile to the face of Scarborough. That would reduce the overall cost of the works, and enhance the Minister's already considerable reputation. I hope that he will respond to the heartfelt plea of the people of Scarborough and Whitby when he responds to the debate.

5.28 pm

Mr. Ian Liddell-Grainger (Bridgwater): I am delighted to know that the hon. Member for Scarborough and Whitby (Lawrie Quinn) is a chartered engineer. I did not know that. I must say that my constituency is bigger than his—so there.

I want to bring some points to the Minister's attention. He knows that one problem in the south-west is that the Environment Agency sets river catchment areas. I have a unique problem in the Wessex catchment area, in that one end of my constituency creates the rainfall that floods the other end. If the catchment area were slightly bigger, the agency would be able to deal with many more of the problems that it faces, as its funding would then be lumped together.

The Minister will not be surprised that I want to talk about the River Parrett catchment project. As he found out when he visited, many people are unhappy that their homes are being flooded. He will recall meeting a few homeowners who were a little upset. Also, the drainage board has threatened to keep the sluice gates shut. The Minister is aware that that would pose a threat to Taunton. Finally, some landowners are refusing to pay their precepts, because their land is to be used for inland waterways or water holding areas.

Given all that, has not the time come to look at the possibility of getting rid of the Parrett catchment project? The flood defence committees would disappear, but a committee covering the whole of Wessex would take care of rivers such as the Parrett—which in fact rises in Dorset, outside the present catchment project area.

I shall raise briefly one or two other problems. The Minister kindly alluded to the service sector. In Willaton, the water pipes run under the bridge, which has reduced the flow of the river by almost half. Is there any way that the Environment Agency can use its powers to inform statutory bodies, such as water, gas and electric, to move those pipes? In another village, Kilve, that has happened. As a result, once the river is blocked the volume cannot get any more, simply because of the concrete balustrades underneath the bridges.

There is the additional problem in our area with the drainage boards. I know that the Minister is aware of this. We have a lot of drainage boards across the levels. If he is looking to amalgamate the smaller ones with the larger ones, would he care to think about when a large one is large enough and a small one too small? The reams of Somerset are not ditches; they are quite wide. Many drainage boards have done a good job over many generations. The problem is that if they are too big, they cannot cope because the precepts are set by landowners under the Environment Agency. If the Environment Agency is judge, jury and executioner, we need the ability to say that a certain drainage board has done a very good job over a long period—I am thinking of King Sedgemore, which the Minister has been to see and which has done a remarkable job. Its problem is that the volume of water is now out of proportion to what the Stowey river, which goes between Taunton and Bridgewater, was ever capable of carrying. Could there not be some arbitrary figure—perhaps the Minister himself—who could take on these situations where drainage boards will be deeply upset with the changes that they will have to face?

Mr. Morley: In these proposed changes there is a possibility of a drainage board going to the ombudsman if it felt that it was being unfairly treated by the Environment Agency. Members can also come directly to me, although I do not have statutory duties in relation to any formal appeal. I will respond to individuals. As for the King Sedgemore drainage board, it threatened to flood the hon. Gentleman's colleague in Taunton. I was

[Mr. Morley]

deeply unimpressed by that. Given that that was in the middle of a review of the IDBs, it was not the best move either.

Mr. Liddell-Grainger: I could not agree more with the Minister. The reason why that happened was that the amount of water that the Parrett can carry because of the delay in the dredging meant that the Stowey had to be opened up, so the landowners felt that they were being used as water-holding areas. I accept that, as the Minister said, the middle of a review was not a good time to do that.

Finally I come to the massive problem of coastal erosion. The Minister is aware of the Steart peninsular. We must look at the concept of managed retreat. I have not seen any of that in this. We will have to talk about managed retreat because there is no way, unless we are given a massive amount of money, that we can defend the likes of Steart common. Then there is the problem of compensation for landowners and of a village on the end of a peninsular and what happens if the river Parrett changes its course. The costs will be astronomical. The lesser of evils would be not to lose the whole village, but to have major floods coming into Bridgewater because of the backing up of the water. The Environment Agency needs to look at coastal realignment much more closely. We have heard very little about it.

Another problem off Bridgewater bay, which is better known as the Bristol channel, is that the main sandbanks are now moving down from Weston. I know that the Minister is keen on wind turbines off the coast. We have looked at that in the Severn, including the Severn barrage. I urge the Minister, under the Environment Agency, which will be responsible for this, to look much more closely at the changes that could be done to the coast by the longer-term attributes of, for example, wind turbines or a barrage. The changes in the coastline along there, as the Minister is well aware because of what has been happening in certain parts of my constituency, have been much more profound in the past five years because of the enormous differentials in tide. We have one of the highest tidal races in the world. When it backs up with rain from Exmoor, we know perfectly well that we will have a flood, no matter what we do. If there are any blockages, the problems could be even greater in future.

In my area, we have much low-lying land and land at sea level. If the Met Office projections for the next 50 years are correct, and I have no reason to disbelieve them, Bridgwater could be a metre under water, regardless of what we do. The Environment Agency must be able to finance capital rather than environmental projects, so that we can hold back the river through dredging or higher banks. We need a much longer programme of defence, perhaps extending over 20 years. We should consider such projects under the EA and the proposed new drainage board system, as they could save homeowners and insurance companies from enormous anxiety in the years to come.

5.36 pm

Mr. Andrew Turner (Isle of Wight): I am grateful for the opportunity to contribute to the debate. Unlike the hon. Member for Scarborough and Whitby (Lawrie Quinn), who is half landlocked, I am not landlocked at all, so I shall talk not about flooding, but about coastal protection.

We need to add to the Minister's statement yesterday by extending his observations that flood protection arrangements were too complex and needed streamlining to the arrangements for coastal protection. Does he agree that we need similar streamlining for coastal defence work?

I shall draw some conclusions from a particular case. I have always been told not to do that, but it is appropriate on this occasion. Nine years ago, in 1994, there was a large landslip in Castlehaven at Reeth Lodge, which is no longer seriously inhabitable. In 1996, the local authority lodged a planning application for coastal defence measures. English Nature objected on the ground that there would be short-term and long-term effects on "European features". However, the Ministry of Agriculture, Fisheries and Food agreed that the scheme was cost beneficial.

At that time, there was also a proposal that south Wight should be designated a special area of conservation. English Nature said that Government policy was

> "evolving rapidly, especially in respect of biodiversity targets".

That is one of the complaints that I have passed on to the Minister. In 1998, south Wight's candidature for SAC was confirmed. In November 1999, MAFF set new high targets for flood and coastal defence.

The UK biodiversity action plan set five targets, one of which was that 4,000 km of maritime cliff and slope should be retained as unstable. I understand why the targets were needed, but how accountable to the House was the body that set them? Such changing targets were among the many within which my local authority had to operate.

In 2000, the special invertebrate interest group—I believe that means that its members are looking for invertebrates, not that they have no backbone—of the Hampshire Wildlife Trust made an exhaustive study of that cliff area and could find no rare invertebrates, yet in 1996 English Nature had objected to the planning application on the ground that the scheme would damage wildlife.

In early spring 2001, there was a landslip at Undercliff drive on the A3055. One of my constituents, Mr. Cyril Hobbs of Niton Undercliff, wrote to the Environment Agency to point out that the problem

> "could have been delayed for some time, possibly indefinitely, if modern soil engineering skills had been applied ... Your organisation had a lot to do with ensuring that this didn't happen".

That was because of English Nature's objections to the proposed defence scheme. Later in 2001, English Nature approved the scheme subject to certain conditions that it had set, but Hampshire Wildlife Trust did not withdraw its objection. That meant that there had to be a local hearing, which did not take place until July 2001, and the Minister was unable to announce his approval for the scheme—I thank him for doing so—until December 2001. So we are now seven and a half years from the time the landslip took place. One of the conditions of the scheme was that the local authority should purchase another site to mitigate the loss of the unstable land, but that was not achieved until earlier this year. This month, tenders will go out for the work to be implemented, and it is hoped that it will start in early summer.

I should like to ask the Minister a few questions, and I hope that he will forgive me if I rush through them. First, what is mitigation? In other words, what is being mitigated? Just before the landslip took place, there was no unstable cliff to be mitigated. Since the landslip, other landslips have created new unstable cliff, yet the mitigation is still required to fulfil the conditions of the scheme. Why is it necessary to protect morphology rather than wildlife, and why do the diversity action plans talk about such and such a length or area of coastline rather than talking about the animals or other wildlife that live there? Is it not the case that English Nature has a stranglehold on the process, and is therefore acting as judge and jury? Most local authorities are loth to go to public inquiry where they see the danger of great cost and would prefer, if at all possible, to do a deal with English Nature.

I want to make one final point. DEFRA believes that natural river and coastal processes should not be disturbed until life or valuable natural or man-made assets are at risk. Yet it is only when something happens that it is possible to show that an asset is at risk, and if seven, eight or nine years are then added to the point at which it becomes clear that it is at risk, it is often too late to do anything to protect it. Will the Minister please do something about that?

5.42 pm

Mr. Andrew Lansley (South Cambridgeshire): It is a privilege to speak at the conclusion of this debate, during which we have heard much that is of great interest. I hope to sum it up by reference to my constituency. The hon. Member for Braintree (Mr. Hurst) reminded us of the floods of October 2001, which also flooded my constituency. Since then, I have had the benefit of being able to explore the detailed policy implications in my own Adjournment debate.

I am grateful to the Minister for the action that has flowed since then and to the Environment Agency for what it has done locally—for example, the study on the River Cam and the River Granta and the standards and protection studies in Bourn, Shelford and Stapleford. Several hon. Members described the difficulties involved in trying to bring agencies together and to explore the demarcations of responsibilities. Those are undoubtedly difficult issues, but they have been addressed in my area through co-operation between the Environment Agency, South Cambridgeshire district council, Cambridgeshire county council, Anglian Water, the parish councils, and flood action groups in villages such as Bourn and Elsworth. A series of villages had regular collective meetings with the agencies early in 2001, before the 2001 floods occurred.

It is remarkable what has been achieved in the space of two years in terms of enlightening parish councils and flood action groups about the resources that are available. For example, the county council organised an exhibition of flood protection equipment. I remember that when representatives of the Environment Agency attended the first meeting they said, "We're here, and we're willing to offer advice of a technical kind, but we haven't got any money." Two years later, we have reached a situation whereby, as a result of those discussions and the work that has flowed from them, the Environment Agency will be instrumental in the delivery of some of the necessary measures. I look forward to that. Many questions cannot be answered today, but, as we go down the track, the test for my constituents will be whether the feasibility studies that have been carried out since 2001 have been turned into practical measures to remove flood risks in a reasonable time—and I think that they would consider two or three years a reasonable time. Whether that can be done will depend on the availability of resources and expertise.

Some things are still missing. One of them, which I have raised with the Minister before, is to do with riparian ownership. Parishes often have a problem in establishing who owns many of their watercourses. When there is a transfer of title, could the Land Registry be required to register the riparian ownership responsibilities alongside the registration of title? That would allow ownership to be more easily examined.

A number of hon. Members have spoken about soft protection measures and, for example, upstream storage reservoirs. In three places in my constituency—Bourn, Elsworth and Bin Brook—such measures could play a major part in the long-term resolution of problems. However, we do not necessarily know how to access resources for those measures. If they depend on Environment Agency grants, and on the prioritisation that goes with them, those places may find themselves way down the priority order. However, if we can find a mechanism for doing things on a small scale—in projects on, for example, watercourses that are not main rivers or are not critical—by accessing agricultural funds, we may move outside the requirements for Environment Agency grants and find a very effective way of combining agricultural and flood defence measures. Such a mechanism could allow us not to have to be at the top of the Environment Agency's priorities pile.

The Minister has published his response to the review. Part of his response was on the question of a development charge. That may be along the lines of the development connection charge, which, in my response to the consultation, I certainly supported. In the Cam catchment area in the Cambridge sub-region, about 2,800 homes will be built each year, and serious flood issues will arise. In Bourn, 47 properties were affected by the previous floods, yet Bourn will have 3,300 homes built pretty much on its doorstep. It does not take a genius to see that some part of the development connection charge should apply to the river catchment area, so that local people can say, "Yes, we accept local developments for economic reasons, but we will also secure some of the infrastructure benefits that will flow from those developments."

A number of hon. Members have spoken about insurance. It is not in the Minister's gift to decide what the insurance industry should do. However, the industry relies on the Environment Agency's data and maps, so they will have to be continuously updated to allow genuine assessments of risk to be made. It will not be justifiable, if corrective measures are put in place, to tell someone who asks about the indicative flood plain that blue areas on the map will incur high increases in premium and excess. It is also important to note that it was a one-in-200 years event that led to the flooding in

[Mr. Andrew Lansley]

October 2001. The risks of flooding to some properties can be made very low indeed, which should result in low premiums. We need to be able to argue such points with the help of the Environment Agency's information.

Mr. Sayeed *rose—*

Norman Baker: On a point of order, Madam Deputy Speaker. Is it in order for the hon. Member for Mid-Bedfordshire (Mr. Sayeed) to seek to catch your eye a second time, given that he was late for the opening of this debate, was absent for much of it, and spoke earlier for more than half an hour? Many hon. Members have raised constituency matters to which they wish the Minister to respond.

Madam Deputy Speaker: It is with the leave of the House that the hon. Member will make his response. I call Mr. Jonathan Sayeed.

5.49 pm

Mr. Sayeed: Thank you, Madam Deputy Speaker. This has been a valuable debate. Understandably, most hon. Members have concentrated on constituency concerns. Many of those concerns raise fundamental questions about policy and the practical effects of that policy. I do not intend to detain the House for long, because I want to hear the Minister's answers. However, bearing in mind how many questions of considerable interest there were, I hope that, if the Minister is not able to answer each of them specifically, he will agree, at the beginning of his speech, to write to hon. Members.

We have heard about everything from the Bombay duck in Salisbury to Scarborough's seaside accidental skate park. It has been a very useful debate; some very practical problems need to be addressed, and I look forward to hearing from the Minister. I am grateful to the House for giving me leave to make these remarks.

5.50 pm

Mr. Morley: With the leave of the House, I wish to respond to the debate.

We have heard contributions from the hon. Member for Mid-Bedfordshire (Mr. Sayeed); my hon. Friend the Member for City of York (Hugh Bayley); the hon. Members for Lewes (Norman Baker) and for Wealden (Mr. Hendry); my hon. Friends the Members for Forest of Dean (Diana Organ) and Scarborough and Whitby (Lawrie Quinn); the hon. Members for Bridgwater (Mr. Liddell-Grainger) and for Isle of Wight (Mr. Turner); my hon. Friend the Member for Worcester (Mr. Foster); the hon. Member for Salisbury (Mr. Key); my hon. Friend the Member for Telford (David Wright); the hon. Member for Runnymede and Weybridge (Mr. Hammond); my hon. Friend the Member for Burton (Mrs. Dean); the hon. Member for Wyre Forest; my hon. Friend the Member for Braintree (Mr. Hurst); and, last but not least, the hon. Member for South Cambridgeshire (Mr. Lansley)—not counting a few hon. Members who intervened at the beginning.

Hon. Members are rightly interested in flooding and coastal defence, and it is appropriate that this debate is taking in place in 2003—the 50th anniversary of the devastating floods of 1953, as has been mentioned. Of course, those floods had a significant impact on my own county—Lincolnshire—and 307 people lost their lives in England and almost 1,800 in Holland lost their lives on the same night, but things have changed since those terrible and dramatic events.

When I attended the conference that the European Union and local authorities organised in Norwich to mark the 50th anniversary, I found it chilling that, in 1953, people were drowning in Lincolnshire while people on the Isle of Sheppey were going to bed that same night with no knowledge of the death and destruction that was coming south down the North sea. In fact, the same thing happened in the Netherlands: people were hit while going to bed in the early hours without the knowledge of the terror that was coming.

Of course that was before the days of mass communication and the huge investment that we now have in flood and tidal surge warning systems and weather forecasting systems, which are very important, as the hon. Member for Salisbury rightly stated. It is not likely that we would ever be caught so unawares again on the east coast of England, but there are no grounds for complacency. Successive Governments put huge amounts of money into improving flood defences post-1953, and, as we have heard today, we are determined to continue that investment.

Many very detailed, fair and sensible questions have been asked in the debate, and I shall try to go through them by distilling a combination of the points made by hon. Members. If I miss some of the points that can be identified separately, I will try to write to hon. Members. Of course hon. Members are free to write to me and to table parliamentary questions about points of interest to themselves.

Enhancing the environmental was mentioned, and we look for environmental gain in flood defence schemes. For example, in Malton and Norton, paths with attractive brickwork have been built, improving recreation facilities and the environment, as well as providing new flood defences for the area. We will always try to do that, and we will always be prepared to talk about such contributions if local councils want further to enhance fluvial and coastal schemes.

Climate change, forecasting, renewable energy are all issues, and we accept that there is a cross-Government responsibility and that there is also a case for strong international action. It is also true that some isolated properties and other properties are not likely to qualify for flood defence schemes for various technical or cost-benefit reasons. Insurance companies have agreed to assess those properties on their individual merits. Flood-proofing steps can be taken to minimise the damage done to properties, which may help those people to obtain insurance.

I can tell the hon. Member for Lewes that I understand that the property price issue is being reviewed in relation to the cost-benefit analysis, which may be beneficial. I also understand that there may have been an assumption in Sussex that there would be a 75 per cent. grant, but I am not at all sure that there was ever any promise about that, and the grant remains at 65 per cent. If we increase the grant in one area—we do so occasionally for various reasons—we have to accept that we may have to reduce the grant in another area, so that balance has to be struck.

I accept the case that a number of hon. Members made about upstream storage. The Environment Agency has the powers to include upstream storage as part of flood defence. It has to go through normal planning and land agreements. In relation to Uckfield, that was considered, but unfortunately it was not thought to be a viable option.

Roadworks can be considered for joint funding if there is a benefit in relation to flood defence. I am keen on co-operation with other Departments. I have been speaking to the Department for Transport about the potential for co-operation on schemes—for example, using reclaimed material for roads and removing flood obstacles in floodplains. Those are the kind of issues that we have been exploring with the Department for Transport.

With regard to internal drainage boards, the Environment Agency has a general supervisory duty to make sure that flood defence management operates efficiently. It can use the new subcontracting powers that we intend to give it to bring about changes. Some of those changes might mean amalgamation. Size and efficiency depend very much on local circumstances. We do not believe that if an IDB is bigger, it is automatically better. We need to consider how it operates and how effective it is. There are some good examples in the country, and we want the standard of the poorest to be brought up to the standard of the best.

Many hon. Members mentioned sewer flooding. I acknowledged that that was a serious issue. I am pleased that the sewer companies are taking action to deal with storm discharges and sewer flooding, and I have raised the matter with Ofwat.

On the Jubilee river, I repeat that I do not believe that it is to blame for the flooding of other communities on the Thames. It was subject to independent planning scrutiny as part of a public planning inquiry, and it is subject to independent scrutiny by our own DEFRA engineers, who are independent of the Environment Agency. Although I accept that hon. Members representing communities on the Thames have put their case in a fair and non-partisan way, I think that some communities and some individuals are engaged in a blame game, and I call on them to stop. All the information on the matter should be made available, and I will take steps to ensure that it is, so that there can be scrutiny by local communities.

As regards the invitation to contribute to an independent analysis, I have no objection to local authorities employing their own independent consultants, but for them to say to the Environment Agency, "We don't believe a word that you say, but give us your money anyway" is not a very attractive proposition. The agency has bent over backwards to try and examine the issue independently and make information available. People need to see that and reach the conclusion that the Jubilee river went through all the proper procedures and is not responsible for the flooding.

As a matter of routine, in every area that was flooded in the January incident there will be an examination of the causes of the flooding and the steps that can reasonably be taken to make sure that it does not happen again. That is part of the response to any flooding incident.

I agree that there is a need to raise flood awareness, including getting people on to automatic warning. PPG25 is to be revised in 2004. I agree that the issue of road closures needs to be considered. Bellwin can provide support. There is a definition of watercourses, which we are addressing in the review. I hope to take that further, as clarity is important. The Water Bill will deal with abstraction issues. I do not believe that Crown immunity is appropriate to try and avoid the implementation of the Bill.

The promotion of agri-environment schemes can address flood issues. We want an integrated approach. I support the involvement of parish councils; local authorities are responsible for taking that forward. Design and health and safety aspects of flood and defence schemes are matters for local councils. I recognise the almost unique skill of my hon. Friend the Member for Scarborough and Whitby (Lawrie Quinn). We understand his concerns. Additional funding is not automatic, but we will look at the case made to us by the local authority. I hope that he can reach agreement with his local authority, as he has raised some pertinent points. I am willing to continue the correspondence that I have had with him.

The Somerset levels are a special area. The Parret catchment area does a valuable job of bringing communities together. As we all know, there are diverse interests in the Somerset levels. The change in the one tier of flood defence committees may well be a possibility in considering a sort of Wessex approach. I shall certainly take that into consideration. I believe that the proposal for the treatment scheme at Steart point is very good. It is a very exciting scheme and I hope that it goes ahead. Offshore developments will be taken into account. Coastal schemes are very complex. English Nature is our statutory adviser and we take its views into account.

It being Six o'clock, the motion for the Adjournment of the House lapsed, without Question put.

NORTHERN IRELAND ASSEMBLY ELECTIONS BILL

Ordered,

That, in respect of the Northern Ireland Assembly Elections Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time.—*[Mr. Heppell.]*

PETITIONS

Fireworks

6 pm

Mr. Jim Cunningham (Coventry, South): It is only a fortnight since the House agreed on a Friday morning to let through a Bill on firework misuse. Within about a fortnight, people in Coventry were able to collect about 5,000 signatures, which gives a snapshot of scale of the problem. Time is far too short to go into all the details; suffice it to say that many elderly people are experiencing a living nightmare in certain parts of Coventry because of firework abuse. The same applies

[Mr. Jim Cunningham]

to pet owners and a large number of families, particularly as the fireworks are sometimes going off at 2 or 3 o'clock in the morning.

The petition states:

To the House of Commons

The Petition of the residents of Coventry

Declares that firework misuse is a serious and growing cause of annoyance, distress, nuisance and danger to many people in Coventry; that residents and Councillors have made clear their belief that the existing legislation is inadequate and that an appropriate response is required at both local and national levels; that Category 3 fireworks should be available only to licensed display organisers and not to the general public and that Coventry Council believes that the current registration scheme to store and sell fireworks is inadequate and should be changed to a positive licensing scheme.

The Petitioners therefore request that the House of Commons bring forward legislation to enable Coventry City Council to prohibit the use of fireworks between 11 pm and 7 am, and to give it the power to deny or revoke licences to firework retailers in cases where the retailer has a criminal record relating to the sale or storage of fireworks or in other cases where a restriction on the licensing of fireworks retailers would be in the best interests of the safety and wellbeing of Coventry residents; and furthermore enact legislation to prohibit the sale of Category 3 fireworks to the general public.

And the Petitioners remain, etc.

To lie upon the Table.

Local Pharmacies

6.3 pm

Bob Spink (Castle Point): Local chemists shops are not only retail outlets, but part of the very fabric of our communities. They are in the front line of primary health care, and they do much to take away from the burden on GPs, and can do much more in future. However, the recommendations of the Office of Fair Trading would result in the closure of many community pharmacies and hurt the most vulnerable people in our society. The residents of Thundersley value and seek to protect their local pharmacies and have raised a petition.

The petition states:

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled. The Humble Petition of Councillor Pam Challis, Beverley Egan and others of like disposition

Sheweth

That local communities are best served by pharmacies based in those communities and the OFT's recommendation to abolish the 'control of entry' regulations would seriously damage local pharmacies.

Wherefore your Petitioners pray that your honourable House shall urge the Government to reject proposals that would allow unrestricted opening of pharmacies able to dispense NHS prescriptions and preserve local pharmacies and safeguard their continued services to local communities.

And your Petitioners, as in duty bound, will ever pray.

To lie upon the Table.

Water Fluoridation

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Heppell.]*

6.4 pm

Andy Burnham (Leigh): Many perceive water fluoridation as a political hot potato; a subject for the "too difficult" pile. I do not understand why that view has been allowed to take root. To me, the question is simple: do we want to give children in some of our most deprived communities a better quality of life through improved dental health? More to the point, is it morally right to allow children to go through the pain and discomfort of bad teeth and for some, the trauma of tooth extraction under general anaesthetic, when we know of a proven, safe public health measure that can alleviate their suffering?

The arguments against fluoridation do not stack up in the face of the overwhelming health and human benefits. I am therefore grateful for the chance to air a passionately held view. The timing of the debate is important because the House will soon have an opportunity to resolve the matter once and for all. My message is blunt: it is time to stop a vocal, letter-writing minority standing in the way of a progressive change that will benefit millions of people in Britain, especially in our most deprived communities.

Tooth decay is a class issue. The British Dental Association's excellent briefing for today's debate states:

"eighty per cent. of dental disease can be found in only twenty per cent. of the population."

That is the poorest 20 per cent., which the chief medical officer said in his 2001 annual report had not enjoyed the general health improvements of the rest of the population in the past 20 years.

Many of the health problems in poorer communities are deep and entrenched. They will take years to erode, if that ever happens. However, dental disease is different. Fluoridation is a known device, which could narrow the health divide at a stroke. It is scandalous that we are failing to use it. In 1998, Sir Donald Acheson's report, the "Independent Inquiry into Inequalities in Health" acknowledged that although overall dental health has improved, inequalities remain wide. He recommended water fluoridation to reduce them.

I shall spend a moment illustrating the inequalities with figures from the 1999–2000 survey by the British Association for the Study of Community Dentistry. It ranks all health authorities and boards in the United Kingdom by the average number of decayed, missing or filled teeth per five-year-old. The midlands are not used to dominating league tables in this country, as any football fan will readily admit. However, they are the undisputed kings of dental health.

Solihull is top of the league with 0.58—that is an average of half a decayed, missing or filled tooth per five-year-old. It is closely followed by Dudley, with 0.59. Walsall is tenth with 0.81, and Birmingham and Coventry are joint 21st with 0.97. In other words, the clear majority of children in those areas have no tooth decay. Let us compare those places with the worst areas. Greater Glasgow is at rock bottom. Five-year-old children there have, on average, three and a half missing, filled or decayed teeth. Among the two thirds of children who have some tooth disease, the average is five decayed teeth.

In England, north-west health authorities, including Wigan and Bolton, account for seven of the bottom 10 places. I am referring to the former health authorities before they became primary care trusts. Manchester is worst, with an average of three decayed teeth per five-year-old.

Unlike league tables for other diseases, the dental health league does not follow the usual pattern of wealthy areas at the top and deprived areas at the bottom. Birmingham and Manchester, which have a similar social profile, are at opposite ends. Why? The explanation is water fluoridation. All the midlands areas that I mentioned have fluoridated water; Birmingham's supply was fluoridated in 1964.

I do not necessarily favour the imposition of blanket water fluoridation throughout the country. Perhaps it should initially be targeted where dental disease is worst and where communities want it. Only 10 per cent. of our water is fluoridated, even though most people believe that they have a fluoridated water supply. Experts predict that increasing that to 30 per cent. by fluoridating some of our main conurbations—Greater Manchester, Leeds, Bradford, Merseyside, Glasgow and inner London—would make a massive difference to combating dental disease.

Opposition to fluoridation often comes from non-urban areas or smaller towns, but no one is talking about imposing fluoridation on any area if there is no local support for it. If the issue causes controversy, it should be because of the utter scandal that we know about these problems yet the law cannot give people in the areas concerned the chance or the choice to do anything about them. There is an outcry from the opponents of fluoridation and it is growing again as we seek to address the issue in Parliament.

A variety of arguments against fluoridation are tossed about, but most revolve around two main strands: health risks and loss of civil liberties. Let us take them both head on. On the health risks, let us remember that we are talking about adding one part per million to water. Again, I quote the BDA's briefing:

> "There is no scientific basis whatsoever to claims that fluoride in water is unsafe. All robust scientific research shows that fluoridation is still considered safe and effective."

Scientific opinion in the US and Australia is identical. If the health risks were real, why are the communities of Britain that have fluoridated water—both naturally and artificially—not calling for it to be removed forthwith? In the US, simultaneously the most health-conscious and litigious country on earth, 47 of the 50 biggest cities have fluoridated water, and Los Angeles is about to come on stream.

In my view, the claimed health risks are a smokescreen to hide the real objection of the opponents of fluoridation, which is the enforced medication argument. Perhaps they are right. We could say that fluoridation is enforced medication, but I would ask, "What is wrong with that?" If the price of improving children's lives is everyone taking in a negligible amount of fluoride in water when it does them no harm, most reasonable people will conclude that it is well worth doing. It is because the opponents of fluoridation know that the civil liberties argument is not strong enough to stand on its own two feet against the overpowering evidence of the health benefits that talk of spurious health risks is tossed around to muddy the waters.

The truth is that we do not need to re-run those arguments. They have already been debated in this House and Parliament has already spoken in favour of water fluoridation. In 1985, the House passed the Water (Fluoridation) Act. The only reason I am having to keep the Minister from the delights of Tottenham on a spring Thursday evening is that the House passed a flawed Act. Rightly, it determined that decisions to fluoridate should be determined by local communities. Wrongly, it said that, when presented by health authorities with a positive request to fluoridate, water companies "may" choose to do so. That word "may" is the crucial flaw that creates the legislative impasse that we have today, and which has led to Parliament's will being thwarted. It places the onus on the water companies to decide, but this is primarily a health issue. Water companies should not have an active decision and no legal liability but, because they do, about 60 requests for fluoridation, made on the back of local votes, have been turned down by water companies in the last 10 years. A judicial review upheld Northumbrian Water's decision not to fluoridate supplies despite the request of Newcastle and North Tyneside Health Authority, thereby confirming the legislation's flaws.

It is time to create a democratic framework in which communities, not water companies, take the final decision. Even if people oppose fluoridation, they cannot oppose democracy. Thankfully, we shall soon have an excellent opportunity to create such a framework. Last week, the Water Bill was introduced in another place. I believe that it is the last chance for a generation to bring about this change in the law and to see that Parliament's will is carried out. A private Member's Bill probably would not succeed, and when will we next get the chance to debate Government-inspired water legislation? Ten, 15 or 20 years hence? I am not prepared to wait that long, and I would ask how many children in Leigh would suffer unnecessarily in that time.

My specific purpose in raising this debate is to give notice to the Government that I shall seek to amend the Water Bill when it comes to this House, by changing that "may" to a "shall". Given the overwhelming health evidence, may I urge the Minister and his colleague, the Minister with responsibility for public health, to meet their ministerial colleagues from the Department for Environment, Food and Rural Affairs soon and to urge them that this sensible amendment should be debated and voted on?

I hope that the Minister will not mind if I am so presumptuous as to second-guess one of the points that he might raise in answer to this debate. I suspect that he may refer to research that the Department has commissioned on the recommendation from the Medical Research Council relating to research into the absorption of artificially added fluoride. That is important, but it is not an argument against taking this vital opportunity to get the legal framework right. It merely means that, once the research is completed, communities will have access to even better research when making their decisions.

[Andy Burnham]

A head of steam is now building around a successful amendment to the Water Bill, and 106 Members of all parties have signed early-day motion 247. I suspect that many more would sign if they were able to do so. It is strongly supported by the British Medical Association, the BDA and the Royal College of Nursing. Not surprisingly, it is also supported by the British Fluoridation Society. I should like to pay tribute to its chair, Professor Mike Lennon, Sheila Jones and others too numerous to mention for doggedly pursuing a cause they know to be morally right.

While neutral on the pros and cons of fluoridation, Water UK, the representative body for water companies, now supports clarification of the legal position and the transfer of the decision-making process from water companies to strategic health authorities. It has recently called for the fluoridation stalemate to be resolved.

It seems to me that everything is in place to introduce this change and let the House express its view. My plea to colleagues on both sides of the House and from all parts of the country is not to let this chance go by to improve dental health for children and adults in our deprived communities and in their constituencies. Fluoridation can bring improvements to dental health, even if it is good already. Most people will get the lifelong benefits of good teeth: the ability to eat, speak and drink without pain, discomfort or embarrassment, and savings on dentistry costs. Society will see an easing of pressure on dentistry services and savings for the NHS. At what price? There will be a small financial cost, and people will have to consume an additive too negligible for the vast majority ever to notice or even care about. I suggest that the tiny minority of the population who do care are well off enough to afford Evian.

The price of failing to act is far greater. I shall finish with an appalling statistic from the dental school at a Manchester hospital. Last year, 1,500 children mostly under 10 years of age had teeth removed under general anaesthetic. I thank my colleagues from Greater Manchester constituencies, my hon. Friend the Member for Bolton, South-East (Dr. Iddon) and the hon. Member for Cheadle (Mrs. Calton), who are present to listen to this debate. We have a duty to represent those children. Think of the cost to the NHS in our area of those avoidable procedures. Most of all, think of what those 1,500 children have had to go through at such a young age, when we know that we could have spared many of them that trauma. If the communities of Greater Manchester decide to do something about those appalling figures, no one should stand in their way.

6.17 pm

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I congratulate my good friend the hon. Member for Leigh (Andy Burnham) on securing a debate on such an important issue. If his football team, Everton, played with the commitment that he has shown on this issue, it might stand a chance of winning the premiership.

This subject provokes strong reactions from those who support fluoridation and those against it. People who argue about this matter would agree that tackling inequalities in oral health is an important part of the overall public health programme, and that we should take action to help to reduce the significant inequalities that remain in the oral health of the population.

This country has seen dramatic improvements in health over the past 50 years, including in oral health. The dental profession has played a key role in reducing tooth decay. The addition of fluoride to toothpaste and water has also helped significantly to improve the oral health of the nation. However, with more than half the country's 15-year-olds experiencing decay in their permanent teeth, and more than one in three five-year-olds experiencing decay in their baby teeth, there is still a lot of work to be done.

As my hon. Friend said, there are still major inequalities in oral health. Unfortunately, the worst off in society still have the poorest oral health. The Government are determined to change that, and to narrow the health gap in accordance with the recommendations of Sir Donald Acheson's report, to which my hon. Friend referred.

The challenge for local health communities is to improve oral health generally and tackle the inequalities in health status. One way of meeting that challenge is, of course, to encourage people to visit the dentist. Today we published the Health and Social Care (Community Health and Standards) Bill, which will provide a legislative framework for radical changes in the provision of dental services. In particular, it will move the focus of dental care to prevention rather than just treatment of oral disease. We hope that that will encourage more use of NHS dental services and persuade people to visit the dentist routinely, rather than just when they are in pain. We have also established the "brushing for life" campaign to promote regular brushing regimes with fluoride toothpaste, following the finding of a child dental health survey by the Department in 1993 that 5 per cent. of children brush their teeth less than once a day.

My hon. Friend has made an impassioned case for fluoridation. As he knows, York university's report "A Systematic Review of Water Fluoridation", commissioned by the NHS Centre for Reviews and Dissemination, concluded that fluoridation increased the number of children with no decayed teeth by 15 per cent.

About half a million people in this country receive water that is naturally fluoridated at about the optimum level of one part of fluoride per 1 million parts of water. A further 1 million receive water that is naturally fluoridated at a lower level, which still confers some dental benefit. The areas involved are generally found in a band running down the eastern side of the country, from Hartlepool in the north to parts of Essex. Some 5 million people receive water whose fluoride content has been artificially increased to one part per 1 million of water. Major schemes are operating in Birmingham, throughout the west midlands—as my hon. Friend said—and in Tyneside.

We are aware of the persuasive evidence that fluoridation is an important and effective method of protecting the population from tooth decay. The water supply in Sandwell, for example, was fluoridated in 1986; over the following 10 years, the amount of tooth decay in children more than halved. During the same period, Wigan and Bolton—the area that contains my hon. Friend's constituency, with a comparable population mix—saw little change in children's oral health. Sadly, it is also true that where fluoridation schemes have been withdrawn, for instance in Anglesey and Kilmarnock, levels of tooth decay in children have risen, having fallen during the periods of fluoridation.

That may not sound too disturbing when expressed as cold statistics, but the personal experience underpinning those statistics is of children and young people in pain owing to avoidable toothache, children unable to get to sleep because of the pain, children taking time off school to go to the dentist and, worst of all, children having to go to hospital and be given general anaesthetics for the extraction of decayed teeth.

Obviously, when considering a public health measure such as fluoridation, we are concerned with safety above all else. We must therefore examine carefully any claims that risks as well as benefits may be involved. The majority of medical and scientific opinion throughout the world believe that fluoridation is safe, based on practical experience and research over the past 50 years.

Nevertheless, I fully respect some people's concerns about the scientific evidence on the safety of fluoride and the difficulty of defining exactly how excessive an intake of fluoride is necessary to pose any risk to health. On the overall question of safety, it is unfortunately true that virtually all medical and public health intervention carries risks as well as benefits. On fluoridation, it is for the scientists—specialists in toxicology and dentistry—to advise on the balance of those risks, for the Government to decide what is acceptable and for local people to be consulted and empowered throughout that process.

Within that context, the evidence that I mentioned earlier is encouraging. As I said, some 6 million people receive water that either has had its level of fluoride adjusted or is naturally fluoridated to around that level. In the United States of America, some 160 million people drink optimally fluoridated water. Before and during the past half-century of fluoridation, there have been extensive studies of the health of those populations and, apart from improved oral health, the health experience of those receiving the optimal concentration of fluoride is no different from that of the population at large.

York university's systematic review of water fluoridation not only found evidence that fluoridating water helps to reduce tooth decay, but no clear evidence of adverse effects on general health, other than dental fluorosis. However, York university was critical of the quality of that evidence, which is why the Government asked the Medical Research Council to advise on any further research priorities in the light of the York review findings. The MRC reported last September and we have already acted on the most fundamental of its recommendations on research into the absorption of fluoride. We expect to have the results of that study in September.

I emphasise that no water fluoridation scheme has been introduced without local consultations, and we intend to extend the range and content of those consultations before any further requests are made for a water company to fluoridate its water supply. The new style of consultation would need to cover questions of consent and the means by which people could opt out. Information would need to be available on the cost and specifications of water filters capable of removing fluoride from drinking water.

As my hon. Friend has said, the final decision on implementing fluoridation schemes rests with the water undertaker. The Water (Fluoridation) Act 1985 was consolidated in the Water Industry Act (1991), section 87(1) of which states:

> "Where a District Health Authority have applied in writing to a water undertaker for the water supplied within an area specified in the application to be fluoridated, that undertaker may, while the application remains in force, increase the fluoride content of the water supplied by the undertaker within that area."

We realise that there are problems with legislation and that water companies, fearing a backlash from opponents, do not fluoridate water following requests from strategic health authorities, but we have been encouraged by the readiness with which the water industry has indicated its willingness to look again at both the legal and practical problems of fluoridation. What the water operators want, above anything else, is clarity of accountability.

Local communities need accessible, authoritative information on the effects of fluoridation and the opportunity to discuss the issues with both proponents of fluoridation and those sceptical about its effects. To enable that to happen, the chief medical officer and chief dental officer are reviewing their guidance to support the consultation.

Water operators have emphasised that their primary duty is to provide a sufficient and wholesome supply of water. They consider that the question of whether a water supply should also contribute to wider public health objectives should be for the health service to decide. Should a fluoridation scheme be approved, the health service should meet the operational costs and indemnify the water operator against any unforeseen cost consequences. There is little there that we would disagree with and, naturally, we will seek the water industry's views in reviewing our policies.

I realise that the need to resolve these issues is frustrating for my hon. Friend, who wishes to see improvements in the oral health of his constituents. As I said at the outset, fluoridation has always been controversial. I hear what he says and the Under-Secretary of State for Health, my hon. Friend the Member for Salford (Ms Blears)—the Minister with responsibility for public health—will continue a dialogue on this subject. Legislation is clearly an option, but we will have to show that we have made a thorough assessment of the scientific basis for fluoridation and provide a framework for informed consultations on whether it should be implemented locally.

Question put and agreed to.

Adjourned accordingly at half-past Six o'clock.

House of Commons

Friday 14 March 2003

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Orders of the Day

Municipal Waste Recycling Bill

Order for Second Reading read

9.34 am

Joan Ruddock (Lewisham, Deptford): I beg to move, That the Bill be now read a Second time.

First, I thank right hon. and hon. Members for being in their places this morning. I appreciate that this is a particularly difficult time. Indeed, to think of anything but Iraq is extremely hard for us all. Let me say how much I appreciate Members being present. Secondly, I thank all my sponsors, many of whom are present, and who come from all parties.

The Bill began as an initiative by Friends of the Earth, which started a campaign two years ago to promote a doorstep recycling Bill. That was supported by Waste Watch and the community recycling network. The campaign generated a huge amount of public and parliamentary support, which spurred me into accepting the proposal as a basis for my private Member's Bill. Its form has changed as a result of the many consultations that we have undertaken, but its ultimate purpose remains the same: every household should have a collection of separated materials for recycling at the point from which its waste is currently collected. I believe that that should be everyone's right.

The law requires that our household rubbish is collected at or near our doorsteps. It seems utterly logical that waste for recycling purposes should be collected from that same point. Environmentalists have always regarded it as wasteful that we should make extra car journeys to get to bring-sites. The advent of bring-sites at supermarkets may have cured that problem for some, but there are still many households that do not shop at supermarkets, and 28 per cent. of our population still do not own cars. I believe that we should legislate for this right for people, but I accept that we must proceed according to the best practical environmental option. That is why drafting the Bill has been less straightforward than drafting some other measures.

For far too long, waste has been the Cinderella of environmental policy—although it is a passion of mine. In 1989 I was lucky enough to introduce another measure under the private Member's procedure, which created powers to tackle fly tipping. That legislation is still in use. At that time, people were much exercised about rubbish being illegally dumped, but far less concerned about where their own rubbish ended up. Today, many more people have become conscious of what is happening to their waste.

Of the estimated 30 million tonnes of municipal waste produced annually in the UK, about 80 per cent. goes to landfill and only 12 per cent. goes for recycling and composting. It is often said that the UK produces enough waste to fill the Albert hall every hour of every day. We have only to imagine that amount of waste spilling out of that august building hour after hour to realise what landfilling really means.

As if that were not enough, the waste mountain is growing by 3 per cent. per annum, which means that waste production will have doubled by 2020. Change is urgent. There has to be both a reduction in waste produced and a sharp change in disposal methods. We are literally running out of space for landfill. We are transporting waste further and further afield. Public concern about health risks has risen sharply following reports linking landfill sites to birth defects.

Last week, the Department for the Environment, Food and Rural Affairs quantified the undesirable nature of landfill by publishing a report on the effect of landfill on house prices. The total price reduction of homes within half a mile of landfill sites amounted to nearly £2.4 billion. Landfill is also responsible for 25 per cent. of the UK's emissions of methane, one of the most powerful greenhouse gases.

The obvious alternative to landfill—one that has been taken up by many other European countries and by my local authority, Lewisham—is incineration. However, incinerators, too, have proved massively unpopular because of health concerns about the release of dioxins, heavy metals and acid gases.

Reduction, reuse and recycling are the only alternatives to increasing incineration. Increasing landfill is not an option. The European landfill directive requires the volume of biodegradable municipal waste sent to landfill to be reduced by 2010 to 75 per cent. of that which was produced in 1995, and requires even sha[illegible] reductions thereafter.

When waste is landfilled or incinerated, it is lost for ever. New products have to be produced. That production us[illegible] both new raw materials and energy, contributin[illegible] climate change and frequently, in cases of extraction, to environmental damage as well.

Mr. Simon Thomas (Ceredigion): The hon. Lady has already mentioned the health effects of incineration, which are one reason for rejecting that option and supporting her Bill, but does she accept that landfill has health effects as well? Only yesterday, 100 local residents in Rhondda Cynon Taff were awarded compensation because traces of carcinogens were found in their properties, which were close to a landfill site. That is another reason for pressing on with the Bill's proposals.

Joan Ruddock: The hon. Gentleman is right. Those threats to people's health have been recognised, and clearly the settlement to which he referred is an acknowledgement of that.

Ross Cranston (Dudley, North): I congratulate my hon. Friend on her excellent Bill. My local authority promotes recycling and has benefited greatly from a

[Ross Cranston]

Government grant from the national waste minimisation fund. It has raised with me the subject of transitional arrangements, and I would be grateful if my hon. Friend would look into that. The authority has entered into long-term contracts on incineration, and although it supports the principle of the Bill, it will need reassurance that those contracts will be taken into account in any change.

Joan Ruddock: My hon. and learned Friend makes an important point. Clearly we do not want to do anything in the Bill that is to the disadvantage of local authorities. There is no question of local authorities, having entered into legal contracts, having to set them aside. The issue is important but, as my hon. and learned Friend knows, relatively few local authorities have incinerators, so there is not a major problem at the moment. However, it might become one if there was a sharp increase in the number of incinerators in Britain.

A Canadian study suggests that recycling saves on average three to five times as much energy as is produced by incineration—one reason why incineration is considered preferable to landfill. The European Commission found that overall, separation of waste at source followed by recycling and composting gives the lowest net flux of greenhouse gases compared with other waste treatment options. Those are vital considerations in the fight against global warming. A good example is glass, which can be recycled indefinitely—it takes less energy to recycle it than to melt down the raw materials. Recycling a single glass bottle saves enough energy to power a 100 W bulb for almost an hour. Most other European countries have diverted waste from landfill using a mixture of regulation and fiscal incentives.

Jean Corston (Bristol, East): I join right hon. and hon. Members in congratulating my hon. Friend on her excellent Bill. She has just referred to the recycling of glass. My local authority, Bristol city council, has a good recycling service for glass, paper and cans but, like many councils, it does not provide a facility for recycling plastic, which constitutes a large volume of household waste. Has my hon. Friend given any consideration to fact that local authorities may need financial assistance to recycle plastic products?

Joan Ruddock: The Bill is not prescriptive about which materials and waste streams local authorities would be required to recycle. I hope that that will be clear when I come to explain its details.

There are differences of opinion about the recycling of plastics. I have met representatives of a company that has to import plastic bottles to keep its recycling process going. There are differences in the market, and some local authorities may not have been able to find the right company to do their recycling work. There is a great need for information to be exchanged in that field, and the Government are trying to assist local authorities to match their recycling requirements with companies that can do the work. I accept that recycling plastic could be a problem, but it does not need special financing—it needs better communication so that the market can meet the need to deal with such products.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): I, too, congratulate my hon. Friend on her Bill. Does she agree that if local authorities were supported in recycling plastic, that could provide the farming industry, which has tremendous difficulties with the disposal of plastic, with an avenue to solve that problem?

Joan Ruddock: I agree with my hon. Friend. I hope that the Bill and all the interest in it will give a boost to companies that are prepared to do the work, and which could expand if they had certainty of collection—I shall come to that in due course.

Mr. David Chaytor (Bury, North): I, too, congratulate my hon. Friend on producing such an excellent Bill. Does she agree that one of the problems in establishing a viable market for plastics recycling in the United Kingdom is the export packaging recovery note—EPRN—which makes it cheaper for some companies here to export plastic to China, where it is cleaned and separated and then imported back to the UK? That is nonsense, given the patterns of world trade and the impact of transport on the environment. When the Bill goes into Committee, as we hope it will, will my hon. Friend ensure that there is some discussion of the operation of the EPRN system?

Joan Ruddock: I shall refer later to an exhibition that I held earlier this week. One of the companies that attended showed me photographs from the far east of people on rickshaw-type vehicles carrying mountains of plastic bottles that had been exported from Britain. My hon. Friend is right that that problem needs to be addressed, and I hope that we will have an opportunity to discuss it further in Committee.

Mr. Mark Hoban (Fareham): Is the hon. Lady aware that Fareham borough council, which recycles a high proportion of its waste, provides a facility for households to separate plastic bottles and packaging for recycling? I am surprised that a number of hon. Members have expressed concern about councils' ability to do that, as Fareham borough council does it very successfully.

Joan Ruddock: Some councils have made that choice about the waste stream. There is a question about procedures depending on the weight of recyclates. Plastic is light, and many councils have opted to deal with heavier products first. That is one issue, but there is another issue about light recyclates taking up a huge volume inside council vehicles. There are therefore many interesting things to discuss if the Bill goes into Committee.

John Austin (Erith and Thamesmead): I am grateful to my hon. Friend for giving way to me, as she has already given way so many times. I thank her for coming to Thamesmead in my constituency, where she visited Green Works, which recycles and reuses office furniture that would otherwise go to landfill or incineration, and Ecopark, run by the Gallions housing association, which has a number of environmentally friendly energy-saving features built into it, including in situ waste separation and can crushing. Was she impressed by that project, and does she think that it is a model for other developers, whether private, local authority or housing association? Does she share my concern that our system, unlike the Dutch system, has no financial incentive for developers to include environmentally friendly measures in their developments?

Joan Ruddock: I am most grateful to my hon. Friend—*[Interruption.]* He bought me a sandwich, as well as a cup of tea. How could I resist telling him how impressed I was by that excellent development? May I explain briefly to Members that above ground there were just ordinary-sized bins for different recyclates, but there was a huge well below ground where material was collected and from which it was extracted? It is a state-of-the-art facility, and I was delighted to see it. Yes, I believe that there should be incentives to encourage such projects.

Landfill is still far too cheap in this country. In Denmark and Austria landfill tax is twice the UK level. The heavy reliance on cheap landfill in this country has been a disincentive to the development of recycling and composting. A survey of public attitudes to quality of life and the environment in 2001 found a 10 per cent. drop from five years earlier in the proportion of people separating glass and cans from their waste. When asked why they did not recycle more, the most common response given by a quarter of the respondents was that they had no doorstep recycling service. The second most common response was that recycling facilities were too far away. For me, that says it all.

The strategy unit report "Waste not, Want not" commissioned polling by MORI and corroborated the earlier findings. Demand for kerbside recycling was high—three in four respondents said that they would recycle more if facilities were available to them.

Ms Julia Drown (South Swindon): I congratulate my hon. Friend on her Bill, and I am pleased to say that a huge number of constituents have written and asked me to be present today in support of it. They are keen to get involved in recycling. If the Bill is successful, when does my hon. Friend estimate that they will have the doorstep recycling scheme that they are so keen to take part in?

Joan Ruddock: What a question! That will depend on many factors—among which, clearly, are central Government, and the ability of individual local authorities to raise their act. There is already a huge spectrum of activity among local authorities, some doing virtually nothing and some doing a great deal. Our aim, which I shall explain further when I get to the details of the Bill, is that there should be a service for every household. If the Bill is successful, we expect that by 2010. That might seem a long way off to some, but because we start from so far behind in this country, seven years is very ambitious.

Mr. Andrew Dismore (Hendon): My hon. Friend has been generous in giving way. I congratulate her on her Bill. My question concerns recycling in dense urban environments, where many people live in blocks of flats, which are sometimes tall. It may be difficult for people to schlep great boxes of stuff for recycling down to the kerbside. Some local authorities will collect only from blocks of flats where there has been a vote in the block and the majority want the recycling facility. How does my hon. Friend think her Bill can accommodate the problem of people living in blocks of flats?

Joan Ruddock: For many blocks of flats, the most that a local authority would be prepared to do—and this is how the Bill is worded—is to collect the material for recycling from the point at which the refuse is currently collected. In my constituency, that means that at the bottom of blocks of flats there is usually a bin shelter into which people take their rubbish. I hope that those will be improved, as some of the bin shelters are a disgrace. We expect that there would be a facility where people would place their separated materials for recycling, and another for their residual refuse. That is the most straightforward way available to people in blocks of flats. However, I know of one local authority in London—I fear my memory is not—*[Interruption.]* It is suggested to me that that could be Hounslow—

Ann Keen (Brentford and Isleworth): Will my hon. Friend give way?

Joan Ruddock: I shall finish the point, then my hon. Friend will know whether she has been able to anticipate me. That local authority has a very sound arrangement with its caretakers, whereby a basket for recyclable material is placed outside the doors of the flats, and the caretakers collect from those baskets into a wheeled facility and take it in the lift to the collection point. So it is possible to arrange collection from people's doorsteps, even for flats. That is the optimum arrangement. I do not anticipate that most local authorities will do that, although it would be good if they did.

Ann Keen: The London borough of Hounslow, which is in my constituency, provides a green box service to residents of low and high-rise flats. It is a beacon council, and I would be honoured if my hon. Friend would accompany me to Hounslow to look at the scheme.

Several hon. Members *rose—*

Joan Ruddock: I wonder how many more Hounslow Members there are—

Mr. Colin Challen (Morley and Rothwell): I congratulate my hon. Friend not only on the Bill, but on giving way so often. Clearly, there is great variability between local authorities in the ways in which they achieve the various waste targets. The Government recognised that in their waste strategy by stating that authorities that have not performed very well do not have to perform a great deal better just to double what they have achieved in the past. How would my hon. Friend's Bill interact with those targets? Does she see great opportunities in the Bill for more partnership working between authorities, spreading good practice and so on?

Joan Ruddock: On the latter point, it is one of the hallmarks of our Government that we have encouraged the sharing of good practice, given beacon status to authorities, and so on. That is important. If my hon.

[Joan Ruddock]

Friend will allow me to make some progress, I shall explain all the points that he needs to know when I come to the details of the Bill. He might like to intervene again at that point.

Mr. Roger Gale (North Thanet): For the record, I shall be available in the Lobby to support the hon. Lady's Bill if it is put to a vote, which I think it may not be. I appreciate that we are dragging her into detail that she intends to address later, but the points that have been raised about doorstep collection are significant, especially to the elderly. Canterbury city council has a scheme that I believe to be working quite well, but considerable numbers of the people living in the area are elderly. They have been told in some cases that the dustmen will collect only from the pavement, not from the doorstep. When clause 3 and the duties of the waste disposal authority are debated in Committee, will the hon. Lady consider amendments and pay particular attention to the need to make sure that if the scheme is to operate as we all hope it will, it is easy to operate so that people want to participate in it?

Joan Ruddock: The hon. Gentleman makes a good point. My own mother has a similar problem with her local authority. Local authorities need to have discussions with their residents about what is possible and what is not. For many people, the wheelie bin has been a great success, but elderly people may still have problems. With forethought and consideration, ways can be found to overcome those problems. If we are to make recycling as successful as I hope we will, we need to take great care to understand what people can and will do. That is essential.

On that point, I refer to Environment Agency research that was published in May last year. The press release states:

> "9 out of 10 people in today's survey claim they would be very likely to sort rubbish for recycling if the local council provided containers. Where councils already provide recycling containers, the survey shows that participation in recycling increases dramatically. For example, whilst only 6 per cent. of the total sample surveyed claimed to recycle plastic packaging, the proportion rises to 59 per cent. of those whose council provides containers and doorstep collection. On the same basis the proportion recycling plastic bottles rises from 10 per cent. to 59 per cent. and for cardboard from 17 per cent. to 67 per cent."

Mr. Chaytor: On public support for recycling, does my hon. Friend agree that that is one of a number of issues on which public opinion is way ahead of the Government's perception of public opinion? There is an enormously important campaign by residents of Ramsbottom in my constituency, the RALF campaign—Ramsbottom against Land Fill—which not only was successful in turning down an important planning application for one of the largest holes in the ground in south-east Lancashire, but, accepting responsibility for developing an alternative to landfill, is now working closely with the metropolitan district of Bury to establish a household doorstep recycling campaign. Is it not important that we build on the strength of support for recycling among local community groups? Can they not be an important force for change?

Joan Ruddock: I could not agree more. I, too, have had experience of people, sometimes from particularly deprived communities, with strong feelings about the way in which their rubbish is disposed of and with the will to do something themselves. Of course we should engage with that, and I recommend it to every council and congratulate my hon. Friend's constituents.

Another virtue can be added to those that I have already explained this morning in relation to recycling and composting. Waste Watch in "Jobs in Waste" calculated that achieving a recycling target of just 30 per cent. by 2010 would create 45,000 jobs. The private company Biffa Waste Services Ltd. predicted smaller gains, but its range of scenarios suggests that around 40,000 jobs would be created by the Bill.

I think that the House will conclude that there is a pressing need for a huge expansion of doorstep recycling if we are to deal with the required shift from landfill and the public's resistance to further incinerator build.

My Bill proposes that 50 per cent. of UK municipal waste should be recycled or composted by 2010. That target has not been plucked from the air. The fifth report of the Select Committee on the Environment, Transport and Regional Affairs in March 2001 said:

> "The national targets for recycling and composting . . . for 2010 (30 per cent.) and 2015 (33 per cent.) are depressingly unambitious and appear implicitly to accept that there is a 'ceiling' on the proportion which can be recycled . . . We recommend that new targets be set of 50 per cent. by 2010 and 60 per cent. by 2015."

Mrs. Lawrence: Is my hon. Friend aware that Canberra in Australia has gone from 22 per cent. to 66 per cent. recovery of waste in only six years by utilising systems designed to separate waste into different streams?

Joan Ruddock: My hon. Friend adds to the argument that I am making that it can be done, should be done and is done in other places.

Glenda Jackson (Hampstead and Highgate): In common with other hon. Friends, I should like my hon. Friend to know that her Bill has massive support from my constituents. I have received a huge postbag—and that from people who live in the borough of Camden, which I am sure my hon. Friend will agree has been a leader in this area, working for recycling and doorstep collection. A point that is central and essential to this that has already been made, and in which I believe that the public are way ahead of the Government and many local authorities, is that in densely populated areas such as London it is virtually impossible for many people to find space in their homes to store recyclable waste, and as my hon. Friend has already said, a car may not be available to take it to an already established recycling point.

Madam Deputy Speaker (Sylvia Heal): Order. May I ask the hon. Lady to bring her intervention to a close?

Glenda Jackson: Therefore a doorstep point where people may leave their recyclable rubbish, perhaps daily, would be a simple solution.

Joan Ruddock: My hon. Friend makes an important point. We must ensure that people, wherever they live, whether in the most densely populated urban areas or in rural areas, have a service that is as accessible and convenient as possible. It cannot be perfect for everyone all of the time, but much greater efforts could and should be made.

The national targets dismissed by the Select Committee as "depressingly unambitious" appeared in the Government's "Waste Strategy 2000", which further announced the introduction of recycling targets for each local authority in England. But the strategy was hardly in place before the depth and urgency of the problem prompted a Government review, which resulted in the strategy unit's report published last November, "Waste not, Want not"—a strategy for tackling the waste problem in England—which provides the major argument that underpins the Bill. The strategy is for England alone, but its proposals are equally valid for all parts of the United Kingdom. The strategy unit called for policies aimed at

> "developing the infrastructure for recycling and associated education programmes."

It predicted that its recommended strategy would lead to a scenario where in 2015

> "every home now has kerbside recycling for organic waste and key dry recyclables."

Much of the supporting work that informed that study has also been published. A university of Paisley study found that the best system to deliver high capture was

> "multi-material kerbside collections . . . and the high levels of successful promotional and education campaigns";

and that

> "An alternative scenario of high density bring sites across the region with current kerbside provision maintained would give significantly lower capture".

The arguments for enabling every household to dispose of waste sustainably are utterly convincing, but the preparation of the Bill has forced me to test them out in discussion with many of the key players in the field. I have had good advice from Councillor Kay Twitchen of the Local Government Association and Samantha Heath, the chair of the Greater London Authority's environment committee, and from her colleague and mine, Nicky Gavron. I am delighted that the Mayor of London's draft strategy proposes that there should be a household collection of recyclables for every household in London by 2004.

I have also received good advice from the Environment Agency, the Environmental Services Association, the waste and resources action programme—or WRAP—the local authority recycling advisory committee, the all-party sustainable waste group, London Remade, the Paper Federation of Great Britain and British Glass. I have also received hundreds of letters of advice from individuals and companies.

Inevitably, there is concern about new duties being placed by the Government on local government, but there is also enthusiasm to do the job from many local authorities. My own council of Lewisham is no exception. Nine years ago, when it diverted its waste from landfill to incineration, that appeared to be a sustainable option, but the consequence is a low recycling rate and it has been acknowledged that much more needs to be done.

Mr. Mark Field (Cities of London and Westminster): I very much support the Bill. Recent studies in Sweden that have made the national newspapers suggest that incineration may be more environmentally friendly than recycling. That is counter-intuitive to everything that all of us believe in, but has the hon. Lady given any thought to that, and could she elucidate it in her speech today?

Joan Ruddock: We shall have to pursue such matters if the Bill reaches Committee, but other reports suggest the opposite. We must weigh up all the evidence, but what concerns me and others is that incinerators produce dangerous emissions, the permissible levels of which have had to be brought down and down, suggesting that that is a real, not a fanciful, concern. We must therefore consider the matter carefully. Sweden has invested considerably in incinerators, which may be why it hopes to make that particular case.

My local authority has had a low recycling rate and I know the reasons for that, but I am delighted that it formally supports my Bill and has successfully obtained more than £1 million from DEFRA's waste minimalisation and recycling fund, and that it plans to establish kerbside recycling for estates borough wide of mixed dry recyclables from April this year. However, it points out that sustainable waste management requires sustainable financing.

There is no way the UK target on landfill can be met without a greater contribution from every local authority. The strategy unit report highlighted years of missed targets and failed strategies. How many people remember that the environment White Paper of 1990 set a target of 25 per cent. recycling by 2000, but actually achieved slightly more than 11 per cent.? Reports in 1995 and 1999 served only to emphasise the Government's failures, which culminated in shifting the 25 per cent. target from 2000 to 2005–06 in "Waste Strategy 2000".

Something has to change, and that change must be based on what the public say that they will do and want their councils to do. In drafting the Bill, we have reflected the desire of central and local government to remain focused on outcomes—50 per cent. recycling—and not on process, such as the 100 per cent. doorstep recycling target that was originally proposed. However, there is a strong argument that the collection of separated waste is but an upgrade of councils' existing duty to provide a collection service.

Other arguments have been put to me, particularly about markets. I crave the indulgence of the House; as I have given way a lot, I seem to have been speaking for a long time, but it has not all been my speech. [HON. MEMBERS: "It is very interesting."] I am encouraged by my hon. Friends. I want to deal now with the other arguments that have been put to me about markets, as many local authorities have had bad experiences in the past and are concerned that existing markets cannot cope with supply and that new markets need to be created. WRAP—the waste and resources action programme—is undoubtedly doing sterling work and there will always be a need to stimulate and encourage innovation and markets.

The recyclates exhibition that I organised in Portcullis House on Wednesday featured 20 companies, which provided a superb display of talent in manufacturing

[Joan Ruddock]

new products from recycled waste. I am only sorry that I am not wearing today the scarlet fleece that was on display—

Mr. Richard Bacon (South Norfolk): What a shame.

Joan Ruddock: I agree with the hon. Gentleman, but I was not sure whether the dress code of the Commons would allow me to wear the fleece, which was beautiful, warm and soft and as good as anything that one could buy in any high street, but was made from recycled plastic bottles, which is quite unbelievable. Instead, I have settled for a beer can, which I am sure hon. Members will be pleased to know was recycled into the jewellery that I am wearing.

Mr. Mark Francois (Rayleigh): On markets, like a number of other colleagues who have chipped in, I am a member of the Select Committee on Environmental Audit, which last week visited a major recycling centre run by Cleanaway in east London. The centre now has a successful process for recycling garden waste and turning it into compost that can be used domestically and by companies. As a Member of Parliament who is particularly opposed to seeing any incinerators in Essex, I was encouraged by the process, which I wanted to introduce to the debate as a practical example of what can be done.

Joan Ruddock: As a keen gardener, I can tell the hon. Gentleman how much I support the work on producing compost. The most exciting thing that I saw at my exhibition this week was what appeared to be a green plastic plant pot that was wholly recyclable. One cannot discern the difference from a normal pot, and I understand that the product is soon to be on sale in this country. One company—I think it is Homebase—says that it sells a thousand miles of plastic pots a year. Those will all be replaced by completely compostible pots. He is right to raise such important issues; we are a nation of gardeners, after all.

Norman Baker (Lewes): While we are considering innovative recycling, may I tell the hon. Lady that I have a constituent who had a couple of gallstones removed and has made them into very attractive earrings?

Joan Ruddock: Although I am keen to wear recycled jewellery, I am not planning a gallstone operation.

I also heard from a number of the very big companies. Apex, another important company—it provided all the recycled compost for the Eden project—and Aylesford Newsprint told me that they had no problem finding markets and that they wanted certainty and quality of recyclates supply. The chairman of Glasspac told Friends of the Earth:

> "There is no issue in the glass industry with markets or treatment capacity—the issue is collection which is why we are supporting the Municipal Waste Recycling Bill".

Alupro, the not-for-profit company sponsored by leading can, sheet and foil rollers, told Friends of the Earth:

> "With ample reprocessing capacity, ready markets for recycled materials . . . the issue for aluminium is collection and specifically collection from the domestic waste stream."

Dirk Hazell, director of the Environmental Services Association, told us that, if there were regulatory certainty, his members would be ready to invest about £1 billion in plant and equipment in the UK. That £1 billion is available now. Andy Doran of LARAC said that he was

> "still not overly concerned about either the capacity of current market outlets . . . or the ability of the reprocessing industry to grow according to the supply of materials that would be produced by the Bill."

I turn now to the question of costs, which is very important. It is difficult to quantify either present or future costs and I look to my right hon. Friend the Minister for the Environment for help in due course with this matter. LARAC has said:

> "the current funding system for local authority waste activities is based upon very historical ambitions to dispose of waste quickly and efficiently but with little regard to the environment. A new funding structure for local authority waste disposal is needed that takes account of the ambitions of the public, Government and practitioners that higher proportions of household waste is segregated at source and recycled rather than merely disposed of."

Friends of the Earth has attempted a calculation based on the average cost of existing schemes, subtracting the savings that would be made on landfill and adding the revenue from selling recyclables. The overall annual cost for England and Wales would be about £400 million at today's prices by 2010. The ESA has done a calculation without deductions, which is, of course, much higher, but it emphasises that there is a dramatic drop in costs once the collection threshold has passed from 25 to 45 per cent.

I am aware, however, that £100 million has already been put into public finance initiatives that are mainly for incineration, and that £114 million is available in the waste minimisation and recycling fund. A further £100 million is being directed from the landfill tax credit scheme, and I understand that approximately half that money will be available to local authorities.

Mr. Don Foster (Bath): My local authority, Bath and North East Somerset council, was the first authority to introduce a zero-waste policy and it is the best unitary authority in terms of recycling. On cost, does the hon. Lady accept that if in parallel to implementation of her Bill, which I entirely support, much greater efforts were made to reduce waste in the first instance, there would be less need for recycling and costs would fall? For example, it took me almost seven minutes to separate the shirt that I am wearing from the packaging in which it was sold.

Joan Ruddock: I thank the hon. Gentleman for making those points. Time is passing and I know that many other hon. Members wish to speak, so I will say only that there is a gap in the calculations, but many ideas about how it might be filled. Again, we could explore those issues further if there were time to do so.

Let me turn briefly to the detail of the Bill. In this context, I want to thank Martyn Williams of Friends of the Earth for the huge amount of assistance that he has given me in preparing the Bill, and my assistant, Heidi Alexander, who has worked extremely hard. Clause 1 places a duty on the Secretary of State to provide an overarching framework for UK recycling policy, to ensure that 50 per cent. of municipal waste in the UK is recycled or composted by 2010. The target is a UK target, as one of the key drivers of the policy is the need to meet the landfill directive, which is, of course, a UK duty. The Bill therefore requires the Secretary of State to consult all the devolved Administrations.

As to ensuring that the 50 per cent. target is met, clause 1(2) requires the setting of targets for local authorities in England and Wales, to be carried out by the Secretary of State and the National Assembly for Wales respectively. Scotland has its own strategy, which currently aims to achieve 38 per cent. recycling and composting by 2010 and to provide a doorstep service for 85 per cent. of households, despite the fact that Scotland starts from a much lower base than England. After the Secretary of State has produced his report on targets, clause 2 gives local authorities a further six months in which to draw up a sustainable waste strategy for their area.

Subsection (2) would set two objectives of the strategy: minimising waste and promoting reuse and recycling; and ensuring that all households in an area may access services provided. I have received representations from Help the Aged and others who are worried that elderly people might find distant bring-banks difficult to access owing to their lack of cars and inability to carry recyclables.

Subsection (3) would require annual reporting of the quantity of waste collected, composted and recycled. It is important to produce a report that would enable people to see that access was being expanded, which is an important part of the strategy.

Clause 3 would ensure that materials collected by waste collection authorities were of the best possible quality and of high value. As of last week, a similar clause has been included in the Waste and Emissions Trading Bill, and if the Municipal Waste Recycling Bill reaches the Committee stage, we shall take a sensible view and remove the clause rather than duplicating the other Bill.

The Bill is ambitious and sets a very ambitious target for recycling and composting. I know that my right hon. Friend the Minister has serious reservations about the target, but given his commitment to the environment, I urge him to rise to the challenge. We both know that other European countries have achieved the targets and that a couple of English authorities are close to achieving them.

I shall end on a personal note. Try as I may to minimise my waste, it continues to accumulate at an alarming rate. With two MPs in my household, it would never be easy to take recyclables to bring-banks. A local organisation called Aquarius Recycling has provided a solution. It collects all our newspapers, magazines, card, plastic bottles, glass bottles and tin cans from our doorstep every week, at a cost of £7 per month. That system works. Our wheelie-bin waste has reduced by at least 50 per cent., although I confess that I am still struggling with our home composter.

I know that not everyone can pay for that, but I want everyone's local authority to provide the service that I have for my home. If the Bill is supported today, I hope that that will become a reality.

10.22 am

Mr. Jonathan Sayeed (Mid-Bedfordshire): I congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock) on her choice of subject for the Bill. I join her in congratulating Friends of the Earth on the considerable amount of work that it has done. As one who first entered Parliament in 1983 but who has never managed to appear in the top six on the ballot, I envy her the opportunity to introduce an important and necessary measure.

All the parties have been promising doorstep recycling for every household in the country for some time. The national average municipal waste recycling rate of 12 per cent. suggests that the Government have been painfully slow in catching up with the popular clamour from citizens, the green lobby and environmental industries.

Norman Baker: Does the hon. Gentleman also believe that the Conservative Government were painfully slow in the 1990s, which meant that the target had to be reset?

Mr. Sayeed: Yes, but not as slow as the Liberals.

The Bill presents us with an opportunity to prove that hon. Members care sincerely about the environment and the wishes of our electors. It is undoubtedly true that Conservative councils do a sight better at recycling and collecting source-separated waste than Labour or Liberal councils.

Survey results that were published on Tuesday revealed that only 19 per cent. of Members of Parliament rank the environment in their top two priorities. The environment rates behind the economy, health, education and crime. However, a MORI poll that was conducted last year showed that 61 per cent. of householders rated waste collection, disposal and recycling as the most important services provided by their councils—above schools, parks and open spaces and support services for the disabled. The Environment Agency survey in August 2002, which was cited by the hon. Lady, showed that 90 per cent. of people interviewed said that they would sort their rubbish if the council provided containers. What further evidence do we need to prove the existence of the gap between the national interests of Members of Parliament and the local priorities of those who elect them? There could scarcely be a better opportunity than the Bill for us to close that gap.

Despite the Government's laudable rhetoric on sustainable waste management, the amount of municipal household waste is rising by 3 per cent. every year In 2000–01, just over 78 per cent. of the 29 million tonnes collected in England and Wales was disposed of in landfill. At present, 51 per cent. of all households are served by kerbside recycling collection schemes—I might add that 80 per cent. of those are in Conservative-controlled councils. However, in Environment, Food and Rural Affairs questions last week, the Minister for the Environment said:

> "Our goal is the maximisation of recycling."

He also said, in a somewhat plaintive tone:

> "We have to meet very tough landfill directive targets by 2016."—[*Official Report*, 6 March 2003; Vol. 400, c. 945.]

That lament was more than justified. By 2016, the weight of biodegradable municipal solid waste disposed of to landfill must be no more than 35 per cent. of the

[Mr. Sayeed]

amount produced in 1995. At the current rate of growth, that would require the diversion of 33 million tonnes a year to other waste management methods.

Why do the Government find the targets so hard to meet? I believe that it is because they have pursued a disjointed policy of serial reaction to European Union directives without real investment in, or a commitment to, a comprehensive and far-sighted waste management infrastructure. We have lacked a regulatory framework to provide price signals and incentives to industry and households, and to stimulate the much-needed market for recyclates. According to a review of the UK landfill tax commissioned by the Department for Environment, Food and Rural Affairs and published in October 2002, 25 per cent. of local authorities are likely to miss their statutory recycling targets in 2005–06.

Hon. Members will remember last year's fridge mountains and are all too aware of increased fly tipping of building waste, the dumping and incineration of cars and the lack of real preparation to enable local authorities to deal with the collection of waste electrical and electronic equipment, tyres and batteries. We are being bombarded by environmentally progressive regulation from Brussels, but we are left defenceless by a Government who are simply digging themselves into deep trenches of mismanagement and neglect.

The Secretary of State for Environment, Food and Rural Affairs was tackled on Government inaction and complaints from the industry at a hearing of the Environmental Audit Committee on 12 February. In an extraordinary display of petulance, she rounded on the Committee with the words:

> "I am getting the distinct impression that an awful lot of people who have come to see you have all got very good excuses for why they are not doing enough to tackle the problem of waste. They are all saying if only the Government did something different, but that none of them needs to do anything different."

Perhaps she should take note of the chief of the Environment Agency, Baroness Young—she is, after all, a Labour appointee—who said last week:

> "We need some overarching leadership to take us forward, there is no overall group with this responsibility. Let's look to government to fill this gap. It is not a case of all of us leaning in to fill this space".

The role of the Secretary of State is to lead, but I am sorry to say that it seems the Government would prefer to do nothing and then blame everyone else, when we are constantly outstripped by European states which, some years ago, took steps that we are considering only today—and only by way of a private Member's Bill. This should have been a Government Bill.

Mr. David Drew (Stroud): It is easy to be critical, but much better to be positive. The Select Committee on Environment, Food and Rural Affairs, of which I am a member, is currently considering waste, and has just visited Denmark. We should not get too hung up on comparisons between ourselves and other European states, because it all depends on what we put into our calculations and, dare I say, what we leave out.

Mr. Sayeed: As the hon. Gentleman says, there must be clear comparators. There must also be clear standards, and, as I have said for some years, they must be common standards. He rightly implies that the definition of recycling is different in different countries, and that common definitions would allow clearer comparators. As he may acknowledge, however, I have not compared us with the rest of Europe. What I have said is that much more needs to be done, could have been done and should have been done by past Governments, and certainly should have been done by this Government.

Mr. Roy Beggs (East Antrim): We have heard no reference to Northern Ireland so far, but I assure the House that we in Northern Ireland face the same problems and take the matter very seriously. Could not the Minister, even at this late stage, redeem the failures of past Governments by allowing the Bill a speedy passage?

Mr. Sayeed: I agree with that helpful intervention.

Waste should not be seen as a nuisance to be dumped in cheap holes in the ground. It should be seen as a resource giving us a new form of energy, and new materials for more eco-friendly product design and green procurement. To date, however, local authorities, householders and businesses have been given no incentives either to reduce the volume of waste produced or to increase the level of recycling at source. Failure to tackle those problems is having grave implications for our international competitiveness in what promises to be, according to Biffa,

> "the fastest growing services and engineered products market on a global scale in the coming century".

The Department of Trade and Industry has estimated that the worldwide market in environmental technology is currently worth no less than $515 billion, and is forecast to grow to $618 billion by 2010. The United Kingdom's share of that market is less than 5 per cent.

Dr. John Pugh (Southport): Some of the incentives that currently exist are ill suited to encourage plastic recycling, for instance. Local authorities wishing to stimulate plastic recycling know that it will do little to solve the landfill problem, while the landfill tax is a crude instrument to make them recycle materials that do not take much space in landfill.

Mr. Sayeed: That is a good point. If the hon. Gentleman stays a little longer, he will hear my proposals for dealing with the problem.

We must recognise that our historic reliance on a linear flow of raw materials into products, consumption and waste that goes into landfill must change. We must move into a brave new world of resource efficiency. It has taken a private Member's Bill to propose what is right for both the environment and the nation. It requires the Secretary of State to ensure that by 31 December 2010, 50 per cent. of municipal waste in the United Kingdom is recycled or composted. That is the level recommended by the Select Committee on Environment, Transport and Regional Affairs in a report published in March 2001. It also places a duty on waste disposal and waste collection authorities to publish a sustainable waste strategy promoting minimisation, reuse and recycling, and enabling all householders to dispose of their waste sustainably. The waste disposal authority's role will be to direct the waste collection authority to collect waste in a manner that will facilitate reprocessing or recycling.

I assume that that implies the collection of source-separated waste, as that would deliver household waste in the most resource-efficient way. It is in legislative harmony with the Waste and Emissions Trading Bill, as amended in the other place, which requires the waste disposal and waste collection authorities in a given area to produce and publish a joint municipal waste strategy.

It would be difficult for anyone not to support the principle of the Bill. As Friends of the Earth has commented, it

> "will dramatically increase recycling rates by providing every household in England with a collection scheme making recycling as easy as putting out the rubbish".

That may be slightly over-egging the pudding, but the sentiment is correct. However, the Local Government Association, my colleagues and I have some reservations about the Bill, and I therefore suggest that it should be given time in Committee for thoughtful amendment. How, for instance, can we ensure the necessary flexibility for local government, taking account of the division of labour and resources between the waste collection and waste disposal authorities? I welcome the interdependence of the two tiers in the provision of a joint sustainable waste strategy, but we must ensure that one tier is not penalised for the other's failure to discharge its duties.

How will local authorities be given adequate resources to research and fund recycling projects? If recycling targets are to have any real meaning, local authorities need reassurance that they will have the capacity to carry out the recycling, and that there will be an end use for the materials collected. The Government should provide more measures to stimulate the demand for recyclates. We cannot risk defrauding the public by encouraging them to separate waste, only for it to end up mixed again and dumped in landfill owing to the lack of a viable market. We must also ensure that the transport of waste outside the boundaries of the areas for which waste disposal authorities are responsible is kept to a minimum. Transporting rubbish is simply a waste of resources and energy, and is in any case in defiance of the proximity principle which we all support and which is not mentioned in the Bill.

As the promoter of the Bill said, however, the main issue requiring much more debate is undoubtedly funding. Citing my amendment to early-day motion 333 in support of doorstep recycling, I urge the Government to quantify the expenditure implications and to state explicitly how local authorities will be supported in implementing the Bill. The Treasury remains unpersuaded as to the end use of the landfill tax increase announced by the Chancellor in lasts November's pre-Budget statement. If that entire increased revenue constituted another stealth gain for the Treasury, that would be yet another fraudulent green tax with little environmental benefit.

The proposed reforms to the landfill tax credit scheme allow for only 20 per cent. of the tax—about £100 million—to be given to waste management. If the Government intend to increase landfill tax significantly, as we have been told, they must demonstrate a direct and transparent transfer of resources to fund environmental improvements. One such way might be to fund local authorities that establish the collection of source-separated waste and build recycling plants. Currently, 54 per cent. of the revenue from the landfill tax is money from local authorities. It would not be unreasonable if a similar proportion were recycled back to them to use for further recycling, the enhanced policing of fly tipping, and campaigns to raise public awareness of waste. What is more, if the measurement of waste were to incorporate volume as well as weight—this deals with the point raised by the hon. Member for Southport (Dr. Pugh)—we might raise further revenue and simultaneously discourage the use of lightweight but non-biodegradable packaging.

The Government's own strategy unit reported in November last year that unless action was taken, the volume of waste generated would double by 2010 and the cost of disposal would increase by £1.6 billion. The Secretary of State responded to the report with the determined words:

> "We need to change our ways."

However, when asked by the Environmental Audit Committee on 12 February whether she would support the Bill, she replied more cautiously, saying:

> "We will have to give the Government's response when the Bill comes forward, but I would have said that if we thought this was an essential step, we would have made it ourselves".

Perhaps she would like to change her ways and recognise that, although it may not have been the Government's idea, this Bill—this step—is essential if the UK is not to be left far behind as the rest of Europe marches on ahead along the road of strategic environmental thinking and economic and social progress. We will support the Bill from these Benches.

10.42 am

Ms Joan Walley (Stoke-on-Trent, North): It gives me great pleasure to have the opportunity to speak in favour of the Bill introduced by my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock). I was a sponsor of her Bill back in 1989. In those days, we had a Conservative Government who did not have the same commitment to environmental issues that the Opposition now say that they are going to make. That Bill made an enormous impact on environmental issues. The Bill that my hon. Friend has introduced today has strong support from many people on both sides of the House and across the country, including Friends of the Earth, which has played an important role in this campaign. It is vital that we do everything possible urgently to get the Bill through both Houses and on to the statute book, so that we can change behaviour. I am conscious that that same urgency applies to the way in which we make our speeches today, so that everyone has the opportunity to speak and the Bill can go through. I am delighted to support the Bill; I hope that we will see it on its way and that there will be ringing endorsements for it from all parties.

I am also pleased that the Environmental Audit Committee, of which I am vice-chair—I see many of its members in the House this morning—is having such an impact on the development of environmental issues. The Minister is a member of that Committee and has made an enormous contribution to environmental policy, and I hope that his commitment will be matched by all

[Ms Joan Walley]

Government Departments. I am conscious that, in getting this Bill on to the statute book, we will need the support of the Treasury, and I hope that we can make real progress on that.

My interest in the Bill stems from a long-standing interest in environmental health matters—I am a vice-president of the Chartered Institute of Environmental Health—and from my concern about how we look after our resources, our climate, and the planet as a whole. Many people make the mistake of equating the environment with the countryside, or with unspoilt natural areas. I agree that such areas are important but, equally, the environment in which most of our constituents live is not like that; most people in this country live in towns and cities. That is why it is so important that we should have a sustainable development strategy.

I am passionate about ensuring that our urban environments are clean, healthy and pleasant to live in, as well as being concerned about protecting the green areas around our cities. I would like to mention a major national conference that is being organised by the Landscape Institute and which will take place at Vale Park in my constituency. National conferences of this kind give us all an opportunity to raise awareness of how we can build our green spaces and have environmental policies to match.

The Bill has a great deal to offer people right across the country. I cannot be the only one who notices the difference between the streets in this country—with their litter, graffiti and dog mess—and those in many European cities that we occasionally have the opportunity to visit. I hope that the Bill will move us closer to some of our European counterparts whose policies have had a real impact on keeping their streets healthy and clean. Rubbish collection in this country originated as a solution to the public health problems caused by hugely unhygienic piles of rubbish. The famous urban myth that we are never further than 10 ft from a rat in London was certainly a lot closer to the truth before regular collections of waste got our streets even to the relative state of cleanliness that we enjoy now. What I want to see is progress from a scheme that protects human health to a scheme that also protects the health of the planet that we live on. For many years, we have known that we have to keep our homes free of rubbish and waste to protect our health. Now, we also know that we need to recycle and reuse to protect the planet's health, and our law needs updating to reflect this. We have an opportunity to do that today.

What I find hugely encouraging is the evidence that providing people with recycling facilities encourages them to think beyond simply recycling. The Environmental Audit Committee has seen that on visits that it has made, including those that it made last week to parts of Essex and Kent. I am also delighted that some local authority leaders are assisting my hon. Friend the Member for Lewisham, Deptford, through the Local Government Association, with the detail of getting the Bill on to the statute book. As people get used to separating recyclable rubbish from the stuff that has to be thrown away, there is evidence that broader environmental awareness is encouraged. We have a sub-committee on the Environmental Audit Committee that is examining how we can raise awareness of these issues, and it is clear that if we get the Bill on to the statute book, more people will recycle their rubbish, which will lead to greater environmental awareness.

If we are to persuade people to respond to this, we must provide the facilities for them so that they can make the right choices. We must also foster a spirit of environmental responsibility. That means that we must also do our bit here in this place, and the Government have to do their bit. The MORI evidence has been referred to. We must ensure that people can do what we want them to do in terms of recycling. A huge number of people from my constituency have made representations asking that the Bill should go through the House today, and I am sure that other hon. Members from Staffordshire and elsewhere will have received similar requests.

There are two local authorities in my constituency. Staffordshire Moorlands district council should be congratulated on its record. Its targets for recycling for next year are 11 per cent. of household waste and 15 per cent. of composting. That is 26 per cent. overall, which is well above the national level. Similarly, in Stoke-on-Trent, the local authority has huge ambitions and I would like to say to my right hon. Friend the Minister that we are hoping that there might be a shortfall in his waste minimisation budget that could be used to help Stoke-on-Trent to match Staffordshire Moorlands in regard to the amount of recycling that is carried out.

I know that we are short of time, but I want to say that recycling offers enormous opportunities for business and for innovation. Already, there are huge budgets for regeneration, and that money—we would not even have to have more—could be used for recycling. I hope that there is support for the Bill across the House today.

10.50 am

Norman Baker (Lewes): I am pleased to support the Bill introduced by the hon. Member for Lewisham, Deptford (Joan Ruddock) and to be a sponsor of it. I recognise, as the hon. Lady said, that it has cross-party support in the House, with Members from all parties appearing in the list of sponsors. That, and the nature of the hon. Lady's contribution, makes the speech of the hon. Member for Mid-Bedfordshire (Mr. Sayeed), who is no longer in his seat, somewhat churlish.

Mr. Bill Wiggin (Leominster): Pathetic.

Norman Baker: Conservative Members are saying, "Pathetic." The hon. Member for Mid-Bedfordshire left his seat, although he is now returning. He spent his time criticising the Government, but the Bill is about cross-party initiatives to improve recycling.

Mr. Wiggin: On a point of order, Madam Deputy Speaker. Is the hon. Gentleman in order? He is making a rather unpleasant point while my hon. Friend is simply delivering his speaking notes to the *Official Report*.

Madam Deputy Speaker: I really do not think that that is a point of order for the Chair.

Norman Baker: I am grateful.

Madam Deputy Speaker: This country starts from the position of having a mountain to climb—a mountain of tyres, a mountain of cars, a mountain of fridges and a mountain of other household waste. There is perhaps a mountain to climb in persuading the Government to support the Bill, but I hope not. We have with us the Minister for the Environment, who I am sure is absolutely committed to the Bill and the premise behind it. We do not, of course, have with us Treasury Ministers or Ministers from other Departments, who may play a key role behind the scenes. Nevertheless, I hope that their attention is drawn to comments made by Members on both sides of the House.

We have a mountain to climb in that we have a recycling rate of 11 or 12 per cent., which is very low, as the Minister has readily admitted on a number of occasions. It compares with 64 per cent. in Austria, 52 per cent. in Belgium and more than 50 per cent. in some local authority areas. In my constituency, a good scheme is run by Wealden district council, which I am happy to concede is run by the Conservatives. It runs a scheme entitled CROWN—composting and recycling our waste now—which recycles more than 50 per cent. of household waste in Polegate in my constituency. There are good practices up and down the country, and we should emulate and build on those.

The Government recycling target of 30 per cent. by 2010 has already been pushed back from what those of us who are in favour of recycling wanted and what was in place in the 1990s. We must ensure that it slips no further. It is entirely reasonable to include in legislation—perhaps this Bill—a target of 50 per cent. That is achievable. If any Ministers are balking at that figure, I hope that this Minister will do his best to persuade them that it is achievable, because it certainly is for the reasons given by the hon. Member for Lewisham, Deptford.

There is no dispute about the waste hierarchy. We all agree on it, on both sides of the Chamber. The dispute is as to how much is achievable within each strand of that hierarchy. As my hon. Friend the Member for Bath (Mr. Foster) has correctly said, we need to do more on waste minimisation. We are not tackling that, and waste is still increasing by 3 or 4 per cent. per annum. I find packaging, for food in particular, excessive. My hon. Friend has told us that, on a bad day, it took him seven minutes to remove the cellophane packaging from one of his shirts. When I go to a supermarket to buy a packet of croissants, I find it offensive to find numerous layers of plastic. If I go to a baker's shop in my constituency, I pay more for four croissants loosely in a paper bag than for four in plastic packaging, as there is a reduction for purchasing four in that way. That point has to be made and we must do something about it.

I recently visited Brussels to talk to those involved with environmental matters in the Commission, which is keen to do something. There is a packaging directive, of course, but it can require only the recycling of existing packaging. We need an incentive across Europe to reduce the production of packaging. One reason for not having that is that the European Union has no competence to introduce the fiscal measures that would achieve it. That is an example of member states' reluctance to give fiscal power to the EU having a detrimental environmental impact. The requirement on producers to recycle existing packaging is better than nothing, but it does nothing to reduce the amount of packaging in the first place. That is one example of the challenge that we must deal with in terms of minimisation—we must do more.

We can do more on reuse. I am happy to tell you, Madam Deputy Speaker, that I still have my milk delivered in glass bottles on my doorstep, although that option is sadly not available to everyone in the country these days. An average milk bottle is used for 17 trips while the average plastic carton is used for one and is then thrown away. We need to do more to encourage the use of milk bottles. To give a quick plug for Harvey's brewery in my constituency, which produces excellent beer, it uses beer bottles for which there is a deposit. People can buy their beer, return the bottles and get some money back. That was common practice 30 years ago, but it has been lost. However, it remains common practice in countries such as Denmark and we should be considering deposit schemes for bottles whether they are glass or plastic. If supermarkets were faced with paying a deposit on returned glass bottles, they would soon put the pressure on the producers and the Government to do something.

Mr. Drew: The hon. Gentleman is stealing part of my thunder on the reintroduction of deposit schemes. Does he accept that the scheme in Denmark operates through the full involvement of the manufacturers? For example, every bottle that is sold by Carlsberg carries a deposit. The only problem is people bringing in beer from Germany, which does not have a deposit scheme, although I know that an attempt is being made to cope with that as well.

Norman Baker: That is a valid point that shows the value of having an EU rather than a nation state solution to these matters, which, I am afraid, will be second best environmentally. I am afraid, too, that the EU sometimes goes for a solution that is the lowest common denominator rather than the highest common factor, if I remember my mathematics correctly from a long time ago. We need to do more there.

We could do more in terms of reuse and industry. There is an innovative scheme, which I am happy to say I was part of, in East Sussex when I was chair of economic development. We went round each firm on an industrial estate to identify the waste that they were producing and what they were doing with it. We found that a lot of the waste being thrown away was being bought as virgin material by other companies on the estate, so simply by matching up individual businesses we not only reduced the waste stream, but saved them money as they were getting material free of charge that, otherwise, they would be purchasing. If anyone needs convincing, that shows that helping the environment also helps businesses and the economy. That message, I hope, will also go through to the Treasury.

The EU landfill directive is coming up, and it is right that we are seeking to reduce the amount of waste going to landfill. Of course, landfill is simply a mediaeval way of dealing with unwanted material—simply chucking it in a hole in the ground. It is not a sophisticated way of dealing with waste. The hon. Member for Lewisham, Deptford is right: if we do not deal with the alternatives to landfill now through a proper recycling and reuse strategy, a massive splurge of incineration capacity will

[Norman Baker]

be built. We are at the crossroads. Landfill is being stopped, but what will happen to the waste that has traditionally gone to landfill?

We must put that recycling and reuse strategy in place now. Otherwise, incineration will take off. When incineration has taken off and 40, 50 or 60 per cent. of our waste is being dealt with by it, we can all just go home, because there will be no prospect of achieving a significant recycling capacity in this country. One reason for that is that incinerators are hungry mouths. They operate 24 hours a day and, like nuclear power stations, they have a particular capacity to which they want to operate. To ensure that they do that, they also want to take more and more waste.

Mr. Simon Thomas: I do not know whether the hon. Gentleman is aware that, under the waste strategy approved by the National Assembly, local authorities in Wales are asked specifically not to tie themselves into long-term contracts, particularly regarding incinerators, in order to remain flexible enough to deal with the issues of recycling and reuse to which he refers. Surely, whether the Bill goes through or not, it would be a good idea to apply a similar policy in England and, indeed, in Scotland.

Norman Baker: I absolutely agree and congratulate the Welsh Assembly if that is the strategy that it has adopted. It is important that we do not commit ourselves to decisions now up and down the country that in 10 years may be deeply regretted but of which there is no way out. That is the danger with long-term incineration contracts. Incineration is not simply an alternative to recycling that is less desirable. Incineration undermines recycling by removing the recycling market and directing the waste elsewhere, where it will stay for the next 25 years. That is one of the reasons why incineration is undesirable. Another reason is the potential harmful emissions, to which the hon. Member for Lewisham, Deptford referred.

There is also the proximity principle, to which I know the Minister subscribes. That principle is that those who generate the waste should dispose of it and be seen to dispose of it, so that they are aware of the cycle of waste. The trouble with incineration is that people can produce waste, put it on a lorry, send it 50, 60, 70, 100 miles somewhere else and have no responsibility for that waste—it is out of their area and they feel no responsibility. That is what is happening with Brighton and Hove, which prides itself on being a city. It is happy to be a city, providing it can dump its waste outside, whether it be sewage, household waste or anything else. It wants it to be dumped in East Sussex. It treats parts of East Sussex like a Soweto to deal with its waste, which it is not prepared to deal with itself. If it wants to be a city, it has to be a city in its entirety and take responsibility for all aspects of being a city.

Mr. Mark Field: I accept the hon. Gentleman's point, which is well made. There is a tendency for urban areas to take a view that they can allow their waste to go elsewhere. Equally, as has been mentioned by the hon. Member for Lewisham, Deptford (Joan Ruddock), a number of London boroughs have been at the forefront of recycling. In the city of Westminster, which I represent, there is nowhere to have a landfill site, other than potentially in Hyde park. None the less, there is a commitment to recycling both from the local authority and from individuals living there.

Norman Baker: I am happy to accept that point. I am not criticising all urban areas. Some are innovative and constructive. Others have genuine problems in terms of space and that is recognised; that is particularly the case in some London boroughs. However, it is not the case in Brighton and Hove, where there are clearly sites that could be used.

Gregory Barker (Bexhill and Battle): I entirely associate myself with those remarks, not least because some of the rubbish from Brighton and Hove seems destined, if certain people have their way, to come into my constituency, in another part of East Sussex, across miles and miles of very bad roads. We are determined to resist it.

Norman Baker: I am grateful for that intervention. It makes the point that it is not a sensible environmental solution to transport waste long distances. If we are looking for environmental solutions, we need to minimise transportation of waste, not encourage long journeys on unsuitable roads from one end of the county to the other.

The Government unfortunately have implicitly supported incineration by the financial structures that they have set up. I am sure the Minister for the Environment has not given support for incineration but those structures are in place. If one puts down the train track, that is the way the train goes, unfortunately. East Sussex, which I am most familiar with, has been given borrowing credits that encourage it directly to go down the incineration route. Indeed, it has to use those credits by the end of this month. It has signed a contract with Onyx Aurora this week, in the teeth of opposition from thousands and thousands of people across East Sussex, particularly from Newhaven in my constituency, weeks before a public inquiry is to begin into the waste plan, which is looking at whether an incinerator should be built. That is the sort of topsy-turvy world we now have. Local authorities, whether they wish to or not, are encouraged to go down the incineration route. The credits and the financial support available for incineration seem to be greater than that available for recycling. The Government need to deal with that matter.

It can be done. We need three things: the will, the money and the markets. I believe that the will is there from the vast majority of the population, and I suspect from the vast majority of Members of Parliament from all parties; we have heard support from all four parties represented in the Chamber today.

On the money aspect, figures have been suggested: £400 million per annum was the suggestion from the hon. Member for Lewisham, Deptford. That figure may or may not be right but we must take into account the economic cost of not doing something, and the environmental cost, which is also an economic cost, of disposing of waste inappropriately. We never value the environment properly in economic terms. There is also the cost of supporting incinerators, which is the alternative. If one started to take those externalities into account, the £400 million figure would start to come down.

Let us face it. The Government suddenly produced a cheque from nowhere for £650 million to bail out British Energy to support nuclear power. They can do that with a flourish of the pen. That would pay for doorstep recycling twice over up and down the country.

Mr. Simon Thomas: Iraq.

Norman Baker: The hon. Gentleman mentions Iraq. I do not want to go down that line. The Chancellor of the Exchequer seems to be awash with blank cheques for his own schemes but not for doorstep recycling. Perhaps the Minister for the Environment could draw attention to the blank cheques that the Chancellor has been waving around and see whether there is one going for doorstep recycling and for this Bill. Therefore, I do not believe that cost is an issue. The cost is not that great in real terms. The Government seem to have money. When they want to use their cheque-book somewhere, they find money to do so.

On the markets issue, it is in some ways the most difficult to deal with. I listened carefully to the hon. Member for Lewisham, Deptford. I do not believe that that aim is unachievable. However, there will be difficulties if one has one recycling point which is in south Wales for aluminium. It will mean massive lorry journeys. There will be difficulties if one has a sudden increase in the recycling of one particular commodity and no market has developed for it. Therefore, careful planning is required. It is by no mean insurmountable.

Part of the answer comes back to the Chancellor. He can do a lot by means of economic instruments. He can encourage particular directions to be taken. People tend to follow their pockets. If there is a good reason financially for doing something, they will do it. If it makes sense financially to follow a recycling path, people will do so, so we need the Chancellor to look carefully at what he can do to support the Bill. He should not leave local authorities in the lurch, where they are good at collecting but then not able to find a market for that.

I visited a council in the north-west recently. It was dismantling a tower block and wanted to deal with the windows from the block. It told me that it cost £5 to landfill the windows and £8 to recycle them. That is completely the wrong economic message to give. I accept that in that case the landfill tax will help, so the Chancellor has got that right, but he could use other instruments to encourage recycling and markets.

In the long term, we need to look at a resource tax. We should be looking at giving a disincentive to use virgin material and more of an incentive to use material already in use on the planet. I suspect that that is a long way away but that seems environmentally to be the proper solution in the long term.

I congratulate again the hon. Member for Lewisham, Deptford on her Bill. I know that she has worked hard on it. She has had strong support from Friends of the Earth and others, as she graciously acknowledged. She has full support from Liberal Democrat Members, and I wish her Bill well.

11.8 am

Mr. David Drew (Stroud): I add my congratulations to my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock). As always, she is at the forefront of any environmental move. The Bill is an important staging post that in a sense brings together the environment with the economics. Neither can be looked at in isolation.

I will be quite brief because much has already been said, and try to cover a couple of areas that have not been covered. The simple fact is that this measure is not just good green politics; it is also environmentally sound. The Environment, Transport and Regional Affairs Committee, of which I am a member, has established some clear ground rules. Some 70 per cent. of municipal waste is deemed organic and, if so, it can be recycled. If it is organic, it is the most likely cause of methane, so sticking it in the ground is creating problems for the future.

I am aware that the Government—through their excellent report "Waste Not, Want Not" and the work of the waste and resources action programme—are trying to grapple with these difficult issues and I hope that the Bill will help.

The Committee also considered the rate of growth, which the hon. Member for Mid-Bedfordshire (Mr. Sayeed) mentioned. Much of the increase is due to the changing nature of society. I am grateful to the packaging industry, which has identified two clear statistics. First, a person living alone has roughly double the environmental impact of a person living in a larger household. In addition, one person in a large household uses 60 per cent. of the materials and 40 per cent. of the energy used by a person living alone. That is a clear example of the environmental impact of moving towards single-person households.

A fortnight ago, the Committee visited Denmark, which is one of the leading advocates of a different approach to dealing with waste. It believes that incineration is part of the solution and, interestingly, has more problems in encouraging people to live closer to landfill than incinerators. However, that is cultural. Denmark is beginning to understand that incineration comes at a cost, as does landfill.

I do not want to pre-empt the report, but we talked to Government spokesmen, local government officials, councillors and local communities. We visited a small community in the municipality of Copenhagen and we saw waste stations that put us to shame.

There are six principles or canons of recycling, starting with the obvious one; Denmark has a much more punitive tax regime, allied to economic incentives. It has a hierarchy of recycling that discriminates most against landfill, but incineration is not much lower. Denmark gives positive incentives to recycling. The second point is that Denmark is not afraid to use regulation to encourage a different approach to the planning system.

I was pleased to hear the Conservative spokesman call for regulation. Denmark's approach makes ours pale into insignificance. In Denmark, the polluter pays many times over and there is no compunction about putting the blame where they believe it lies—on the creators of waste and those who refuse to deal with it. Denmark also provides incentives, and not just economic ones;

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[Mr. David Drew]

encouragement is given to recyclers, which links clearly to the idea of support. Denmark goes out of its way to support local authorities and non-governmental organisations in finding innovative solutions. Something may have been lost in translation because they refer to the whip and carrot approach. We would tend to define that as the carrot and stick approach.

Denmark exhorts the population to be serious about the matter. The community that we visited was not compelled to be part of the recycling project but, by a voluntary agreement, some 40 per cent. of residents were part of it and aimed to recycle the vast majority of products they purchased. However, it is clear that composting must be used.

We took away from our visit the idea that the scheme has to be managed. I was pleased to hear my hon. Friend the Member for Lewisham, Deptford mentioning the notion of using caretakers or community wardens. It was inspiring to see people whose job previously had been checking and chasing people now taking a proactive role and leading the campaign for recycling and composting the maximum amount. I hope that my hon. Friend will look at similar measures in Committee, and at neighbourhood initiatives.

We need to encourage the Government to do more and we need to use composting. We have a problem with the animal by-products regulations, which has led to a spat involving those who believe that they should be able to compost whatever they like. I have talked to the National Renders Association, which says that we should not allow any animal by-products to be composted. Europe is driving us in one direction, but we are also being encouraged to do something slightly different. We need to clarify the situation.

The hon. Member for Lewes (Norman Baker) mentioned deposit schemes, which are important. They are historical, and we used to do them so well. However, we have gone backwards. In addition, it is not just a question of common or garden materials. We must recycle specialist waste, including car batteries, PVC materials and oil. We must make sure that people have a place where they can take those products, knowing that the good materials will be taken out and the awful stuff disposed of.

Mr. Sayeed: How has the Select Committee been able to reconcile the Waste and Emissions Trading Bill, as amended in the other place—particularly the need to heat meat waste up to 98 deg—and the animal by-products regulations?

Mr. Drew: I do not want to get into detail and preempt the report, but we are aware of the conflict. We visited the cement industry, which argues that what it does is not incineration; it burns at much higher temperatures. We have not explored that sufficiently, although I am not saying that that is the answer. That clearly links into emissions trading. One cannot isolate energy use and efficiency from that way in which we dispose of our waste, and I hope that our report will include some comments on that.

This is a very good Bill that deserves support. I know that the Government will to some extent quake at the implications of fettering future Governments, but if we are serious about waste, we must look at the benefits of dealing with it properly, rather than worrying about the cost. At the end of the day, the costs can be covered if we are serious about this issue; however, the benefits are there for all to see.

11.20 am

Gregory Barker (Bexhill and Battle): I, too, add my congratulations to the hon. Member for Lewisham, Deptford (Joan Ruddock) on securing the time to introduce this extremely important Bill. It will certainly find a lot of support in my constituency, where the issue of recycling, reuse and waste minimisation has shot up the local political agenda in recent years—not by chance, but as a direct result of the very real problems in coping with the waste that is produced in East Sussex. I agree very strongly with some of the comments made by the hon. Member for Lewes (Norman Baker). A lot of such waste is generated not in my constituency, but in the city of Brighton and Hove, which is some distance away. It is my constituents who face the prospect of dealing with it—whether through an incinerator at Mountfield, through waste disposal at Pebsham, or through a landfill site above Bexhill, at the Ashdown brickworks. All of those proposals are the result of a waste strategy that has not been thought through, and which fails to recycle nearly as much waste as could be recycled.

That is not to say that the news in my constituency is all bad. In a way, it is a tale of two cities. Part of my constituency is covered by Wealden district council. Its Conservative administration has a terrific record, with a recycling rate of some 46 per cent. through a doorstep scheme. It is one of the leaders in the UK and it offers a model that the Government should try to apply across the country. Sadly, things are different in the Rother area. The people there are keen to recycle, but there is no doorstep collection service, and although many do their bit, as a result we have only a 10 per cent. recycling rate. More needs to be done. Councils such as Rother are looking to central Government to give a much stronger lead in terms of strategy and financing. The Government's arrangements make it very difficult for councils such as Rother to make the very significant step change that is necessary in order to meet the targets that we want them to achieve. I therefore genuinely welcome this Bill.

There are many benefits associated with recycling, apart from just our own local imperatives. It reduces the need for polluting landfill and incineration, but it also reduces the demand for raw materials. It avoids mining, quarrying and forestry, and it creates jobs. As has been said, up to 40,000 jobs could be created by 2010. It also helps to save energy, and therefore helps to combat climate change. Moreover, it is popular: nine out of 10 people would recycle more if they were given better facilities, according to an Environment Agency poll of last May. Above all, it is good in its own self. Recycling for its own sake helps to remind people about where they stand in relation to the environment that they occupy, and it encourages thrift and responsibility. Many of these virtues enabled the older generation, who lived through the war and its aftermath, to develop habits that stayed with them for a lifetime. It was the subsequent generation that got used to the disposable, throwaway society.

As a member of the Environmental Audit Select Committee, I am particularly concerned about this subject. At the moment, the Committee is investigating the subject of waste through a formal inquiry. It was no surprise to find that doorstep recycling enjoyed very strong support among all of the expert witnesses that we called. For example, the Chartered Institute of Waste Management told us:

> "We fully support the principle of rolling out kerb side collection schemes because it is really the most effective way of capturing the recyclables from householders. It is so easy and convenient for them."

Steve Lee, of the Environment Agency, told us:

> "The Agency has done some attitudinal survey work on normal people about recycling, how much they want to become involved in it, what was it actually that would induce them to be highly recyclist, and, surprise, surprise, we find that most people, the vast majority of people, say that they would be only too happy to participate in separated collection and recycling provided it was made easy for them."

Unfortunately, as my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) pointed out, when the Secretary of State for Environment, Food and Rural Affairs appeared before the Select Committee, she appeared somewhat complacent. She said:

> "I am getting the distinct impression that an awful lot of people who have come to see you have all got very good excuses for why they are not doing enough to tackle the problem of waste. They are all saying, 'If only the Government did something different', but that none of them needs to do anything different."

That reminds me of the proud mother, watching her son in a passing-out parade, who turns to her husband and says, "Look, dear, the entire parade is out of step—except for our little Johnny!"

I hope that this Minister is a little more prepared to accept that the Government could, and indeed should, improve their record, rather than simply looking around for other people to blame. I know that he is keen to do more for the environment, and I hope that he will do so now in an applied way. I hope and anticipate that he will support this Bill—not just today, but during its subsequent stages—and that it does not get lost amid the Government's legislative programme.

What is clear is that the last completed inquiry into waste was unimpressed with the Government's record. A Select Committee report entitled "Delivering Sustainable Waste Policy" found that

> "national targets for recycling and composting . . . for 2010 (30 per cent.) and 2015 (33 per cent.) are depressingly unambitious . . . We recommend that new targets be set of 50 per cent. by 2010 and 60 per cent. by 2015."

It also concluded:

> "The kerbside collection of source-separated waste is a necessity if we are to transform waste management."

The Committee continued:

> "It may seem rather obvious but if householders are to recycle their waste, they must be given the opportunity to do so relatively easily. In practice, this means that kerbside collections of recyclable materials are required".

My party is committed to this Bill and to raising recycling rates. However, I hope that we will not have to wait for an election in order for it to reach the statute book. This country needs an ambitious step change. It requires leadership and strategy to come from the centre, to enable people to make the change that they want. I very much hope that this Bill succeeds and that it provides the step change that we need.

11.28 am

Mr. Alan Hurst (Braintree): I welcome the opportunity to support my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock), and I congratulate her on introducing this important Bill. I appreciate that brevity is the order of the day, and I intend to impose my own programme motion on my remarks. However, I cannot waste the opportunity to say a few words about my own district council. Braintree district council, although not necessarily a pioneer, has made great strides in introducing recycling in the town of Witham, which has 10,000 households, and it expects 50 per cent. of household waste to be diverted away from landfill sites. Across the entire Braintree district, some 16 per cent. of waste is currently recycled, and the council is on target to reach a figure of 48 per cent. in the next four years. It receives £1.4 million in grants from the national waste minimisation and recycling fund. I sometimes think that such things would be better known if they had simpler names; nevertheless, such grants must be incredibly helpful to our local authorities.

As others have said, recycling becomes much easier for people when we move away from bank collection to doorstep collection, One has to have a certain devotion and enthusiasm to take disposables to a bank, but devotion is not necessary when one can simply put them in a separate container within one's own household curtilage. Through that process, numbers are gained at an immeasurable pace.

The avoidance of incineration and landfill is the overriding attraction of recycling. In my constituency, the old Rivenhall airfield is one of the prospective sites for an incinerator. It is euphemistically referred to as a brownfield site, because the United States air force happened to use it during the war for the purpose of bombing Germany, but in essence it is agricultural land. If the incinerator is built in that rural location, it will contaminate not only the air, which is a matter of scientific analysis, but the environment and local residents' quality of life, through the burden it will impose on the roads and local facilities.

I am most encouraged to hear London Members on both sides of the House tell the House of the strides that London boroughs are taking towards recycling. Since Roman times, my county, Essex, has been the dumping ground for London's waste. It is about time that that ended, but it never will if incineration becomes the order of the day. As the hon. Member for Lewes (Norman Baker) told the House, the incinerator has an appetite that can never be satisfied—it demands ever more waste to be fed to it. What an easy option it is for an urban authority to put its waste out of sight and out of mind by sending it many miles down the road to one of our constituencies.

I wish the Bill every success. It appears to have all-party support, and we must be mindful not to mutilate it in Committee. I am sure it will become one of the most important pieces of legislation that we pass this Session.

11.32 am

Mr. Mark Field (Cities of London and Westminster): I, too, shall keep my comments brief. I congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock) on introducing the Bill. I confess that, like my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed), who is no longer in his place, I have been unlucky in the ballot for private Members' Bills in my two years as a Member of Parliament. Had I come as high as the hon. Lady, I would probably have considered a recycling measure. She will know that in October, I introduced a debate in Westminster Hall on recycling of household waste by individuals.

Much of the effort must come from the heart. Although the Bill refers to powers and duties for local authorities, we have to inculcate a sense of responsibility among the population at large. Inevitably, a carrot and stick approach will be used—the stick of higher taxes, which might be levied on supermarkets and manufacturers, and the carrot of encouraging people as far as possible to do the right thing. All MPs who visit schools or have school parties visit us here will know that young children have a positive attitude towards recycling, which is heartening.

When I was growing up and as a young adult, I was fairly indifferent to recycling. As has been said, the big push towards recycling has become a mainstream political activity only in the past decade or so. Many of us remember the European elections of 1989, in which the Green party scored great success. That heightened awareness of environmental issues, of which recycling is one. I take it to be part of my responsibility as a local Member of Parliament to avail myself of the recycling facilities in the City of Westminster. I probably cut a rather sad figure as I go to collect my newspapers on a Sunday morning carrying a basket—courtesy of Westminster city council—full of newspapers, bottles and other paraphernalia, which I dump into the various bottle banks and other recycling sites. That is a positive thing that all Members of Parliament should do, and it is encouraging that it is now being done by far more people generally.

The hon. Member for Stroud (Mr. Drew) commented on the European position. Although I accept that we have to compare like with like, there is little doubt that this country's figures are extremely disappointing. Some weeks ago, I went to Germany on a short lecture tour. I was struck, especially in the former East Germany—a socialist command economy from 1945 to 1989—by the enormous strides that had been made in recycling. The people with whom I stayed made it clear to me that what we call recycling they call secondary raw materials; they took the view that recycling was essential in view of the scarcity of raw materials. On every railway platform, and throughout all the main towns, are large bins segregated for paper, plastics and other types of waste.

We in this country should look at the example set by much of Europe, because we are to a large extent the dirty man of Europe. Various statistics have been quoted. At the time of my debate last year, about 10 per cent. of our household waste was recycled, and the figure of 12 per cent. has been mentioned today. Those are extremely low rates compared with those in much of the rest of Europe. In places such as Germany, roughly 50 per cent. of household waste is recycled, and I imagine that the rate for municipal waste is similar.

The Bill sensibly calls for doorstep recycling to be introduced by 2010—an ambitious but none the less realistic target, which focuses our minds firmly on what we need to do. I am slightly concerned about one or two of the caveats mentioned by my hon. Friend the Member for Mid-Bedfordshire, especially those relating to clause 3. I have reservations about the costs and the provision of funding to local authorities, especially in a general economic climate that might become more difficult for this country in coming years. As a London MP, I was disappointed to see that the new funding formula might result in several London boroughs of all political colours suffering as the funding for environmental, cultural and protection services is cut. That is the experience in the City of Westminster, and I hope that all London MPs will do their bit, irrespective of party allegiance, to ensure as far as possible that as the new funding formula hits the capital and the south-east, funding for environmental and recycling services is ring-fenced.

My focus is on London, and is not party political in nature. I am a great walker throughout London, and I have seen the successes that we have achieved. I am sorry that the hon. Member for Hampstead and Highgate (Glenda Jackson) is no longer in the Chamber, because she is right to say that Camden is a terrific success story. As one walks though the streets of Camden, one sees the many households that have recycling paraphernalia outside and are committed to recycling. The same is true of the London borough of Haringey—another Labour authority—and the borough of Lewisham. Similarly, one can see a strong commitment to recycling when one walks the streets of Blackheath, Deptford and down into Catford.

We have to do more. In London there is a high level of education on the subject, which is a positive starting point. I hope that the Bill will play its part in ensuring that we put some pressure on local authorities. However, to return to my initial point, much of the effort must come from the heart; there must be a sense, shared by everyone, that this is our responsibility and that we have only a leasehold on this planet. As the hon. Members for Lewes and for Braintree (Mr. Hurst) said, parts of the country outside London feel that over the decades they have been treated as dumping grounds. In Essex there are many landfill sites, and an increasing number of incinerators are planned. As far as incineration is concerned, we are at a crossroads. Let us hope that the Bill will play an important part, and that we make the right decision for the future.

11.39 am

Sue Doughty (Guildford): I congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock) on the work that she has done, not only in securing this debate but in preparing the Bill so as to get as much support as possible from all sides. Like everyone else, I will support the Bill—and in Committee we will have to remember that any amendments must be constructive and acceptable, so that it becomes law. Without this Bill, we will lose an important part of our recycling strategy.

One problem with recycling and waste management in this country is the fact that we are victims of our economic success. We buy things and we throw them away. Through television, children become used to the idea that always having the latest toys and gadgets, and always having over-packaged food—in fact, people are probably paying more for the packaging than for the food—is acceptable. It is hard to undermine that idea as people grow up, but we will have to. It is rather like what happened when I was young, when we were encouraged to eat what was on our plates because we had to think of the starving in Africa—although thinking of the starving in Africa did not work, because we still did not learn to like tapioca. However, we will have to do something.

We have to look at what other countries are doing, especially the poorest countries. We have talked about chucking things away, but those of us who have been to Africa, or to some Asian countries, will have seen how they deal with goods. They are constantly repairing, reusing and cannibalising goods. We should learn more about that. However, there is the problem of making goods attractive. The recycling exhibition yesterday not only showed us some virtuous things to do, but showed some jolly attractive things to do, too. It was very encouraging. I visited one of the plastics recyclers last year and saw how it dealt with fairly contaminated plastic—recycling it for use in underground pipes, for example, for which a particular quality was needed. Why is it that Belgium sends its plastic bottles to us for recycling, but we send ours somewhere else?

We have to think about the huge amount of plastic that is used to bottle water. It seems ludicrous. This week in my constituency, I was awarding prizes at an water company's event, looking into the ways in which water was delivered to households. It was a good competition. We have to let our children know that the water that comes out of the tap is of such a quality that, unless it is tainted by chlorination or something, they should think carefully before buying yet another bottle. They can fill bottles from the tap, and then keep them in the fridge if they want, but they should not keep buying bottled water. We have some of the cleanest water in the world. What we do is a farce. We have to minimise waste, not do things that create more waste.

We want the Government to do a lot on waste management. This debate is not about the shortfalls of the Government and I do not intend to turn it into one, although it is tempting. We have to be careful about economic instruments. Some good points have been made about the fact that we have to increase the landfill tax rate massively. As my hon. Friend the Member for Lewes (Norman Baker) said, we have to introduce a resource tax and an incineration tax, so that we are not feeding the beast of the incinerator. We have to reduce the dreadful landfill mountains, and the misery of the people who live close by them. Those people suffer the pollution of contaminated air, seagulls, noise, mud on the road and all the other awful things.

We are in danger of alienating the public on a number of issues. There is a political argument over which council is recycling more than which other council. However, many good words have been said, irrespective of their political direction, about councils that are making headway. In Guildford a difficult bit of literature came through our doors; it shows how recycling figures have changed but fails to say that we changed the way in which we counted the figures. An adjustment was made, which showed an increase. It is possible to paint the wrong picture by forgetting to point out that one is not counting the same things, but is putting them on the same graph.

During questions to the Department for Environment, Food and Rural Affairs on 19 December, a comment was made about figures being misreported to give an erroneous impression. That is being dishonest. The public want to know that when they put things in to be recycled, they will be recycled. Arguing about figures on a false statistical base can only demoralise the public. This Bill talks about proper reporting, making information clear, and making an onwards and upwards improvement in our recycling figures. The Bill sets high targets, which we must reach. Other countries are far ahead of us. In Germany and the Netherlands, recycling is already at 50 per cent. With political will, we should be able to do that too.

We will support this Bill, and I am proud to be a sponsor of it. However, I plead with the Government to raise their sights. When will we see a response to the "Waste not, Want not" report, so that we can see how things fit into the greater economic argument? I look forward to the Committee stage, and to seeing the Bill becoming law. It will be a jolly good piece of work when it is complete.

11.47 am

Mr. Simon Thomas (Ceredigion): I too congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock) on this private Member's Bill. I am pleased to note the cross-party consensus and I want to add my party's support as well. I wish the Bill Godspeed and ask the hon. Lady to thank, on behalf of us all, as I am sure that she will, those who have assisted her in preparing this Bill. It is a worthy piece of legislation. It deserves to be passed—albeit with one or two amendments that I shall come to in a moment.

In response to the hon. Member for Guildford (Sue Doughty), I have to urge her not to do down the Welsh mineral water industry too much. Ty Nant, which is the best and best known mineral water—from my constituency, of course—is available in glass bottles, both blue and pink.

Norman Baker: Is there a deposit?

Mr. Thomas: There is no deposit on them, but they are easily recyclable. The only way I can get my children to drink water is by giving it to them in a bottle. If it comes out of a tap, they will not drink it. There are obviously health issues to be dealt with as well.

Like the Welsh preachers of old, I want to take a text for my remarks over the next few minutes, and examine the Bill from the point of view of that text. The text, which is a quote, is as follows:

> "I would say that something like a third of all local authorities have doorstep recycling in at least part of their area. We want that to be all of their area and all local authorities."

The author of those words is sitting on the Government Front Bench, namely the Minister for the Environment. He was speaking at a public meeting at Caxton house, Archway, London on 7 November 2002.

The right hon. Gentleman posed the crucial question: how can we bring doorstep recycling to every local authority and within every area of every local authority? If that is not done through this Bill, how will it be done? That is the question that the Government will have to ask if they cannot fully support the Bill during

[Mr. Thomas]

consideration in Committee and thereafter. I hope that we shall not see again what happened to an earlier conservation Bill that was given its Second Reading, was considered in Committee and then, somehow, became lost in the ways and means of things in this place. I hope that we shall see the Bill come fully into effect.

I want to address how we achieve the aims of both the Minister for the Environment and the hon. Member for Lewisham, Deptford from the perspective of Wales. There are some differences between Wales, England and Scotland. This is a UK Bill that would set a UK target. We must work out how that is done in the constituent parts of the UK. It is worth bearing in mind how we might achieve the target.

Last November, the Wales Consumer Council produced a useful report entitled: "Waste not, Want not: recycling and Welsh consumers." We can gather from the report how important recycling is for people in Wales. Seventy per cent. of people said that it was a priority for them, citing it as "very important" or "important". Interestingly, the respondents were more enthusiastic in the rural parts of Wales. In Cardiff, 61 per cent. were strongly committed to recycling, whereas in mid and west Wales, in the area I represent, the figure was 80 per cent. I do not know whether that reflects the old tradition of reusing every piece of material on the farm, and therefore of having a different attitude to recycling. Perhaps those who live in the countryside have a certain feeling for the environment that is around them. These figures go against the tendency to think that recycling is for urban areas, not rural areas. One of the challenges is to get doorstep recycling to every household, even in the most rural of our areas.

The report tells us that doorstep recycling was seen to be the key factor that would encourage more people to recycle. That chimes in with earlier facts and figures that the hon. Member for Lewisham, Deptford adduced. Eighty-four per cent. of those surveyed—consumers in Wales—said that a kerbside scheme would encourage them to recycle. Again, those in rural areas came out more strongly in favour, with 72 per cent. saying that more facilities would encourage them. About 90 per cent. of parents thought that a kerbside scheme would encourage them to recycle.

The opportunity is there. There is no doubt that there is public support for the Bill, and for the aims that lie behind it. The question is, how can we make it work? In Wales, we start from a low basis. The hon. Member for Cities of London and Westminster (Mr. Field), who is no longer in his place, said that the UK is the dirty man of Europe. Unfortunately, Wales is the dirty part of the United Kingdom. We have the lowest rates of recycling in the UK as a whole. It is the country in the UK that is most dependent on landfill sites. As I mentioned earlier in my intervention on the hon. Member for Lewisham, Deptford, that is creating a great deal of public dissatisfaction, particularly in respect of health issues. A petition was presented today to the National Assembly for Wales, containing 2,000 names, against the landfill site in Trecatti, in Merthyr Tydfil. We have also had difficulties with the Nantygwyddon landfill site in the Rhondda. Incidentally, it was built with European money that was meant to be used for tourism. That is the bind that we got ourselves into 10 years ago about landfill in this country. It seems that we were prepared to use any scrap of money to build landfill and not to move on to more environmentally sustainable methods.

In a Welsh context, we have ended up with recycling of waste being as low as 8 per cent. In England, I understand that it is running at between 12 and 15 per cent. Wales is heavily dependent on landfill sites, which the population is rejecting. It is also rejecting incineration. Those who have come forward to propose incineration in Wales have been heavily rejected by public opinion.

The more positive side is that the National Assembly, with all-party support, has produced a waste strategy for Wales that is more ambitious than that for England. The target for 2009–10 is to achieve 40 per cent. recycling and composting of municipal waste. I understand that the target in England is 30 per cent. The programme for Wales is more ambitious, but there is a greater gap to overcome. We must focus on how we can achieve the target.

We need to set in motion the right fiscal methods throughout the UK, as hon. Members have said. For example, the hon. Member for Lewisham, Deptford is wearing recycled jewellery. I do not know what the VAT on such jewellery is, but perhaps it should be less than VAT on new jewellery. We may need to look at reducing the tax burden on fully recycled products or at encouraging other ways of getting recycled products on to the market. We certainly need to look at the landfill tax. All those things are UK fiscal matters which need to be dealt with by the UK Government in line with the obligations put on them by the Bill, but they will have an enormously beneficial effect in Wales.

My only regret is that we are not yet ready politically to talk about a zero waste strategy, and to look at our waste stream as a resource for reuse and reinvestment. More progressive parts of the developed world are looking at that. New Zealand, for example, is thinking about a zero waste strategy for the whole country—the aim is to create jobs dealing with the waste stream, not just in recycling and composting but in reuse. We have not developed such a programme to any great extent in the United Kingdom. I accept that such thinking is a little way off, but the Bill is the best opportunity that we will have this Session to progress towards a reasonable target of 50 per cent. recycling and composting throughout the United Kingdom.

As I mentioned earlier, the National Assembly has made it clear to local authorities in Wales that it expects them to avoid long-term contracts with guaranteed minimum tonnages and so on which in the past tied them to landfill, but now tend to tie them to the newfangled option of incineration. That advice is specifically designed to encourage authorities to be flexible enough to move over to the new recycling target. The Assembly has pressured the Government to make those plans mandatory for local authorities. Perhaps we can look at that in Committee, and consider how the whole United Kingdom can do something similar to what has been done in Wales so that we can help local authorities to avoid the double-bind by which they commit themselves to incineration for 15 or 20 years.

We should help them to leave such methods behind so that they can support a more fruitful pattern of recycling and composting.

Mr. Win Griffiths (Bridgend): I have been listening carefully to the hon. Gentleman, as he referred to the report on what needs to be done in Wales. I cannot recall from the report how much money the Welsh Assembly is putting into the project. Local authorities obviously need support—can the hon. Gentleman recall the figure and say whether it is sufficient for local authorities to carry out the Assembly's proposals? Which authorities are in a position to get the programme under way fairly soon?

Mr. Thomas: Thankfully, I wrote the figure down earlier—it is £79 million for the initial period, and is generally seen as sufficient to get local authorities moving on the project. Local authorities' records, as the hon. Gentleman knows, are varied. I am afraid that his own area of Bridgend recycles 6.1 per cent. of materials; it is not the worst, but it is not the best either. The better authorities include, I am happy to say, my own authority, Ceredigion, as well as Conwy and Powys. Again, rural areas seem to be doing better than urban areas, which is a curious anomaly—one would expect recycling to be a bit easier in urban areas.

Mr. Griffiths: The hon. Gentleman mentioned Bridgend. I do not want labour the point, but it is about to move over to a 100 per cent. recycling scheme. Some people, however, are a bit worried because it involves incineration.

Mr. Thomas: In that case, I will not go down that path. I am glad that recycling is at least part of the plans in Bridgend, and I am sure the hon. Gentleman is also pleased about that.

I pay tribute to the vast number of community organisations that have been involved in the recycling and reuse of materials over the past 15 to 20 years. When recycling was something done by bearded, sandaled hippies, it was community organisations that led the way.

Mrs. Patsy Calton (Cheadle): That was us!

Mr. Thomas: I do not include Liberal Democrats, and certainly not hon. Ladies who sit for the Liberal Democrats, in that. My first recycling effort was collecting Corona pop bottles in order to take them back to the shop to get a few extra pence. When I began recycling as a student, I did it for a community organisation, the Aberystwyth recycling centre, which is still going strong and still running recycling, now in partnership with the county council, but at the time it was a voluntary community effort.

We tend to overlook the specialist aspects of recycling, which were mentioned by the hon. Member for Stroud (Mr. Drew). Those include the recycling of batteries, some kinds of plastic, computers and precious metals, and the refurbishment of furniture for resale or reuse. That is still done by community organisations. Local authorities have not ventured much into those fields. There are organisations such as CRAFT in my constituency, which employs six people with learning difficulties, who work on renewing furniture that is then made available to people on benefit. That is part of a virtuous circle involving not just recycling, but social and economic benefits. That is sustainable development at work, but it comes about through the impetus, initiative and entrepreneurship of community organisations. Even at this stage, local authorities lag behind.

One of the major advantages of the Bill, although it is not explicitly stated, is that if we can set ambitious targets to be reached in the next 10 to 15 years, that will motivate local authorities to innovate in other areas as well. They will not reach a 50 per cent. target just by recycling and composting. They will also have to address the issues of minimisation, reuse, refurbishment and sustainable development. That is why the Bill is worthy of support by the House, in Committee and ultimately by the Government, through enactment and proper funding, to ensure that we reach the targets and that the hon. Lady's vision is realised.

12.2 pm

Mr. Bill Wiggin (Leominster): May I associate myself with the closing comments of the hon. Member for Ceredigion (Mr. Thomas)? I have not heard a voice of dissent all morning, so I congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock). I also congratulate my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) on his thoughtful, sensible and praiseworthy approach to the Bill. *[Interruption.]* My hon. Friend suggests that I should be more effusive in my praise, but that is unnecessary, as anyone who reads his speech will recognise the wisdom of his words.

I begin with the difficulty that we all face when dealing with the subject of recycling. For example, the Bill contains three blank pages. It is important that when we deal with recycling matters, we do not miss such open goals. That brings me to the dilemma that I face in my constituency, where the councils of Herefordshire and Worcestershire have combined to consult the public on the issue of municipal waste management, in particular on what should be done with the solid waste. The councils have sent out a helpful leaflet—in fact, they sent it to me twice. In the spirit of recycling, it seems, it is important that we get plenty of paper and often. They have asked my constituents to choose from seven options.

I shall share the options with the House, as I know that there are experts listening who may be able to guide me. It is symptomatic of the problems that we face in this country that the options given to us are often difficult to understand.

Option one is:

> "Based on achieving a combined level of recycling and composting of 33 per cent., 39 per cent. of MSW"—

municipal solid waste—

> "would be sent to thermal treatment and 28 per cent. would be sent to landfill."

Option two is:

> "Based on achieving a higher combined level of recycling and composting of 45 per cent., and a lower level of thermal treatment and the residual would be sent to landfill."

Option three is:

> "Based on achieving a higher level of recycling and composting at 45 per cent., but 46 per cent. of MSW would be sent for mechanical biological treatment and the residue from this process

[Mr. Bill Wiggin]

> along with other waste would be sent to landfill. Mechanical biological treatment can only reduce the volumes of waste by around 20 per cent."

Option four is:

> "Based on achieving a higher level of recycling and composting at 45 per cent., a further 27 per cent. of MSW would be sent for treatment at an anaerobic digestion plant and the residue from this process along with other waste would be sent to landfill. Anaerobic digestion reduces the volumes of waste by around 40 per cent."

Option five states:

> "This option is similar to option one, but involves both Worcestershire and Herefordshire having separate waste management facilities to enable them to operate independently. The option is based on achieving a combined level of recycling and composting of 33 per cent., around 45 per cent. of MSW would be sent for thermal treatment and the remainder would be sent to landfill."

Option six is:

> "Based on achieving a combined level of recycling and composting of 33 per cent., a further 25 per cent. of MSW would be sent for thermal treatment and 16 per cent. would be sent for treatment at an anaerobic digestion plant. The residue from both these processes and additional waste would be sent to landfill."

Option seven states:

> "This option aims to achieve an aspirational target for recycling and composting 45 per cent. of household waste. This gives an overall recycling and composting target of 49 per cent., a further 16 per cent. of MSW would be sent for thermal treatment and the remainder would be sent for landfill."

Those seem complicated choices for people who are not necessarily expert on the subject, yet they are the sorts of questions that we are asking households in my constituency to decide upon. They are also being asked to decide upon various different processes for other types of waste. That is unnecessarily complicated and shifts the burden of responsibility from the expert to the inexpert in way that is a shame, but not shameful. I hope that my constituents will rise to the challenge, and that we will deal with MSW in the most appropriate way. However, if anyone listening to the debate wishes to draw my attention to one of the preferred options, I should be grateful and I urge them to do so. The Minister may wish to guide me on that at a later date.

There are several reservations about the Bill, in particular, that its introduction may challenge the autonomy of local government and the need to resist further prescriptions from central Government without additional resources, and I hope that the Government will respond to that.

There is also a lack of a market for recyclables and a lack of a green procurement from industry, manufacturing and the Government, which places burdens on local authorities to find end users for the waste materials that they have collected.

The division of authority and responsibility for the waste collection and disposal authorities could mean the fining of one for the failures of the other. Again, I hope that the Government will address that problem.

One of the more minor suggestions that causes me concern is that kerbside collection is not always the most appropriate way to recycle waste in every area and bring-sites or bring-banks may prove more successful in inner cities where space is constrained.

Finally, and perhaps most importantly, the 20 per cent. from the landfill tax credit scheme is not sufficient to fund a nationwide doorstep collection and recycling scheme. Even if more of the landfill tax revenue were to be directly transferred to the local authorities, it would simply be redirecting money that had been paid by them for landfill. I hope that the Minister will address those problems when he replies.

I am a supporter of the Bill and a signatory of early-day motion 333A. I hope that the Bill will sail through. A 50 per cent. recycling target is utterly laudable and receives huge support form my constituents. I hope to see the Bill on the statute book at great speed.

12.9 pm

Mrs. Patsy Calton (Cheadle): In adding my support to that of my Liberal Democrat colleagues, I am delighted that universal support has been expressed for the Bill. I congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock) on introducing an important Bill on which she has done a great deal of work. She has encouraged the campaigners who wanted such a Bill by proposing a sharp target that can be readily identified and aimed at. Like other hon. Members, I have received a large postbag on the issue, and I congratulate Friends of the Earth on mobilising its membership, which I am sure has accounted for a large amount of that correspondence.

Like other hon. Members, I have extreme concerns about landfill and incineration. I have one active landfill site in my constituency, one that has been completed in recent years and another that is more than 40 years old. All three have caused tremendous problems at different stages of their development and they will continue to cause problems for the local area, probably for a minimum of 20 or 30 years to come. The gassing from older landfill sites will continue for some time. My constituents are only too aware of the problems associated with such sites. One of the answers is to try to reduce the amount of waste, and my party has repeatedly expressed support for waste minimisation methods.

Stockport metropolitan borough council is one of the foremost authorities on waste disposal and work with waste. In our area, we have seen that collection of waste from the doorstep is undoubtedly the best way of encouraging recycling. Waste recycling started in our area via voluntary bodies, schools and other organisations such as the scouts. Such organisations have collected waste paper for a long period and have had a dramatic impact on the community's impression of recycling. It would be a great shame if we were to think that adding doorstep recycling into the equation meant that we should remove all those other activities. Substantial community benefits are achieved through the involvement of voluntary organisations in collecting paper and so on. In my area, 642 tonnes of paper were collected last year by schools and voluntary organisations. Across Stockport metropolitan borough, they collected more than 1,000 tonnes of paper. We should remember that there are other community benefits to be had from the organisation required for such collection. Simply replacing one means of collection with another is not an option, and I am happy to say that Stockport council has not done so. Instead, it has encouraged both sorts of collection to continue side by side.

Plastic recycling is undoubtedly a problem. I was the chair of environmental health in Stockport between 1995 and 1997. In all the time I was involved with collection of recyclable materials, plastic recycling was the hardest nut to crack in Stockport, as I am sure it has been throughout the country. It is very difficult for a local authority to solve the difficulties on its own. Government help or better regional strategies are needed to try to solve some of the issues not only in ensuring that collection occurs but in deciding what is done after the materials are collected if there is no proper market for them. It is difficult to establish continuity in the market for plastics.

Stockport council is the highest achieving metropolitan authority in the north-west. According to the new counting methods, it recycles 11.23 per cent. of waste. It has the difficult targets of 22 per cent. for 2003–04 and 33 per cent. for 2005–06. However, several initiatives have been proposed. Stockport council has beacon status and has educated and informed other local authorities—and, indeed, other countries—about some of its recycling methods. It expects to meet the targets for 2003–04 and 2005–06.

I am proud to have taken part in decisions on implementing the boroughwide doorstep paper collection. Last year, it collected more than 5,500 tonnes of paper. The amount of paper collected increased fivefold after the introduction of doorstep collection. Clearly, it makes a tremendous difference. We also have 159 recycling sites in the borough. Some people prefer to use them and it would be a pity to remove them because of doorstep recycling. They have been sited in locations that are easily accessible, and to which people drive anyway—a workplace, a local health centre or a shopping centre—so they do not necessarily make additional journeys to recycle. I advise multiple methods to increase recycling and reduce the amount that goes to landfill.

In the past year, we have recycled more than 2,000 tonnes of glass and more than 40 tonnes of plastic. The total for recycling paper through voluntary organisations, paper banks and doorstep recycling was more than 8,000 tonnes. That is a dramatic amount. The council recently celebrated the collection of 100,000 tonnes of paper in the past few years.

A new scheme, which provides green wheelie bins for garden waste, has been introduced. Before it started, it was estimated that 12,000 tonnes a year of garden waste would be collected. The scheme has proved so successful that the figure was revised upwards to 15,000 tonnes. About 18,000 containers have been distributed to households so far, and the refusal rate has been less than 1 per cent. The take-up has been huge.

Sue Doughty: Will my hon. Friend advise me on how to convince Conservative and Labour councillors on Guildford borough council of the worth of such schemes? After a successful trial for collecting garden waste that increased recycling by 1.5 per cent. and would have led to a 6 per cent. increase, they voted down the scheme. Will she give us some words of encouragement that we could use to convince the councillors who oppose recycling?

Mrs. Calton: I can only marvel at their opposition. They should visit Stockport and see what is being done.

Andrew Bennett (Denton and Reddish): I am pleased that the council is working to provide green wheelie bins for garden waste and some domestic food waste. However, that is happening in the leafy parts of Stockport. In Reddish, the old black bags continue to be used. They suffer attacks by, for example, foxes, so much household waste in such areas is strewn around the streets. Is not it time for Stockport to consider the poorer as well as the rich parts of the borough?

Mrs. Calton: I thought when the hon. Gentleman came in that he would probably make a point along those lines. I accept that, most of the initial implementation of the green waste scheme has taken place in the Cheadle area, but I think that he misunderstands the position if he thinks the green wheelie bins were introduced to replace black bags. In fact, green wheelie bin collection supplements black bag collection. I think that if he puts the case for rapid implementation of the scheme in his area to the council, it will be brought in throughout the area just as doorstep collection of paper was: virtually no part of Stockport does not enjoy that service now. Some flats, of course, will not have much garden waste. I am sure that if he works closely with his local authority it will be keen to work with him—just as it is, I think, our purpose today to work together on an issue on which there is no difference between the parties.

A further 15,000 green wheelie bins have been ordered, and will soon be provided throughout my borough. I was not convinced that those resistant to the idea of recycling would be all that keen on the bins, but my husband—who took longest to get the recycling message in our household—is now an avid user of the green bin. He is happy to go into the garden and fill it up every weekend if he gets the chance. There is hope for us all now that my husband has got the message.

A pilot scheme in the constituency of my hon. Friend the Member for Hazel Grove (Mr. Stunell) has extended the paper collection system, which is now a multi-material collection, including glass and cans. The value of such schemes is demonstrated by the fact that there has been a 75 per cent. participation rate, and a doubling of the quantity of paper collected.

Other innovative schemes have been introduced in Stockport. Home composting, for instance, has been linked to low-energy light bulb sales. Recently 1,900 composters were sold to members of the public in Stockport; at the same time 11,000 low-energy bulbs were sold. That happened in a single day. The bulbs will save enough energy in a year to light Stockport's streets for a month. Such schemes show how much Stockport is doing.

More than 70 per cent. of schools in the borough have been involved in the schools waste action club. In the past year, 22 have had SWAC visits, 21 have had dustbin/recycling assemblies, four have engaged in paper-making activities and five have engaged in waste

[Mrs. Calton]

audits. Cycler the rapping robot has visited three schools, and two have introduced composting. Someone said earlier that people needed to see what happened to waste and where it went. Accompanied external educational visits have been arranged for interested schools to sites such as the Adswood eco centre, the Bredbury refuse treatment plant and the Bolton thermal recovery facility.

I said earlier that Stockport was the highest achieving metropolitan authority in the north-west; in fact, I understand that it is the highest in England, and a leader in the field of waste management. I would like to pay tribute to Paul Dunn and the waste management team for their excellent work over a number of years. They really have put Stockport ahead of the field among metropolitan boroughs, but they would be the first to accept that that is nowhere near good enough and that much more needs to be done.

As this is a discussion that cuts across party lines, I would also like to pay tribute to the Government's input. There has been funding in recent years to support the expansion of recycling in Stockport. The Greater Manchester waste disposal authority has had a £2.5 million grant from the Government to improve 22 civic amenity sites, and £200,000 has come into Stockport for additional garden waste vehicles. Such has been the success of that scheme that another vehicle is now needed to enable all the waste to be collected. A further £750,000 has come in for additional vehicles and containers for the multi-material collection. I hope that those sums will soon be evident not only in what was described earlier as the leafier parts of the borough, but in the parts represented by the hon. Members for Stockport (Ms Coffey) and for Denton and Reddish (Andrew Bennett).

12.26 pm

Mr. Roger Williams (Brecon and Radnorshire): May I, too, heap compliments on the hon. Member for Lewisham, Deptford (Joan Ruddock)? The Bill has obviously received overwhelming support in the House from all the parties present today. Indeed, this issue has resonated throughout our constituencies, if my postbag is anything to go by.

For some of my constituents, the term "kerbside recycling" is a bit of a misnomer, because they live so far from any recognisable kerb that they would not know where to go to find one. Indeed, the reason that they live where they do is that there are no kerbs anywhere near them. The terms "doorstep" or "roadside" recycling are, however, readily recognisable. In rural areas, recycling presents real problems in terms of how people access the recycling centres, because the journeys involved are often very long and some people do not have access to private transport. Public transport is obviously not really suitable for taking rubbish to recycling centres, and it is an expense for local authorities to get round all the houses to collect sorted and recyclable material.

I would like to compliment the way in which the Bill has been drafted in terms of the devolved settlement for Wales and the responsibility that has been given to the Assembly to set targets for recycling and composting rates for waste collection. It is important to have national targets, but they are sometimes more easily achievable if they are broken down. Wales certainly wants to play its part in achieving those targets. The hon. Member for Ceredigion (Mr. Thomas) has already pointed out that the target that has been set in Wales is probably higher than the one set in England, although it is not as high as the one in the Bill. That target is achievable, and we must not duck the responsibility to achieve it, because it is almost the minimum that we should be going for.

My hon. Friend the Member for Lewes (Norman Baker) talked about the low cost of primary products being the one thing that makes it difficult for recycling to achieve good economic results. If the cost of such products were a good deal higher, the whole business of recycling would become a profitable rather than a loss-making operation. More people would then want to be involved in it, which would make the whole operation a lot easier for local authorities.

Some elements that go into recyclable products, such as timber used in paper making, are renewable, but oil, which is the basis of most plastic produced in this country, is strictly finite, so we should conserve and look after it to the very best of our ability, as less of it will be available to succeeding generations. That raises one little issue. Clause 2(3)(a) refers to waste disposal and collection authorities publishing a report on the "volume of waste collected". I am not sure whether targets are set on weight or on volume.

Joan Ruddock: The hon. Gentleman is the first person to spot the deliberate mistake. The Bill should refer to quantity. Weight is used currently, but there are arguments for volume. We shall seek to make that small amendment in Committee, should we get there.

Mr. Williams: I thank the hon. Lady. That issue has been raised with me by my local authority. It is keen to recycle plastics, but they do not contribute a lot to the targets that it is trying to achieve as the weight of that product is not great. As I have said previously, however, plastics are the one thing that we ought to be concentrating on, as they are based on oil, which is such a limited resource for future generations.

It is important that young people and communities in particular are involved in recycling projects, and I shall draw two examples to the attention of the House. The first is in the constituency of my hon. Friend the Member for Montgomeryshire (Lembit Öpik) at Cae Post near Trewern, where young people have been involved in sorting plastic for recycling. The effect has been to find customers for plastic that was not thought to be of high enough quality to recycle, which not only provides employment for young people who have found it difficult to get jobs, but ensures that plastic that previously went to landfill or to incineration now goes to recycling.

The second example involves the fact, which a number of hon. Members have mentioned, that plastic is used to a greater and greater extent in the agriculture sector. It is difficult to dispose of in an environmentally sensitive way, but the young farmers' club in the Brecon area in my constituency has put in place a system whereby the young farmers, working together in their clubs, bring all the plastic to one collecting site on a particular farm. A commercial organisation called P. and M. Birch then collects it on a reasonably economic basis, although it needs some funding from the Assembly and local authorities. Plastic that has either accumulated on farms or would have been burned by farmers is now disposed of perfectly properly and in an environmentally sensitive way.

Mr. Simon Thomas: That point supports what I said earlier. This is a UK Bill, of course, but it will have huge effect in Wales. For example, if the Government decided to introduce a plastics tax—a tax on carrier bags is the most obvious example that might be the first to be introduced—that would affect the Bill and the target at Welsh level. Therefore, it is surely right that the Bill has a UK target, but that, as the hon. Gentleman and I have said, we work in Committee to ensure that it gives the National Assembly maximum flexibility to meet its own target. Of course, the Assembly's money will be spent on these matters, as he has just emphasised.

Mr. Williams: I agree that it is important for the Bill to have a UK dimension, and there should be flexibility within it so that the Assembly can play its part in meeting the UK targets.

The Bill will take us further down the road that so many of us and our constituents want to take. I wish it well.

12.34 pm

Mr. John Horam (Orpington): I apologise for not being present during the main part of the debate. I do not wish to detain the House for more than a few seconds. I wish to draw to the Minister's attention the excellent progress being made in the London borough of Bromley, where my constituency is located, which has rolled out 119,000 green bins over the past six months and, as a result, pushed up the rate of recycling considerably.

I draw to the Minister's attention—it may have been already—the excellent work being done by London Remade, which hon. Members on the Labour Benches, at least those representing London constituencies, and Conservative Members may know quite a lot about. Only a week or so ago, my Committee, the Select Committee on Environmental Audit, had the pleasure of visiting many of the schemes that it is backing, with Government help. I pay tribute to the Minister for that. It is doing excellent work, which should be further supported.

I flag up the fact that the Select Committee will be bringing out a report on waste shortly. As the Minister is a member of the Committee, I am sure that he will look at it extremely sympathetically.

12.36 pm

The Minister for the Environment (Mr. Michael Meacher): I sincerely thank my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) for presenting the Bill to the House. It is remarkable and indeed meritorious that so many hon. Members have attended on a Friday to support the Bill. I do not think that it is unprecedented but it is pretty unusual that there has been consensus across the whole House on the Bill; the characteristically curmudgeonly speech by the hon. Member for Mid-Bedfordshire (Mr. Sayeed) can probably be interpreted as being in support of the Bill. That is striking.

The Bill addresses a key environmental challenge and is one which is certainly a Government priority. My hon. Friend said that it was a passion for her. It is also a passion for me.

In 1997, the Government inherited absolutely the wrong structure for waste management. Eighty-five per cent. or more of household waste was being landfilled. In 1992, the recycling level was 2 per cent. In 1997, it was 6 per cent., I think the lowest in Europe. There were 20 or 30 incinerators and, as far as I know, no effort was made to achieve waste minimisation.

That is all being changed. The level of landfilling of household waste is going down, albeit too slowly. On business as usual, there is still a serious prospect of a doubling of the level of landfilling in this country over the next two decades, when we have to reduce it by two thirds, but we are making a start in the right direction. The number of incinerators is down to 14 in the United Kingdom. Considerable effort is being put into waste minimisation, although I would be the first to say that it is nowhere near enough. In terms of recycling, the latest figures I have are around 13 per cent., which is more than double the figure in 1997, although it is still very low.

I think that I carry the whole House with me when I say that my hon. Friend made a powerful case for her Bill. There is no question but that there must be an increase in doorstep recycling. We believe that the targets that I have set of doubling the level of recycling, reuse and recovery by 2003–04 and trebling it by 2005–06 for every local authority will almost certainly require doorstep recycling almost universally across the country. Otherwise, those targets probably cannot be achieved.

My hon. Friend made a powerful point when she asked why we had such high levels of landfill in comparison with other countries. It is because, in so many cases, there is no doorstep recycling at present and because recycling facilities are too far away for many people. Clearly the Bill is a serious attempt to address that issue and I welcome it in that sense.

This country remains dependent on the least sustainable form of waste management, which is landfill. Even now, we still landfill nearly 80 per cent. of household waste, which is a wholly lost opportunity. Landfill has been referred to today as almost a medieval practice; we are piling it into the ground. I agree. It is certainly in opposition to sustainable development. In addition, landfill is also the source of 25 per cent. of the UK's emissions of methane, a powerful greenhouse gas, adding to climate change problems.

The landfill rate is still well above the European average and our rate of recycling, which can gain value from waste, remains at about 13 per cent. in 2001–02, well below the European average. The Government are taking waste management seriously and we have done a great deal to address waste problems. First, we are proposing to triple the level of the landfill tax from £13 to £35 per tonne. We have published the Waste and Emissions Trading Bill to tackle the immediate problem of our over-reliance on landfill in the municipal sector.

[Mr. Michael Meacher]

The Bill will introduce a landfill allowance trading scheme to help the UK meet the reductions in landfill needed to meet the landfill directive.

We must get people to understand that we have to reduce the amount that goes to landfill to no more than two thirds of the levels of 1995, which are much lower than today. That is a huge switch; we have heard today about the 30 million to 40 million tonnes that would otherwise be landfill that must be disposed of differently. Members will welcome the Waste and Emissions Trading Bill in that regard and we will debate it next week.

In addition, the strategy unit report has made a series of recommendations to the Government and we have listened carefully. In answer to the question as to when we will publish our conclusions, the answer is shortly, and shortly means shortly.

I repeat that we support the Municipal Waste Recycling Bill's objectives but, as some Members recognised, we have some problems with it. The first question is the requirement for a strategy to be prepared within six months to achieve a 50 per cent. municipal waste recycling rate. We are not clear that that would fit with the rather more comprehensive waste strategy 2000, which looked at the whole of the waste stream and not just municipal waste, and addressed the whole of the waste hierarchy, not just recycling.

The Government are considering the issues as part of the response to the strategy unit report, "Waste not, Want not". We think that it is important to focus on the action needed by central and local Government to meet our published targets, rather than to publish a further strategy so soon after others have been produced. At least one hon. Member said today—this chimes with what external commentators have said—that a significant proportion of local authorities are not going to meet their more modest 2005–06 targets, let alone the much higher ones for a further term ahead. Our efforts are rightly concentrating, therefore, on delivering the already stated targets.

Although I do not want to place too much emphasis on the administrative issue, it is important to point it out. It would not be appropriate for the Secretary of State to prepare a strategy for the whole of the UK in a devolved policy area. The hon. Member for Brecon and Radnorshire (Mr. Williams) mentioned the importance of the role of the National Assembly for Wales, which is absolutely true.

Speaking just about England, we would have to look very carefully at the proposed 50 per cent. target, which is far beyond the current target of recycling 30 per cent. of household waste by 2010. It is also above the figures of 35 per cent. by 2010 and 45 per cent. by 2015, which were recommended by the strategy unit when it examined the targets. We are looking at these issues in response to the strategy unit.

Clive Efford (Eltham): Will my right hon. Friend give way?

Mr. Meacher: No—I just want to finish this point because it is rather important. The Government as a whole are not yet persuaded of the practicality of delivering a 50 per cent. target, given that resource allocations beyond the spending review of 2002 have not yet been determined.

Norman Baker: Will the Minister give way?

Mr. Meacher: If it is on that point. I should first point out to hon. Members that this has been a consensual debate, and although I do not intend to depart from that in any way, I am conscious that others also want an opportunity to speak.

Norman Baker: The key point is that the landfill directive is bearing down, requiring local authorities to choose now between the alternatives. They can choose either incineration or recycling, but if the recycling target is lower than 50 per cent., they will, I suspect, opt for incineration, particularly given the absence of an incineration tax.

Mr. Meacher: I do not believe that that is so. One requirement in accepting a waste plan that involves incineration is that it should not pre-empt the possibility of future recycling targets. Reference has been made to the "hungry mouth" of an incinerator, and the degree to which it can pre-empt the recycling of materials. That would be a prime consideration in deciding whether to give approval to such a plan.

Clive Efford: Will my right hon. Friend give way?

Mr. Meacher: I will, but I shall not make a habit of it.

Clive Efford: I am grateful to my right hon. Friend. Does he accept that recycling levels have remained extraordinarily low for too many years, and that although local authorities make the right noises, they have not done enough to improve their recycling performance? Is it not time that we set a challenging target, in order to achieve the recycling levels that we want to see?

Mr. Meacher: I am constantly being told not only that the targets that I set a few years ago are challenging—"challenging but achievable", according to the usual Whitehall terminology—but that they will not in fact be achieved by a significant number of local authorities. I am determined that they do achieve them, but to go significantly beyond them—almost twice as far—is a move to which we should first give very serious consideration. We shall undoubtedly consider this matter in Committee.

On the further important issue of municipal waste strategies, guidance for local authorities establishes a framework for the issues that need to be addressed in preparing such strategies. However, there are wider considerations, such as how mandatory strategies would fit in with the local government freedoms and flexibilities agenda. Such issues need to be balanced. The Government have stated their position publicly. We said that

> "decisions on municipal waste strategies and waste recycling plans will be taken in the light of the Strategy Unit's waste report"—

these are the key words—

> "after which there will be no more than one waste related plan."

That remains our position.

Having said that, let me accentuate the positive aspects of the Bill. It requires that strategies include policies to enable householders to dispose of waste sustainably and to have provision at or near their home—in other words, it requires that the proximity principle be accepted and adhered to. We strongly agree that giving as many householders as possible an opportunity to participate in recycling is crucial, as it ensures a clean and secure source of recyclate for reprocessing and maximises the opportunity for everyone—including the elderly and infirm and those without access to a car—to participate.

The strategy unit recommended widespread roll-out of kerbside collection, but it is not contentious to point out that that has to be combined with the provision of accessible bring-sites, especially where kerbside collection is not practical or economic—perhaps the type of housing makes the provision of kerbside collection difficult, for example, high-rise blocks—or where it is wholly uneconomic, for example, in very rural areas. I listened carefully when, in her opening speech, my hon. Friend the Member for Lewisham, Deptford drew attention to an example of what I consider to be good practice by quoting the case of a caretaker taking a basket from outside a flat to the collection point. We must ensure that such examples are disseminated.

Furthermore, it is important to realise that collection is only part of the cycle of recycling. There is little use in rapidly and significantly increasing the amount of recycling only to find that there are no markets for the recycled material and it ends up in landfill. Reprocessing facilities and, above all, markets for the final product are needed. Several hon. Members mentioned that. By itself, dictating collection will not secure recycling. That is why it is important that we look at the issues in the round.

The Bill would provide a power for waste disposal authorities to direct waste collection authorities in the manner in which waste is to be collected. The hon. Member for Brecon and Radnorshire mentioned that. The waste disposal authority would thereby have a power to determine the way in which a collection authority fulfils its statutory collection responsibility. In effect, it would make the collection authority an agent, and do so at the collection authority's expense. That is not the Government's solution. I draw the House's attention to the fact that the Government have already tabled an amendment to the Waste and Emissions Trading Bill that tackles the same issue, but in a different form. That Bill gives a power to direct the form in which the waste is delivered so that it can be easily recycled.

Almost all of the many contributions to the debate were supportive of the Bill. I have taken note of several points to which I would reply now, were I not conscious of the passage of time. It might be for the greater convenience of the House if I say that I shall reply to them in writing. Let me conclude by saying that the Government take seriously the whole issue of sustainable waste management. We have sympathy with the Bill's aims, but I emphasise that a number of amendments have to be made in Committee if the Bill is to secure the Government's support. On that basis, I am content—perhaps I should say pleased—to allow the Bill to proceed to Committee.

12.48 pm

Joan Ruddock: With the leave of the House, Mr. Deputy Speaker, I shall reply to the debate.

First, I thank all right hon. and hon. Members who have attended today's debate, those who have made such powerful and interesting speeches, those who have sat on their speeches because they want another Bill to be considered today, and all those who have given me support both inside and outside the House.

I will not take time now to answer the points made. However, I would like to point out that Delleve Plastics is the company that has had to import plastic bottles, so all the hon. Members who mentioned difficulties with plastics should refer to that company.

I thank all the sponsors of my Bill, especially those seven who contributed to the debate. I am delighted to have had the support of all the Opposition Front-Bench spokesmen today—albeit with reservations in some cases.

In particular, I thank my right hon. Friend the Minister for the Environment. I thank him for sharing his passion with us; we all know it is genuine. I thank him for saying many positive things about the Bill. I look forward to working with him in Committee to deal with the points about which he has reservations.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Legal Deposit Libraries Bill

Order for Second Reading read.

12.55 pm

Mr. Chris Mole (Ipswich): I beg to move, That the Bill be now read a Second time.

I want to thank all my right hon. and hon. Friends who are here today. The aim of this Bill is to update and extend the law on legal deposit. The legal deposit libraries of the United Kingdom and Ireland entered the 21st century operating under legislation that was passed in 1911, and which covers printed publications. However, more than 60,000 non-print items were published in the UK last year and it is expected that that figure will increase by four or five times by 2005. Non-commercial publications, including websites, add enormously to the number. At present, there are no systematic or comprehensive arrangements for the collection and preservation of such non-print publications. Without new legislation to ensure that non-print materials are saved for future generations, the 21st century could be seen as a cultural dark age that failed to archive a substantial and vital part of the nation's published heritage.

I take this opportunity to thank the Department for Culture, Media and Sport, the libraries, and the staffs of both, for their advice and hard work during the drafting of the Bill. My interest in legal deposit comes from my background in the information and communications technology industry and in local government. As a researcher for British Telecom, I saw the burgeoning volume of electronic media and the importance of research publications that are available only in that format. As the former leader of a council that was a library authority, I understand the importance of the local and national archives. They form a key part of our heritage.

The purpose of legal deposit is to ensure that the nation's published output, and thereby its intellectual record and future published heritage, is collected systematically and as comprehensively as possible. We do this to make material available to current researchers in the libraries of the legal deposit system, and to preserve it for the use of future generations of researchers. Both purposes are important. The system dates back several hundred years and has been vital in preserving and making available the published record of previous generations for the researchers of today and of the future.

What might we be losing? The material at risk includes: major directories, such as the *Europe Information* directory, which is available on DVD; news sources, including the web-published results of public opinion polls from companies such as MORI; indexes to help researchers to locate material such as the *Legal Journals Index*; the Cochrane Library, which is arguably the best single source of reliable evidence on the effects of health care and which is available only on CD-ROM and the web; a wide range of important local government and national Government documents, such as the Home Office series of "online only" research reports; and an increasing number of e-journals, such as *Sociological Research Online*, which is available only on the web.

The Bill will allow legal deposit libraries to look seriously at archiving selected material from websites. Already, there are nearly 3 million websites in the .uk domain. To be frank, many of them contain trivial and irrelevant material, but we should think about archiving coverage of important events—events such as 9/11, general elections, millennium celebrations, the Queen's golden jubilee and the Commonwealth games. The burgeoning number of observatories that provide quality-of-life statistics for our regions and localities would be a gold mine for those who wish, retrospectively, to understand the nature of our times. All of them contain materials that future generations of researchers will want to access.

We have already lost an e-novel that was started by John Updike. The project was collaborative and was added to, chapter by chapter, by other authors. We have also lost records of events such as the petrol blockade sites, election sites such as bellforbrentwood, which has either gone or is about to go, and sports websites such as the Euro 96 football championship site in England.

Although there have been some revisions, the 1911 Act forms the basis of legal deposit as it is enacted today, namely, that publishers must deposit with the British Library within one month of publication a copy of all books published in the UK and Ireland. Five other libraries have the right to claim, within 12 months of publication, copies of the same material. The five other legal deposit libraries are the national library of Scotland, the national library of Wales, university library Cambridge, the Bodleian library Oxford and Trinity college library Dublin.

Mr. Simon Thomas (Ceredigion): Will the hon. Gentleman confirm that the Bill does not change the position of those other five libraries as regards printed material, which is the current position, and serves only to extend provision, to a certain extent, of non-printed material?

Mr. Mole: Throughout the development of the Bill we have sought to ensure that, in practice, the principles of access to materials for readers in Wales and Scotland will continue to be the same as they are now.

In the mid-1990s, following pressure from the legal deposit libraries and other interested parties, the Government issued a Green Paper on legal deposit and the possibility of its extension to other types of material. A working group chaired by Sir Anthony Kenny concluded in 1998 that only a system of legal deposit would secure a comprehensive published archive. He stated:

> "The Government believes that it is extremely important to ensure that material published in this country is incorporated into our national archive irrespective of the medium used. The arrangements for legal deposit, which are concerned primarily with published material in print form, underpin the nation's academic, research and educational sectors. We intend to ensure that these benefits extend also to material published in formats other than print."

My right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), the then Secretary of State for Culture, Media and Sport, responded to the report in a parliamentary answer in December 1998. It ended:

> "I believe the report makes a convincing case for moving towards legislation for the legal deposit of non-print publications on the basis of minimum burden on publishers and minimum loss of sales."—[*Official Report*, 17 December 1998; Vol. 3221, c. 682W.]

My right hon. Friend requested that, in the meantime, a code of practice for the voluntary deposit of non-print publications should be drawn up and agreed between publishers and the deposit libraries.

It was under that direction that the joint committee for voluntary deposits, with members representing publishers and deposit libraries, was set up. The JCVD oversees the operation of a draft code developed by it and endorsed by the Department for Culture, Media and Sport, the Publishers Association, the Association of Learned and Professional Society Publishers, the Periodical Publishers Association and the legal deposit libraries.

The voluntary code, in operation since January 2000, covers non-print publications in microform—basically on microfilm, as well as offline electronic media, such as CD-ROMs, DVDs and magnetic discs. To date, more than 100 publishers have signed up to the scheme and more than 1,000 monographs and 850 journals have been archived.

The purpose of the voluntary system was to plug the growing gap in the national published archive ahead of eventual legislation to introduce the statutory deposit of non-print publications. It was also intended to act as a pilot phase, during which matters of definition, procedure and control could be agreed by the publishers and libraries and any difficulties in implementation monitored.

My right hon. Friend the Member for Islington, South and Finsbury, the then Secretary of State, said in response to the working party:

> "I agree with the report's conclusion that a voluntary code will not be viable in the longer term and I believe the report makes a convincing case for moving towards legislation for the legal deposit of non-print publications."

The scheme proved useful in assisting in the process of drafting effective and workable legislation. The JCVD arrangements will continue for the collection of film and sound materials.

Despite the success of the voluntary code of practice between publishers and legal deposit libraries, well over half of electronically delivered publications—the fastest growing group of materials—and about a quarter of hand-held publications, such as CD-ROMs, are not currently deposited. They are typically materials used in long-term research, which are of cultural significance and are a vital part of the nation's published heritage.

Collecting, storing and preserving that material will present the legal deposit libraries with a major challenge. They are already working with other countries to identify the best ways of preserving electronic materials. New systems are being developed to allow information to be migrated to media that will be used by future generations, permitting materials to be accessed even when their original formats have become obsolete. No one expects easy answers, but solutions are evolving. The Bill sets out a framework to enable the Secretary of State to implement secondary legislation in the form of regulations addressing the exact ways in which new media material will be collected. That is necessary to make sure that the legislation remains future-proof—materials published by technologies currently in development and those that have not even been invented yet can, if necessary, be brought within the scope of the legal deposit.

Mr. Frank Doran (Aberdeen, Central): I want to make a practical point, but first I congratulate my hon. Friend on the Bill. I have received a significant amount of lobbying from people in my constituency, where there are two university libraries—Aberdeen university library and the Robert Gordon university library. They are anxious that the Bill should be enacted.

Clause 2 deals with the issue of new and alternative editions. My practical point concerns, for example, newspapers that are published and sold on the streets in hard copy form and, at the same time, published on a website on the internet. At the moment, the hard copy is required to be sent to the various archives mentioned by my hon. Friend, but the clause would seem to provide publishers with the option of sending either the hard copy or the online copy, which, for some, would be cheaper. At the same time, the provision may not cover issues of importance to future generations. For example, classified ads tell us a lot about what people think—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I hope that the hon. Gentleman can make his intervention more succinct. Perhaps the hon. Member for Ipswich (Mr. Mole) has got his drift.

Mr. Mole: Thank you very much, Mr. Deputy Speaker. I have got the gist of what my hon. Friend is saying. If two different media in which a publication appears are essentially the same, the clause requires only one version to be deposited, but if there is a substantial difference between the online edition and the print edition, they will be treated as separate publications. I hope that that helps my hon. Friend to understand the intentions behind clause 2.

I shall skate across the Bill's financial implications, as they are set out in the regulatory impact assessment, a copy of which has been placed in the House of Commons Library. Some publishers have expressed concern about clause 7, which deals with access and preservation. I believe that that is a matter of implementation, so it may be better addressed by the Secretary of State. However, I can reinforce the point that the legislative process involves detailed consultation with all stakeholders prior to the introduction of secondary legislation. Notwithstanding that fact, both the legal deposit libraries and publishers' representatives agree that new legislation is necessary to safeguard the future integrity and completeness of the national published archive. They agree, as do the Government, that new legislation should be generic to ensure that new formats and information carriers are included, by means of secondary legislation, within the legal deposit as they appear.

In conclusion, the legal deposit libraries provide vital collections for researchers in business and industry, as well as academics and students across the UK.

[Mr. Mole]

However, with the explosion in e-publishing, they face the prospect of becoming irrelevant. Unless we extend the law as many other countries are already doing, valuable material will be lost forever. The Bill provides a timely opportunity to update and extend the law on the legal deposit, and I commend it to the House.

1.9 pm

Mr. Malcolm Moss (North-East Cambridgeshire): I congratulate the hon. Member for Ipswich (Mr. Mole) on securing a high place in the private Members' ballot, and more so on choosing to introduce a Bill on such an important and worthwhile issue, which has widespread support in all parts of the House and from a large number of prestigious and prominent bodies in the United Kingdom. I compliment the hon. Gentleman on the authoritative way in which he presented his Bill to the House.

I have received substantial correspondence on the matter, as I am sure have many hon. Members present today, from a wide spectrum of interested parties and groups ranging from the Royal College of Surgeons of England, to the Arts and Humanities Research Board, from the Society of College, National and University Libraries to the National Maritime Museum. A common theme throughout the correspondence was overwhelming support for the Bill for the benefit of researchers, industries and the general public, both now and in the future.

On a slightly cautionary note, I also received correspondence from the publishers, who are anxious that the Bill may have been too hastily compiled, without adequate consultation with them. However, they were at pains to stress their overall support for the merits of the Bill, but felt strongly that their voice had been overlooked on some issues of huge consequence to their industry. I shall elaborate on their concerns a little later.

The current system of legal deposits dates back to legislation passed in 1911. The House at that time recognised the importance of archiving all UK publications in the interests of the recognition and prosperity of our national heritage. The original legislation has left us with much to be grateful for, ensuring that even the most seemingly trivial publications are preserved for future use, when their content may provide an essential resource.

The practice of depositing printed publications to the six legal deposit libraries—the British Library, the university libraries of Oxford and Cambridge, the national libraries of Scotland and Wales, and the library of Trinity college, Dublin—has led to the compilation of an immeasurably useful archive and resource that charts the history and heritage of the United Kingdom. To date, the British Library alone has archived more than 50 million items as a direct result of the Copyright Act 1911.

Speaking of the British Library, I take this opportunity to say what a great success, if largely unsung and unrecognised, that venture has been. On a recent visit, I was very impressed with the building, its architecture, its facilities and the professional way in which its services were presented. The British Library is not, however, just the building or, for that matter, the books and archive material in it. The quality of its services is due to the staff at all levels, and I pay tribute to them all, and in particular those who have worked tirelessly in the joint committee on voluntary deposits and contributed so significantly to the Bill.

It is important that we act with the same foresight as the Members who approved the original legislation in 1911, to ensure that the modern methods of publishing material are encompassed in the legal deposit legislation. The obvious advantages of publishing in non-print form, as a cost-effective and far-reaching medium, mean that many individuals are choosing to publish their material online in websites and electronic journals, or on non-paper media such as microform, CD-ROM and DVD. That is a reflection of the technological advances of our age, an era that future generations are likely to overlook unless we acknowledge the importance of these new methods of publishing. Just as the original Bill sought to preserve our heritage for the benefit of future generations, we must act to safeguard all modern publications for the same purpose. However, we must proceed with caution and common sense. Although we are all eager to include digital and non-print publications in the national archives and limit the loss of future material, we cannot rush into a matter of such importance without proper and in-depth consultation with all the parties involved.

Last year, it was estimated that more than 50 per cent. of electronic publications and some 25 per cent. of hand-held publications failed to be consigned to any of the six legal deposit libraries. The web has not been systematically archived thus far and much valuable content has already been lost. Examples of materials that are being lost include web editions of the major newspapers, the Cochrane library mentioned by the hon. Gentleman and important e-serials such as the Oxford Economic Forecasting's "Weekly Briefing".

The most recent figure of 60,000 non-print weekly publications published within the United Kingdom is set to rise sharply in the coming years as individuals come to recognise the benefits of these new methods. In failing to register such items, we are failing to acknowledge elements of our modern culture and potentially harming the progress of future research by denying a new generation of researchers access to a vast archive of information.

I join the hon. Gentleman in paying tribute to the work of the joint committee on voluntary deposits, working alongside the legal deposit libraries in their continuing endeavours to extend the national public archive. Their successes have meant that material that would otherwise have been lost to the libraries has been properly and justly archived. However, online publications and websites are not a part of that undertaking and therefore some 3 million websites in the UK are being overlooked as a result of our outdated legislation. The internet has provided us with an immense archive and source of information that should be acknowledged within the legal deposit system.

Before we endeavour to include this technology, however, we must assess whether the facilities and safeguards are in place to carry that out. I come now to one of the chief concerns of the publishing industry, as represented to me by the digital content forum, a group established by the Department for Trade and Industry and the Publishers Association whose membership comprises a number of eminent bodies within the publishing world, including the British Educational Suppliers Association, the Newspaper Society, the Computing Services and Software Association and the European Publishing Council, to name but a few.

In our haste to address the omissions within the legal deposit system, we may have overlooked key areas of concern, including the potential for breach of copyright of the highly valuable material deposited with the libraries by the publishers. Those publishers, who incur the cost of consigning their material to the legal deposit libraries, naturally seek a guarantee from the Secretary of State and the Department that adequate measures will be put in place to safeguard their publications from piracy and copyright infringement.

Furthermore, under clause 6(2)(f), the Government seem to seek to make the publishers liable for the cost of potential IT incompatibility by granting the Secretary of State the power to specify the publishing format, which may not correlate with that of the depositor. Does the Minister accept that that could be a costly and time-consuming burden to place on the publishing industry, and that therefore we should look into the merits of that practice before endorsing it? We must also be aware that it may be necessary to readdress some of the copyright laws and amend them accordingly owing to the unique nature of online publications.

The legal deposit libraries certainly have the experience to encompass all new material included within the legislation in their deposits. The success of the legal deposit scheme thus far has ensured that the foundations for expanding the scope of the national intellectual archive are already in place. However, while the willingness and co-operation of both sides may already be established, the means for carrying out the expansion may not be readily available.

The digital content forum was keen to illustrate the experiences of the Dutch national library in implementing a similar scheme where substantial public funding was needed to address the problems that it encountered. The scale of what we are proposing here today may need to be considered in more detail in Committee and perhaps in the other place in order to placate and benefit all those involved.

It was generally agreed by all those with a vested interest in the legislation that the joint committee on voluntary deposits would be required to continue its effective work or else that a similar body would be set up in its place to oversee the new measures and help to sustain good relations between the industry and the legal deposit libraries. A renewed role and responsibility for such a body is an issue that may also have to be addressed, owing to the technicalities of implementing such a Bill. For example, websites can alter with extraordinary frequency, so will it be the role of that body to decide when a site qualifies as a new publication?

I am delighted that it has been recognised in the drafting of the Bill, in clause 8(7), that the Secretary of State should be required to consult deposit libraries and publishers before making any new regulations under the Bill. I seek an assurance from the Minister that undue Government intervention will not be imposed on any of the interested parties, which could be enabled under clause 7. I have been informed that the promises to publishers on consultations after the Bill's publication were not adhered to. Publishers were promised a consultation period of several months; instead, they got five days. It also seems that the draftsmen have not obviously sought to address the need for a balance of benefit and burden for all parties involved.

In the interests of the Bill being UK-wide legislation, I understand that the appropriate consultations with the devolved Scottish Parliament and Welsh Assembly have taken place and that all the issues have been adequately discussed and considered. The Bill will further compound the strong relations that previously existed between the British Library and the national libraries of Scotland and Wales through their co-operation in effectively carrying out the necessary application and administration. The outcome of such co-operation ensures that individuals throughout the United Kingdom can benefit from the system of legal deposits.

I therefore offer the support of the Opposition for the purposes of the Bill in the interests of the continued success of the legal deposit scheme. In an age of increasing numbers of non-print publications, it is vital not to lose sight of the simple objectives of legal deposits in ensuring that all UK published material is archived and preserved for use in the present and in the future. In step with the new opportunities afforded to the publishing world as a result of technological advances, the legislation needs to be updated to reflect a rapidly expanding medium of publishing and to safeguard the preservation of UK publications.

However, I should like to reflect the concerns of those who have raised objections about the apparent hastiness in drafting the Bill. We have only one opportunity to implement this worthwhile measure, so we must endeavour to do so with caution, due consideration and, above all, proper and full consultation with the groups that will feel the impact of our decisions today.

We shall be looking to improve the Bill in Committee so as to reflect the concerns expressed by the publishing community. Without its full and unconditional support, such a Bill will probably be unworkable, and we will not be giving the Bill unconditional support in future if those issues have not been properly and satisfactorily addressed. Perhaps the Minister could indicate that he is both aware of those recent difficulties and prepared to address them in due course.

1.23 pm

Linda Perham (Ilford, North): I congratulate my hon. Friend the Member for Ipswich (Mr. Mole) on his good fortune and his excellent choice of measure to champion.

I am a chartered librarian who worked in public, workplace and academic libraries for 30 years before my election to this place. I also chair the all-party group on libraries and information management, which was formed in 1998 on the initiative of the Library Association, now reborn as CILIP, the Chartered Institute of Library and Information Professionals.

The clear and sustained support of both the Secretaries of State who have held the post since 1997, and their Arts Ministers, is much appreciated in the library world. I hope that the Minister who is present today is willing to assist the passage of my hon. Friend's

[Linda Perham]

Bill, which seeks to address a key issue that affects the availability and preservation of material vital to the pool of knowledge world wide.

I am especially pleased to be speaking on a Bill about libraries. A survey carried out a few years ago discovered that visiting libraries was the fifth most popular pastime in the UK, after visiting the pub, eating out, driving for pleasure and eating out at a fast food chain. In 1998 the Prime Minister said:

> "The Library is a platform for self-development, a gateway to knowledge and a catalyst for the imagination".

The excellent May 2000 report on public libraries by the Select Committee on Culture, Media and Sport said:

> "Libraries are one of the longest-established and most popular and valued public services ... the ubiquitous public libraries network is underpinned by the national libraries and archives".

The Bill would ensure that valuable material is not lost for present and future seekers of information and knowledge just because it is in a non-print format. My hon. Friend the Member for Ipswich has already covered the materials that do not yet require legal deposit; the number of information sources that are being wiped out is staggering.

The Culture, Media and Sport Committee report to which I referred said that libraries would have to provide both electronic and book material. Almost six years ago, the Government committed themselves to establishing the public library information technology network to promote lifelong learning, public access to knowledge and social inclusion. The people's network project, which has come via the New Opportunities Fund, provides an information and communications technology learning centre that offers access to materials and ICT training opportunities in each of the UK's 4,300 public libraries.

If we are raising public expectation of access to the world wide web and delivering the means to do that in local libraries, how can we afford to allow so many rich sources of information to disappear, literally into the air, by letting slip the opportunity to preserve non-book material? Our legal deposit libraries must have such material, to ensure that a full range of media are archived and accessible to meet the thirst for knowledge in a changing world.

Legal deposit in this country—in England, more specifically—will celebrate 500 years of existence in 2010. It started with Sir Thomas Bodley, the scholar, diplomat and alumnus of Oxford university. He devoted himself to re-establishing the university library, which was reopened in 1602 and renamed the Bodleian library in his honour. He negotiated a deal with the Stationers Company to build up the library's collections, and in 1610 the company agreed to send a copy of every new book registered at Stationers Hall to the Bodleian. Although I am an Oxford reject—and a Cambridge and Bristol reject—I have nothing but praise for the Oxford graduate who began the process of preserving material for wider use.

Mr. John Bercow (Buckingham): Will the hon. Lady give way?

Linda Perham: I am afraid that I do not have time.

The first Copyright Act was passed in 1709, and further Acts followed in 1801, 1814, 1836 and 1842. The 1814 Act required the deposit of items within a month and the penalty for non-compliance was £5—the equivalent of £200 today—plus the value of the book and all legal costs. However, the Bill would amend the Copyright Act 1911, which, as my hon. Friend the Member for Ipswich said, is the latest legislation that covers legal deposit. Meanwhile, the comprehensiveness of our national intellectual archive is becoming seriously deficient.

Publications deposited in the British Library are preserved for the benefit of future generations. They are added to our national heritage and are available in the library's reading rooms. They are recorded in the British Library public catalogue, which is accessible on the internet, listed in the "British National Bibliography" and used by librarians and information managers, and by the book trade for stock selection. The catalogue is available in print, CD-ROM and online formats and it has a worldwide distribution.

The British Library is not only a unique resource for scholars but a gateway to the world's knowledge. A great part of its mission is the dissemination of knowledge, and that is dependent on the delivery of electronic services.

The British Library received more than 5,000 responses to a consultation carried out in 2001, and 85 per cent. of respondents agreed that the library should increase its collections of digital material. One of the priorities decided after the consultation was the creation of an integrated technical system to provide access to printed and digital material. The British public and the wider world need to be able to access the whole spectrum of knowledge, irrespective of its format. The Bill promoted by my hon. Friend the Member for Ipswich is well overdue, and we must not lose the chance to extend the range of media that is subject to copyright. I urge hon. Members to support the Bill.

1.29 pm

Mr. Richard Allan (Sheffield, Hallam): I am glad that the hon. Member for Ipswich (Mr. Mole) has decided to update a law introduced by that most reforming and enlightened Government in 1911. My colleagues and I will certainly support him.

The hon. Member for North-East Cambridgeshire (Mr. Moss) rightly mentioned the significant role of the British Library, and pointed out that it was far more than just a building in the St Pancras area. It is also a large facility in Boston Spa in Yorkshire. I know that because my dad used to drive minibuses full of Sheffield university students there. Its importance is growing, in that it extends the physical reach of the British Library and also underpins much work in the higher education sector.

In a letter to me, Bob Boucher, vice-chancellor of Sheffield university, said something worth quoting:

> "From a higher education perspective, it is my opinion that strengthening legal deposit is a key step in underpinning our increasingly knowledge-based economy; and that there will be long term benefits for UK competitiveness."

We need to make people aware of that broader scope. The demands we are making of publishers are being made for the wider benefit of the United Kingdom economy.

I must thank the British Library officers who not only briefed me on the Bill but allowed me to be distracted by mediaeval illuminated manuscripts. Some of those, interestingly, will be covered by the Bill. One of the best ways of issuing such manuscripts for people to see is via CD-ROM, and the library has some wonderful systems. I hope that legal deposit will mean that the work of anyone in the UK who publishes a mediaeval illuminated manuscript will find its way into our legal deposit libraries. The Bill strikes me as an important step involving material from the very old to the very new.

I congratulate the hon. Gentleman on introducing his proposed measures via regulations. The hon. Member for North-East Cambridgeshire rightly said that we should ensure the continuation of the excellent co-operation between publishers and libraries through voluntary agreements. We do not want to place too heavy a burden on publishers. There are some very difficult technical issues: for instance, what defines publication? That is clear enough in the printed world, but not so clear in the non-printed world. I do not think that tidying up such issues could be done in the Bill directly rather than through regulations, given a rapidly changing technology.

Mr. Bercow: Given that clauses 6 and 8 of a 12-clause Bill provide a regulation-making power, would the regulations be subject to the affirmative procedure in the House or to its negative counterpart?

Mr. Allan: We will tidy up such issues in Committee—and, as the hon. Gentleman knows, one of the concessions that the Opposition can often screw out of the Government is the changing of a negative to an affirmative resolution. I think I have made it clear that in this instance, as in many involving technical issues, regulations are appropriate regardless of how they are introduced—but I look forward to teasing out the answer to whether an affirmative resolution, a negative resolution, or a "maybe" resolution somewhere in between, is the most appropriate option.

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): In fact, it will be an affirmative resolution.

Mr. Allan: I thank the Minister for clarifying the matter. We can claim an Opposition success at this early stage.

I hope we can work with bodies that are already trying to deal with some of these issues. There is a huge amount of expertise out there. Sheffield university tells me that it already has a close relationship with the British Library through a

> "joint Concordat, which fosters collaboration in a range of technical areas and underpins research".

There is a lot of technical co-operation between university libraries, which are also at the forefront of the process of receiving electronic publications. A vast amount of work, especially scientific work, is already received in that form. Sheffield Hallam university has, in its Adsetts centre, a library specifically designed to cope with either electronic or print media.

The expertise exists to reconfigure the whole library according to the balance between the two.

I would also like to refer the hon. Member for Ipswich and the Minister to what is going on in industry. It is interesting that certain bodies are now trying to come up with cross-industry standards, particularly using systems such as extensible markup language—or XML, to use a terrible three-letter acronym—as a way of defining how data can be stored so that it can be retrieved in the future. Companies such as the Boeing corporation, which is designing planes with a far longer lifespan than the programmes used to produce the documentation for them, are having to tackle these issues now, and are trying to come up with open standards.

One positive spin-off that I hope will come out of the Bill is that if these common standards and interfaces are being advanced for legal deposit purposes, there could well be a beneficial effect on publishers in general, in that it would encourage them to use that standard for their general work and storage. for example, it would make their collections more valuable if they chose to sell on the copyright in the future if it was held in those commonly defined standards. There is, therefore, a huge amount of work in the academic and industrial sectors that can be drawn on. I am sure that the hon. Gentleman will receive widespread support for his Bill, and I wish him every success in taking it forward.

1.36 pm

Mr. Michael Fallon (Sevenoaks): I, too, support the Bill, which, as others have said, updates the 1911 legislation and extends the scope of depositable materials to encompass the new technologies and the online publications and websites that have been referred to. If only 50 per cent. of this kind of material is being deposited on a voluntary basis, we are left with a real difficulty, because it is not always possible to determine now what might be of value to future generations. That is the important distinction between voluntary and compulsory deposit schemes. If we believe in the value of deposit, we have to be prepared to keep the nature of the material to be deposited under constant review. There is no doubting the importance of online publications and websites—they represent a huge part of academic publication—and I am sure that the changing web editions of newspapers will be of value to future generations. They are cultural artefacts—although they may not appear so now—just as the votive tablets found around Greek shrines, or the letters retrieved from Hadrian's wall, were cultural artefacts.

The hon. Member for Ilford, North (Linda Perham) reminded us that the history of compulsory deposit went several centuries further back than 1911. In a way, it goes back even further. The founder of the very first library, Ashurbanipal of Assyria, appears to have requisitioned tablets from private collections when establishing his library, and when the Ptolemys came to set up their new library at Alexandria—a new city, with no existing booksellers or books—they sent agents to the docks to requisition by compulsion any copies of books that were found on the ships. The books were copied and returned to the ships, or in some cases kept and copied, with the copies being made available to their owners. So there is nothing new about the history of compulsory deposit.

Several tests should be applied to the Bill. Is its new scope reasonable? Will it be burdensome? How will the material deposited be protected from copying? What are

[Mr. Michael Fallon]

the powers of regulation? So far as the scope is concerned, it seems reasonable. The draftsman has done his best to reconcile the style of the statute with the modern world of new technology, although he seems to have copped out slightly on the definition of all this material, which he defines simply as

> "work published in a medium other than print".

That is perhaps a clever alternative to defining it himself. I certainly regret his use in clause 6 of the Americanised spelling of the word "programme". I think that we could have avoided such spellings in British legislation, and perhaps the Minister could help us with that in Committee.

Will the legislation be burdensome? A thorough regulatory impact assessment has been deposited in the Library, as the promoter of the Bill has told us. Option 2 seems to detail some quite considerable costs, but goes on to point out that they will be outweighed in the end by the benefits. I am certainly content with that. Will the new material to be deposited be fully protected from abuse? The publishers will want more assurances that original work is to be protected, not least because so many matters are left to regulation, although I am sure that that can be explored further in detail in Committee.

I am glad that the powers of regulation are future-proofed, because we cannot be sure which even newer technologies we may have to encompass in 30, 40 or 50 years. I am reassured, too, that, as the Minister pointed out, most of the powers would be subject to the affirmative resolution procedure, which affords some protection.

There has been criticism this week of the haste with which the proposals have been produced, but it might be fair to say that the Bill has been a long time in the making—it was, as I think the promoter said, first proposed some seven years ago. The House has a rare opportunity to update copyright law, which is not a subject that commands priority time. It is remarkable that the Copyright Act 1911 has stood the test of time for so long, but we owe it to the supporters of that Act to ensure that it is kept up to date. I for one find it refreshing that a society that may be on the eve of war can make time to consider its cultural capital and ensure that the processes of cultural transmission are improved rather than weakened. I support the Bill.

1.41 pm

Mr. Simon Thomas (Ceredigion): I shall be brief. I, too, support the Bill and welcome its introduction by the hon. Member for Ipswich (Mr. Mole). I do not have 30 years' experience as a librarian, which the hon. Member for Ilford, North (Linda Perham) has, but I worked for several years in the national library of Wales in Aberystwyth, which is in my constituency. What is more, I worked not with books, but with non-print materials—the electronic media. I am perhaps the only Member here who has dealt with acquiring, cataloguing and archiving those materials, so on that ground too I welcome the Bill.

It is also right to point out that on 1 April the new National Assembly body for supporting libraries and archives in Wales, CyMAL, will establish itself, again in Aberystwyth, where, of course, we have the college of librarianship as was, which is now the school of information studies. We have a real sense of knowledge and expertise, particularly on the technical, information and archiving sides, which I hope and expect to be rolled out to support the Bill and work done with other libraries in the UK, and the British Library in particular.

I want to make two brief points. First, we will be at risk of suffering a cultural loss if we do not pass the Bill. I shall give an example. If Members want to know my party's current political thinking, they will find nothing in print, not because we do not have any political thinking, before anyone butts in, but because our deliberations and publications are all on the web. Our political organ is Tribancoch.com, and these days it is published only on the web.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Thomas: Time does not allow, I am afraid. I want to conclude, and the hon. Gentleman's Bill is up next.

Wales Watch was the only satirical publication to give an alternative view of Welsh politics—unfortunately, it has just ceased publication—and, again, it was available only on the web, not in the printed media. The Minister, who represents Pontypridd, may not be interested in reading about Plaid Cymru on the web, but I know that he would be interested in the gwlad rugby website, which is the main forum for discussion of Welsh rugby in Wales. Again, it is available only on the web.

I shall give a final example in this regard. No Welsh language daily newspaper is published in Wales in print—there are only weekly and monthly publications—but the BBC prints a daily Welsh language newspaper on the web, which is called Cymru'r Byd. It appears on the BBC website every day, and is updated every few hours or so.

As Members all round the House have said, a range of cultural artefacts is about to disappear, but the national library is printing some of them, which is interesting: a library is printing material that will be collected by other libraries. Peter Lord has produced an excellent publication entitled "The Visual Culture of Wales" under the auspices of the centre for Celtic studies. It is published in print, but the CD format is, of course, much bigger and it carries more pictures and allows more exploration, so it is substantially different from the book. It gives a wider view of the visual and cultural history of Wales. As the hon. Member for Sheffield, Hallam (Mr. Allan) mentioned, the national library publishes its own visual items—print collections, map collections and pictures—on the "Gathering the Jewels" website.

Two things arise in connection with the detail, but I will not go into the detail now. We will do so, I hope, in Committee after the Bill receives its Second Reading. The first difficulty we need to explore is technology. The most famous example is the BBC's Domesday book project. Having been collected through schools and colleges—young people throughout the United Kingdom were involved—the material was unable to be read by the new Acorn computers.

It has taken the BBC years and years to reconstruct the book. It is now available, I understand, but as someone who collected that material I know how easy it is for it to become out of date. We collected computer programmes and computer games. I am sure that it is not possible to play those games any more. It is easy to see how we played chess with the Lewis chess men. It is not so easy to see how we played computer games in the mid-1980s or 1990s. That is a key question. Technology and squaring that circle will be important.

I would like the Bill to place as much emphasis on the expertise of librarians and archivists as possible. We have a possible way forward in the way in which, not the British Library itself, but the other copyright libraries have gone after certain material. They have had to be aware of what is out there in order to collect it. To a certain extent, that was always going to happen with electronic publication. It is the expertise of the archivists and librarians that will identify the publications that are out there and seek to collect them.

The final point is not a frivolous one; it needs to be said. The most popular publication on the web at the moment is pornography. The most popular searched term is probably Anna Kournikova, babe or something like that. Pornography is collected by the British Library and other libraries. It is a publication. Therefore, collected electronically, it will come within the ambit of the measure.

We must be aware of that as we debate and discuss the issue in Committee. I will not go down that track now, but we need to be aware of it. I will not mention Mr. Desmond or anyone else at this stage. I say simply that that is a real issue which will face anyone who is collecting electronic media. With those few words, I hope the Bill receives its Second Reading.

1.47 pm

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): I congratulate and thank my hon. Friend the Member for Ipswich (Mr. Mole) on and for securing time for the Bill. I am delighted to be present to offer the Government's support and doubly delighted to hear the hon. Member for Ceredigion (Mr. Thomas) tell us about the vast collection of pornography in Aberystwyth at the national library of Wales.

The purpose of the Bill is to provide a framework for the safe keeping of our national intellectual output for future generations. Over the past three years, publishers and deposit libraries have been working collaboratively using the voluntary code of practice to manage the deposit of non-print material. That has enjoyed some success, as we have heard. Recent research shows that, under the voluntary deposit scheme, the British Library receives around three quarters of non-print monographs and up to half of all electronic UK publications. That improvement is due in substantial measure to the good work of publishers and deposit libraries through the joint committee for voluntary deposit, which has performed such a good job in overseeing the operation of the code and solving emerging issues.

It was always the intention that the voluntary scheme for depositing non-print material would be temporary. The growing non-print publishing industry means that if we do not have powers to provide for deposit of its products in future, we risk losing the opportunity to capture an important part of the national archives. Indeed, there has already been a tangible loss, as we have heard from hon. Members. While the voluntary scheme is a vast improvement on the situation of three years ago, it is still not sufficient to safeguard our intellectual heritage. Each day that goes by without a statutory base for the deposit of non-print material sees the loss of published works whose value in the future could be incalculable. The loss of this material to future research should not be allowed to continue.

The Bill provides a solution. It will ensure that the nation's published output—both in print and non-print—will be collected and stored for the benefit of present and future generations. The Bill provides for two systems, one for print and one for non-print. I reassure the hon. Member for Ceredigion that the system for print will carry on as before. It is in the area of non-print material that we are seeking to break new ground.

I fully recognise the expressions of concern from the hon. Member for North-East Cambridgeshire (Mr. Moss), who said that we need to proceed carefully and to take full account of the interests of electronic publishers and rights holders. In any future regulations, we would need to get the correct balance between the legitimate needs of the national archive, which can be expected to vary in accordance with different classes of material, and the implications and costs for the businesses of publishers and other stakeholders. I am glad that he made that point.

The Bill for non-print publications will be generic, and there are good reasons for this. With the possibility of new classes of electronic publications being introduced at any time, the Bill needs to have the flexibility to allow for such changes. Without such flexibility, it is likely that the Bill would be out of date within a very short space of time. However, as I have said, when we make regulations for new classes of publication, we shall do so only after careful and meaningful consultation with publishers and other stakeholders.

Brian White (Milton Keynes, North-East): One of the key issues is the ability to read that content, so we need to ensure that access mechanisms are retained along with the material.

Dr. Howells: My hon. Friend is right and reiterates a point made by the hon. Member for Ceredigion. I am sure that I wrote several brilliant novels on an old Amstrad that I certainly cannot read now. That is a shame; the world has been denied them. My hon. Friend is right and we must take that into account.

The Bill gives the Secretary of State powers to make regulations regarding the type of material deposited, the location of deposit, timing of deposit, the number of deposited items, when items are considered to be duplicates, and the manner in which deposit libraries will provide for the access to, and safeguarding of, legally deposited material. Regulations will be made only after full consultation with the major stakeholders, in particular the publishers and the deposit libraries. That is provided for in clause 8(7).

The Bill has been prepared with a view to minimising any additional burden that may be placed on deposit libraries and the publishers. It is important that we should not introduce legislation that in any way undermines the commercial viability of publishing operations. Again, that was emphasised by the hon. Member for North-East Cambridgeshire.

[Dr. Howells]

With electronic works, the questions of illegal use surfaces more readily. That is why the proposed secure network operating between the legal deposit libraries would be so important. It would enable the legal deposit libraries to ensure access to legitimate users while managing that access closely and in co-operation.

When making regulations, the Secretary of State will ensure that the necessary safeguards for accessing legally deposited material are included so that publishers can have full confidence in the security of the system. The issues of intellectual property rights and copyright are the concern of my right hon. Friend Secretary of State for Trade and Industry, as are the business implications for publishers and other stakeholders.

I want to emphasise that the views of the publishing industry, the deposit libraries and any other stakeholders will be sought at every stage. The Bill's provisions also give special regard to the interests of Wales and Scotland. Scottish Ministers and the Welsh Assembly will be consulted on all regulations and will have the right to consent to regulations that seek to restrict their entitlements. The legal deposit system will provide for a comprehensive UK archive to be developed at the British Library, while ensuring that Scotland and Wales are able to add to their own national archives in a manner that will enhance their respective value to researchers for many years to come. The British Library will continue to work closely with the national library of Scotland and the national library of Wales in the spirit of the concordat of devolution.

In our opinion, this Bill is compatible with the European convention on human rights. I congratulate my hon. Friend the Member for Ipswich on introducing it, and I commend it to the House.

Mr. Mole: I want to do no more than welcome the wide-ranging support from Members on both sides of the House for the importance of the process of legal deposit and the institutions that support it; to observe the valid concerns of publishers—I hope that they will be addressed in Committee, and I am happy to meet publishers to ensure that they are taken on board—and to thank those right hon. and hon. Members who have spoken today and shared their expertise. I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Government Powers (Limitation) Bill

Order for Second Reading read.—[Queen's Consent, on behalf of the Crown, signified.]

1.57 pm

Mr. John Bercow (Buckingham): I beg to move, That the Bill be now read a Second time.

I am grateful to you, Mr. Deputy Speaker, to the Solicitor-General and, above all, to Her Majesty, to whom I express profuse thanks for providing consent for the introduction of this Bill. I believe that it warrants a Second Reading, and I hope that the House will give it its dutiful and sympathetic consideration today.

The essential purpose of the Bill is

> "to amend the law in relation to the permitted number of Ministers of the Crown; to limit the powers of Ministers to make certain appointments; to make provision with respect to the parliamentary scrutiny of European Union proposals and other subordinate legislation; and for connected purposes."

The background to its introduction can be simply stated. The power of modern British Governments has grown, is growing, and according to current trends will continue to grow. There is a widespread anxiety across the political spectrum that the power of Governments should be diminished or constrained, and that the tendency of Ministers to abuse the powers that they currently enjoy has grown to an unacceptable degree.

I am specifically concerned to refer, in the time available, to a number of important matters in respect of which Government power needs to be circumscribed: first, in respect of the appointment of Ministers; secondly, in respect of the appointment of special advisers; thirdly, in the context of appointments to non-departmental public bodies; fourthly, in relation to appointments to taskforces; and fifthly, in relation to the scrutiny of European Union legislation by the ordinary mechanism of the statutory instrument.

Let me deal first with the size of the Government. The Bill, which I commend to the House, would impose a limit on the number of Ministers of the Crown. Under the terms of my Bill, that limit would be 82 Ministers, with a maximum of 63 Ministers of State or Under-Secretaries of State. To give context and meaning to our deliberations, it is important to emphasise that the current Government comprise 116 Ministers—34 in excess of my generous limit. I invite the House to consider whether it really believes or supposes that the public are persuaded that a larger Government, more decision making and an increased number of Ministers have made, are making, or will make for better government.

Norman Baker (Lewes): Perhaps they at least guarantee a minimum of support for the Prime Minister in the Lobbies.

Mr. Bercow: The hon. Gentleman makes a valid point, but dare I say it is of a partisan character that I am not inclined to replicate today? This is a serious, solemn and sober measure that I commend to the House. Of course, today the Prime Minister has relatively few friends and a great many enemies, and although not all his enemies are in the Cabinet, a good many undoubtedly are.

I want to focus on the wider picture. I genuinely believe that whether a Labour or a Conservative Government are in office, the tendency to the aggrandisement of Government has been very marked for a lengthy period, and that tendency now needs to be decisively arrested and reversed.

Mr. Eric Forth (Bromley and Chislehurst): Perhaps my hon. Friend will touch in passing on the size of what we in this place call the payroll, which, as he knows, is a device whereby the Government seek to swell their own ranks in the Westminster and Whitehall context. It involves not only Ministers, but Whips, who must not be forgotten, and Parliamentary Private Secretaries, who have been much in the news recently and who all seem to be on the point of resignation over Iraq, as well as chauffeur-driven cars, private offices and all the other accoutrements of ministerial office. Will he comment on the pernicious effect of all that on the Parliament-Government relationship?

Mr. Bercow: I, too, am concerned about that relationship. The essence of that concern is that increasing the size of Government, putting more people on the payroll and constraining the capacity of individual legislators to express their personal opinions deprives the public of the authentic representative and independent-minded House of Commons, which, in a modern democracy, they ought to be able to depend on and enjoy. That is one of the reasons why I want a smaller Government and a greater independent-minded capacity to scrutinise.

I have talked about the appointment of Ministers and stated my belief that their number should be reduced. I am also extremely concerned about the massive and exponential growth in the number of special advisers, from 38 in the last year of the Conservative Government to no fewer than 81 in 2001. The cost of those special advisers to the taxpayer, who is obliged to finance those arrangements, rose in that period from £1.8 million a year to no less than £4.4 million a year. My Bill is designed to check and constrain that trend.

Mr. Michael Fallon (Sevenoaks): I hope that my hon. Friend is not suggesting that all special advisers are redundant. Does he not agree that at least two have been of value? Edmund Burke was special adviser to Rockingham—and was not my hon. Friend special adviser to my right hon. Friend the Member for South-West Surrey (Virginia Bottomley) when she was Secretary of State for National Heritage?

Mr. Bercow: I am grateful to my hon. Friend, both for his historical exegesis and for reminding the House of the relatively modest contribution that I made to the capacity of Government when John Major was Prime Minister. I did indeed serve as a special adviser. However, the way in which the role of special adviser has developed has been profoundly damaging. I say, without any hesitation or apology to the House, that when I served as a special adviser to the Heritage Secretary and, before that, to the Chief Secretary to the Treasury, I did not suppose for one moment that I had the right to countermand the professional judgment of members of the permanent civil service. I recognised that my role was to be an additional and alternative source of principally political advice to my ministerial boss. It was not for me to interfere in the professional, impartial and politically neutral—but competent—discharge of press relations work. The situation has changed in recent times, but although a code of conduct for special advisers was issued in July 2001, it is still far from satisfactory.

Norman Baker: Will the hon. Gentleman give way?

Mr. Bercow: Not at the moment.

My Bill calls for Select Committee approval of ministerial and special adviser appointments. The whole Jo Moore saga showed the extent to which the Government have been corrupted at their roots by improper and untoward behaviour on the part of people who have not the slightest understanding of, let alone respect for, the traditions of impartiality and neutrality of the professional civil service. I could willingly dilate on that point for several minutes, if not hours, but I sense that the hon. Member for Lewes (Norman Baker) is waiting—with eager anticipation, bated breath and beads of sweat upon his brow—to intervene.

Norman Baker: Not entirely! I wanted to back up the hon. Gentleman and ask whether he agrees that the most pernicious element of the arrangements for special advisers was seen when one of the first things that the Prime Minister did on coming to power in 1997 was to give two special advisers—Alastair Campbell and Jonathan Powell—executive power over civil servants. Is not such an arrangement simply indefensible?

Mr. Bercow: It was utterly improper that that should happen, just as it was wholly inappropriate for the Prime Minister—

Mr. Andrew Dismore (Hendon): I beg to move, That the House do sit in private.

Question put forthwith, pursuant to Standing Order No. 163 (motion to sit in private):—

The House proceeded to a Division.

Mr. Deputy Speaker (Sir Alan Haselhurst): I ask the Serjeant at Arms to investigate the delay in the No Lobby.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Deputy Speaker. Can you clarify whether there is any rule of thumb, standard or precedent for the amount of time that the Chair expects to elapse during a Division before the Chair asks the Serjeant or the Deputy Serjeant to investigate? I understand that last week at an equivalent time on Friday about 16 minutes was allowed to elapse before the Deputy Serjeant appeared in the Lobby. Perhaps you can help us in this matter for now and for the future.

Mr. Deputy Speaker: It is a matter of common sense that the House wishes to proceed with its business in an orderly way. The normal time for the conduct of a Division is around 12 minutes. On a day when one surmises that relatively few Members are present, it should not take longer than that. The House should proceed on a sensible basis—it should not take longer than 12 minutes for a Division to be completed.

The House having divided: Ayes 0, Noes 19.

Division No. 114] **[2:07 pm**

AYES

Tellers for the Ayes:
Mr. Andrew Dismore and
Ann Keen

NOES

Allan, Richard
Baker, Norman
Bercow, John
Calton, Mrs Patsy
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Forth, rh Eric
Francois, Mark
Gidley, Sandra
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Grieve, Dominic
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Jenkin, Bernard
Lilley, rh Peter
Maclean, rh David
Wiggin, Bill

Tellers for the Noes:
Mr. John Heppell and
Dr. Phyllis Starkey

Question accordingly negatived.

It appearing on the report of the Division that fewer than 40 Members had taken part in the Division, MR. DEPUTY SPEAKER *declared that the business under consideration stood over until the next sitting of the House.*

Mr. Bercow: On a point of order, Mr. Deputy Speaker. Given the legitimate concern of all right hon. and hon. Members about the esteem or lack of it in which the House is held by the wider public, and in light of the fact that this country could be on the brink of a declaration of war, are you aware of any precedent for an hon. Member—in this case, the hon. Member for Hendon (Mr. Dismore)—seeking to deny the right of another hon. Member to develop the argument in support of a Bill to circumscribe Government powers, through a piece of jocular parliamentary game playing? I seek your guidance on that important matter, the more so, I must add in parenthesis, in light of the fact that my mother has the singular misfortune to be the hon. Gentleman's constituent.

Mr. Forth: Further to that point of order, Mr. Deputy Speaker. The matter is worse than my hon. Friend has described. I am sure that I witnessed Government Whips seeking to prevent or dissuade Government Members from entering the Lobbies, a matter which surely must be proven beyond doubt by the fact that although the hon. Member for Hendon (Mr. Dismore) sought to exclude the public from our deliberations through his spurious motion a moment ago, you have declared that there were no votes in favour of his motion, not even his own. On the basis of what Government Back Benchers, in collusion with Whips and indeed Ministers, have just done in this House of Commons, surely the House is left hovering on the edge of disrepute. Is there nothing that can be done to prevent this sort of abuse?

Mr. Dismore: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. I think that I can probably deal with this.

The hon. Member for Buckingham (Mr. Bercow) and the right hon. Member for Bromley and Chislehurst (Mr. Forth) will not expect me to have an encyclopaedic knowledge of every event that has occurred in the Chamber and in the Division Lobbies in past years, but I think that I can safely say that what has happened is not without precedent. With regard to what may happen outside the Chamber in terms of persuading right hon. and hon. Members whether and how to vote, there has been a multitude of precedents for such encouragement. We should now proceed.

Sex Discrimination in Private Clubs Bill

Order for Second Reading read.

2.27 pm

Mr. Chris Mole (Ipswich) *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Does the hon. Gentleman have the permission of the hon. Member for Gloucester (Mr. Dhanda) to speak on his behalf?

Mr. Mole: I was about to say that, with the leave of the hon. Member for Gloucester (Mr. Dhanda), I beg to move that—

Mr. John Bercow (Buckingham): On a point of order, Mr. Deputy Speaker. I am sorry to trouble you, and I certainly do not want to test your legendary stoicism and patience, but is it proper practice for a Bill's promoter not only to be absent but to have arranged for another hon. Member to speak on his behalf, and to fail to apologise for, still less to explain, that absence? This is an extraordinary abuse of parliamentary procedure.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Mr. Deputy Speaker. A moment ago, you referred to precedent and practice in the Chamber. I think that you will agree that I am a pretty assiduous attender on Fridays in particular, although I like to think that I am an assiduous attender on every sitting day of the House, but I cannot myself remember the last occasion on which an hon. Member with a Bill on the Order Paper on a day such as this, that Bill having been manoeuvred into place by that hon. Member's colleagues, apparently casually failed to be here and did the House the dishonour and disrespect of passing the buck to one of his colleagues who is here in his place. Is there nothing that can be done to defend standards in this House of Commons? What on earth is going on these days when hon. Members are apparently so casual in their attitude to their responsibilities?

Mr. Deputy Speaker: It is certainly not without precedent. Indeed, it could even be said to be quite a regular occurrence that an hon. Member asks another hon. Member to move a Bill on his behalf. That is not unknown. On this occasion, I understand that Mr. Speaker was notified in advance. As to any special circumstances applying on this particular day because of other procedures followed by hon. Members, I cannot say whether that adds to or subtracts from the occasion, but it is not unknown for one hon. Member to speak in place of another.

Mr. Bercow: Further to that point of order, Mr. Deputy Speaker. Further to your ruling, I am concerned about the propriety, in the widest sense, of the procedures of this House and the proper observation of etiquette. May I trouble you to advise the House whether, in terms of conformity with the usual courtesies, it is acceptable for a substitute Member to request a Second Reading for a Bill without any explanation of, let alone apology for, the absence of the promoter?

Mr. Deputy Speaker: I think that the hon. Gentleman did not give the hon. Member for Ipswich (Mr. Mole) the chance to make any such remarks, as he may have been disposed to do.

To be read a Second time on Friday 4 April.

Remaining Private Members' Bills

FOOD LABELLING BILL

Order read for resuming adjourned debate on Question [7 March], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 11 July.

CROWN EMPLOYMENT (NATIONALITY) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 21 March.

Ciproxin

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Heppell.]*

2.31 pm

Sandra Gidley (Romsey): I welcome the chance to put before the Minister my concerns about a clinical trial that took place in 1993 and 1994 in Southampton general hospital and other hospitals throughout the country. While some may think that there is no advantage in raking up history, some serious questions about the trial remain unanswered. Those questions are not only about the actions of Southampton general hospital, but cover wider aspects of the nature of clinical trials and how the safety of the public is safeguarded.

I was first alerted to this issue by a constituent, Dr. Steven Karran, who was at one time a member of the ethics committee at Southampton general hospital. At that time, I did what most constituency MPs would have done and wrote a number of letters about the subject. What then concerned me was that my letters to Bayer, the drug company, were not satisfactorily answered. A similar situation arose with regard to my letters to the Medicines Control Agency. Finally, when I asked the medical director at Southampton general hospital for an appointment to discuss the issue, I was passed from pillar to post, and to this day, that discussion has not taken place.

I should like to stress that that is highly unusual. In all other matters, staff at the hospital have been unfailingly helpful and they are usually only too willing to discuss whatever concerns I may have. Needless to say, I smelt a rat. Hence, I requested today's debate in the hope that the Minister would be able to obtain satisfactory answers where I have so far failed and that he would not be fobbed off as I have been.

I need to set this story in context, as some of the events leading up to the clinical trial in question are of great significance. I shall use the term "Ciproxin" to describe the drug throughout this debate. That is the easier-to-say brand name of a drug called ciprofloxacin, which is an antibiotic with a wide variety of uses. The drug is made by a company called Bayer.

The story starts in 1987. At that time, the ethics committees in Wessex were informed by Bayer that the Medicines Control Agency had issued a licence commonly known as a CTX for a 300-patient study of antibiotic protection in patients undergoing gall bladder surgery. The drug used was Ciproxin. The trial took place because Bayer was aware of something called the Flowerdew studies on a related drug, which had indicated a much higher than expected number of post-operative infections. It had also been shown that the blood levels of the drug were lower than expected, and that was thought to be the case because the drug had been administered at the same time as other pre-meds—drugs that are given in advance of a surgical procedure involving anaesthetics.

The drug company wanted to find out what effects the pre-meds had, so the licence that was issued was conditional on Ciproxin being given 60 minutes before the administration of any of the other commonly administered drugs that are routinely given on that basis.

The interval of an hour was determined on the basis of studies of Ciproxin in the blood. The drug was administered and blood samples were taken to establish the length of time it took before the drug levels in the blood were high enough to take effect. Delaying the administration of the pre-med for an hour meant that the drug had a chance to reach a level at which it was clinically effective. That is not the case when the drugs are administered together. Giving various drugs at different times before an operation affects the demands made of staff on a busy surgical ward. If all the drugs cannot be administered at the same time, the work load doubles.

The clinical studies showed that, when given well in advance of any other pre-med, orally administered Ciproxin can provide good protection from serious post-operative infections. Bayer published those results in 1989, and staff at Southampton and Glasgow were well aware of the results.

Now we reach the interesting part. In 1992, Bayer submitted a detailed protocol to the MCA to study the use of orally administered Ciproxin to prevent serious post-operative infections caused by elective or planned large bowel surgery. The septic risk of such surgery is five times greater than that in the previous study.

Professor McArdle, who is based in Glasgow and had been involved in the earlier research, wrote and designed the study. Bayer was also involved. There is no evidence of new studies that show the earlier study to be flawed. No evidence shows that the pre-med problem was anything but real. Yet the new study, which Bayer largely funded and supervised, ignored the known pre-med problem.

If the MCA was doing its job properly, it should have known about the pre-med problem. I have written to the organisation and its letter to me is a masterpiece of obfuscation. It claims that it was not allowed to provide information because it was given in confidence. We are considering a matter of public safety and interest, but we cannot find the answers or have proof of the study's findings.

I want to ask the Minister some crucial questions. Did the MCA grant a licence to Bayer in 1992 to undertake extensive clinical trials in elective large bowel surgery, using orally administered Ciproxin tablets to prevent post-operative infection? Did Bayer declare in its licence application the problem caused by the simultaneous application of other pre-med drugs? Bayer identified that problem in 1986, and it led the company to conduct a trial in which the antibiotic was administered before other pre-med drugs. Will the Minister undertake to let me see the application so that any shred of doubt about the trial can be laid to rest?

I am not sure who constitutes the villain of the piece. Is it Bayer through acting fraudulently? Is it the MCA, which made a mistake by letting the trial go ahead? Was somebody not on top of the job, and unaware of an earlier trial? I am not sure who is covering up for whom. Despite all the known doubts, the MCA issued a CTX to Bayer, granting it permission to undertake clinical research in 850 patients. That means that 850 patients will be put at greatly increased risk of contracting a severe post-operative infection.

There is some dispute. I have a sworn statement from Dr. Karran, who says that he has seen evidence that 46 per cent. of the 60 Southampton patients in the trial were adversely affected and contracted post-operative infections. However, in a letter to me, Bayer claimed:

> "The results of the study as a whole also indicate that the rates of post-operative infections were similar between patients receiving ciprofloxacin . . . and those receiving the other, commonly used antibiotic combination. The rate of early post-operative wound infection, the primary goal of this treatment, were low and equivalent in both treatment groups."

I have not seen Dr. Karran's proof, but I am acutely aware that Bayer has been selective with its language in its letter to me. It cites only early post-operative wound infection. Clearly, other sorts of infection are associated with bowel surgery, but they have been specifically ignored. I also find it especially worrying that Bayer has not released the results of the research. Why not?

Before I became a Member of Parliament, I was a pharmacist. I was regularly inundated with drug representatives' glossy literature, which selectively quoted bits and pieces of the latest research that showed their product in a marginally better light than its competitors. This job can make one cynical, but I suspect that if the results of the trial had shown Ciproxin to good advantage, the research would have been published.

That raises another fundamental question that has a significant impact on public safety. Should the onus not be on drug companies to publish the results of any clinical trial, so that the information is in the public domain and can inform the wider debate? The answer that is always given is "commercial sensitivity". I understand the need for that in the short term, but the argument does not stand up in regard to the longer term. What price do we actually put on patients' safety?

Dr. Karran was on the ethics committee at Southampton hospital when the 1992 proposal was presented to the hospital in October 1993. He had been involved in the previous trial, and was therefore well acquainted with the potential problems of the proposed trial. Once aware of those problems, the ethics committee rejected the original protocol.

In an attempt to be helpful, Dr. Karran said he would be happy to support the trial if the Ciproxin was given separately from the other drugs. The professor in charge of the trial told the committee that the Southampton amendment would be followed by him and his research team. The study was therefore approved on the amended basis only. Bayer failed to act until June 1994. At that stage it admitted the existence of a potential problem, and informed all ethics committees of hospitals taking part in the trial except the one at Southampton. Why did it wait so long?

It may be asked why there was a problem if the protocol had been rejected. Unfortunately, in November 1994 Dr. Karran realised that the trial was going ahead under the rejected protocol of 1992 rather than the revised protocol of 1994. That was particularly serious because at the time most patients at Southampton received at least one of the pre-med drugs known to cause problems. A leaflet issued to patients undergoing the trial told them that they would be well protected against all post-operative infection—not just the wound infection that Bayer mentioned. Bayer denied that, but I have seen a copy of the letter given to patients. It says

> "Either way you will receive medication with an active substance so that you are well protected against any post-operative infections".

Bayer also claims that it has a letter from the Southampton ethics committee giving approval for the original trial.

This is where it all starts to get a bit murky. Dr. Woodcock, who was secretary of the ethics committee at the time, wrote to the professor in charge of the trial at Southampton saying that the trial could go ahead subject to the necessary amendments. The professor wrote a letter in reply, parts of which were read out at an ethics committee meeting. Dr. Karran was under the clear impression that Bayer was happy to go along with the amendment. No one saw anything in writing at the time, but the decision was minuted.

It is alleged that Bayer contacted the professor in charge of the trial saying that it did not want to change the protocol, and could not proceed until the objections were released. Indeed, it is said that Bayer refused to supply the drugs until that was done. There is obviously a financial aspect, but I will be honest and say that it is not my major concern and I do not know what payments have been made and to whom. Anyway, the unamended trial went ahead somehow. Dr. Karran found out about it by chance in November 1994. The patients involved in the trial had all been informed in writing that the protocol had been approved by the Southampton ethics committee, which clearly was not true: the protocol used was the one that had been rejected.

That constitutes a major violation of the declaration of Helsinki—the European code of good practice. The first basic principle states

> "Biomedical research involving human subjects must conform to generally accepted scientific principles and should be based on adequately performed laboratory and animal experimentation and on a thorough knowledge of the scientific literature."

That clearly did not happen in this case. The fifth principle states

> "Every biomedical research project involving human subjects should be preceded by careful assessment of predictable risks in comparison with foreseeable benefits to the subject or to others. Concern for the interests of the subject must always prevail over the interests of science and society."

Clearly that principle was not followed either.

Bayer withheld critical safety information. It successfully deceived all other ethics committees in the UK and the Netherlands, as well as a number of physicians, nurses and pharmacists. Why did it all happen? It is often useful to consider motivation when trying to get to the bottom of a problem. Bayer's motivation is clear. Antibiotic cover for surgery was usually given by injection, which was costly and time-consuming. If the injection could be replaced by a tablet that was easy to administer, there would be a comparatively simple and cheap alternative—and the Minister knows as well as anyone the financial pressures on the NHS and our hospitals. There was huge sales potential if a licence could be obtained for oral use of the drug for routine prophylaxis. Hence the trial.

Unfortunately, the drug's potential was spoilt because it could not be given at the same time as other pre-med drugs, and the inconvenience to staff presented

[Sandra Gidley]

a major hurdle. There was, therefore, a huge incentive to try to establish a trial during which the administration of the drugs was not separated. Unfortunately, commerce appeared to win over ethics, with a drive to operate the trial in the manner that Bayer wanted rather than in the manner that the Southampton ethics committee had recommended.

The motivation of the senior medical personnel at the hospital at that time is less than clear. Medical trials are usually expensive and bring a certain amount of kudos, although, as I have said, I have not looked at that aspect of the case in depth. The motivation of my constituent, Dr. Karran, is clear. I have now known him for nearly three years, and his story has not wavered in a single detail. Quite simply, he wants the record put straight. The motivation of the senior management of the hospital is also unclear, but this appears to be one of those occasions on which serious doubts were raised by Dr. Karran, but not properly investigated. There has been an internal inquiry, but no one has really come forward. It is unclear whether the problems were financial, or whether there was a closing of ranks among a group of high-level staff.

So far as my motivation is concerned, I was originally helping a constituent, but, as time went on, I became intrigued by the lack of co-operation from some agencies and the lack of information coming from the Medicines Control Agency; there was an almost complete wall of silence. I then realised that the case could have wider implications, and that lessons could be learned that would be applicable to the many other clinical trials taking place at the moment. The MCA's behaviour in this matter does not inspire consumer confidence. The agency should protect the public from fraudulent and potentially misleading information, but it has clearly failed to do so in this case. Whether that was through incompetence or by deliberate intent is unclear. The public audit trail is non-existent, so it is almost impossible to get to the bottom of this matter. Do not the public deserve better?

I am also concerned about the actions of Bayer. As I said earlier, I believe that, in the interests of public safety, details of all clinical trials should be in the public domain. The current position is that the MCA has investigated its files but has repeatedly refused to disclose the relevant information, citing confidentiality and the code, although it has intimated in writing that the information provided by Bayer and McArdle in 1992 for the colorectal CTX was incomplete. We know that a licence was issued by the MCA, but one critical question remains unanswered. When making that application, did Bayer declare the problem caused by the simultaneous administration of other drugs used for the pre-operative preparation of patients? Does the Minister agree that, if Bayer did not declare the problem, its action was fraudulent and that some sanction should be taken against the company? If the problem was declared, will the Minister undertake to provide me with a satisfactory explanation as to why the MCA allowed the trial to go ahead, knowing the risk to the public? Who made that decision, and how could that person justify putting the lives of up to 800 patients at risk?

2.47 pm

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I congratulate the hon. Member for Romsey (Sandra Gidley) on securing this important debate. The allegations about the Ciproxin trial at Southampton general hospital that we have heard today have, as she knows, been the subject of previous—and ongoing—investigations. She will understand that, for that reason, it would be inappropriate for a Minister to comment substantially on the case. I understand that Lord Hunt also declined to comment on the case in responding to a letter from the hon. Lady in May 2001.

The case has now gone on for some considerable time—since the beginning of the last decade, in fact—and to comment might prejudice any current or future proceedings. I also understand from correspondence that some of the issues raised in this debate have previously been investigated by the police, the General Medical Council, the Southampton university hospitals trust and, of course, the Medicines Control Agency. Because those organisations are best suited to judging the scientific and ethical issues raised by the hon. Lady, I am not prepared to say any more about the Ciproxin trial. However, an important question that arises from this debate is whether patients volunteering for clinical trials are adequately protected by the procedures and guidance that is currently in place.

I respect the integrity and sincerity with which the hon. Lady put her argument, but she will understand that the matter involves a considerable history.

Sandra Gidley: I am aware that there have been investigations, but the problem is that the results are not in the public domain, so how can any member of the public be satisfied that due procedures were followed and that there was nothing fraudulent about the trial? I would be happy if someone showed me the information and said, "Here it is, Sandra. Go away and don't bother us any more." That has not happened, and we have come up against a brick wall.

Mr. Lammy: What I will say is that I will attempt, within the law and within the practice of the House, to answer some specific questions as far as I can, although I remind the hon. Lady that I am treading lightly because this is extremely delicate ground.

First, what are the outcomes of the various investigations? Information on the police and GMC investigations has not been made public, and the hon. Lady is right when she says that. Southampton university hospitals trust has completed a thorough investigation and concluded that there is no evidence to support the substantive allegations made by Mr. Karran on the Ciproxin trial. Professor John Primrose is a senior consultant who was involved in the trial. There was a minor breach of research protocol, which was raised with Professor Primrose, but no further action was required.

Sandra Gidley: Can the Minister say what the minor breach of research protocol is? If the breach is the fact that the wrong trial went ahead, I would not regard it as minor.

Mr. Lammy: I can undertake to ask officials and lawyers within the Department, after the debate, to take a close look at some of the issues raised. I may be able to elucidate in a letter to the hon. Lady, but I must tread lightly on what is established precedent.

The MCA reviewed its records in April 2001, finding that the information that Mr. Karran alleges was deliberately withheld had been provided in another context. The agency concluded that there was no intention to mislead and that no further action was necessary. Mr. Karran has been informed of that on several occasions.

The hon. Lady will also know that, within administrative law and other areas, such decisions can be subject to judicial review and other matters, so remedies are available should Mr. Karran take issue with the conclusions that people have reached. However, I am not sure, on some of those issues, that the House is the right place to conduct, as it were, a forensic retrial or that a Minister in the Department should be involved.

The hon. Lady asks why the MCA has refused to disclose information on the clinical trials of Ciproxin to Mr. Karran. I say in response that the MCA has complied with the code of practice on access to Government information and has advised Mr. Karran of the relevant exemptions. The code provides for an internal review if individuals are dissatisfied with the agency's decisions. In addition, recourse is available to the Parliamentary Commissioner for Administration, who may decide to investigate complaints that information has been unreasonably withheld under the code. So, it may be that avenues could be pursued, but that is as far as I can go on this occasion on those issues, which have continued for some considerable time.

I return to what is an important issue: patient safety in clinical trials of this nature. The United Kingdom has long been regarded as a good place to conduct research. It is right that I put that on the record. A number of factors, such as the presence of highly motivated and educated investigators, a strong academic base, a comprehensive health service committed to research and development, well organised and funded medical research organisations and strong networks of general practitioners, have historically resulted in an efficient infrastructure for the conduct of clinical research. Many facets of that infrastructure provide protection for clinical trial volunteers. That protection has been reinforced in a number of ways since the Ciproxin trial.

The Government want to ensure that volunteers who participate in clinical trials are safeguarded to avoid any unnecessary hazards. In the United Kingdom, there are a number of safeguards in the present regulatory system, which I will describe in turn.

Sandra Gidley: Does the Minister think that the 46 per cent. of patients who suffered post-operative infections in the trial were safeguarded?

Mr. Lammy: I have said that I am not going to be pressed on the specifics. We have various agencies that are well placed to look into these matters. There have been a number of investigations. The nature of any such trial is, of course, a delicate and difficult matter. What I cannot do today is unpick an individual trial on an individual occasion. The hon. Lady knows that a number of trials take place every year with varying results.

The current system of regulation under the Medicines Act 1968 requires that anyone who wishes to test a medicine in a clinical trial must obtain a clinical trial certificate or an exemption from holding a CTC. Most trials in the UK are conducted under one or other of those exemption schemes. The MCA receives applications from companies to supply about 250 different medicines for clinical trials each year. It authorises about 800 commercial clinical trials and 1,000 non-commercial clinical trials. Studies in healthy volunteers are self-regulated under guidance from the Association of the British Pharmaceutical Industry and the Royal College of Physicians, but are expected to be regulated under the EU clinical trials directive, which I would like to mention later.

The application to the MCA must provide information on the medicine to be used, any non-clinical tests of safety, any previous clinical trials or results, or other clinical information about the medicine. The MCA's professional assessors subject any application to a robust scientific evaluation.

Sandra Gidley: The Minister has just pointed out, rightly, that people applying for a trial must submit details of known problems. He said earlier that that clearly was not done in the Bayer case. Why is there not some sanction against drug companies that behave in that way?

Mr. Lammy: I have outlined that there is a code of conduct. There is a number of avenues. Of course, the ultimate sanction is the law and our legal courts, inquiry by the police, as happened in this case, inquiry by the individual trust, as happened in this case, and inquiry by the MCA itself, as happened in this case. I realise that the hon. Lady raises these issues with integrity and because she believes that there are facts that need to be penetrated further. As she may know, I used to be a lawyer, but even so I cannot conduct a trial from this Dispatch Box. I am limited in how far I can go in this chain of inquiry—a chain that has gone on, I believe, for some nine years.

If the hon. Lady has questions other than those that were raised on previous occasions, she can raise them with my Department. Our officials and legal advisers will look into the matter and we will attempt to do what we can. However, once there has been an investigation by the various agencies, there comes a time, I am afraid, when the matter has to rest—other than judicial review or some other process that she may be aware of, but which does not occur to me on this occasion. This matter has been looked into, and the integrity of Parliament's intention to protect patients—

The motion having been made at half-past Two o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at one minute past Three o'clock.

House of Commons

Monday 17 March 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

New Deal 50-Plus

1. **Jon Trickett** (Hemsworth): If he will make a statement on the impact of new deal 50-plus on getting older people back into work. [102943]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): New deal 50-plus has been a success, and nearly 92,000 people have moved into work while claiming employment credit. Evaluation has shown that it is also helping people by giving them the increased motivation and confidence they need to find jobs. New deal 50-plus is also making a good contribution to our wider campaign to tackle age discrimination and improve the prospects of older people.

Jon Trickett: I congratulate the Government on their work in this difficult area, but is my right hon. Friend aware of the acute problems in former coalfield areas such as my constituency, where one household in four still has no one in work? That is a frightening statistic. Many are older people, former miners who were thrown on the scrap heap by the Tories when the pits were closed. Will my right hon. Friend pay particular attention in any further rolling out of the new deal to blackspots such as the one I represent?

Mr. Smith: Yes indeed. New deal 50-plus and the Government's other programmes, including the excellent work done by the coalfields taskforce in partnership with local communities, is making headway in tackling pressing social concerns. The gap between the employment rate among those over 50 and the average rate has been narrowing as fast in the more deprived regions as in the less deprived, if not faster. There is more to be done, but we are determined to build on the progress that has been made.

Mr. Nigel Waterson (Eastbourne): When will the Government do something to help people such as my constituent Jill Lambard-Brown, who has been sacked from her job as a swimming teacher by Eastbourne borough council simply because she is approaching the age of 65—although she is as fit as a fiddle, popular with families and children and very keen to carry on?

Mr. Smith: I have a great deal of sympathy for people like the hon. Gentleman's constituent. That is why we are committed to legislating to outlaw age discrimination, and why the Department of Trade and Industry is consulting on the ending of mandatory retirement ages. An important aim of our Green Paper is to encourage people who want to continue working for longer. We should make the most of the talents of all in our community, regardless of their age, and that includes the hon. Gentleman's constituent.

Pension Credit

2. **Helen Jones** (Warrington, North): What assessment he has made of the impact of the pension credit on the incomes of the poorest pensioners. [102945]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): Around half of all pensioner households will be eligible for pension credit, and, on average, stand to gain around £400 a year. In total, as a result of the Government's tax and benefit changes, the poorest third of pensioner households will be on average £1,500 a year better off than in 1997, with pensioner households as a whole better off by an average of £1,150.

Helen Jones: As my right hon. Friend will know, many constituents like mine whose incomes are just above the income support level will benefit greatly from pension credit. Sadly, however, many are still unaware that they can claim it and of how much it would be worth. What steps is my right hon. Friend taking to ensure that all pensioners who are entitled to the credit know of their right to claim, and are helped to do so? Many are put off by the need to fill in forms and so forth.

Mr. Smith: My hon. Friend makes a good point. That is exactly why we are introducing pension credit—to help those who previously just lost out because of modest occupational pension or savings income. We will make claiming simple and straightforward. Only a telephone call will be necessary: all the information is provided for the claimants, and they will not have to complete complicated forms. The forms will be sent to them to be signed. Moreover, those already receiving the minimum income guarantee will automatically be passported on to pension credit.

As for my hon. Friend's important point about take-up, since we launched our take-up campaign in May 2000, over 150,000 more people have received the minimum income guarantee, and have benefited by an average of £20 a week. We need to build on that.

Mr. James Arbuthnot (North-East Hampshire): The Institute for Fiscal Studies has calculated that about 1.6 million pensioner families will be floated on to benefit entitlement by pension credit, and therefore lose their incentive to save. About a month ago, however, the

Minister of State said that there was no inherent disincentive. Is the institute right, or the Minister of State?

Mr. Smith: That is a very easy question. The Minister of State is right. I heard what he said. He pointed out that, with the introduction of the pension credit, we reward saving where previously it was penalised. In opposing the pension credit, Conservative Members should open their eyes to the fact that they are committing to going back to 100 per cent. rates of withdrawal, which penalise saving and thrift and hit those on modest incomes hard.

James Purnell (Stalybridge and Hyde): When parents take time off work to look after their children, they get home responsibilities protection and, therefore, contributions towards their pension. When foster carers do the same, they do not get HRP, so they lose those contributions towards their pension. Foster carers do extremely important work. Often, they are struggling on low incomes. Can my right hon. Friend do anything to put that right and give them the right to the basic state pension and therefore to full pension credit entitlement?

Mr. Smith: There is widespread support in the House for what my hon. Friend says. I pay tribute to the energy and persistence with which he has campaigned on that issue. I can announce that we shall extend home responsibilities protection to foster carers, so that those years of caring count towards their pension entitlement. They do an invaluable job for this country. It is time that that contribution was recognised in the way they build up their pensions. I am pleased to give my hon. Friend the good news that we shall go ahead with that.

Mr. Oliver Heald (North-East Hertfordshire): Is it not wrong that so many of the poorest pensioners, particularly women, will miss out on pension credit through low take-up? Can the Secretary of State confirm that his projection is that only two thirds of those entitled will receive it in the first year, and that the target that he has agreed with the Treasury for 2006 means that 1 million pensioner households will still not receive pension credit? Is that the best he can do for our poorest pensioners, and how does he justify a benefit that was set up on the basis that millions of pensioners would not receive it for many years?

Mr. Smith: It is extraordinary that the hon. Gentleman should seek to berate us when we are trying to maximise take-up. The approach of the Conservative party is to take pension credit away from those people altogether. On the projections for future years, it of course depends on the numbers who will be eligible at that time but I am confident that it will be more than the 67 per cent.; that figure is purely a planning assumption. We will do everything that we can to ensure that everyone entitled to the pension credit receives it. I hope that Conservative Members will join us in campaigning for that, and not get on their high horse about abolishing it.

Andy Burnham (Leigh): In my constituency at least, pension credit has universal backing. I pay tribute to the Secretary of State and the Minister for Pensions for developing an excellent policy. Many people in Leigh have small works pensions. Many of those are former miners or their widows. They may have just received, or be about to receive, a lump sum compensation from the coal health compensation scheme. It would be unfair if those payments in respect of ill health affected eligibility for pension credit or the level at which it is paid. Will the Secretary of State assure me that such payments will be disregarded when calculating pension credit?

Mr. Smith: I can indeed confirm that such payments, which are important for the reasons that my hon. Friend gave, will be disregarded in the calculation of pension credit.

Child Support Agency

3. **Mr. Andrew Turner** (Isle of Wight): If he will make a statement on the effectiveness of the Child Support Agency. [102947]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): The Child Support Agency has steadily increased its effectiveness since the mid-1990s. In 1995–96, the amount of money going to parents with care was only £300 million. By 2001–02, it was around £770 million. The new CSA system for new cases has got off to a smooth start.

Mr. Turner: I thank the Secretary of State for that answer. Were the new system applied to all cases simultaneously, how many parents with care would gain, and what proportion would that be?

Mr. Smith: Around 60 per cent.

Mr. Peter Pike (Burnley): Does my right hon. Friend recognise that one of the biggest categories of complaints from people trying to get payments due to them under the CSA involves men who are self-employed, who can give the system the run-around and who avoid declaring the money and income that they have. Is my right hon. Friend sure that steps are being taken to ensure that the mother gets what she is entitled to in those cases?

Mr. Smith: Yes. That is a very important purpose of the reform and the introduction of the new system. Because the new system is much simpler, it will enable us to spend far fewer resources on assessing and perpetually reassessing cases. It will thereby enable us to put a lot more effort into ensuring compliance, and making sure that people pay the assessments that they are supposed to be paying. As I have told the House before, particular effort will be made in relation to the self-employed, whose compliance rates are significantly below the average.

Mr. Steve Webb (Northavon): The Government's intention was that, in cases where CSA assessment under the new system is very different from that under the old system, change can be phased in over a period of up to five years. A month ago, I drew the Secretary of State's attention to the fact that some people are circumventing that principle by opting out of the CSA and turning up three months later as brand new cases, thereby getting the entire five-year increase in one go. Has he done anything about that problem since I raised it, and given that, as my experience shows, such cases do exist, what will he do to prevent the Government's and Parliament's intention from being thwarted?

Mr. Smith: As I have explained to the hon. Gentleman before, rules have been put in place—in particular, the 13-week provision. We must have a practical way of operating that minimises the incentive for people to try to work the new system to get on to it, but which enables its operation without the addition of yet further bureaucracy and complexity—the very problems that brought the old system into such disrepute and made it so difficult to get the standards of effectiveness that are now being achieved. People on the new assessment are assessed on the much more simple, straightforward basis that we have set out: 15 per cent. for one child, 20 per cent. for two children, and 25 per cent. for additional children. That is accepted by hon. Members and by the country, on the basis of consultation, as a fair method of payment. I hope that the hon. Gentleman and his party will join us in supporting the principle that money that is due to children ought to be paid, and that they will support the new system, which will ensure that more children benefit.

Mr. Julian Brazier (Canterbury): The Government originally promised the new system by October 2001, and then by April 2002, but we now have this half-baked arrangement whereby new and recycled cases are handled under the new system, while existing ones continue under the old one. When will existing cases move to the new system? Is the five-year transition that the Secretary of State has talked about actually going to happen, and how will it work? There are both winners and losers out there who face great uncertainty as a result of continuing delay.

Mr. Smith: It is rich for the hon. Gentleman to accuse us of implementing a half-baked system, given that we have had to work so very hard to put right the utter shambles of a system, for which everyone knows the Conservatives were responsible. On reflection, he will surely accept that it is very sensible indeed to ensure that the system works with new cases before switching over existing ones. I will announce the date for doing that when we know that it can sensibly be planned for, and not before. On the five-year transition, yes, it will operate.

Means-tested Benefits

4. **Mr. Gary Streeter** (South-West Devon): What percentage of the population are in receipt of means-tested benefits. [102948]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): About 17 per cent. of individuals in Great Britain over the age of 16 are in receipt of one or more income-related benefits. This Government are committed to targeting help at those who need it most, while putting in place a range of initiatives to help people back into work, such as new deals, improvements in child care, the national minimum wage and our new tax credits. All are about making work possible, but also about making work pay.

Mr. Streeter: Once the changes in April and October come into play, will not some 40 per cent. of the population—about 20 million Britons, according to House of Commons Library figures—be subject to means-tested benefits? Does that not horrify the Minister? Rather than luring more and more people into the sticky and complicated web of welfare dependency, would it not be better to reduce the burden of tax on hard-working families and set them free to make their own choices?

Malcolm Wicks: The reality is that we are seeking successfully to get people out of benefit dependency and into work. The number of people receiving income-based jobseeker's allowance, for example, fell from 1.2 million to 600,000 between 1997 and 2002. It is wholly appropriate, however, that we support children and work, so that when people make the often difficult transition into work, we can guarantee that it pays. That is the purpose of the tax credit system.

Mr. David Willetts (Havant): Has the Minister seen today's powerful report from the Association of British Insurers, which says that eventually 80 per cent. of pensioners could be on means-tested benefits and that

"today's state pension system won't work tomorrow"?

The association joins a long list of organisations—the National Association of Pension Funds, Help the Aged and many others—that have warned about the spread of means-testing under this Government. Instead of reforming benefits and making them simpler, all Ministers do is to introduce yet more means-testing. Why will not the Government join the growing consensus that benefits for pensioners need to be made simpler, instead of introducing ever more means-testing and complexity?

Malcolm Wicks: We have published our proposals in our Green Paper on pensions. Our strategy—to reduce means-tested dependency for those who are out of work by providing them with work—is the right one. However, it is wholly appropriate that we have a strategy, for both pensioners and those of working age, to support savings and to support those who are in work, but often on low wages, through the tax credit regime. It is an appropriate and consistent strategy to attack poverty in this country.

Mr. Willetts: It is not a strategy at all. The Minister spoke of means-testing dependency for the unemployed, but it is the same for pensioners. Why will not the Minister listen to what so many outside groups are saying? Why are the Government so confident that they have got it right when everybody else is warning about the implications of their system? More means-testing means weaker incentives to work and save and a system that is so complicated that fewer and fewer people get the benefits to which they are entitled. Why will the Minister not listen to those powerful warnings from everyone else?

Malcolm Wicks: We listen to many groups. In opposition, we listened to the oldest and poorest, whom the last Tory Government did so little to support. Our targeted strategy has brought huge gains to some of the poorest and most deserving among our elders. The Opposition need to explain why they would take away pension credit from many hundreds of thousands of people who need and deserve it.

Contaminated Blood Products (Compensation)

5. **Annabelle Ewing** (Perth): When he will reach a conclusion as to the impact on the payment of social security benefit of the Scottish Executive's proposals to compensate people who have contracted hepatitis C from contaminated blood products. [102949]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): Discussions about those proposals and their impact on the payment of social security benefits are still ongoing. No conclusions have yet been reached and it would not be appropriate for me to comment further.

Annabelle Ewing: I thank the Minister for his answer, which I find deeply disappointing. He will be aware that the Scottish Parliament and Executive have made clear their wish to compensate hepatitis C sufferers. As there is already a precedent for exempting similar payments from the operation of the clawback system, why will not the Minister today confirm that Westminster will not frustrate the will of the Scottish Parliament to pay compensation to hepatitis C sufferers?

Malcolm Wicks: Although suffering from hepatitis C is a serious matter, the hon. Lady's question raises a number of complex issues, not least to do with the legal competence of the Scottish Executive. That point has been acknowledged by the Scottish Minister for Health and Community Care. We need to consider advice carefully and I am not yet in a position to make a decision.

Child Support Agency

6. **Mr. Bill O'Brien** (Normanton): How many Child Support Agency cases of arrears of maintenance payment were taken to court in each of the past five years; and if he will make a statement. [102950]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): The total number of cases taken to court in the past five years has ranged from approximately 2,800 per annum to more than 4,600 per annum. I will send my hon. Friend the precise figures.

Mr. O'Brien: My question concerns the procedure that the Secretary of State has set out on deduction of earnings orders. We are advised that, before a case goes to court, the Child Support Agency, following the directions of the Secretary of State, should ask the absent parent if a deduction of earnings order would be applicable. How many cases have been taken to court without the deduction of earnings order having been applied in the first instance? If that is happening, what will the Minister do to ensure that the regulations that have been set out by Parliament, through the Secretary of State, will be adhered to, ensuring that attachment of earnings orders are applied before cases go to court?

Malcolm Wicks: Whenever possible, it is sensible to use methods such as deduction of earnings orders before resorting to going to court. Going to court is the last resort. We have used more than 100,000 deduction of earnings orders. I know that my hon. Friend has a constituency case in mind. Obviously, I will not comment on that case now. When someone changes employer, it can be difficult to use a deduction of earnings order. In such cases, on behalf of the parent with care, we have to go to court, but we do that only as the last resort. Outside the Chamber, I will be happy to discuss particular cases with my hon. Friend.

Andrew Selous (South-West Bedfordshire): Hon. Members in all parts of the House are concerned about a minority of parents who persistently and deliberately refuse to pay child support that they are able to pay. In extreme cases, the CSA has the power to remove driving licences, but it has done so in only two cases. Will the Minister seek to ensure that that happens more frequently?

Malcolm Wicks: The purpose of the new powers is to deter. Nine people have gone to prison as a result. Others, when threatened with the loss of their driving licence, have paid up. That is the whole purpose of the policy. It is one of the weapons in our armoury to ensure that absent parents recognise their responsibilities towards their children.

David Taylor (North-West Leicestershire): Is it not the case that, as my hon. Friend the Member for Burnley (Mr. Pike) mentioned a moment ago, there are serious flaws in the CSA's recovery process in relation to self-employed people? Would closer co-operation and co-ordination between the Department for Work and Pensions, the CSA, the Inland Revenue and others not lead to more certainty in the contacting of non-resident parents who are clever at avoiding paying what they should be paying?

Malcolm Wicks: I have considerable sympathy with that point. We all have cases in our constituencies where fathers—it is normally fathers—have not paid up. Many of those people are self-employed. We are doing what my hon. Friend suggests: we now have close working relations with the Inland Revenue. It is, after all, up to the Revenue to determine the income of a self-employed person. However, in cases where there are grounds for thinking that the lifestyle of the man—or, sometimes, the woman—is inconsistent with their reported earnings, we can pursue the matter using the new powers. We have to ensure that all parents, whatever their employment status, acknowledge their responsibilities to their children.

Lone Parents (Workless Households)

7. **Mr. Andrew Mitchell** (Sutton Coldfield): If he will make a statement on the number of lone parent workless households. [102951]

The Minister for Work (Mr. Nicholas Brown): In autumn 2002, there were 707,000 workless lone parent households in the UK. Since 1997, the lone parent employment rate has increased by almost one fifth. For the first time, it is over 50 per cent. Recent independent evaluation by the National Centre for Social Research has shown that the new deal for lone parents more than doubles lone parents' chances of finding a job.

Mr. Mitchell: Why does the Minister not come clean with the House and admit that, over the past year, there has been an increase of 55,000 in the number of children in workless households? Is that not a savage indictment of the Government's failure to tackle poverty in the way that they promised—quite apart from being a breach of the solemn undertakings that were given by his party at the general election?

Mr. Brown: No, it is not. I acknowledge the hon. Gentleman's interest in these matters and I know that he serves on the Select Committee on Work and Pensions. However, he has a pretty grudging way of looking at the issues. By far and away the best way in which to help the poorest households is to ensure that a member of such households gets into work that pays and that the jobs are available. That is the direction in which we are moving and, frankly, the results speak for themselves.

Mr. Barry Gardiner (Brent, North): Will my right hon. Friend take this opportunity to confirm that 250,000 fewer children are in workless households than in 1997? Indeed, will he confirm that up to 1 million children stand to benefit from the changes to child maintenance premium to the tune of up to £10 per week as a result of the Government's recent initiative?

Mr. Brown: Of course, my hon. Friend is right. One would pay more attention to the representations of the Opposition if they could set out their alternative policies clearly. Do they want to go back to 3 million unemployed, and the 15 per cent. interest rates and 10 per cent. inflation rates that they visited on the country? People very quickly forget what happened.

Long-term Unemployment

8. **Chris Ruane** (Vale of Clwyd): What further steps he will take to help people into work in communities with high levels of long-term unemployment. [102952]

The Minister for Work (Mr. Nicholas Brown): In areas with high levels of long-term unemployment, we have introduced initiatives such as action teams for jobs and employment zones. The north-west Wales action team and employment zone, which works in my hon. Friend's constituency, has helped more than 1,100 people into work. In addition, we are building on the new deal by providing transitional jobs, through the StepUp pilots, to act as a stepping-stone for long-term unemployed people moving from benefits into work. Further action in areas with the highest concentrations of worklessness was announced in the pre-Budget report. The Government's active labour market policies have played an important part in reducing long-term unemployment by more than three quarters and youth unemployment by 88 per cent. since 1997 in my hon. Friend's constituency.

Chris Ruane: I thank my right hon. Friend for that answer. The unemployment rate in my constituency is 3.1 per cent., so unemployment has virtually disappeared. However, 44 per cent. of the unemployment is concentrated in only two wards. More than 2,500 jobs are being created six miles away on the St. Asaph business park, and excellent initiatives such as the working links car loans scheme are having an impact on transport. What additional transport initiatives can the Government take to connect the jobless with the jobs?

Mr. Brown: There are two great advantages of the action team approach. First, it is proactive and can go out and help unemployed people, rather than requiring those people to seek help. The second great advantage is flexibility, which includes underpinning transport schemes such as the one that my hon. Friend mentioned, with which he is familiar from his constituency, and more generally. I understand that the car leasing scheme is to be expanded and that, in his constituency, it will be extended to a scooter leasing scheme in April.

David Cairns (Greenock and Inverclyde): When can my right hon. Friend announce the areas chosen to pilot the Government's new pathways into work programmes? If one of those areas turns out to be in Scotland, will he assure me that he will liaise closely with the Minister for Health and Community Care in the Scottish Executive so that if unemployed people required a rehabilitation course, for example, they would be able to access one as easily in my constituency as in his?

Mr. Brown: My hon. Friend makes his representations very well, as ever. We shall make the announcement as soon as we can. I had the opportunity to visit Scotland recently and saw at first hand the good rehabilitation work that is being undertaken locally.

Pension Payments (Hospital Patients)

9. **Mr. Laurence Robertson** (Tewkesbury): If he will pay full pensions to people who are in hospital for longer than six weeks; and if he will make a statement. [102953]

The Minister for Pensions (Mr. Ian McCartney): We have already announced that we are increasing the period to 13 weeks from this October. We estimate that at any point in time some 26,000 people will benefit from the change, of whom some 18,000 will be people receiving state pension and 2,000 will be people receiving pension credit. By contrast, when the Conservative Government reviewed the rules, they introduced a standard six-week period for all benefits, including some that had previously had an eight-week rule, which meant that many people suffered detriment under that Government.

Mr. Robertson: I am grateful to the Minister for that response, but does he recognise that the problem is bigger when people have to stay in hospital much longer because of bed blocking? Is it not also a problem that other benefits, such as the disability living allowance and the carer's allowance, make it increasingly difficult for people to leave hospital? I welcome the change of the six-week rule to 13 weeks, but will the Minister review other benefits and ensure that people are not kept in hospital when they should not be there?

Mr. McCartney: Some 95 per cent. of hospital admissions for older people last less than six weeks, thank goodness, while the figure for the general population is 97 per cent. The Government are investing hugely in carers and people in the community through intermediate care, as well as funding the biggest ever investment in primary and acute care in the NHS. The hon. Gentleman's party opposes such investment and wants to make a 20 per cent. cut., so I will take no lessons from him on downrating or on investment in public services.

Claire Ward (Watford): I welcome the extension by my right hon. Friend of the number of weeks during which pensioners are still entitled to payment while in hospital. However, the payment of council tax is an important issue, particularly for pensioners in my area, who face higher payments as a result of the decision by Liberal Democrats in borough and district councils significantly to increase council tax. In addition, Conservative-controlled Hertfordshire county council is significantly increasing council tax, despite the fact that the Government have given it an above-inflation funding increase. What assistance can my right hon. Friend provide for all pensioners, as it is clear that neither the Conservatives nor the Liberal Democrats care about them?

Mr. McCartney: When I announced those changes in the State Pension Credit Bill, I made it clear that they not only applied to those who receive the basic state pension but extended to people who receive housing benefit and invalidity benefit.

As my hon. Friend says, Liberal Democrat councillors throughout the country are penalising pensioners and others by making draconian increases in council tax despite the record amount of money that they are receiving from the Government to improve and modernise services.

Mr. Tim Boswell (Daventry): Is not one of the problems when Ministers make concessions—as all parties are pleased that they have in this case—that it tends to leave unfinished business? Will the Minister consider seriously those benefits that have not been improved as a result of his alleged generosity? I think particularly of attendance allowance and associated carers' benefits. The rules are still very tight, with a limit of four weeks, I think. Does the Minister appreciate that, when an elderly person is taken into hospital, the last thing that they or their family are thinking about is whether their benefits may be clawed back? Will he reconsider whether that nasty shock may be avoided, and administrative feasibility improved?

Mr. McCartney: The change was not a concession. One of the first things I did when I was appointed Minister for Pensions was to make it clear to the organisations representing older people that I wanted to make changes in this area. I made a promise, and I kept that promise. The issues that the hon. Gentleman raises are separate. He asks about the rules on benefits that are related to people's disability and intended to contribute to their everyday living costs when they are in the community. Those costs are transferred when they have long-term illness as a result of their disability and are in hospital.

I am aware of the need to review these matters, but I make it clear that the change that has been made benefits 97 per cent. of individuals who go into hospital. Other changes, such as the increases to benefits that we made in the uprating statement, assist the different beneficiaries mentioned by the hon. Gentleman.

Disabled People (Pension Payments)

10. **Mr. Jim Cunningham** (Coventry, South): What plans he has to assist disabled people with access to pension payments. [102954]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): For convenience and safety, many disabled people and pensioners already have their money paid straight into a bank or building society account, and others will want to have their money paid into an account that they can use at the Post Office. I was disappointed therefore to note that the Post Office's new PIN pad is not as user friendly as it should be. We are working closely with the Post Office and customer organisations to ensure that the new arrangements fully meet the needs of all our customers, particularly those of disabled people and pensioners.

Mr. Cunningham: I thank my hon. Friend for that answer. Which disabled groups did she consult prior to the introduction of the smart card?

Maria Eagle: The Department for Work and Pensions, the Department of Trade and Industry and the Post Office consulted the usual disability organisations, including the Royal National Institute of the Blind. Today, I am laying before Parliament the Visually Impaired (Blind and Partially Sighted) Regulations 2003, which automatically include more blind and partially sighted people in the definition of disability in the Disability Discrimination Act 1995 without them having to prove that they fit the definition. That should make it clear that under the DDA there are legal obligations on service providers such as the Post Office to make their services accessible to disabled people, including those with a visual impairment, and not to ignore them. All customers with a disability will still be able to access their payments at a post office, if that is what they want.

Mr. Paul Burstow (Sutton and Cheam): Can the Minister explain what happens in circumstances where a disabled pensioner becomes ill and has not previously nominated somebody to operate their Post Office card account, and thus cannot attend in person to enter their number? Will pensioners in those circumstances be able to gain access to their pension? What is the arrangement? At present, it is not clear whether the exemption scheme will cover that situation. It is not clear how people will get their pensions in such circumstances.

Maria Eagle: The Post Office has admitted that it needs to examine more closely the way in which the PIN pad works. It is examining how to make it more user friendly, and other ways of accessing the Post Office card account without a PIN pad. The circumstances that the hon. Gentleman has described are no different from those that currently apply when a pensioner cannot get to the post office: they are able to nominate someone else to get their money for them.

Children's Centres

11. **Ms Ann Coffey** (Stockport): What assessment he has made of the future impact of the new children's centres on supporting parents in work. [102955]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): Local authorities are just beginning their strategic planning for children's centres, so it is too early for such an assessment to have been made. However, we are expecting them to make a significant impact. Every children's centre must provide day care suitable for working parents, five days a week, 10 hours a day, for a minimum of 48 weeks a year. They will also act as service hubs for providers of child care services for children of all ages, linking to Jobcentre Plus offices, and offer support to parents who wish to consider training options.

Ms Coffey: I welcome the funding for the new children's centres, which for the first time will enable child care, early-years education and support for parents to be provided in the same place. Such children's centres will be especially welcome in Brinnington in my constituency, which has the highest number of parents on income support and the lowest number of childminders. There are jobs available, but child care continues to be an issue. Can my hon. Friend say when decisions are likely to be made about where the children's centres will be? When she makes the decisions, will she bear Brinnington in mind?

Maria Eagle: As usual, my hon. Friend has been early in the queue of hon. Members to see my noble Friend Baroness Ashton of Upholland, who is responsible for those matters, to make representations to us. We expect local authority proposals to be with us by October, and we shall make decisions shortly thereafter. My hon. Friend's council, Stockport, has already had an indicative allocation of more than £1 million to make the children's centres work in her constituency. I am sure that both the council and my noble Friend will consider the Brinnington ward when the decisions come to be made, especially in view of what my hon. Friend has said today.

Child Care

12. **Ms Dari Taylor** (Stockton, South): What role Jobcentre Plus has in ensuring that advice and information on child care is available to parents looking for work. [102956]

The Minister for Work (Mr. Nicholas Brown): Child care partnership managers are being introduced to all Jobcentre Plus districts from April 2003 to ensure that parents are provided with the advice and information that they need on child care. In Stockton, South, that means that parents moving into work will be able to take advantage of nearly 700 new child care places created in the past three years, providing care for more than 1,100 children in my hon. Friend's constituency.

Ms Taylor: I thank my right hon. Friend for that thoughtful and valuable response, especially his reference to my constituency. Will he comment further about affordability and quality, which are two of the most crucial features that persuade parents that they can leave their children to seek work further away from home? Has any research been conducted to assess the impact of child care provision in terms of the numbers of people getting back to work?

Mr. Nicholas Brown: My hon. Friend is right to raise that issue, and I acknowledge that she is a long-standing campaigner on those issues. This is an important labour market issue—child care must be affordable, which is why the child tax credit, which is available both to employed and self-employed people, pays up to 70 per cent. of eligible child care costs.

Hywel Williams (Caernarfon): What steps are the Government taking to make child care more accessible in rural areas, where there are particular problems with the provision and accessibility of child care, and where there is certainly not equity of provision?

Mr. Brown: The hon. Gentleman is right to raise that matter. There are obviously difficulties with child care provision in rural areas, but he will know that the Government are proposing a substantial expansion in the number of places. We aim to increase help so that it covers 2 million children by 2006. The hon. Gentleman is of course right that that expansion should encompass rural areas as well.

Pensions/Benefits (Uprating)

13. **Mr. David Heath** (Somerton and Frome): What account is taken of the average level of council tax for the purposes of calculating pensions and benefit uprating. [102957]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): The retail prices index, by which most non income-related benefits are uprated, takes account of rises in council tax. Other income-related benefits are uprated by the Rossi index, which excludes housing costs and local taxes. That is because those costs are met through separate benefits—for example, housing benefit for rent and council tax benefit.

Mr. Heath: Is the Minister aware that the average council tax increase for councils of all political persuasions across the country is likely to be about 14 per cent. this year, which is very hard indeed for people living on fixed incomes such as state pensions? The Office for National Statistics announced today that it is changing the basis on which inflation is calculated for pensions purposes—not to give a greater weighting to council tax, but to include takeaway latte coffee, kebabs and hair gel, none of which, I suspect, figure highly in a pensioner's average weekly budget. When will we get a price index that deals with the real expenditure of real pensioners?

Malcolm Wicks: It is not for my Department but for the ONS to alter or possibly kebab the index according to its own criteria. Council tax is set by individual councils of all political colours, not by central Government. Council funding has gone up by 25 per cent. in real terms in the past six years, whereas in the four years before 1997 it was cut by 7 per cent. Also, as a result of the interaction between pension credit and the applicable amounts for housing benefit and council tax benefit, we estimate that about 700,000 pensioner households who will not get pension credit itself in future will gain from the changes, which is welcome news.

Sir Sydney Chapman (Chipping Barnet): While I understand the problems that would arise if pensions and benefits had to be adjusted simply on the basis of council tax, does the Minister nevertheless agree that it is unfair to have a national level of pensions and benefits in particularly high-cost areas? London weighting, however ham-fisted it is, is now evident in virtually every job in our capital city, so should not that principle be looked at and perhaps extended to pensions?

Malcolm Wicks: I do not know whether that is an announcement of a new policy, but the index is not a matter for us. It is based on precedent, and historians in the Opposition will remember Hugh Rossi, the ministerial author of the index. On the point made by the hon. Gentleman, council tax benefit goes to 4.6 million recipients, is worth on average £11 a week, and is a particularly important benefit at this time.

Means-tested Benefits

14. **Chris Grayling** (Epsom and Ewell): What percentage of pensioners are dependent on means-tested support. [102958]

The Minister for Pensions (Mr. Ian McCartney): About 30 per cent. of pensioner families are in receipt of income-related benefits. Our priority has always been to focus help on those who need it most, which is why we introduced the minimum income guarantee. Almost 2 million people are benefiting from the guarantee, and the take-up campaign has put an extra £20 a week on average in the pockets of 149,000 people who would not have received it otherwise. In the hon. Gentleman's constituency, around 1,500 people are in receipt of the minimum income guarantee. We are now going a step further and introducing pension credit, which will reward—not penalise—saving. As a consequence of that change, the poorest pensioners will receive an average extra income of £400 a year.

Chris Grayling: Does the Minister not realise the disservice that the Government are doing to pensioners in my constituency and elsewhere? Through their new credits they are creating a complicated mechanism for pensioners to get some money back from the Government, but extra taxation, particularly the council tax, is taking much more out of pensioners' pockets. Will the Government adjust means-tested benefits to make them simpler to access and to make them reflect the huge extra cost of living that pensioners are absorbing this year because of the tax rises?

Mr. McCartney: The Government have swept away the Tories' means-tested, mean-minded approach to pensioners' income. Consequently, come October this year, a pensioner in the hon. Gentleman's constituency can make one phone call, complete an application with a civil servant trained to act as their advocate, sign a commitment that the information given is correct, and receive pension credit. In addition, we have changed the rules with regard to council tax and housing benefit, so unlike the situation under the Conservatives, who gave benefit with one hand and took it away with the other, pensioners will qualify for housing benefit and council tax benefit as well.

Mr. George Mudie (Leeds, East): Will my right hon. Friend pay no attention to Opposition Members' hypocrisy in respect of targeted benefits? Can he confirm that as a result of the targeted benefits and the minimum income guarantee, the poorest pensioners have received weekly increases of up to £30 a week? Can he also confirm that the poorest pensioners are on average 30 per cent. per year better off?

Mr. McCartney: My hon. Friend is correct. Opposition Members, both the Liberal Democrats and the Conservatives, must explain in the next few months why the Conservatives have a secret plan to privatise the basic state pension, and why the hon. Member for Northavon (Mr. Webb) has a Mickey Mouse Budget under which the youngest pensioners, who he says are the poorest, will lose about £30 a week in benefit to pay for his mad-cap idea of simply increasing pensions for people over the age of 75.

Benefits Sanctions (Antisocial Behaviour)

16. **Bob Spink** (Castle Point): What plans he has to link benefits to the behaviour of recipients. [102960]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): The Government have previously recognised the case for a role for housing benefit sanctions in tackling bad neighbour nuisance. Many of us have constituents who have suffered from the so-called neighbour from hell. However, sanctions need to be workable and capable of being applied decisively—*[Laughter.]* Our constituents who suffer from antisocial behaviour do not find it a laughing matter. Sanctions need to be workable and capable of being applied decisively in response to antisocial acts in the local community. They must act as a deterrent, not simply as a punishment after the event, and they must not be so cumbersome to administer that the costs outweigh the benefits. We intend to consult on a proposal to sanction housing benefit. If a workable measure can be developed, we will legislate to implement it.

Bob Spink: Having accepted in principle the linking of housing benefit to behaviour, why have the Government rejected the Prime Minister's idea of linking child benefit to behaviour? What is wrong with the Prime Minister?

Hon. Members: Answer!

Malcolm Wicks: What is wrong with the Prime Minister? Nothing at all. I should like to be quoted on that. There is a serious issue about the measures we can employ to tackle antisocial behaviour of different kinds. That is the purpose of the recent White Paper and that will be the purpose of legislation. If housing benefit sanctions can be made to be a workable instrument of policy, we will do that. My right hon. Friend the Secretary of State for Education and Skills has made other proposals to ensure that truancy, which is big problem and a contributory factor in our shopping centres, can be tackled.

Mr. David Kidney (Stafford): Does my hon. Friend agree that the original setting up of the Child Support Agency is a bad precedent for the judicial function being taken over by an administrative body? Does he not worry that decisions about who is telling the truth in behaviour disputes and whether the alleged antisocial behaviour is acceptable or unacceptable are matters not for administrators, but for courts, to decide?

Malcolm Wicks: The reality is that the Child Support Agency, with the agreement of the whole House, is delivering maintenance more effectively than the old court-based system, which simply did not work. However, I have said that we will take great care to ensure that the Government's concern to tackle antisocial behaviour, which I think is shared on the Conservative Benches but not the Liberal Democrat ones, is workable. That is why we shall consult very carefully to ensure that aspirations to tackle the yob neighbour can be translated into something that is workable, legal and effective.

Mr. John Bercow (Buckingham): The Minister has chosen to interpret the question asked by my hon. Friend the Member for Castle Point (Bob Spink) in terms of antisocial behaviour as it is conventionally understood. However, can he tell the House in what number or proportion of cases jobseeker's allowance has been withdrawn from those recipients of it who have thrice refused decent job offers?

Malcolm Wicks: The sanctions regime in Jobcentre Plus and new deals has been very effective. There are different sanctions regimes and I shall send the hon. Gentleman the data, but I have met unemployed people who admitted that the sanctions regime made them seek employment. Instead of playing party games on this one, what the British public—not least those living in fear of the yob neighbour—want to know is whether this Parliament can bring forward workable solutions. We are determined to do that, and I think that most of the House is. Perhaps the hon. Gentleman would prefer to play the party political game.

Unemployment (North-West Leicestershire)

18. **David Taylor** (North-West Leicestershire): What the change in the level of unemployment in the North-West Leicestershire constituency has been since May 1997. [102962]

The Minister for Work (Mr. Nicholas Brown): Since 1997, in my hon. Friend's constituency, claimant unemployment has been more than halved and long-term unemployment cut by more than 80 per cent. Those figures are clear evidence of the strength of our labour market policies, which have helped to deliver record levels of employment across the country and unemployment at its lowest levels since the 1970s.

David Taylor: The reductions in unemployment in the former mining constituency of North-West Leicestershire are most welcome, but recent downturns in areas such as textiles, engineering and food manufacturing are a source of concern. Will the Minister receive a delegation including local Members of Parliament and workers at the United Biscuits factory in Ashby, where a planned phased run-down in 2004 could lead to the loss of 900 jobs? Economic success must not be holed below the waterline in that way.

Mr. Brown: I am sympathetic to what my hon. Friend says and I congratulate him on getting in twice at Work and Pensions Question Time. I represent a constituency with similar problems to those to which he alludes. I shall receive his delegation, and whatever Jobcentre Plus can do to help in the difficult circumstances that he describes, we will do.

Carers' Benefits

19. **Mr. David Cameron** (Witney): What recent representations he has received on the level of benefits paid to carers; and if he will make a statement. [102963]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): There have been no recent representations from national organisations, but there have been 16 written representations about the level of invalid care allowance, which is to be renamed the carer's allowance in April, from MPs writing on behalf of their constituents in the past six months, although to my knowledge, they do not include the hon. Gentleman. We have already made substantial changes to carers' benefit and we are in the final stages of implementing the carer's package, which improves financial support for carers by an estimated £500 million over three years.

Mr. Cameron: May I thank the Minister for that response? I should also declare an interest—I forgot when I tabled the question that I am a recipient of carers' benefit.

Does the Minister agree that as important as the level of benefit is the very poor take-up that we still have in this country and the desperate need for respite care? Is she aware that almost all the carers who come to my surgery are investigating or making points about respite care and its availability? Given that the Government are now providing more money to local authorities in terms of carers' grants, which I welcome, is it not now time for some mandatory requirements for respite care for those who are looking after elderly relatives or disabled children?

Maria Eagle: The hon. Gentleman is right that respite care can be an important part of keeping carers going and I shall certainly pass on his remarks and suggestions to the Minister of State, Department of Health, my hon. Friend the Member for Redditch (Jacqui Smith), who has responsibility for that.

In respect of numbers, it is estimated that at the outturn of this year some 421,000 people are in receipt of ICA, which is an increase over the past year resulting from our extension of eligibility for ICA to those who are over 65 years old.

Final Salary Pension Schemes

20. **Mr. Edward Leigh** (Gainsborough): If he will make a statement on the number of final salary pension schemes that have closed since May 2002. [102964]

The Minister for Pensions (Mr. Ian McCartney): The Green Paper acknowledges that the trend towards defined contribution schemes has accelerated over the past few years, but the trend should not be overstated. One hundred and nineteen defined benefit schemes have reported their closure to new members to the pensions schemes registry since May 2002, which is just over 1 per cent. of the total number of defined benefit schemes where members are still building up pension rights.

A number of companies—for example, Unilever, Centrica and John Lewis—have recently declared their desire to retain their existing pension arrangements, increasing their own, and in some instances their employees', contributions. That demonstrates partnership in action, an approach that the Government advocate.

Mr. Leigh: I thank the Minister for that answer, but the fact is that nobody denies that final salary schemes are in crisis. It might have been hoped that many people could find comfort in personal pension schemes, but the collapse in share prices over the past three years means that those are also in crisis. In the light of that difficulty facing pensioners, will the Minister make representations to his colleagues in the Treasury to the effect that it is high time that the changes to advance corporation tax—representing a tax on shares that has cost our pensioners £30 billion, or £5 billion a year—should be suspended so that we can at least for the time being, end this crisis, which is afflicting our pensioners so seriously?

Mr. McCartney: The crisis of confidence over private pensions started with the last Government and the mis-selling of £13.5 billion of pensions, and it took this Government to clear up the mess. I suggest that the hon. Gentleman, along with his colleagues on the Front Bench, should play a more active and positive role in replying to the response to the challenges put forward in the Green Paper. He might then get somewhere when he talks in such terms about the problems of second tier pensions. This Government are trying to sort out the problems caused by the last Government.

Points of Order

3.31 pm

Sir Patrick Cormack (South Staffordshire): On a point of order, Mr. Speaker. There are strong rumours outside the House that after this afternoon's emergency Cabinet meeting the Prime Minister or the Foreign Secretary will seek to make a statement. Have you received any notice of that? If you do receive such notice, do you intend to interrupt the business or, because it is timetabled business, to take the statement at the end of the business?

Mr. John Burnett (Torridge and West Devon) *rose—*

Mr. Speaker: On the same point of order, Mr. Burnett?

Mr. Burnett: No, Mr. Speaker.

Mr. Speaker: There may well be a statement later today. As to its timing, the first business today is a guillotine motion providing for the Northern Ireland Assembly Elections Bill to be taken through all its stages today. If the House agrees to that motion, I think it would be wrong for me to decide to interrupt the subsequent proceedings on the Bill on my own authority. The effect of that would be to truncate those proceedings still further and to contradict the order that the House had just made. But it is of course possible for the House itself to conclude proceedings on the Bill earlier than the scheduled time of 10 pm if Members decide that that would be desirable.

Mr. Burnett: On a point of order, Mr. Speaker. With his usual courtesy, the Attorney-General has informed me of his written opinion on the legality of the actions that the Government may soon be taking, or authorising, in Iraq. Given the seriousness of the matter, an oral statement followed by questions would have been more appropriate. Will you prevail upon the Solicitor-General to attend any subsequent debate on this matter to ensure that the Government's views on the legality of any action taken in Iraq may be challenged and debated?

Mr. Speaker: All I would say to the hon. Gentleman is that I am sure that the Solicitor-General will have noted his comments.

Mr. Alex Salmond (Banff and Buchan): On a point of order, Mr. Speaker. On several occasions, the House has been promised a debate on the war before the shooting starts. Given that it appears as though the Americans are not depending on the element of surprise, the caveat about the safety of the troops does not apply. Given that the Leader of the House may not be in a position to redeem his commitment, is there a role for you in ensuring that the House debates the matter before any action starts?

Mr. Speaker: It is not a matter for me; it is for the Leader of the House to make a business statement.

Mr. John Taylor (Solihull): Further to the point of order of the hon. Member for Torridge and West Devon (Mr. Burnett), Mr. Speaker. I want to associate myself with the hon. Gentleman's comments about the Solicitor-General, which you hoped that she would hear. It is of the greatest importance that the Law Officers should advise not only the Government but Parliament. Law Officers should be present to state the proper ruling.

Mr. Speaker: I believe that that is the purpose of making the Law Officers' advice available.

Rev. Ian Paisley (North Antrim): Further to the first point of order, Mr. Speaker. In the event of your breaking in on our proceedings, will the time for the statement and for questioning a Minister be added to that which the debate should have had? As you know, it has already been cruelly guillotined.

Mr. Speaker: Let me put the hon. Gentleman's mind at ease. I shall not break into the Northern Ireland business if the House decides to carry the first item of business.

Northern Ireland Assembly Elections Bill (Allocation of Time)

3.36 pm

The Minister of State, Northern Ireland Office (Jane Kennedy): I beg to move,

That the following provisions shall apply to the proceedings on the Northern Ireland Assembly Elections Bill—

Timetable

1. Proceedings on Second Reading, in Committee, on consideration and on Third Reading shall be completed at this day's sitting and shall be brought to a conclusion, if not previously concluded, at Ten o'clock.

Questions to be put

2. When the Bill has been read a second time—

(a) it shall, notwithstanding Standing Order No. 63 (Committal of bills), stand committed to a Committee of the whole House without any Question being put, and

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

3. On the conclusion of proceedings in Committee the Chairman shall report the Bill to the House without putting any Question and, if the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

4. For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1 the Speaker or Chairman shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any Amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

5. On a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

Consideration of Lords Amendments

6.—(1) Any Lords Amendments to the Bill shall be considered forthwith without any Question being put.

(2) Proceedings on consideration of Lords Amendments shall be brought to a conclusion, if not previously concluded, one hour after their commencement.

7.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 6.

(2) The Speaker shall first put forthwith any Question already proposed from the Chair and not yet decided.

(3) If that Question is for the Amendment of a Lords Amendment the Speaker shall then put forthwith—

(a) a single Question on any further Amendments to the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) a single Question on any Amendments moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees to a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees to all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed to a Lords Amendment, or disposed of an Amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a single Question on any Amendments moved by a Minister of the Crown and relevant to the Lords Amendment.

Subsequent stages

8.—(1) Any further Message from the Lords on the Bill shall be considered forthwith without any Question being put.

(2) Proceedings on any further Message from the Lords shall, if not previously concluded, be brought to a conclusion one hour after their commencement.

9.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 8.

(2) The Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided.

(3) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair.

(4) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown on or relevant to any of the remaining items in the Lords Message.

(5) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Proposals.

Reasons Committee

10.—(1) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons in relation to the Bill and the appointment of its Chairman.

(2) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(3) Proceedings in the Committee shall, if not previously brought to a conclusion, be brought to a conclusion 30 minutes after their commencement.

(4) For the purpose of bringing any proceedings to a conclusion in accordance with sub-paragraph (3) the Chairman shall—

(a) first put forthwith any Question which has been proposed from the Chair but not yet decided, and

(b) then put forthwith successively Questions on motions which may be made by a Minister of the Crown for assigning a Reason for disagreeing with the Lords in any of their Amendments.

(5) The proceedings of the Committee shall be reported without any further Question being put.

Miscellaneous

11. Paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to any proceedings to which this Order applies.

12. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after their commencement and paragraph (1) of Standing Order No. 15 shall apply to those proceedings.

13. Standing Order No. 82 (Business Committee) shall not apply in relation to any proceedings to which this Order applies.

14. No Motion shall be made to alter the order in which any proceedings on the Bill are taken or to re-commit the Bill.

15. No dilatory Motion shall be made in relation to proceedings to which this Order applies except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

16.—(1) This paragraph applies if—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock, Three o'clock or Four o'clock (as the case may be), but

(b) proceedings to which this Order applies have begun before then.

(2) Proceedings on that Motion shall stand postponed until the conclusion of those proceedings.

17. If the House is adjourned, or the sitting is suspended, before the conclusion of any proceedings to which this Order applies, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

18. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

I apologise on behalf of my right hon. Friend the Secretary of State for his absence. He will join us as soon as possible.

The Bill is the result of intensive negotiations that culminated at Hillsborough on 3 and 4 March. Our aim during them was to find a way in which to rebuild the confidence and trust necessary to restore stable and inclusive devolved institutions in Northern Ireland.

As will be explained on Second Reading, at the end of the negotiations, our judgment is that a shared understanding has been reached of the way in which the process can move forward. There is a genuine chance that we might shortly be in a position to complete the transition to a peaceful and democratic society in Northern Ireland. All parties now need time to reflect on our discussions on the way forward. The prize is the opportunity for the people of Northern Ireland to cast their votes at an Assembly election on the basis of a set of working institutions. Without the Bill, the current Northern Ireland Assembly would be dissolved this Friday, the election campaign would start and there would be no political advance before the Assembly election on 1 May.

The Bill would postpone the dissolution of the current Assembly to 28 April and the date of the election to 29 May, thus allowing for a short delay to give the parties the opportunity to reflect.

Mr. Quentin Davies (Grantham and Stamford): I am a little bemused. The Minister refers to the Bill and is describing its substantive purpose, yet we are considering the timetable motion. Will she argue for the timetable motion? In the light of Mr. Speaker's comments, I wonder whether she agrees that it is unnecessary and undesirable to timetable the measure and that it would be much better to let matters take their course. If the Prime Minister had an urgent statement to make this afternoon, Mr. Speaker would be able to then interrupt proceedings to allow that.

Jane Kennedy: The hon. Gentleman should have contained himself for a moment longer; I had intended to make a brief statement in moving the timetable motion. As I conclude my remarks that set the scene, he will realise that the motion is straightforward and that I have made the case for it.

As I have said, in postponing the dissolution date of the current Assembly to 28 April and the date of the election to 29 May, the Bill allows for a short delay. I know that the hon. Gentleman has said that that forms part of the substantive debate on the Bill, but, because the current dissolution date for the Assembly is this Friday, the Bill must receive royal assent by Thursday in order for the dissolution of the Assembly to be postponed and the way left open for the restoration of the devolved institutions prior to the Assembly election. I believe that that makes the case for the timetable motion that we are considering today, and that we can deal with all the substantive issues in the Bill in the period laid down in the motion. Regrettable though timetable motions are—I know that the hon. Gentleman's party always argues cogently, and from a very principled point of view, against their use—

Mr. Quentin Davies *rose—*

Jane Kennedy: I am just about to bring my remarks to an end, but I will give way one last time.

Mr. Davies: Would the hon. Lady be good enough to respond to my proposition to make the matter a little more explicit? I am perfectly prepared to make a deal with her, under which she would not proceed with her timetable motion, and we would agree to proceed in a timely fashion—knowing that we have to get the Bill on to the statute book by the end of the week, for the reasons that she has mentioned—which would allow the statement to take place at 7 o'clock without the difficulty, which Mr. Speaker has explained, of his interrupting a Bill that is under timetable. I put that proposition to the hon. Lady. If she would like now to withdraw her timetable motion, I am sure that matters could proceed in a way that would meet the interests of the Bill and the wider interests of the House at this moment of international crisis.

Jane Kennedy: The hon. Gentleman makes a cogent point. Had I been dealing only with him and his party, it might have been possible for me to agree to his suggestion. Sadly, that is not the case. Given that there is an amendment to the Bill that we might consider at a later stage, and given the imperative upon us, if we are to achieve our objective of giving all the parties more time to consider the issues that arose from the discussions at Hillsborough, I believe that the compressed timetable for the Bill's passage through the House is unavoidable, unpalatable though that is to the hon. Gentleman and his party. I therefore intend to proceed with the timetable motion as it stands.

3.42 p m

Mr. Quentin Davies (Grantham and Stamford): I am very sorry that the hon. Lady did not accept the proposal that I just made to her, particularly because she could have avoided the trap into which she is now falling. You would never say anything that had the slightest shadow of partisanship Mr. Speaker, but earlier, in explaining quite objectively the constraints placed on you once a Bill is subject to a timetable motion, you set out the nature of the trap into which the Government are falling. I gather that they wish to make a statement at 7 o'clock. In normal circumstances, Mr. Speaker, you would want to give the Prime Minister of the day the opportunity to make an urgent statement to the House, which is waiting anxiously to hear it, at the earliest opportunity. The only reason why that cannot take place, why common sense cannot prevail, and why the way in which the House has conducted the business of the nation satisfactorily for generations, if not centuries, cannot proceed, is that the Government have got themselves embroiled in this attachment to the idea of the automatic timetabling of Bills. They are suffering this afternoon because of that attachment. The Prime Minister will be sitting in No. 10, not knowing whether

[Mr. Quentin Davies]

he is supposed to come to the House at 7 o'clock or at some later time because of this system, which the Government have gratuitously, unnecessarily and very regrettably taken it upon themselves to introduce.

We shall oppose this timetable motion; we always oppose them—[*Interruption.*] Let me say to Labour Members that this is not a perfunctory piece of opposition on our part. It is a deeply felt matter of principle that the legislature should be allowed to take the time that it needs to debate proposals introduced by the Executive in its own way and in its own time. We should not be forced into this Procrustean bed of a timetable motion.

Above all, we in Parliament should not have to endure the humiliation of the Executive branch using their massive majority—there happens to be an enormous and overwhelming Labour majority of 200—to get such timetable motions through the House and to dictate to the legislature, as they have been for these past several years and will continue to do for another couple of years while this Government remain in power, how long it is allowed to debate their proposals. If there was a greater affront to the balance of powers on which any free constitution depends, I cannot think what it might be. This is a monumental scandal, and no Government in the history of this country, whatever their majority, ever dreamt of doing any such thing.

We are about to debate Irish business, and we know that timetable motions were introduced to the House in the 1880s in response to the filibustering of Irish Members, which brought all business to a halt. There was, indeed, a consensus in the House between the Conservative and Liberal parties on introducing the possibility of using timetable motions, but such motions were envisaged as exceptional measures to be introduced only exceptionally and only, in principle, according to a consensus between the majority parties in the House. They were to be justified on each and every occasion.

From the 1880s to the 1990s, that was how timetable motions were used—only exceptionally, only when proceedings on a Bill had begun in the House and only when there was a prima facie case that there was a delay in the transaction of Government business either in the Chamber or in Committee. On each and every occasion, the Government had to come before the House to argue for the necessity of a timetable motion or a guillotine.

This Government came to power in 1997 with a massive majority, feeling that they could do what the hell they liked with the legislature, as with everything else in the country. They pushed through this system and decided that they would then dictate systematically to Parliament, in advance, how long it would be allowed to spend on business and on debating Bills introduced by the Executive branch. That is an affront to every principle on which Parliament—any Parliament by any name—is based.

It is for us to decide how long we wish to take to discuss the Government's proposals. It is for us to decide, if necessary, what questions we wish to ask the Government and what explanations we require before we take decisions on their legislative proposals. I have to say that it must be in the interests of good legislation that that should be the case.

What happens now, quite scandalously and quite regularly, as all of us in the House know and as the public are becoming increasingly aware, is that we get bad legislation, rafts of which—tens of clauses, sometimes—have never been subject to debate either on the Floor of the House or in Committee. That is entirely because of the Procrustean and artificial system that the Government have introduced.

We in the House have important matters on our minds, such as the prospect of hostilities in the Gulf and one aspect of the Northern Ireland peace process, which we shall debate later. These are great historical events, and few of us here will be in this place when weightier matters are debated, but there is no doubt that when people have forgotten debates on what accounts for 90 per cent. of the business of the House—even important matters such as tax rates, health, education and welfare, which are temporarily very important indeed—it will be remembered against this Government in decades and generations to come that they, in the whole history of Parliament, were the first and only ones artificially to curtail our opportunity to discuss Government legislation. They are the first and only Government to make such an attack on the liberties of Parliament.

Mr. John Bercow (Buckingham): My only anxiety is that my hon. Friend, in characteristic fashion, if I may say so, is understating his case somewhat. Does he not agree that the Government, in rigidly sticking to their timetable motion, are guilty of not only an intolerance of dissent, but a failure of imagination?

Mr. Davies: I entirely agree with my hon. Friend. That failure of imagination clearly extends to a lack of sensitivity—until I intervened to make the point rather cruelly and blatantly—about the embarrassment that would be caused to the Prime Minister himself if the timetable motion were pursued.

I am grateful to my hon. Friend for that intervention and especially reassured to learn that I was understating my case. It is always right to proceed by subtlety, so I am glad that I have that reputation among my colleagues and hope that I shall retain it. Equally, however, I hope that I did not leave the Government in any doubt whatever as to the seriousness of the points that I was trying to make and, indeed, that my language was not so mild as to nourish any illusion on that score.

Once again, important business is subject to a scandalous artificial timetable imposed by the Government. Again, there has been a breach in the equilibrium and balance in the powers of the constitution between the Executive and the legislature, which is the price our country continues to pay for the terrible error of having elected a Labour Government.

Once again, we face the prospect that serious and important legislation will leave this House without having been properly considered, and that we shall not have been able to discharge our responsibility to those who sent us here. Again, that is the result of explicit deliberate decisions taken by the Government, who are so intoxicated by the vast majority that they happen, temporarily, to enjoy that they feel that they can even get away with violating some of the essential principles of our constitution.

To add farce to those serious considerations, the Government are proceeding so blindly on the course that they have adopted, against the background of their massive complacency, that they do not even realise that it is their own Prime Minister whom they will embarrass and inconvenience. Further words of mine about the great mistake—the grievous error—that the Government are making by introducing this motion would be superfluous. I have generously given them every opportunity to withdraw before we have to vote on the motion. They have declined to do so and have obstinately continued on their set course.

Mr. Stephen McCabe (Birmingham, Hall Green): I should hate to suggest that further words from the hon. Gentleman would be superfluous, but if his offer was genuine, why has he chosen to spend the past 10 minutes taking up time unnecessarily when he could have tested his proposition by finding out whether other hon. Members would co-operate so that we could move on to the main business, which is what he said he wants to do?

Mr. Davies: The offer was genuinely made and, it seemed to me, equally genuinely rejected. If the hon. Gentleman does not realise that when an offer is rejected its benefits have to be forgone by the rejecting party, he does not know the first thing about negotiation. I do not know where the hon. Gentleman has been living; I thought that our fellow citizens sent men and women of this world to the Chamber to bring experience and wisdom to bear on our proceedings, so I am slightly surprised by his apparent naivety. Perhaps the hon. Gentleman's defence would be that he was desperately trying to stem my flow so as to save his Front-Bench colleagues from further embarrassment. The Government Whip grins, so I am glad that the hon. Member for Birmingham, Hall Green (Mr. McCabe) has scored a few brownie points where they count.

We shall oppose the timetable motion, irrespective of our views on the substance of the Bill. Whether this motion is passed or rejected, we shall continue to reject timetable motions on the same firm principles as long as the Government remain in power, which I trust will be for only two more years. Then Parliament will be able to return to conducting its business properly.

3.54 pm

Lembit Öpik (Montgomeryshire): The hon. Member for Grantham and Stamford (Mr. Davies) may well be right—a Liberal Democrat Government may well be elected in two years—but that is not the issue.

The Conservatives, understandably, seem to get annoyed about everything. What annoys me is the assumption that Conservative Front Benchers have authority to negotiate on behalf of all the Opposition parties. The Liberal Democrats take a different view. I recognise that when I am Secretary of State for Northern Ireland I shall have to decide whether, by not imposing a guillotine, I will bring about a terrible compromise, and Conservative Members will try to generate mischief and delay the proceedings inordinately—as often happens, I might add, in Standing Committees considering related matters.

Perhaps the most serious arrogance is the hon. Gentleman's assumption, in seeking to negotiate for others in the Chamber, that it is acceptable simply to sweep away the Bill—to postpone it from 7 pm, or whatever time a statement is made, until 8 pm, rather than completing an important debate before proceeding to other matters. The hon. Member for North Antrim (Rev. Ian Paisley) made a similar case in his point of order. I am pleased with your judgment, Mr. Speaker: we should focus on this issue and resolve it before, if necessary, moving on. It is a shame that the hon. Member for Grantham and Stamford appears to confuse the importance of Northern Ireland business with the importance of other matters.

It seems to me that if there are those who have a right to complain about the guillotine, they are the Unionists sitting behind me and—when they arrive—the SDLP Members sitting opposite. The people whose opinion on the guillotine I really respect are the representatives of Northern Ireland parties. They may not persuade me to oppose the guillotine on this occasion. Given that there is one amendment and there are only two clauses, one of which consists of the name of the Bill, we shall probably have enough time to complete our discussion while allowing reasonable time for Northern Ireland speakers, who are not in the habit of procrastinating or pointlessly stringing out debates and will not, I am sure, be guilty of any such behaviour today.

I agree with the hon. Member for Grantham and Stamford on one thing: enormous majorities to tend to create bad and arrogant Governments. I hope that the current Government will bear that in mind as they look back on the dark days of Thatcherism, when a majority of 144 brought the country to its knees.

3.57 pm

David Burnside (South Antrim): My understanding is that we have three hours in which to debate the guillotine motion before the statement that is expected to be made at 7 pm. If two statements are made, at 7 pm and 8 pm, the substance of the Bill will be squeezed into the time between 9 pm and 10 pm. Let me explain my opposition to the motion, and to the fact that we are even debating it.

Mr. Peter Robinson (Belfast, East): I understood you, Mr. Speaker, to say that we should proceed with the debate, that if we finished early there would be an opportunity for a statement, but that we would not interrupt business between the debate on the guillotine and the Second Reading debate.

Mr. Speaker: The hon. Gentleman is perfectly correct. That is exactly my position—we should dispense with this business first. The House may decide in favour of the timetable, in which case we shall dispense with this business and any statements will follow. Nothing will interrupt the business if the House so decides.

David Burnside: I thank Mr. Deputy Speaker, the hon. Member for Belfast, East (Mr. Robinson), for his wise words!

I will oppose the timetable motion because we should not even be discussing the subject in the House today. A democratic election was set in legislation for 1 May. May I explain what the Government perhaps do not wish to explain openly and honestly to the House and to the people of Northern Ireland—why we are here today debating Northern Ireland business to postpone the

[David Burnside]

Assembly election from 1 May to 29 May? It sums up the Government's total mismanagement of a political process that they call the peace process.

We are having a one-month delay, and perhaps even more—who knows?—because the Government have accepted a 100 per cent. veto from the representatives of Sinn Fein-IRA on the operation of any form of democratic local government in Northern Ireland. Following the signing of the Belfast agreement, an Assembly was established in 1998. It has come on and off—

Kevin Brennan (Cardiff, West): On a point of order, Mr. Speaker. Is the hon. Member for South Antrim (David Burnside) in order in discussing what is essentially the substance of the Bill when we are discussing the timetable motion?

Mr. Speaker: Sometimes hon. Members get a little elbow room from the Speaker. The hon. Member for South Antrim (David Burnside) should take that point on board. He has made passing reference to the Bill, but it is the timetable motion that we are debating at the moment.

David Burnside: Thank you, Mr. Speaker.

The timetable motion means that we are limiting the time to discuss why the Government have postponed the Assembly election. I hope that I am within order in trying to outline why that guillotine motion has been put before the House: it is because of the clear mismanagement of the peace process. It is worth while stating why that process has stalled again.

The Minister referred—I assume that she was in order—to the recent discussions at Hillsborough. I assume that she was referring also to the discussions at Weston Park. Those are relevant to the motion, because of the substance of the negotiations between Her Majesty's Government, the Government of the Irish Republic and four, sometimes five, of the political parties in Northern Ireland, with one or two parties being excluded from that process, especially the Democratic Unionist party. An effort is being made to cobble together an agreement with Sinn Fein-IRA to try to restore the institutions in time for the election.

The House deserves to have considerable time to debate why that has happened. It is not because my party did not adhere to its obligations under the agreement. It is not because the other democratic parties in Northern Ireland did not try to adhere to the institutions as set up and as they operated in the Assembly and the Executive. There is no Executive or operational Assembly in Northern Ireland at the present time because one party, Sinn Fein-IRA, will not adhere to totally democratic methods.

Today is St. Patrick's day, when all Irishmen, I hope, can celebrate our patron saint. It is one year ago to this day that Sinn Fein-IRA broke into Castlereagh police station under the authority of Mr. Storey—

Mr. Speaker: Order. The hon. Gentleman is out of order. He must stick to the timetable motion.

David Burnside: I will conclude.

I have stated my opposition to the timetable motion. I believe that we need more time. I will try, if I can catch your eye, Mr. Speaker, to speak in the main debate later in the day. We do not need this legislation. It should not be put before the House. It is another example of mismanagement of the peace process, a political process, by the Government.

4.4 pm

Rev. Ian Paisley (North Antrim): We are short of time. Everything we say prolongs the debate and leaves us less time to deal with something that needs to be dealt with and the people of Northern Ireland need to hear about.

The Minister says that the Bill and the need for it comes from what happened at Hillsborough. The majority of Unionists in Northern Ireland were not represented during the final voting at Hillsborough: add them up, and see how many were represented. A large section of the people were cut out—we knew nothing about it—yet the police were able to visit some Unionists to tell us that we were about to be attacked, and that we should be careful because the IRA had information on us as a result of its having broken into Stormont. That organisation—the very organisation accused of doing that—knew what was happening at Hillsborough, but I, a public representative, did not.

So this is all news to us; we do not know what is happening, and no one will tell us. I asked the Secretary of State and the Prime Minister to let us see what they were talking about, but they said, "You will not see it; you will not even have a peep at it." I know people—people who are no friends of the well-being of law-abiding citizens—who not only saw it, but who were, for a time, put out of free access here, there and yonder, because of what they knew.

All that I am saying is that we need to get down to discussing the matter at hand, and that we should leave this subject. I do not believe that there should be a timetable, and, as I said in my initial statement, this is an awful guillotine that goes far too far. We should have time, but we will not get it, so what should we do? We should take the time—as you said, Mr. Speaker, which satisfies me—to get into this debate as hard as we can.

If the House divides as a result of a particular Member's speaking for such a long time during this debate, I, of course, will vote against this timetable, because I oppose it. However, I believe that we need to get on with the main subject before the House.

Question put and agreed to.

Orders of the Day

Northern Ireland Assembly Elections Bill

Order for Second Reading read.

4.7 pm

The Minister of State, Northern Ireland Office (Jane Kennedy): I beg to move, That the Bill be now read a Second time.

As I said during the debate on the timetable motion, the need for this Bill arises from the intensive negotiations on the political future of Northern Ireland that the Prime Minister and the Taoiseach conducted at Hillsborough a fortnight ago.

This is a short Bill with a simple purpose. It provides for a 28-day postponement of the Northern Ireland Assembly elections that are currently scheduled for 1 May. Postponing an election is a serious step, and it is certainly not one that we would contemplate lightly. However, I believe that it is very much the right thing to do in the circumstances that now face us, because what emerged from the Hillsborough discussions was a potential basis for political advance in Northern Ireland. Nothing is guaranteed and more work is needed, but we may now have an opportunity to end direct rule, pass powers back to the Assembly and Executive in Northern Ireland and implement all the remaining aspects of the Belfast agreement of 1998.

If that opportunity is taken, the people of Northern Ireland could vote for an Assembly that had already resumed its powers at the time of the election, or that was ready to take them up afterwards. That is clearly a great deal better than an election to an Assembly that is in a state of suspension, without powers, unable to meet, and with no clear route out of that state.

Lady Hermon (North Down): Will the Minister clarify the precise circumstances in which a suspension could be lifted before the elections on 29 May?

Jane Kennedy: Suspension of the Assembly would have to be lifted with the agreement of the parties. That is the only basis on which we can move forward, and I will come to that point later in my speech if the hon. Lady will be patient for a moment while I outline some of the big issues that we are discussing today.

Realistically, we could not hope to tie down the political agreement necessary to move beyond that state if the election date remained 1 May—which, on the present timetable, would mean the dissolution of the Assembly, and the start to all-out campaigning, at the end of this week. If the election date were moved to 29 May, we should have a much better chance of such agreement. That is the reason for the Bill.

My right hon. Friend the Member for Hamilton, North and Bellshill (Dr. Reid), the then Secretary of State for Northern Ireland, was obliged to suspend devolved government on 15 October last year, in the aftermath of concern about continuing paramilitary activity. It was clear that there had been a catastrophic breakdown of trust, that the lack of trust existed on both sides of the community, and that that catastrophic breakdown of trust made the effective functioning of devolved government impossible.

As the Prime Minister made clear in a speech in Belfast on 17 October, Northern Ireland had reached a fork in the road. It was, my right hon. Friend said, time for republicans to complete the transition to exclusively peaceful means—to make it real, total and permanent. Without that, it was clear that the system would no longer work, but if such real change occurred, the way would be open to the implementation of the rest of the agreement in its entirety. What was needed, the Prime Minister made clear, was action sufficient to restore trust on all sides.

Mr. Jeffrey M. Donaldson (Lagan Valley): The Minister talks about trust having broken down on both sides. What did Unionists do to breach trust?

Jane Kennedy: There was a sense that there was a lack of commitment to power sharing and to working together to make government work. As I have said, there was a catastrophic breakdown of trust in the veracity of those associated with paramilitary organisations. It is that trust that we have sought to restore, through the talks and negotiations that have taken place in recent weeks.

Since that breakdown of trust and the Prime Minister's speech in Belfast, both the British and Irish Governments have worked in the closest partnership, along with the parties, to promote a fundamental step forward. There has been a series of round tables, convened by the British and Irish Governments and open to all parties in the Assembly. There have been other meetings of the six parties who favour the agreement. There were meetings with the Prime Minister and Taoiseach at Hillsborough in February. Most promisingly, though, there have been intensifying contacts among the parties themselves. Engagement by the parties with the Government, and with the Irish Government, is often important, but engagement between the parties themselves is crucial.

The Prime Minister and Taoiseach arrived at Hillsborough on the morning of Monday 3 March, intending to leave that evening. In fact, both stayed through the whole of Tuesday, and into the early hours of Wednesday. The House knows the pressures on the Prime Minister's time, especially in the present international situation: his choosing to remain with the parties is eloquent testimony to the fact that the negotiations, though often difficult—as my hon. Friend the Under-Secretary and I have reason to know—held out real promise from the start.

There was a great deal of engagement between the parties, and, although areas of real difficulty remained, there was by the end, as the Prime Minister said, a shared understanding of how the process could now be moved forward to a lasting and durable settlement based on full implementation of the agreement.

The key issues under discussion—and there are many—are widely known and have been widely commented on. At their core is, on the one hand, an end to paramilitarism, and, on the other, the stability of the institutions. It was the clear judgment of both Governments that a settlement was within reach. Such a settlement would open the way to reviving the full operation of devolved government in Northern Ireland and the important north-south and east-west

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institutions on a foundation of stability and willingness by all parties to operate them wholeheartedly. It would necessarily be founded on an end to paramilitarism, as the Prime Minister made clear. That would include—in the context of the changed environment brought about by the definitive transition to exclusively peaceful and democratic means, and in the context of all parties endorsing the policing arrangements and structures—the coming of security arrangements that would be regarded as normal in other parts of these islands.

We cannot rush the steps to the conclusion of such a settlement. There is a need on all sides to rebuild the trust and confidence that is necessary to underpin the successful operation of the institutions, which will take time. The Governments cannot dictate the pace of the process. The parties need an opportunity to reflect on the key issues with their colleagues around the country. They also need time to engage with each other further. The Government concluded that we needed to give space for that to happen before the two Governments come back with definitive proposals about the most promising basis on which implementation of the Belfast agreement can be set back on track. We intend to do that in early April. I hope that, by that stage, we will see a response from the paramilitaries that enables us all to go forward.

I have to emphasise again what the Prime Minister made clear in October, because it is critical: the system will no longer work in the shadow of paramilitarism. We can go forward only on the basis of the agreement. That must include a commitment to exclusively peaceful means on the part of the parties that are involved in government and the organisations that are linked to them. We now need to see acts that are unmistakably acts of completion of the transition to exclusively peaceful means. We also need, of course, to see a renewal of the commitment to operating all the agreement institutions wholeheartedly. On all sides, what is said and done must inspire trust and confidence in all parts of the community.

By early April, when we will introduce our final proposals, the Assembly would, on the present schedule, have been dissolved for two weeks. If we held elections according to the schedule, therefore, those elections would be to an Assembly in suspension, with no clear way established to its resuming powers again. However, in the light of the discussions at Hillsborough, we now have good grounds to hope that, if we postpone for a few weeks, the elections may be to an Assembly that either has resumed powers or has good prospects of doing so once the votes are counted. That would be a far more satisfactory state of affairs for the voters, for Northern Ireland and for us all. Hence, we decided, after careful consideration, that a brief postponement of the Assembly elections would be right.

Mr. Peter Robinson (Belfast, East): The Minister has outlined two possibilities. In the first, an agreement would be forthcoming before the election. In the second—which she did not quite explain to the House—an agreement might be reached after the election. What circumstances suggest to the Minister that, if people had not agreed before the election, they might agree after it?

Jane Kennedy: As I said, that would have to be in the context of acts of completion. Without those, the idea that we can begin to restore trust is nonsense. The acts of completion underpin all our hopes for the way forward in Northern Ireland.

Lembit Öpik (Montgomeryshire): In pursuit of the same point, does the Minister accept that what sounds like a strong statement—in this case, acts of completion—can become a flexible statement in the interests of expedience? It is that problem that causes concern and perhaps scepticism in certain groups.

Jane Kennedy: I do not accept that. I am not aware of specific statements that could be taken as watering down the absolute commitment that the Prime Minister himself spelt out in Belfast in October. The commitment is unequivocal and that remains our position. Without that, we would be unable to restore the trust not so much of the Labour party, the Liberal Democrats or the Conservatives, but of the parties that need to be part of the power-sharing Executive in Northern Ireland. That is why the acts of completion are one of the issues that are central to our discussions.

Short delays to elections are unusual and are undesirable in principle, but they are not unprecedented. The House will recall that although local elections were due on 3 May 2001 in England and Wales and on 16 May in Northern Ireland, they were postponed to 7 June because of concerns about the impact of foot and mouth disease and its accompanying restrictions on the electoral process. Indeed, the Northern Ireland Act 1998, which established devolved government on the basis set out in the agreement, provides for elections to be delayed, or indeed brought forward, by up to two months by order subject to the negative resolution procedure. We decided, however, that it would not be right to use that provision in the circumstances of the postponement that we are considering.

As I said, any delay to an election is regrettable. We would not propose it if there were any other way to achieve our objective. I hope that the House will agree that the potential prize well merits the postponement in this case because a month could make a very great difference. The Bill postpones the election date by four weeks, or 28 days, to 29 May. The hon. Member for North Antrim (Rev. Ian Paisley) and his colleagues in the Democratic Unionist party have tabled an amendment that I regard as a wrecking amendment. I am not sure whether it is a typographical error, but the date in the amendment must be wrong. Surely it should refer to 1998, not 1999.

Andrew Mackinlay (Thurrock): The amendment is not clear in the documents that I have. Bearing in mind that it is a manuscript amendment, I would be grateful if the Minister could help us by saying what it is about.

Jane Kennedy: I am not sure that I should discuss the amendment at this stage. I am sure, however, that a copy of it can be made available. Indeed, there is one on the Table.

Andrew Mackinlay: On a point of order, Mr. Speaker. I do not want to embarrass myself, although that has never stopped me before, but a copy of the amendment is not available outside the Chamber.

Mr. Speaker: I understand that copies of the amendment are in the Vote Office, and they may well be available on the Table.

Andrew Mackinlay: I am very much obliged to you for your help, Mr. Speaker.

Mr. Peter Robinson *rose—*

Jane Kennedy: Thank you, Mr. Speaker. Before I move on, I shall give way to the hon. Member for Belfast, East (Mr. Robinson).

Mr. Robinson: Copies of the amendment are available because I picked one up several hours ago from the Vote Office. My copy refers to 1998. I am not sure why there is a date of 1999 in the Minister's copy.

Jane Kennedy: I have an earlier copy. The hon. Gentleman is right to point out that the date is correct in the amendment that is now available to the House, although I shall not dwell on it.

As a consequence of choosing 28 April as the dissolution date, the election timetable is shortened from 25 to 20 days, but that will not affect other key election timetable events, such as deadlines for absent votes. The election will be safeguarded by the most stringent precautions ever taken against electoral fraud.

The Bill includes technical provisions to take account of the impact on expenditure limits of moving the elections.

Rev. Ian Paisley (North Antrim): The Minister will be well aware that photographs are supposed to be made available so that people can get an identity card to vote. Is she aware that there is a complete jam-up of the works, which means that in some areas people cannot get those photographs or they cannot get an appointment to have photographs taken? The elections will be on us shortly, so will the Minister set her mind to finding out how to keep the process moving?

Jane Kennedy: I am not aware of the complete jam-up to which the hon. Gentleman refers. I understand that on 14 March the number of applications for electoral identity cards stood at 55,225, and that on 11 March the number of cards issued was 16,935. The processing of applications is well under way. Every elector may now use a range of photographic identification; people are not restricted to using the electoral identity card to which the hon. Gentleman referred. I am confident that those who need a card will be able to get one in ample time for the elections.

We are asking the House today to go the extra mile, as it has done before, to give the agreement a chance to succeed and come to full fruition. We believe that that is a real prospect; otherwise we would not have introduced the Bill. Northern Ireland, and therefore each of us in these islands, has come a very long way since the agreement was concluded in 1998. I hope that the House will agree to offer this vital chance of advancing further.

4.26 pm

Mr. Quentin Davies (Grantham and Stamford): As it is St. Patrick's day, I start by offering my warm congratulations to all those in the House from Northern Ireland and with Irish connections generally. It occurs to me that we may all like to send our warmest wishes to the men of the Irish Guards and the Royal Irish Regiment, who are currently deployed in the Gulf and for whom this must be an anxious time.

The Opposition have supported the Northern Ireland peace process and the Belfast agreement from the very first. Indeed, the peace process as we know it began with the ceasefire that followed the historic Downing Street declaration negotiated by the then Conservative Government. It is therefore reluctantly, and with a heavy heart, that over the past 18 months, we have felt the need, in the interests of the peace process and of the people of Northern Ireland, to take issue with the Government on the tactics that they were adopting in the process. In our view, those tactics were imperilling the implementation of the Belfast agreement and the achievement of peace and normalisation in Northern Ireland.

Those tactics were based on three illusions on the part of the Government, no doubt honestly, if naively, held, but no less potentially damaging and disastrous for that. The first of those was that the issues at stake and the parties involved in the peace process could be dealt with effectively one by one and separately. In other words, the Government, although well meaning, failed to appreciate that everything in Northern Ireland is interlinked. Everything is therefore contingent; side deals will never work; and no party will make a move unless it knows what the others will do in return.

The second illusion was the belief that terrorists and former terrorists can be appeased, or even disarmed, by unilateral concessions. In other words, the Government appear to fail to appreciate that we are dealing here with hard men, negotiators as tough as they come, who will never give anything for nothing and will take unilateral concessions as a sign of weakness and simply ask for more. In short, there was a failure to recognise that concessions must always be reciprocal and there must always be sanctions for non-performance in any successful peace process or agreement.

The third illusion was the belief that no damage would be done to Unionist parties or to the SDLP, the main constitutional parties in Northern Ireland, by endless conciliation and appeasement of republicans; that they could be, to a large degree, taken for granted. That was both unfair and impolitic. It could only lead, as I fear it has, to increasing disillusionment and cynicism about the peace agreement over the past few years in Northern Ireland, and to the hardening of positions in both the Unionist and nationalist camps. So the Government saddled themselves and are responsible for quite a large measure of the difficulty with which they now have to contend.

The Government's misconceived approach—it was fundamentally misconceived in relation to the three illusions that I have set out—led to their committing,

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and it could only have done so, four cardinal errors. I have described these four errors before as the Government four cardinal errors, and I shall again repeat what they were to remind the House.

First, there was the colossal error of releasing all the prisoners without any decommissioning taking place, even though the Belfast agreement required both processes to be completed within two years. Secondly, there was the failure to respond at all to successive breaches of the ceasefire and the agreement by Sinn Fein-IRA—Florida, Colombia, Castlereagh and the continuing beatings, shootings and intimidation. As I said at the time, failure to respond to such egregious breaches could only lead to more, and so, sadly, it proved with Stormontgate.

The third cardinal error was the incredible decision, despite all that, to offer new unilateral concessions to Sinn Fein-IRA that were not required by the agreement. The two worst such examples were the promise at Weston Park of an amnesty for on-the-run terrorists to be delivered by the end of 2001, and the special status for Sinn Fein members in this place.

The fourth cardinal error was the decision to turn down the offer that I made in the House last July to pass rapid legislation to give the Secretary of State power to suspend from the power-sharing Executive any parties in breach of their obligations or in concert with those in breach of their obligations under the ceasefire or the agreement.

Lembit Öpik: Will the hon. Gentleman describe the mechanics of how he felt that such a suspension would have played out in Northern Ireland and why he feels that it would have been effective?

Mr. Davies: I am not pretending that I predicted Stormontgate. Of course I did not. However, I predicted and said at the time—it is on the record—that if we did not respond to breaches, there would be more. I said during the debate that took place in July that we had better prepare for what the Government do, because the Government, as sure as hell, had better do something next time, otherwise there will be more and more. The Government need to suspend from the power-sharing Executive parties that are in breach of their obligations or in concert with organisations that are so in breach.

At the time, there were only two possibilities available to the Government, and unfortunately that remained the position. One was to introduce a motion in the Assembly, which under the rules of the Assembly would have had to achieve a majority in both camps, Nationalist and Unionist. In practice, that meant that the entire onus for excluding Sinn Fein would have lain on the SDLP. That would have been a ridiculous situation and an abdication of a fundamental responsibility on behalf of the Government to do something about these breaches.

The other alternative was to suspend everybody, both innocent and guilty, and to bring down the structure of devolution—the Executive, the Assembly, the whole lot. That is what the Government ended up having to do. That is because they did not accept my proposal, which was to provide in legislation in this place—it could have passed through the House quite rapidly—for the Secretary of State to have powers to exclude the particular party which was in breach or in concert with those in breach. That is simple. I am surprised that the hon. Gentleman did not follow the argument at the time. It seems clear in retrospect that we should have done that. Instead, we have brought down the whole structure, and that is precisely why we confront the difficult situation that we do. That is precisely why, in addition, we have had the crisis over the past six months and the issue of how we shall restore the institutions of devolution, which were suspended because, unfortunately, there was no alternative.

However, let me be fair to the Government. Since the right hon. Member for Torfaen (Mr. Murphy) took over as Secretary of State, there has been, in all honesty, a striking change in the Government's approach, which is extremely welcome. All the other elements in the equation, such as the issues, the parties, the personalities—in Northern Ireland, the Government of the Irish Republic, and the Government themselves, including the Prime Minister, Mr. Jonathan Powell and everybody else—remain the same and nothing else has changed. The only new element is the arrival of the right hon. Member for Torfaen, so it is fair to give him substantial credit for that change in approach.

Kevin Brennan (Cardiff, West): Hear, hear.

Mr. Davies: I am glad that the hon. Gentleman recognises that I am endeavouring to be fair. Perhaps our own critiques were not without effect. Perhaps even more eloquent is the fact that the predictions that we made on the basis of our analysis proved true all too often and, sadly, what we said would happen came about. However, there was undoubtedly a change of tone. The Prime Minister's speech in October, to which the Minister of State has already referred, was certainly the most realistic and robust that he has made so far in the peace process. At the time, I said that we welcomed the speech but that we would judge the Prime Minister by his deeds, not merely by his words. Importantly, over the past six months, there has been a welcome absence of unilateral concessions by the Government.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Desmond Browne): I hesitate to interrupt the hon. Gentleman's speech, which could be described as slightly understated, but urge him to reflect on the timing of the events that he is narrating to the House. My recollection is that my right hon. Friend the Member for Hamilton, North and Bellshill (Dr. Reid) was Secretary of State for Northern Ireland when the Prime Minister made his speech on 17 October.

Mr. Davies: The tone of the speech, as I have already said, was welcome. The substance—the negotiations—I shall come on to later; they are a more recent phenomenon, but are also extremely welcome. We keep our eyes and ears open and have noticed that the words and concepts that we have espoused for so long and which the Secretary of State's predecessor, the right hon. Member for Hamilton, North and Bellshill (Dr. Reid), used to reject passionately or even to rubbish when I used them over and over again in the past year and a half at the Dispatch Box—words such as linkage, timetable, sanctions, multilaterality—are now on the Government's lips, including those of the Parliamentary Under-Secretary of State for Northern Ireland, the hon. Member for Kilmarnock and Loudoun (Mr. Browne) and the Minister of State, which I welcome.

Last Wednesday, in Northern Ireland questions, the Secretary of State generously and revealingly agreed with me that it was a thoroughly good thing that we in the Conservative party had successfully resisted the promise of amnesty for on-the-run terrorists at Weston Park. As a result, that important card remains in the Government's hands, and enables us to achieve the judicial treatment of the problem of on-the-run terrorists, which both the Secretary of State and I, both Government and Opposition, agree we should seek. There is therefore a new realism and robustness, and there is a new approach that could be characterised as a multilateral, comprehensive package—exactly what the Opposition have been calling for for the past year and a half, recognising the linkages and insisting on the need for discipline, balance and sanctions on the Government's part. I hope and trust that that will bear fruit—indeed, there is some evidence that it is beginning to do so, as we always expected it would. Has the divergence—the rupture, even—between us over tactics now come to an end? Can we now speak of bipartisanship of approach and tactics as well as objectives? I profoundly hope so—the next few weeks will tell definitively.

It is clear that the Government's new course has produced a more hopeful situation. I have already had two private and detailed briefings from the Secretary of State about the meetings at Hillsborough and I am grateful for that. I must not betray in my remarks to the House the confidentiality of those briefings, but I can say that the new approach has been based on the principles of multilaterality, comprehensiveness and balance, and I know that the agenda now includes the essential mechanisms of explicit timetables and sanctions for non-performance.

Mr. Nigel Dodds (Belfast, North): The hon. Gentleman mentioned that he had had two detailed briefings from the Secretary of State on the outcome of the discussions at Hillsborough. Does he agree, therefore, that it is all the more despicable that hon. Members representing Northern Ireland constituencies, and members of the party that I represent in the House have received no such briefings, consultations or any information whatever from government, officially or otherwise? Is that not a despicable way to treat hon. Members, particularly when they represent a substantial—indeed, a majority—view of Unionism in Northern Ireland?

Mr. Davies: I have the greatest respect for the electoral mandate of any democratic party and I recognise that what the hon. Gentleman says is true—his party represents a large number of people in Northern Ireland. It has chosen, for reasons that we know, not to take part in the Belfast talks or in talks subsequent to the Belfast agreement, but I agree that the party cannot be left out of account. It would be inconsistent with the briefings that I have had if I engaged in publicly second-guessing the Government's tactics at Hillsborough, but I take note of the hon. Gentleman's comments, and I hope that the two Ministers on the Front Bench will have done so too. The complaints are not new, but that is no reason for not taking notice of them. I am glad the hon. Gentleman had the opportunity to make the point again this afternoon.

Without breaching the confidentiality of the briefings that I have had, I must tell the House—I have the agreement of the Secretary of State that I should say this—that what he told me about the results of those discussions so far has convinced me that it is right that we should not prevent the process being given a little more time before the Assembly elections. We therefore decided not to oppose the Bill today. I say that we shall not oppose it, rather than that we shall support it. I hope the Government will understand that.

Although I have had briefings on those meetings, I have not been present at them, so I am not in a position to make a judgment on behalf of the Opposition as to the extent of the progress achieved or the genuineness of that apparent progress. However, I have sufficient confidence in the Secretary of State to believe totally in his sincerity when he says that he believes that the progress is sufficient and sufficiently genuine to warrant a little more time. On that basis we should decide not to stand in the way of a little more time being given.

I emphasise, and I have emphasised this privately to the Government, that we say that with considerable reluctance and after much thought. One should not put forward proposals to extend deadlines, let alone extend deadlines for democratic elections, unselectively. One should do so only very rarely and specifically, and on the basis of extremely good arguments. There are two big issues that we should not overlook. One is that we are dealing with rules for a constitutional process. Constitutional rules must be taken seriously if they are to be worthy of that term. That is particularly true of the rules of new constitutions, like the constitution for devolved government in Northern Ireland, which are very young and have not yet acquired a substantial legitimacy or credibility of their own.

Secondly—this is a point of negotiating tactics on which in the past there have been considerable differences between us and the Government—the deferral of any deadline in any negotiation process must always be problematic. Extending one deadline inevitably reduces the credibility of all deadlines in that process. The object of deadlines is to concentrate minds and exclude opportunities for delay. If it is felt that deadlines are flexible in practice, they are worse than useless, as they will not be deadlines at all, but merely instruments enabling one party to make a fool of another. We must look very critically at this matter, and it is only after having considered it very soberly and critically that we have come to the decision that we should not stand in the way of the Bill this afternoon.

Having said that, I want to make three points as plainly and forcefully as I can. First, we will support no further postponement of the elections. I hope that the Government will make it very clear to all their interlocutors in the peace process that elections in a democracy cannot be postponed beyond the constitutionally prescribed dates except by consensus and that there will certainly be no such consensus for

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any further delays. The evil day cannot be further postponed and minds must be concentrated. We cannot continue as we have for the past five years. This extension of the deadline must really and genuinely be the last.

David Burnside (South Antrim): The hon. Gentleman has recognised time and again in the House that every deadline in Northern Ireland is not a deadline, but is repeatedly reset. If and when the election takes place on 29 May this year, what sort of deadline would he propose for excluding those who are in breach of the agreement and are still involved in paramilitary terrorist activities? Surely, no deadline for a newly elected Assembly should entail continual uncertainty. Surely, a deadline must be set for going ahead with an all-inclusive Executive or to exclude Sinn Fein from it.

Mr. Davies: I am sure the hon. Gentleman will agree, given his business background, that one of the rules of negotiation is that one does not declare hypothetical tactics in advance or say what one might or might not do in situations that have not arisen. That would be foolish.

I was trying to make a strong distinction—perhaps it would help for me to repeat what I was saying—between a constitutional deadline based in constitutional or foundational law and a deadline in negotiation. Deadlines in negotiations must be treated seriously or they will lose all credibility. However, a fortiori, if a deadline is enshrined in constitutional rules, one must be very careful indeed about extending it; otherwise, one will devalue the whole constitution of which that deadline is a part. That is particularly true in respect of deadlines for elections, as democratic elections are, of course, at the very centre of the democratic and constitutional process—or of any process worthy of such a name.

We are prepared to accept the extension of the deadline, but just this once. I think I have made it unambiguous and clear—I have certainly sought to do so—that this should be the last time. There should be no illusion about that on anybody's part.

Secondly, we are prepared to accept this procedural step—for that is what it is—in advance of a genuine, comprehensive and definitive settlement on the basis of the Government's assurance that it will help significantly to bring about such a comprehensive settlement in Northern Ireland, but we will not accept any substantive concessions in advance. We will not accept the making of any such concessions except as part and parcel of that comprehensive and definitive settlement. We will not therefore agree, to provide for any such concessions now in primary legislation to irrevocably complete the primary legislative process in advance in respect of any matter that needs to be dealt with because of the Northern Ireland peace process and simply leave it to the Government to decide on implementing the provisions of that change in our law under statutory instruments if and when they feel that they have achieved enough in the process to warrant their doing so. Parliament should not, and in such critical cases—they are critical constitutionally, for judicial propriety and for peace—it absolutely must not, sign blank cheques in that fashion. Only when the whole package is available for inspection can Parliament make a judgment on it, and only then can it decide whether a particular measure is still justified in principle or should be modified or amended. Statutory instruments notoriously cannot be amended in this House, and we therefore absolutely reject that method of proceeding. In other words, if the Government wish to legislate as part and parcel of their delivering their side of a bargain in a Northern Ireland settlement, I am afraid that we must wait to see what that bargain consists of, and primary legislation should only be introduced at that stage. I hope that the Government will take account of these observations very seriously when they plan ahead and take decisions—for example, on the Police (Northern Ireland) Bill, which is scheduled to be debated on Report next week.

Let there be no doubt about what we mean when we say "comprehensive settlement". It must be a settlement in which there are no loose ends—no necessary actions that are left over indefinitely or are to be dependent for their fulfilment on good will in the future—and no side deals or secret agreements. It must be definitive and transparent. It must, of course, include the completion of decommissioning, to a strict timetable, of IRA and loyalist paramilitary weapons to the satisfaction of General de Chastelain and of the public in Northern Ireland. The latter means inevitably that the completion of decommissioning must be undertaken in a much more open fashion than were the two acts of IRA decommissioning that we have already had. A settlement must involve the disbandment of all paramilitary organisations connected to any party that wishes to take part in the political process and does not wish to go down the route of permanent professional criminality. There can be no third choice. Concessions by the British Government must be made pari passu with, or after, the verified completion of those two processes of decommissioning and disbandment. There must be no payment in advance whatsoever.

Last, but certainly not least, there must be clear and enforceable sanctions for non-performance or for subsequent backsliding at any and every stage. That is our concept of a successful peace process. If it is the Government's agenda, too, as I hope, they will have our full support; if not, I fear that they will not.

Mr. Alex Salmond (Banff and Buchan): On a point of order, Madam Deputy Speaker. The Leader of the House has resigned. That is something that we understand and, indeed, that many of us support, but it creates an issue in terms of the flow of information to Members in the House as to what statements are being made, and by whom, and what debates are being held, and when. In particular, will the commitments given last Thursday by the former Leader of the House still stand in relation to the timing of any debate on the international situation? The usual channels are not a matter for you, but the flow of information to Members and the fact that every Member must be of equal standing most certainly is. Can you give some reassurance on that in this highly unusual situation?

Madam Deputy Speaker (Sylvia Heal): I inform the hon. Gentleman that that is not a point of order for the

Chair. It is a matter for the Government. My responsibility now is to comply with the allocation of time motion that is before the House.

4.53 pm

Jim Knight (South Dorset): At a time when we are all understandably preoccupied with events in Iraq, it is nevertheless appropriate that we should not be so distracted that we fail to continue to seek to get our own house in order in respect of Northern Ireland. I support the Bill as an important measure to allow time for parties to reflect on the recent negotiations and, I hope, to get the Assembly up and running again in time for the elections.

I make no bones about the fact that I am no expert on this subject. I visited Belfast for the very first time last month with a number of colleagues. We met representatives of all the parties at Stormont, toured the interface areas and met cross-community workers, the Chief Constable, the head of the mediation service and members of the suspended civic forum.

The visit was truly fascinating. It was clear that Belfast suffers the problems of any major city in this country or in Europe relating to housing, employment, educational standards, drugs, crime—organised and otherwise—and transport. We also saw plenty that was good and positive. The relative peace was clearly welcomed despite understandable nervousness about its fragility. However, as a first-time visitor to Belfast, I was struck by one point above all others: it is a scandal that Northern Ireland is not a bigger issue in the wider, mainstream political debate in our country.

Andrew Mackinlay: One of the reasons why it does not form part of our mainstream debate is that there is no Labour party in Northern Ireland. Some of us, who are on a three-line Whip, are waiting with bated breath for our political cousins from the Social Democratic and Labour party to turn up. I have been a Member of Parliament for 11 and a half years. I am sick and tired of being brought here by my Whips to support measures—I emphasise that I support the Bill—only to find that there is no Labour voice from Northern Ireland. I hope that Mr. Mark Durkan takes note. At the moment, no representative of our political cousins is present. I—

Madam Deputy Speaker: Order. I ask the hon. Gentleman to bring his remarks to a close.

Jim Knight: I think I am grateful for my hon. Friend's intervention. I broadly support his comments. There is a strong argument for the Labour party's allowing membership for residents of Northern Ireland, but also against its organising there.

David Winnick (Walsall, North): It is a complex issue.

Jim Knight: My hon. Friend is right.

It was truly shocking to find that we live in a country where some communities are so divided and informed by violence, and where people have so little hope. I have been brought up with the troubles—they are approximately as old as me—but last month, I saw the reality of the TV pictures with which I grew up. I saw the walls on the peace lines, the abandoned housing, the murals of hatred, the marked-out territory, and schools on opposite sides of the road that could be on opposite sides of the world for all the contact that they have with each other. I am sure that that is all too familiar to all hon. Members in the Chamber, and perhaps the normal facts of life for some. However, they were shocking to me, and form part of the reason why I wanted to speak in the debate.

The people of Northern Ireland deserve better. They deserve peace and security as much as anyone else in the world, yet they have been isolated in a discrete pocket in the mainstream political debate of this country. That has been allowed to happen because the subject is all too depressing and difficult and if we put it to one side, we do not have to worry about it too much. I therefore pay great tribute to the Prime Minister for his work in trying to sustain progress throughout his premiership, even in recent difficult international times.

What are the substantive issues in the Bill? We are told that the British and Irish Governments have reached agreement on a series of proposals to restore devolved Government on a secure footing that are capable of commanding the support of the pro-agreement parties. We are told that it is possible that we have reached the basis for the final breakthrough, resolving all the outstanding issues and delivering stable and inclusive government in a peaceful society. We are told that we need to give the parties time to reflect on that possible breakthrough so that they can make the necessary decisions to restore the devolved institutions of the Belfast agreement and thereby hold meaningful elections to a live Assembly. I believe that we should trust that information.

However, postponement should not be undertaken lightly. When we met all the parties at Stormont, we discussed postponement and, although we largely considered indefinite postponement, there was clearly considerable opposition to the idea. Many believed that it was being considered simply because the polls suggested that the result would not be to the Government's liking.

I also appreciate that the immediate run-up to an election is not the best time to secure the necessary compromises to make progress on the more substantive issues such as achieving a complete cessation of paramilitary activity, agreement on future sanctions, the final acts of completion, full cross-party representation on the Policing Board and so on. The *Belfast Telegraph* published a contradictory poll that showed both that 64 per cent. of Unionists are against the Belfast agreement and that 60 per cent. of Unionists want it to work. The position is therefore difficult to predict.

The Bill is the right way forward because the position is so difficult. To make a definite, clear postponement of just four weeks is not to run away from the ballot box. It is a sensible compromise to provide some breathing space. I know that, for some, compromise is an unwelcome "C" word, but I believe that the majority will welcome it if it produces results.

I would say the same about the publication of the proposals agreed by the British and Irish Governments. I understand the wish of anti-agreement parties to know what is in those proposals, but I also think it right to allow those who are committed to progress to consider them in the round, without having them picked apart in

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public, bit by bit, by their opponents in the run-up to important elections. We need to see the bigger picture. Everyone will find things that they like and things that they do not. Nothing can therefore be viewed in isolation. We can all predict what the main issues will be, and all that is now being proposed is that the key players have the chance to have a good look before they leap forward to what I hope will be a lasting peace.

Before I sit down to make way for more experienced voices—I said that I was no expert on these matters, and I do not intend to take up very much time, although there are some who might wish that I could—I would like to raise one further issue. I would like to hear further reassurance from the Minister that the election identity card scheme will be fully implemented in time for the elections, and that the Northern Ireland Office will ensure that there are no administrative logjams. It is vital that the electorate should have complete confidence in the outcome of elections, wherever they are held. I speak as one who failed to gain his seat in the 1997 general election by just 77 votes, and I was delighted to double my predecessor's majority to 153 in 2001. I know all about close results and recounts, and I am happy to say that I have every confidence in the validity of those results.

Lady Hermon: Is the hon. Gentleman aware that it is the Government's stated intention to withdraw all non-photographic identification before the Assembly elections, but that there has been insufficient advertising and publicity given to the fact that people must have photographic identification? I hope that he will have a word in the Minister's ear, either later this evening or on some other occasion, about increasing the advertising for these electoral identity cards.

Jim Knight: I certainly support what the hon. Lady says. That is why I have raised the matter. I want to put on record my concern that the scheme should be implemented properly, because it is an important safeguard given the delicacy of the situation in Northern Ireland. It is particularly important that the electorate should have the same confidence that I had when I lost by 77 votes. It is clear that this has not been the case in Northern Ireland, and I am keen that that certainty should be in place by 29 May.

In conclusion, I would simply say, "Give peace a chance." That is quite a controversial statement to make in these times, but, in the context of Northern Ireland, it is our only hope. The Bill is a reasonable and measured response, at a delicate time, and it deserves the support of the whole House.

5.3 pm

Lembit Öpik (Montgomeryshire): I congratulate the hon. Member for South Dorset (Jim Knight) on what could be called his maiden speech on Northern Ireland. He was doing very well—bearing in mind the fact that there is a vacancy in the Cabinet––until his potentially ambiguous comment about giving peace a chance.

The Liberal Democrats are disappointed that it has been necessary to introduce the Bill to postpone the elections, because we are reluctant to see any interference with the democratic process. When the Assembly was suspended last October, we stressed that it was really important to convene round-table, all-party talks immediately, so that progress could be made quickly to restore the institutions and proceed with the original election date of 1 May 2003. My colleagues in another place sought and were given reassurances from the Government that, despite the suspension, the elections would indeed take place on that date.

I understand that circumstances have now changed and, in fairness to the Government, they have been fairly good at consulting and informing the Liberal Democrats on the need for the change to 29 May. But we need to be convinced of the reasons for that change. As the hon. Member for South Dorset pointed out—quite reasonably, I think—the Prime Minister has spent some time in Northern Ireland in recent weeks. Given the international situation, I pay tribute to his personal dedication to the peace process. Although I have taken issue with one or two of his decisions, there is no doubt that he, aided by the powerful presence of former US President Bill Clinton, did a great deal to drive the process on. The Prime Minister can regard that as an achievement of which he should be justly proud.

The Prime Minister has said that it is necessary to postpone elections to allow time for more talks on restoring devolved government in Northern Ireland. In that context, a series of questions are raised by the decision, which should inform the House on whether the delay is appropriate. First, how often is the Secretary of State meeting the political parties, and will there be any further round table discussions before the Prime Minister and the Taoiseach return to Belfast in April?

During that time, the political parties in Northern Ireland will no doubt debate the merits of the package put before them by the two Governments, but I understand that, as yet, a final text—a final deal—has not been agreed in every detail, although the parties have seen copies of a document produced by the Governments. On 5 March, BBC News reported

> "A 28-page document . . . included five annexes dealing with security normalisation, policing and justice, human rights and equality, on-the-run paramilitaries and mechanisms to verify and monitor any deal."

That is an extensive statement, but if the document has not yet been finalised, how can the parties gather support for it? I have raised separately a concern that it seemed, at least to one party in Northern Ireland, that there was differential access to the materials—in other words, some parties saw more than others of what has been put forward. If the elections are to be postponed to 29 May, it seems not just respectful but vital that all parties are treated equally in terms of access to the proposals.

One reason for the degree of scepticism is what happened at Weston Park, where many of us felt unilateral agreements were made, regarding on-the-runs, for example. That has caused a scepticism or a concern—a distrust—as to everyone being involved at present because they were not involved in the past. That point was made by the hon. Member for Grantham and Stamford (Mr. Davies), and it is one with which I very much agree. If someone is shown to have behaved not completely openly with all sides, those who feel excluded will be much more difficult to convince in future. I hope that the Under-Secretary will give an assurance that all parties will have equal access to the information and that the scourge of unilateral deals, as correctly highlighted and criticised by the hon. Member for Grantham and Stamford, is not part of the current negotiations.

Even if the package is 99 per cent. completed and agreed, the final 1 per cent. may contain something that is seen as vital to one party, but completely abhorrent to another. My time with the Northern Ireland portfolio has taught me many things, one of which is that if we are truly to move forward together, it is vital that all those in the process are clear about what is being proposed and that they can support it. Otherwise, we are looking at another short-term fix rather than one that can provide long-term stability.

That goes to the heart of the problem with which we are dealing in Northern Ireland. There is a lack of trust among the political parties and it cannot be resolved by another quick fix. It is therefore incumbent on the Government to behave in a way that reassures all parties, and indeed the public, that a quick fix is not being sought to bring in one side or another and, potentially, distance a third.

The discussions at Hillsborough were about the response of the two Governments to actions that have yet to be delivered by paramilitaries—the so-called acts of completion. That is the context in which we must assess the package presented to the parties. For the Liberal Democrats, it is important that the Secretary of State reassure the House today that the Government will take forward the elements of the package only in that context.

The Minister of State gave the impression in her introductory comments that acts of completion are solid objects and very clearly defined in the sense that there is no flexibility in them. Once again, however, the Government have created a rod for their own back because the definition of "acts of completion" is rather vague. For example, they have already assured us that acts of completion are necessary to ensure the changes to the district policing partnerships, as circulated with the draft of the Police (Northern Ireland) Bill; yet an accompanying letter sent on 25 November from Lord Williams of Mostyn to Lord Glentoran, Lord Smith of Clifton and Lord Shutt stated:

> "We are not yet persuaded that the time is right to introduce changes in these areas. In particular the removal of the disqualification of ex-prisoners could, in our view, happen only in the context of acts of completion, as envisaged by the Prime Minister."

Does that commitment still stand? If it does not, it is hard to see what will be achieved by delaying the elections. It is obvious to me and to others that various parties representing Northern Ireland in the House would have difficult issues to address with their memberships, let alone with their principles, in accepting something that shifted away from the unequivocal statement in that letter of 25 November.

That is also the context for any discussion of on-the-runs. When the two Governments announced their package of proposals after the Weston Park talks in the summer of 2001, the Liberal Democrats firmly rejected the notion of a general amnesty for those who are on the run from justice. The early release of paramilitary prisoners was an extremely bitter pill for many people in Northern Ireland to swallow, but it was tolerated because it formed part of the Good Friday agreement. That cannot be emphasised too much.

The Good Friday agreement was negotiated by the political parties and accepted by the people through a referendum. However bitter the pill, the political parties were willing to swallow it because of the transparency of the process that led to the agreement. To propose an amnesty for those who are on the run—in effect, to ignore their offences entirely—is not an extension of the early release scheme and would go well beyond the Good Friday agreement. At the time, the Lib Dems indicated to the Government that if we were to support any legislation on that matter it was essential that those who intended to avail themselves of the measure should face some form of judicial process and that their release should be on licence.

The judicial commission proposed by the two Governments appears to be addressing our concerns, but will an admission of guilt be needed from a person who appears before the commission before their release on licence?

Rev. Ian Paisley: During the talks, it was stated that people would not have to attend any courthouse or legal proceedings, and nor would they have to make any statement as to their guilt or otherwise.

Lembit Öpik: The hon. Gentleman rightly draws attention to the concern that the process could be carried out in absentia. The issue could be resolved by a casual letter sent to the commission. It would be helpful if the Minister could explain to what extent the details of the process will be set out in any measures that would necessarily have to be debated carefully by the House.

Mr. Quentin Davies: I very much agree with the drift of the hon. Gentleman's comments. Does he agree that the House cannot possibly be asked to take irrevocable legislative decisions so that no further amendment is possible—for example on the changes proposed in the Police (Northern Ireland) Bill, which are concessions that the Government have agreed to make to republicans as part of a settlement—when we have no idea about the nature of that judicial, or quasi-judicial, procedure for dealing with on-the-runs and the whole matter has been left vague?

Lembit Öpik: It is possible to modify any legislation if the Government have the will to do so. However, it is difficult to consider each part of what is being agreed when we cannot see the big picture. It is much more difficult for politicians on the ground in Northern Ireland to sell a package when some of it has to be taken on trust. Again, I point out that the issue has been entirely created by the Government because of occasions in the past when one side or the other felt betrayed by unilateral agreements. That was bound to come home to roost. Had the Government shown more of a spirit of bilateralism in their negotiations in the past, perhaps politicians in the Chamber now would find it easier to sell packages on the basis of trust. Because the Government seem to have played fast and loose, particularly at Weston Park, Ministers must now be much more explicit about the details. It would not be reasonable for them to expect those details to be taken on trust again.

[Lembit Öpik]

As for on-the-runs, it is vital for justice to be seen to be done and for victims' concerns to be properly addressed. I think of those victims in particular when I consider what legislation we should have. But the issue of on-the-runs cannot be dealt with in isolation; we must also bear in mind those who have been exiled from their homes in Northern Ireland by paramilitaries—quite probably by paramilitaries who, despite the prospect of an amnesty, perhaps through licence, have nevertheless excluded people from their home state.

It would be highly distasteful for those suspected of crimes by the proper authorities to be allowed to return home when those exiled by paramilitaries are not afforded the same right. The paramilitaries must lift their threats from those who have been exiled, and allow them to return. My fourth question to the Minister is this: what plans are there to address explicitly the question of exiles? It is hard to imagine, certainly in the context of on-the-runs, how the Government could do other than ensure that it is handled transparently and equitably.

The issue of sanctions seemed to cause the most difficulties during the recent talks. Under the Good Friday agreement, the only sanction to be imposed on individuals or parties not upholding their responsibilities is removal of their membership of the Executive by cross-community vote. Paragraph 25 of the agreement states

> "Those who hold office should use only democratic, non-violent means, and those who do not should be excluded or removed from office under these provisions."

Since the signing of the agreement and the election of the Assembly, it has not always seemed to be the case that all involved in the peace process are truly and exclusively committed to peaceful means. The number of so-called punishment beatings and attacks in Northern Ireland over the past five years is unacceptable, and testimony to the ongoing underlying problem.

I wholeheartedly agree with the two Governments that there must be a strong procedure to ensure that parties comply with the necessary democratic standards. The establishment of a commission to examine paramilitary activity was mooted by the Government last July. The then Secretary of State, the right hon. Member for Hamilton, North and Bellshill (Dr. Reid) said in a statement to the House that he could see a case to

> "shine a light on the levels of paramilitary violence in the community, both loyalist and republican". —[*Official Report*, 24 July 2002; Vol. 389, c. 984.]

That brings me to my fifth question. In the absence of any action that is clear, emphatic and proactive, other than words of concern in the Chamber, what can we expect from the discussions that will come to light between now and 29 May to assure us that real pressure is being put on the paramilitaries to turn off the tap of beatings which, as they have shown in the past, they can administer and desist from as political expedience requires?

One of the four cardinal sins of the hon. Member for Grantham and Stamford was to criticise the Government for not introducing a power to suspend individuals rather than the Assembly as a whole. I take a different view. According to the hon. Gentleman's logic, in what he calls Stormontgate it would not have been feasible to suspend individuals there and then without violating the principle of their being innocent until proved guilty—suspending people who were still awaiting trial by law on the assumption that they would indeed be found guilty. I do not think that a change in the law would necessarily have helped to achieve what the hon. Gentleman wanted.

Mr. Quentin Davies: I see the hon. Gentleman's argument but I do not think he has quite understood the point. As far as I know, there was never a suggestion of indicting members of the Executive in connection with Stormontgate. Equally, one does not need to have a conviction of individuals to know that an offence has been committed. The fact that an offence had been committed was clear and on that basis the party that was the beneficiary of the intelligence ring could legitimately have been suspended without any prejudice to the trial of individuals who may have been subsequently indicted.

Lembit Öpik: The difficulty is that that leads to quite a big divergence from how we would handle things, for example, in the House. If one were trying to normalise things, that would be counter-productive. To take the hon. Gentleman's example, if wrong-doing were committed in the House by, let us say, a member of the hon. Gentleman's party but it was not clear who it was, one would have to find some way of creating a sanction that punished a wider group. I seek the Minister's perspective, if he wants to give it, but I am highlighting that these rather blunt instruments of law are not as effective as handling the issues on a case-by-case basis. As the record shows, I felt that the only option that the Government had at the time was to suspend the Assembly as a whole.

I ask the Secretary of State to give the House some indication of how he proposes to deal with the question of community relations. In the run-up to the election on 29 May, there is every danger that the Northern Ireland community will feel more split than it has for some time. One of my ongoing criticisms is the assumption, often in the very words we hear from Ministers, that there are two communities in Northern Ireland. That is unhelpful because it sectarianises the debate. I have said many times that 14 per cent. of people regard themselves as unaligned with Protestant or Catholic groupings. Sometimes, I feel that Ministers still slip into the assumption that legislation can validly be framed in a way that looks at those two main blocs rather than perhaps giving more weight to those people who do not regard themselves as traditionally Unionist or nationalist.

My final question is—

Mr. Browne: The hon. Gentleman makes a serious point, which is reflected in his sister party in Northern Ireland's approach. It is a regular interlocutor of mine on these issues. I would not wish him to leave the impression in the House that Ministers in the Northern Ireland Office are careless with their vocabulary in relation to the community of Northern Ireland and the failure to recognise its diversity. It is at the heart of our policy that we recognise that Northern Ireland is a diverse society. That has to include those people who do not see themselves as being in one or other of the two traditional camps. If the hon. Gentleman carefully examines the comments of my right hon. Friend the Secretary of State and my fellow Ministers, he will see that we are very careful not to do the very thing of which he accuses us.

Lembit Öpik: I am pleased that the Minister intervened. Rather than raking over examples from the past—I can think of a few from recent Standing Committees on statutory instruments, where I raised that point—let us accept that all of us now recognise the importance of acknowledging those who do not traditionally align themselves with, if you like, the two larger community groups, which often are seen to dominate, certainly in the media.

I am grateful that the Minister has given that assurance. I was not suggesting that Ministers were being cavalier in their language but the hon. Gentleman would expect me to make that point, not least on behalf of the Alliance party in Northern Ireland.

Let me conclude by—[*Interruption.*] I am grateful for the attentive support of Labour Members. I hope that this one final assurance can be given by the Minister. The Liberal Democrats are inclined to support the Bill but only on this condition, and it is my final question. [*Interruption.*] Okay, I will make it my final statement, and silence will indicate assent, in order to be philosophically consistent with what I said before. The statement is: there is absolutely no prospect of a further delay. The hon. Member for Grantham and Stamford said that and I echo his sentiment. It is reasonable to expect the Minister to give the explicit commitment that 29 May is now the given date. Although we are not pleased about the change, we understand it, but if that date were to change after such an assurance were given, Ministers and the Government would begin to lose the confidence of the Liberal Democrats, and perhaps of the House in general. I have no doubt that the Minister will be able to give that assurance.

5.25 pm

Kevin Brennan (Cardiff, West): I am tempted to begin by saying that this is my final question, but I shall resist that temptation. May I wish you, Madam Deputy Speaker, and the House a very happy St. David's day? It is good to hear—[*Interruption.*] I apologise, I meant St. Patrick's day. That has rather spoilt my point, which is that it is nice to know that all hon. Members can be so happy on the feast day of St. Patrick, that famous Catholic Welshman who went to the emerald isle to do his bit.

This is the third time that I have attempted to speak in a Northern Ireland debate, but the first time that I have been successful in catching the eye of the Chair. I am sure that my success has nothing to do with the fact that you, too, Madam Deputy Speaker, were born in Wales, but, for that reason, you will know the saying, "Three tries for a Welshman—Tri chynnig i Gymro." My comment is no reflection on next Saturday's match between Wales and Ireland, although I am tempted, as someone who is half-Irish—

Madam Deputy Speaker: Order. I hope that the hon. Gentleman will not be tempted into saying anything more to do with Wales or rugby.

Kevin Brennan: I take your point, Madam Deputy Speaker. I just wanted to say that—despite the fact that I am a Welshman—I wish the all-Ireland team well for next Saturday, given that they are on their way to their first grand slam since 1948.

In supporting the Government today, I follow my hon. Friend the Member for South Dorset (Jim Knight) in paying tribute to the work of the Prime Minister. I also pay tribute to the work of the Secretary of State for Northern Ireland, and I was pleased to hear Opposition Front Benchers do likewise. The Prime Minister's personal commitment, and his great experience, wisdom and diplomacy, along with that of the Secretary of State, have been very important.

No one ever said that delivering peace in Northern Ireland was going to be easy. It is perhaps easy to forget how long the process of building a lasting peace has been going on. It is worth reminding the House that 15 December will be the 10th anniversary of the historic Downing street declaration, which was brokered by the former Prime Minister, John Major, and the former Taoiseach, Albert Reynolds. There have been 10 long and arduous years of dogged negotiation and effort, followed by hope, then setback, then breakthrough, then disappointment. However, we are all still here today, discussing peace and trying to find a way through the current difficulties, and that is what we must focus on in this debate.

There is an old Welsh saying that the difference between devolution and evolution is that devolution takes longer. In the context of Northern Ireland, the peace process perhaps takes longer than evolution. Despite the recent difficulties, the parties and both Governments remain focused not just on delivering peace, but on securing workable and successful institutions through the Bill. That is testament to how far we have come, but we must not lose sight of one very important fact. Who would have thought that we could have gotten this far at the beginning of this process, 10 years ago, under John Major's Government? It is right to pay tribute to the efforts made by the previous Conservative Government, as well as to the progress made under the current Government and Prime Minister.

It is also easy to forget the distance that everyone has had to travel along this route. I pay tribute to the distance travelled by the parties in Northern Ireland—nationalists, republicans, Unionists and loyalists—towards compromise and peace, but also to the political parties in Britain in coming to terms with the peace process. When the hon. Member for Newry and Armagh (Mr. Mallon) famously described the Good Friday agreement as "Sunningdale for slow learners", he put into context the time that it takes to secure a lasting peace.

That also puts into the correct historical context the monumental progress that has been achieved in recent years. From a British perspective, progress has been

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made since the Prime Minister took hold of the process and drove it forward with his characteristic determination and vision. That has been the hallmark of his approach, and that of the Government, to British-Irish affairs since coming to office in 1997.

While we will listen to any concerns that people in Northern Ireland have about the Government's decision to delay the elections, it is worth thinking about the delay in the context of the Good Friday agreement itself, to see what the Bill actually proposes. As the House knows, the Northern Ireland Assembly was set up under strand 1 of the agreement, which related to democratic institutions in Northern Ireland. Under paragraph 36 of the agreement, it was envisaged that after a period there would be

> "a review of these arrangements ... including the details of electoral arrangements and of the Assembly's procedures, with a view to agreeing any adjustments necessary in the interests of efficiency and fairness."

That makes the Government duty bound to review the electoral arrangements for the Assembly, and gives them the power and moral authority to make any adjustments necessary. I am pleased that the Government have chosen to introduce legislation on the issue.

Paragraph 5, entitled "Review procedures following implementation", puts a further onus on the two Governments to put the wheels back on the wagon, if they should fall off along the way. It states:

> "If difficulties arise which require remedial action across the range of institutions, or otherwise require amendment of the British-Irish Agreement or relevant legislation, the process of review will fall to the two Governments in consultation with the parties in the Assembly. Each Government will be responsible for action in its own jurisdiction."

The Government are acting responsibly and within their jurisdiction in introducing the Bill.

Rev. Ian Paisley: I am glad that the hon. Gentleman quoted that section of the agreement, because it does not limit the consultation to the parties in the Assembly who are in the Executive, but to the parties in the Assembly. That should include all the parties in the Assembly, whether they support the agreement or not.

Kevin Brennan: I know that the hon. Gentleman's party has been consulted on many occasions, but has made it clear that it does not support the agreement. Therefore, in a sense, that is a moot point if the Government are trying to pursue progress on the agreement. I understand that if the hon. Gentleman's were the largest party after the election, it would drop the agreement, so I am not sure in what sense it could be party to any progress on the agreement.

If the process fails, the shape of any settlement that could be achieved in Northern Ireland will be no different in 10, 20 or 30 years' time. We had Sunningdale in 1974 and we now have the Good Friday agreement, but no one has made a convincing case that any settlement achieved in future would be substantially different. Clearly, the danger is that a return to violence could happen. I was with my hon. Friends the Members for South Dorset, for Glasgow, Cathcart (Mr. Harris) and for Sheffield, Hillsborough (Helen Jackson) and the hon. Member for Strangford (Mrs. Robinson), on a trip to Belfast, and only a week later a dissident republican bomb was left close to some of the places that we visited. We are all aware of the danger of a return to violence, but that does not mean that we should not pursue peace.

We saw efforts at reconciliation being made by communities in Belfast. It was remarkable to meet some people who were active participants in the conflict but who have since made genuine efforts to build peace. There have been many genuine and sincere acts of contrition. We need now to continue the process and to have acts of completion, which will give a sense of certainty that the war is over.

I am sure that some Northern Ireland Members sometimes feel that those of us from the mainland who take an interest are naive and have facile ideas. It can be easy to make false comparisons, but if one comes from Cardiff, as I do, one cannot help being struck by the similarities between Cardiff and Belfast. They are Victorian cities with similar types of housing. In many ways, they have similar histories. There is only one jarring difference—the sectarian conflict that has held Belfast back from achieving the renaissance that it could achieve. Cardiff has been able to achieve such a renaissance in recent years.

Lady Hermon: I do not represent a Belfast constituency, although North Down is fairly close so I hope that the hon. Gentleman will allow me to clarify one point. The Bill before us this evening seeks simply to change the date of the election—a date that was set by section 32 of the Northern Ireland Act 1998. The Bill is not part of a formal review as set out in the agreement. I would not wish hon. Members to be misled into thinking that it was.

Kevin Brennan: I accept that, although I felt that, on Second Reading, there was leeway to range widely around a topic. I have waited many hours on two previous occasions, so I hope that the hon. Lady will forgive me for having ranged widely. I will conclude shortly.

I represent a city in mainland Britain of similar size to Belfast. In Belfast and Cardiff, the similarities of the problems, which we discussed with people living on estates, are striking, leaving aside the conflict. I am sure that, in years to come, Belfast will be shortlisted for European capital of culture, as Cardiff has been, and as Belfast tried to be on this occasion. People will benefit if we can sustain the peace. If the time that is granted by the passage of this Bill helps in that, it will have been worth while. There have been 30 years of strife and we do not want another 30 before returning to square one. I hope that we are giving time for peace to develop, at least in Northern Ireland.

5.38 pm

Mr. Peter Robinson (Belfast, East): I had to pinch myself during the early part of this debate as I watched the Minister, in almost angelic fashion, presenting the Bill as if it had some moral authority. In reality, it is probably one of the most corrupt pieces of legislation that the House will see. It will not simply put off an election for four weeks, because it is now four years since that election should have taken place. I will go into that in a moment.

There is an imperative on the Government to obey the law and respect the rights of people to democratic expression through the ballot box. Those are two principles that any Government should guard. However, on every occasion that this agreement faltered, the Government were prepared to change and abuse the law, and avoid giving the electorate any say. The law has been redesigned on a number of occasions and democracy has been consistently manipulated. The process has been a farce and the Government's sole objective has been to cobble it together and evade the will of the Northern Ireland electorate.

The Northern Ireland Act 1998 set out several different ways through which elections could take place. Section 31 makes provision for an ordinary general election, and section 32 details two processes that could bring about an extraordinary election. The Minister was wrong to tell the House that the Government could have relied on the provisions in section 31 that allow flexibility of up to two months. They could not have done that because after we took legal action against the Government, the Secretary of State was forced by the Court of Appeal to introduce an order in the House that would allow an extraordinary election, which he determined should be on 1 May 2003. Therefore, section 31 had already been superseded and could not be applied because the Secretary of State had called on section 32 to get out of the dilemma that he faced because of the ruling. Section 32 provides for an extraordinary election when a stalemate has occurred in the Assembly. That can arise for several reasons, including if the six-week requirement has not been met for the election of a First Minister and Deputy First Minister.

The Government have exerted themselves improperly to bypass section 32 on many occasions. The first such occasion was when the then Deputy First Minister, the hon. Member for Newry and Armagh (Mr. Mallon), resigned following a disagreement with the then First Minister, the right hon. Member for Upper Bann (Mr. Trimble). The hon. Member for Newry and Armagh said that he could not work with the right hon. Member for Upper Bann and believed that he had gone back on agreements. The hon. Member for Newry and Armagh made a personal statement to the Assembly in which he announced his resignation. As a result, he was put out of his ministerial office, his ministerial car was taken off him, his ministerial staff were removed, his ministerial salary was taken away, his fax machine was pulled out of his home and his little mobile was taken off him. All the emoluments of office were removed from him.

The then Secretary of State for Northern Ireland, Mo Mowlam, came to the Dispatch Box and, with tears flowing down her cheeks, announced the resignation of the Deputy First Minister and said what a great contribution he had made. The whole world believed that the Deputy First Minister had resigned until everyone realised that the First Minister and Deputy First Minister were joint offices that were tied together. There could not be one without the other, and neither could be elected without a majority of the votes of both sections of the community as represented in the Assembly. The issue of designation became central, and because the majority of Unionists in the Assembly were opposed to the process, the Government knew that the Deputy First Minister who had resigned would not be re-elected. They also knew that the First Minister had consequently fallen and that he would not be elected either.

What were the Government to do? The law made it clear that the stalemate could be resolved by applying provisions in section 32 of the 1998 Act that allowed for an extraordinary election that would let the people decide. However, the Government's problem was that they knew that the people would support those in the Unionist community who opposed the agreement, so they could not allow the people to have their say. The end result was that the cheating began. The then Secretary of State for Northern Ireland produced a new Standing Order for the Assembly that said that no resignation would be effective unless it had been accepted by a vote in the Assembly, and so the resignation became a non-resignation.

Mr. John Taylor (Solihull): I am following the hon. Gentleman's argument, and he is certainly giving a vivid account of events at which he was present and I was not. Does he agree that a resignation is a perfect act of itself and does not require another half, acceptance, to make it complete? What does he say to that?

Madam Deputy Speaker: Order. I hope that we are not going to stray too far into resignations. We are talking about the postponement of elections.

Mr. Robinson: The issue of resignation is central to the Bill, which is based on the principle of when an election can be called and the circumstances in which it can be delayed. The Leader of the House has shown us today that a resignation issued by the individual is effective, whether or not it is accepted by anybody else. That is what the world believes, but the Secretary of State for Northern Ireland changed the rules to ensure that a resignation that everyone knew had taken place would not be counted, so the person concerned could get back to the business of the Executive.

That was only the first problem. The second occurred when we were approaching the 2001 elections to this House. The leader of the Ulster Unionist party knew that he would have problems with the electorate and thought that he had to toughen his act, so he made a statement indicating that unless Sinn Fein-IRA jumped through certain hoops, he would resign with effect from 1 July. That was a post-dated resignation. Of course, the IRA did not jump through the hoops that he had set for it, and the statement did not have the impact that the Ulster Unionist leader expected. That can be seen from the number of my colleagues on these Benches; the Ulster Unionist leader had predicted that he would get 10 members of his party returned, but that was not to be. The end result was that after the election, on 1 July, he had to resign.

The Ulster Unionist leader wanted to get back into office, but he could not because the law requires that a majority of Unionists support the First Minister and Deputy First Minister. That conundrum is similar to the one that faced the Government when the Deputy First Minister resigned, but this time things had changed. The Secretary of State no longer had the power to introduce Standing Orders in the Assembly, and devolution had occurred, so the Northern Ireland Act was in force.

[Mr. Robinson]

How did the Government solve that conundrum? Not by using the processes in the Act, section 32 of which would have allowed an extraordinary election. Instead, we had the farce of the Alliance party, sister party to the Liberal Democrats, and half of the Women's Coalition redesignating themselves as Unionists. As the House will know, when Members take their seats in the Assembly they have to designate themselves Unionist, nationalist or other. For the purposes of that particular vote, the Alliance party and half of the Women's coalition redesignated themselves as Unionists just for the day, throwing out of the window the purpose of the Act, which was to ensure that any major decisions would be taken with the consent of both sections of the Northern Ireland community. Once again, cheating got the Government through the problem that they faced.

We then had the introduction of the Northern Ireland Act 2000, which allowed for the suspension of the Assembly. That measure had the same purpose. If a First Minister and Deputy First Minister could not be elected within a given period—six weeks—the suspension process would begin, so for the third time, this House made laws to circumvent the legal requirement for an extraordinary election that would have allowed the people to give their verdict.

Now, we have this Bill before the House. It comes about as a result of the Government attempting for political purposes to avoid an election on 1 May. The Government have no choice in the matter; the order made it clear that the election was to be on that date. That decision was taken by this House on the Government's advice. The Secretary of State chose that day because it was the last possible day on which an election could be held. That resulted from the case that ultimately went to the House of Lords and deeply divided the Law Lords, as it had the Court of Appeal in Northern Ireland. The reality is that the Secretary of State chose what he recognised to be the last possible date on which an election could be held.

I question the authority and ability of the Government to revoke the Northern Ireland (Date of Next Assembly Poll) Order 2001. The order was a legal requirement that was placed upon the Government at the time—they could not have done without the order—but now they are attempting to remove that legal requirement simply by changing the rules once more.

Mr. Browne: The hon. Gentleman's recollection of the history of these developments is similar to mine. He omits from his analysis, however, the fact that at each turn when he was able to do so he challenged the steps that were taken and claimed that they were illegal, but on each occasion he was proved not to be right. He knows that the Bill cannot become law unless the House passes it, and he, of all Members, would protect the sovereignty of Parliament.

Mr. Robinson: The Minister is wrong on two counts. First, he is wrong in saying that at each stage we issued a legal challenge. We took a legal challenge on only one occasion, on one specific issue. We did not mount a legal challenge on redesignation or on the Mallon resignation. Similarly, we did not mount any challenge on the Political Parties, Elections and Referendums Act 2000.

The House is sovereign in changing legislation for events to come, but it cannot change events that have already taken place. Historically, those events have already happened. How can the House change a decision—[*Interruption.*] I will give way if the Minister has the point.

Mr. Browne: The hon. Gentleman is right, I have the point. Perhaps I was not sufficiently precise in my language. As he and his party showed, there was an opportunity to mount a challenge if they believed that we were acting illegally, but they decided not to do so. The Government's position was upheld in the one case they challenged.

We can enter more carefully into the detail at another stage, but the order that set the date of 1 May set a prospective date.

Mr. Robinson: Only one case was taken to the House of Lords, and that related to the decision of the Secretary of State to permit the First Minister and the Deputy First Minister to remain in office after the six-week period had passed. I have already said that that issue resulted in the closest division of the Law Lords and the Court of Appeal in Northern Ireland.

Interestingly, the Minister refers to whether the Government were acting legally. I have not thus far claimed that the Government were acting illegally. My first reference was to the morality of the Government having set down in legislation a specific course that has to be taken in certain circumstances, but, when those circumstances arise, deciding to change the law rather than to abide by the law that they had written. That is the reality.

Why is there delay? We have delay because the Government managed—at Hillsborough, according to them—to reach some level of agreement among the parties. We were not there and we were not invited to be there. I do not think that the shadow Secretary of State quite picked up the intervention of my hon. Friend the Member for Belfast, North (Mr. Dodds). It was not simply a case of the Democratic Unionist party not having been consulted and having stayed away from the talks—it was the DUP not having been invited to the talks. When it made contact, asking to see the Secretary of State or the Prime Minister, it was refused the right to do so. We were deliberately refused access to any of the information contained in the documentation. Still, to this day, the Government have not let us have sight of that documentation, yet little parties that collectively do not have the same representation as my party and receive a lower percentage of the vote—the Progressive Unionist party, the Women's Coalition and the Alliance party—have had the right of access to the documentation.

The DUP enjoys greater electoral support than the SDLP and Sinn Fein, but we are not allowed to see the documentation about which the Minister spoke so glowingly at the beginning of the debate. It is not good enough to say, "You were against the agreement." Does being against Government policy mean that we cannot be consulted about new Government policy? That is an absurd position for the Government to adopt.

Lembit Öpik: Is my perception correct that the absence of perceived consultation makes it much more difficult for members of the hon. Gentleman's party sometimes to be sympathetic to ideas to which otherwise they would be more amenable?

Mr. Robinson: It has that effect, but it has another effect. It becomes clear that the Government are attempting to cobble something together behind the viewpoint of the majority of the Unionist community. The viewpoint that we express is the viewpoint of the majority of Unionists in Northern Ireland. They may not all be members of my party, but they hold the same views as members of my party on these important issues.

Apparently there is supposed to be a collective understanding about the way forward. I watched with interest the press conference that took place immediately after the Prime Minister and the Prime Minister of the Irish Republic came out of the talks. One person after another took a different position, indicating that they did not have a common understanding of the way forward. The Government seem to have seen a common understanding, but the participants seem not to have done so. However, it appears that at least there is a document setting out a number of concessions to the IRA, to buy it off in the hope that it might make a gesture and make a statement to the effect that its war is over.

No doubt we shall know precisely the words of that statement when the ard fheis meets at the end of this month. I understand that the Government expect that the IRA will then make a statement, closely followed by some act of completion. I think that the Government want the act of completion to be as public as possible. However, I can say with certainty that it will not be an act of completion. There will still be further acts required. The IRA will not hand in all its weapons, nor has it any intention of doing so. Indeed, it is bringing more guns and weaponry into the country, rather than decommissioning.

An essential part of the deal is what has been described as the sanctions. In both the Belfast agreement and the Northern Ireland Act there is a sanction, but it is totally ineffective. It required nationalists and republicans to throw out Sinn Fein. We knew that that would never happen. We told the parties that supported the agreement that it would not happen, and it has not happened. Every attempt has been made in the Assembly to hold a vote on the issue, but the SDLP and Sinn Fein have always vetoed it.

A more effective sanction was required, and the leader of the Ulster Unionist party has described it as a deal breaker. I assume that we must judge from that that all the other concessions were not deal breakers for the right hon. Gentleman. He was quite prepared to support them or to acquiesce in them, including on-the-run terrorists. However, the one deal breaker for him, and according to him, was the issue of sanctions.

I have to go by what the newspapers say because the Minister has not taken us into his confidence and has not told us what the proposals are. According to the *Belfast Telegraph*, a four-man panel will be set up, which will have a representative from the United States, from Her Majesty's Government, from the Dublin Government and a person from Northern Ireland. Those four wise men must reach some kind of consensus to determine whether there has been a breach of the ceasefire. The *Belfast Telegraph* did not tell the world, nor has the Secretary of State or any of his Ministers, whether that consensus has to be unanimous or whether one person can veto it. I am sure that the Under-Secretary will tell us his winding-up speech. However, the four-man or four-person panel will make a decision about whether there has been a breach of the ceasefire. If they deem that there has, they will inform the two Governments and an implementation body, which is a pro-agreement group in the Assembly. They will consider the matter, and if they deem that there has been a breach of the IRA ceasefire, they can require Sinn Fein to give its views, excuses or indeed a report.

David Burnside: Will the hon. Gentleman interpret or define the way in which he sees—and I saw no more of it—the four-man international committee institutionalising the sanction procedure, with the United Kingdom Government and Parliament giving up their sovereign power? It would be dangerous to go down that international route, with a veto for appointees from the British Government, the Irish Government and the American Administration. We should be very wary of participating in such an internationalisation of the sanctions procedure rather than leaving it as the responsibility of the Government.

Mr. Robinson: I agreed entirely with the hon. Gentleman until his last few words, with which I have some difficulty, as I would not leave it with the Government of the United Kingdom. No Secretary of State for Northern Ireland will throw Sinn Fein out. People have had opportunities over the past five years to table a motion in the Assembly to have Sinn Fein excluded, but have failed to do so, in spite of Florida, in spite of Colombia, in spite of the killings, in spite of the shootings, in spite of the paramilitary beatings, in spite of Castlereagh, even in spite of Stormontgate and the spy ring. Never on any of those occasions did they table a motion in the Assembly, so I do not rely on the Secretary of State or Her Majesty's Government to impose any sanctions on Sinn Fein

The hon. Gentleman's first two points, however, are sound. First, there has been a further internationalising of the situation. A great mistake was made by the previous Member for Fermanagh and South Tyrone, who advocated the internationalising of the decommissioning issue, as a result of which people from outside the United Kingdom became involved in a number of different ways. The second and, in my view, more important, issue raised by the hon. Gentleman is the fact that we will end up having an internal Government matter within Northern Ireland vetoed by people who do not live in Northern Ireland and should have no jurisdiction there. Throughout the whole period of previous talks, my hon. Friend the Member for North Antrim (Rev. Ian Paisley) resolutely opposed the Dublin Government having any say in internal Northern Ireland matters. On the four-man panel, a

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representative of the Dublin Government will have a direct say in the sanctions issue and a direct ability to veto any sanction.

However, those are only the first two stages of the process. In the next stage, if Sinn Fein makes its apologia and it is not accepted by the implementation body, the matter will proceed to the two Governments, who have to agree on the appropriate measures to be taken. Again, a veto will be given to Dublin in the process, after which the Secretary of State will make his decision. That is a recipe for disaster, procrastination and delay, and is a certain way of ensuring that no decisions will be made to impose sanctions on Sinn Fein. The leader of the Ulster Unionist party may consider that worthy in ensuring that a deal will not be broken, but I have a different view of its value.

Mr. Dodds: In light of the process that my hon. Friend rightly described, which is the subject of speculation and leaks and has not been denied by the Government at all, is it not all the more incredible that the leader of the Ulster Unionist party should describe that process as a deal breaker, rather than things such as on-the-run terrorists, destruction of security along the border and elsewhere for innocent citizens, and other similar matters?

Mr. Robinson: My hon. Friend's point stands without me having to make any further comment. If that was the only deal breaker, the prospect now facing everybody in Northern Ireland in the devolution of policing and justice powers fills Unionists with dread. On the back page of the UUP manifesto was a picture of a clock, showing what the leader of the UUP considered to be the progress made under the Belfast agreement and what the next steps would be. One of those steps was the devolution of policing powers. Again, that is one of the proposals to be introduced under the Hillsborough deal—perhaps not immediately, but no doubt after the election, powers over policing and justice matters will be devolved to Northern Ireland, but only in certain circumstances. My understanding of the 28-page document that I have got from parties that were there—not Sinn Fein, I must immediately tell the House—is that that will happen in only one set of circumstances, where there is a division of those responsibilities between Unionists and nationalists. Whether Unionists get the policing portfolio and nationalists the justice portfolio, or whether they hold them jointly, those proposals have been considered, and are included in the document that the Secretary of State will not let the world see.

The bottom line is that if the Sinn Fein organisation becomes the largest nationalist party, not only will one of its members become Deputy First Minister if the UUP leader can command a majority in the Assembly, but the policing and justice post will be held jointly by a Sinn Fein representative. The obvious person to get it is Sinn Fein's policing and justice spokesman, Gerry Kelly who, of course, has a wide knowledge of justice and policing matters. He has a wide knowledge of justice matters because he was found guilty of being responsible for blowing up the Old Bailey, when 200 people were injured. His wide knowledge of policing issues comes from the fact that he attempted to blow up Scotland Yard. This is the man who is being canvassed as the Minister with responsibility for policing and justice in Northern Ireland. When he was caught and put in prison, he escaped. A prison warder was killed when a screwdriver was gouged into his head during the escape bid by the Sinn Fein representative who will become the Minister with responsibility for policing and justice under the proposals being acquiesced in, if not agreed, by the leader of the Ulster Unionist party. People in Northern Ireland are rightly not pleased about that prospect. However, it is part of the deal that was cobbled together.

At Hillsborough, only one party canvassed for a delay in the elections, and did so publicly for a long time. An article headed, "Postpone Assembly poll urges Trimble advisor" says:

> "A Queen's University political lecturer who acts as a senior advisor to Ulster Unionist leader David Trimble has suggested a year's postponement of the Northern Ireland Assembly elections to avoid the collapse of the Executive and other institutions of the Belfast Agreement."

The UUP leader refined his argument as he spoke to people from London and Dublin, suggesting that extra time was needed because time had been lost over the Assembly's life as a result of postponements and suspensions. The fact is, that was built into the legislation—the Assembly's first term was for five years, not four years, as every other term should be under the legislation. The UUP advanced the argument that there should be a delay in the poll, and that there should be a one-year postponement of the election. The morning of the first day, the UUP leader went in and argued for a one-year postponement of the elections. By the end of the day, he was falling back on an argument to put them off until October—he would have been satisfied with a delay over the summer. By the time that the meeting finished, and he left early, he was satisfied with a delay of four weeks. Some people say that if had stayed any longer we would be out campaigning now.

The right hon. Gentleman was the one demanding the delay in the elections, and his was the only party demanding such a delay. All the other parties had openly said that they opposed a delay. On leaving the United Kingdom on his way to the United States, the right hon. Gentleman had the audacity to make a statement—again, the subject of a headline in the *Belfast Telegraph*—on Tuesday 11 March: "Trimble warns: don't postpone poll again". The man who had begged and pleaded, who had worn the knees out of his trousers pleading with the Secretary of State to postpone the elections, ends up warning the Secretary of State not to do so again—the very person who had been responsible for the delay.

There is nothing unusual about the right hon. Gentleman's attempt to wash his hands of the decision that had been taken. I remember the occasion in the House when he stood up to berate the then Secretary of State about allowing facilities in the House to be made available to Sinn Fein-IRA. The Secretary of State put his hand into his inside pocket and asked the right hon. Gentleman whether he wanted to reconsider what he was saying. Eventually the Secretary of State pulled out a piece of paper that turned out to be a letter from the leader of the Ulster Unionist party advocating that facilities in the House should be given to Sinn Fein-IRA in circumstances that then pertained. He was changing his position to one that was more attractive to the electorate. The delay comes as a direct result of an on-the-run politician, afraid to face the electorate, attempting to avoid the decision of the electorate at the ballot box.

It would appear from the debate that there was only one element to the Bill. There has been no discussion about its other element. Even the explanatory notes do not give away what the other element is. Leaving aside the issue of the postponement and delay of the election, there is a key provision in the Bill that allows the Government to delay the return of an Assembly after an election. As a consequence of delaying the first occasion when the Assembly meets, clause 1(2)(c) states:

> "in subsection (5), at the end there is added ', as shall any day on which section 1 of the Northern Ireland Act 2000 is in force'."

The effect of that subsection is to ensure that the requirements laid down in section 16(1) of the 1998 Act, whereby a First Minister must be elected within a six-week period, will no longer apply. The six weeks will drift with the suspension. If the first meeting of the Assembly is not held within eight days, the six-week period is not triggered.

In case the Minister tenses himself at this stage, I should tell him that I support the provision. It is a sensible provision. The Government will not admit it, but the reason for it is that they recognise that things will change after the election. Negotiations will be required after the election. This is the negotiations clause in the Bill. It is, perhaps, the real purpose of the Bill.

Mr. Browne *rose—*

Mr. Robinson: Yes, confession is coming.

Mr. Browne: Having listened to the hon. Gentleman for some considerable time and found something on which we agree, I hate to spoil it. The provision is a restatement of the state of the law as a consequence of section 1 of the 2000 Act. It is in the Bill only for the avoidance of doubt. I do not think that the hon. Gentleman would have any doubt, as I know how carefully he studies such matters, but it is there in case anyone else had any doubt. It is not a new provision at all.

Mr. Robinson: The House might be prepared to swallow that one, were it not for the fact that this is the second time that the Minister has indicated that there was no requirement for a provision in the Bill. On the first occasion, we were told that the revocation of the 2001 order was not required. Now we are told that the provision in clause 1(2)(c) is not required. If that is the case, we do not need the Bill at all.

There is no requirement for a Bill because, if we simply revoke the 2001 order, we fall back on the provisions of section 31 of the 1998 Act. That allows the Government to have the flexibility provided by section 31, which gives them two months before or two months after for the calling of an election.

Mr. Browne: I fear the hon. Gentleman misunderstands. The provision relates to section 1 of the 2000 Act, not any subsequent order. The point that I was making about the previous order was that the Bill effectively repealed that order. That is why it is necessary to restate it.

Mr. Robinson: The Minister confirms that in his view the Bill is unnecessary legislation. Both subsection (2)(c) and the one to which he previously referred are a belt-and-braces operation, restating what has already been stated elsewhere. However, no parliamentary draftsman would put into a Bill a provision that was already the law. The purpose of a Bill is to change the law, not to confirm the law as it stands. The Government are clearly making a provision. There is a legal requirement in the 1998 Act that is not interfered with by the 2000 Act—the suspension Act. The 2000 legislation deals with circumstances of an existing Assembly. It has no provision for the first day of a new Assembly. That is why the Bill was considered by the parliamentary draftsmen to be necessary.

It is clear that the Government had the alternative simply to revoke the 2001 order, which would have removed the section 32 provisions, and the Secretary of State could have fallen back on the section 31 provisions. The only change is the new suggestion that the Government can stay the hand of the new Assembly for a period beyond the eight days, thereby obviating the requirement for the section 16(1) provision to come into play.

Again, the Government are attempting to manipulate the democratic process for their own political benefit. The electorate were entitled to have their say on these matters. That was required four years ago, and the Government avoided it. It was required when redesignation took place, and again the Government avoided that consequence. They have avoided it several times with the suspension legislation. On this occasion, there should have been an election on 1 May. Once again, the Government put it off because it is not politically timely.

There is no reason why the election could not proceed and agreements be reached with people who will have a mandate after an election. What is the purpose of delaying the election for a further four weeks in order to reach agreement with people who do not have a mandate and who, after an election, will be seen not to be representative? It is clearly an attempt once again by the Government to present new circumstances that might give a leg up to one particular political party.

Several hon. Members have raised the issue of voter identification. I have serious concerns that hundreds of thousands of people will lose their vote as a result of voter identification. In a letter to me the Minister stated that 243,000 people had ticked the requisite box on the registration form to indicate that they required voter photo ID. He told me in a letter that only 45,000 people had returned such applications. Today he updated the figure to bring it up to 55,000. That still means that there are 200,000 people who stated that they required the ID and have not got it. Can anyone imagine what will happen at the polling stations if 200,000 people come along to vote and are told that they cannot do so because they do not have the requisite photo identification? There will be riots in the street. In one of the most middle-class areas of Northern Ireland, where legislation previously passed by the House meant that there were queues and people felt they would not be able

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to vote, the police had to be brought in and there were all sorts of problems. That happened in one small area and involved a few dozen people. What will happen when the Minister's legislation is introduced and 100,000 or 200,000 people end up unable to vote? It is not good enough for him to say that people will realise after the event that they had other photo identification. The form that they ticked indicated very clearly that they did not have alternative photo identification and those people will lose their vote.

I hope that I may have the Minister's attention for one final moment. Several references have been made to the question whether the Government will attempt once more to postpone the date of the election. Personally, I do not see how they could do so under the Bill—the Secretary of State has waived any ability to change the date—but what they can do is scrub elections all together. They could determine that they will not proceed because they do not like the potential outcome of the election. Will the Minister assure us from the Dispatch Box that he has set the course for an election come what may and whether or not parties act and perform as he expects as a result of Hillsborough? Can we have the undertaking that there will be an election on 29 May whatever the fallout from the Hillsborough discussions might be?

6.21 pm

Rev. Ian Paisley (North Antrim): I shall not speak for as long as my hon. Friend the Member for Belfast, East (Mr. Robinson)—I am sure that some will be happy about that—but I would like to mention the matter of people getting their identity cards. I understand that the Minister received a letter from my office that I had not signed. I would like to see that letter, because I understand that there were was no signature, but merely a "pp" against my name. Usually, when a letter goes out from the office, there will be a signature on it as well.

Mr. Browne: I am grateful to the hon. Gentleman for giving way. I do not want to make it a feature of every Northern Ireland debate in the House that a Minister produces a letter from his pocket. Nevertheless, I have a letter that states:

> "Please reply to 256 Ravenhill Road Belfast BT6 8GJ",

which I assume is the address of the hon. Gentleman's office. The letter is on House of Commons notepaper, addressed to me and signed "I. Paisley". Although the letters "pp" appear underneath the signature next to "Ian Paisley MP MEP MLA", it is signed "I. Paisley". I do not know who has access to the hon. Gentleman's notepaper or who he authorises to use it, but I naively assumed that that letter came from him or was at least dictated on his behalf. I am sure that he accepts that.

Rev. Ian Paisley: I should like the Minister to give me a copy of that letter. I shall be very happy to look into the matter.

Mr. Peter Robinson: At any rate, the letter would have been sent before anyone in the office was aware of the statistics provided by the Minister, which indicated that 200,000 people had not replied to the applications that were sent out.

Rev. Ian Paisley: All I can say about that is something very simple: this House has given an opportunity to the people of Northern Ireland to vote using a certain route. They should be encouraged to take that route and there should be no hold-up. I have constituents who have been told that so many people want their photographs to be taken that they have to wait in a long queue. Asking people to wait in a queue to get an identity card so that they can vote will cause great difficulties. That is what I am worried about and I do not feel that we will deal with all the people who say that they need the identity card. I cannot see us catching up on that. As my hon. Friend said, there will be trouble at the polling station.

I am glad that the Secretary of State has just entered the Chamber and I am sure that he will take note of what I say. I am not saying that the Government do not want these people to vote; I am saying that they have specified the way in which they must vote and we must see that that route is kept open and made available. That is the point that I wish to make at this time.

On 27 November, I asked the Prime Minister the following question in the House:

> "The Prime Minister is aware that in the past two days my party has met the Minister with responsibility for security in Northern Ireland and the Secretary of State for Northern Ireland. We put one question to both: what is an act of completion? Does it consist of IRA-Sinn Fein repudiating and ceasing violence and being disbanded, or does it simply mean that they make a statement that they will give up violence? Can the Prime Minister tell us what he believes it means?"

This was the Prime Minister's reply:

> "I can. It is not merely a statement, a declaration or words. It means giving up violence completely in a way that satisfies everyone and gives them confidence that the IRA has ceased its campaign, and enables us to move the democratic process forward, with every party that wants to be in government abiding by the same democratic rules."—[*Official Report*, 27 November 2002; Vol. 395, c. 309.]

I can say a hearty amen to that, if we are to get what the Prime Minister described. I read after the meetings in Hillsborough comments saying that a statement would first be made and accepted in good faith, but no statement measures up to what the Prime Minister said in this House. I say to this House that the Prime Minister has to deliver on that statement, and that if he does not do so, he will have fallen down on his own definition. He came to Belfast and no politician was invited to the meeting. He made a statement and would not allow the press to question him. He returned to the House, I questioned him and that was his answer. I hold the Government and the Prime Minister to that statement.

We want to see the disbanding of IRA-Sinn Fein and all terrorist organisations, whether they are Protestant, Roman Catholic or whatever they want to call themselves. I have suffered from them all. I have had bullets put through my bedroom window by those who call themselves loyalists. I have had a church bombed by those who would say that they are republican. I have suffered from both, and when I read what they say about me, I see that they think that I am Mr. Baddie No. 1. I congratulate myself, as that is what I want to be in the eyes of such people, for they are the scum of the earth, no matter what they profess to be. Deliverance is needed. I would like to hear the Minister stand up and say "Yes, we dot every i and stroke every t of the Prime Minister's statement and there will be no going back—

there must be a complete cessation of violence, the abandonment of paramilitarism and a goodbye to the gun in politics." Let us hear that.

When there were acts of decommissioning, there was rollicking laughter on the Labour Benches when I said in the House that I did not accept the reality of what had taken place. I spoke to General de Chastelain, who was supposed to be in charge, and asked "Could you tell me, general, where this happened?" He said, "No, I couldn't tell you." I asked "Do you think it happened in Ireland?" He said "I don't know." I said "Who were these men?" He replied that the men who had met him were all disguised. He said, "They told me that they were the IRA and that they were going to deal with the weapons." I said, "How did they deal with the weapons?" He said, "I cannot tell you." I asked, "How many weapons did they deal with?" He answered, "I cannot tell you." I said, "Were you out in a boat?" He said, "We may have had a boat journey."

Mr. Tom Harris (Glasgow, Cathcart): On a point of order, Mr. Deputy Speaker. There has been a great deal of speculation in the media this evening about a possible change to business in the House tomorrow, and I wonder whether you can confirm that. In doing so, can you let the House know if and when the text of any Government motion for debate tomorrow might be available to all hon. Members from the Vote Office?

Mr. Deputy Speaker (Sir Alan Haselhurst): I can say to the hon. Gentleman that his words will have been heard across the House. If a change in business for tomorrow is to be made, no doubt the Minister will inform the House as soon as it is practicable and Members will have a chance to ask questions at that time. I cannot add to that statement at the moment. I have had no notice of the details, but the hon. Gentleman and the House as a whole can expect that events are marching upon us.

Rev. Ian Paisley: The general was unable to give any information. I notice that people who laughed at those of us who did not believe that it was proper decommissioning are now saying that previous acts of decommissioning were not really decommissioning. They are coming over to our point of view after laughing at us and mocking us. The bombings, the killings and the beatings went on, and now on-the-run terrorists—

Mr. Deputy Speaker: Order. I know that the hon. Gentleman has very strong and deep-rooted views on these matters, but he is straying wide of the Second Reading debate on a Bill that, whatever he may see as its implications, is quite narrow in its terms.

Rev. Ian Paisley: Yes, Mr. Deputy Speaker, but other hon. Members dealt with matters relating to why we are here tonight. Why are we here? What is the House meeting for? What are we discussing? We are discussing the date of an election. Why has that election been called? Because the Assembly has had to be suspended. Why was it suspended? Because those who were in government were found to be guilty of a whole series of acts that could not suggest that they were concerned only with peace and stability in Northern Ireland. The root cause of the matter before us is that IRA-Sinn Fein refused to accept what it told us it had accepted. I, for one, cannot believe a word of what any IRA man says, and neither do the majority of the people of Northern Ireland.

Certain aspects of the Bill alarm me. Will the Government honour the result of the election? That is a question that has to be put. We must remember that this House governs the election. It will not be organised by the Assembly, by any Minister of the Assembly or by any elected Member from Northern Ireland. The Government here are responsible for everything that happens in managing the election—for getting the bolts into the boxes and getting them cut. It is a free country. We do not like the views of many of the people standing for election—we wish that they were not there, but they are. We are democrats, so if the democratic vote goes the way in which I personally believe it will—I have talked to many Government officials, and to people even closer than Government officials, and they agree—there will then have to come an honouring of democracy. It is all right to say that you are a democrat when things are going your way, but I have been in politics for a long time, and I have sat in this House for a long time, and I have seen the swings that take place—some days you are up, some days you are down and some days you do not know if you are up or down.

The day has come when the people of Northern Ireland are no longer going to be fooled by Government promises or allow Adams and his colleagues to deceive them. The day of the election is coming, and I am glad of that. I trust that the Government will make it clear that they will honour that election and that those who are elected will be consulted. The majority of Unionists have a right to be consulted, irrespective of whether the Government like their views, and I trust that that is what will happen. Then, perhaps, democracy will be seen to work as everybody puts their case.

Matters in Northern Ireland are very serious, and tonight matters in this old world of ours are very serious. It is interesting that we meet on St. Patrick's night. Someone said that St. Patrick was a Catholic. Of course, I am a Catholic, too. I am not a Roman Catholic, as everybody knows—I do not need to tell the Secretary of State that. There is unity in the message that Patrick brought to Ireland. I could say amen to every one of the doctrines that he taught, one of which was that no Christian man should take the life of another. He was harder on the terrorists of his day than any other preacher ever was. We need to return to that basic teaching of Patrick and to see that a man's life is a very important thing and that no one has the right to put out his hand to take that life, except under the constitution of the state where power is given to the magistrate to use the sword as an ordinance of God. It is important that we remember that tonight.

My deputy has given a fair history of the saga of this agreement. Hon. Members should realise that the time has come for the election, but that the time has also come when the Government must honour what the Prime Minister said to us in this House and accept the verdict of the people. The sooner we are around the table, when every man will have the opportunity to put his case, the sooner we will get this settled. I will not sit

[Rev. Ian Paisley]

for my party at any table where there are gunmen and terrorists who continue to hold to that and to do their misdeeds. Those are not the people with whom I, as a democrat, have anything to do, but I will sit with those who are constitutionalists and believe that the way out is through the ballot box and democracy. I hope that at long last the Government will come out strongly on the side of democracy, and I look forward to that day.

Several hon. Members *rose—*

Mr. Deputy Speaker: Before I call the next hon. Member, it may be helpful if I say, further to the point of order that the hon. Member for Glasgow, Cathcart (Mr. Harris) raised, that I can tell the House that a motion has been tabled that affects tomorrow's business. A copy may be obtained from the Table Office. As hon. Members may have noticed from the Annunciator screens, statements are to be made at the conclusion of our business tonight.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): On a point of order, Mr. Deputy Speaker. Can the business continue till 10 o'clock or will statements be made before that point?

Mr. Deputy Speaker: We are operating under an allocation of time order and the business cannot therefore be interrupted. We must wait until the proceedings are completed before Ministers can make statements in the House.

6.40 pm

Mr. Jeffrey M. Donaldson (Lagan Valley): The business relates to the date of the elections for the Northern Ireland Assembly. I share the view that there should be no need for the Bill. The elections should not be delayed; they should proceed on 1 May. I shall explain the reasons for that.

The republican movement—the IRA—has been given a veto over holding the elections on 1 May. It is the greatest determinant of the election date. The Assembly is in suspension because of the IRA's actions. The Government have been clear that if the suspension is to be lifted, we need, as the Prime Minister said, acts of completion from the IRA. We were told that elections had to be delayed because the parties needed to consider Government proposals.

I listened to the statements that were made after the Hillsborough talks. My right hon. Friend the Member for Upper Bann (Mr. Trimble) clearly said that the elections would be delayed because the IRA had failed to come up to the mark. In other words, elections will not be held on 1 May because of the IRA's failure, just as we do not have a Government—neither Assembly nor Executive—in Northern Ireland because of the IRA's failure. The Government are giving the IRA a veto. In a democratic society, we should challenge that.

It is worth revisiting the reasons, which some hon. Members have mentioned, for the current political vacuum. Hon. Members have already touched on that. A couple of weeks ago, the police commander in my constituency visited me. He delivered a document entitled, "Police Message", which stated that the IRA had information about me personally that they had collected in recent months. Underneath the information, the police issued a warning:

> "This information is believed to have been gathered and held by the Provisional Irish Republican Army, which is currently on cease-fire. You are however advised to seek advice on and take steps to protect your personal security."

Other hon. Members have been given similar police messages and warnings about the IRA's activities in collecting information about their personal details and political viewpoint.

At the beginning of the debate, the Minister talked about a break-down of trust. I hope that she understands why hon. Members who receive such messages from the police do not trust the IRA and the republican movement. We do not trust a party that was in government when such activities were taking place; the information was collected about me when Sinn Fein was in government. While it was in government, its friends in the IRA were collecting information about Unionist politicians. It is difficult for those of us who are from the Unionist community and represent it to trust such an organisation.

Trust has broken down and confidence is breaking down. An article by Mr. Alex Kane, a pro-agreement Unionist, on the Hillsborough process appeared in Saturday's Belfast *News Letter.* He prefaced his remarks by outlining events at Hillsborough. He wrote:

> "And that is why the Ulster Unionist Party should not have participated in last week's republican-promoting circus at Hillsborough."

Those words are strong indeed from a pro-agreement Unionist. He continued:

> "It should not be part of a negotiation process if all it is doing is bargaining for, and making new concessions for, promises which it bargained for and made concessions for in 1997, 1998, 1999, 2001, 2002 and again, last week."

Lady Hermon: I hope that my hon. Friend will make it clear that Alex Kane writes in a personal capacity. He is not an elected member of the Ulster Unionist party and his views are therefore personal. It would be helpful if my hon. Friend said that.

Mr. Donaldson: I simply described Mr. Kane as a pro-agreement Unionist. I did not even ascribe a party political affiliation to him. His views reflect a growing lack of confidence in the process, even among those who support the agreement. Of course, it is clear that his views are personal.

Mr. Dodds: Will the hon. Gentleman confirm that Mr. Alex Kane works as a member of staff for a pro-agreement Ulster Unionist Member of the Legislative Assembly?

Mr. Deputy Speaker: Order. We are getting further away from the terms of the Bill that we are meant to be discussing. As I said to the hon. Member for North Antrim (Rev. Ian Paisley), although we are conducting a Second Reading debate, the terms of the Bill are narrow. I appeal to the hon. Member for Lagan Valley (Mr. Donaldson) to tailor his remarks accordingly.

Mr. Donaldson: I appreciate your guidance, Mr. Deputy Speaker. However, the decision to postpone the election gave rise to the Bill. I am referring to events at Hillsborough that resulted in the decision. It is important for hon. Members to understand the reasons for our debate. However, I take your point, Mr. Deputy Speaker. I simply confirm what the hon. Member for Belfast, North (Mr. Dodds) said. Mr. Kane is also a paid-up member of the Ulster Unionist party. I believe that he is a member in the Malone branch in Belfast, South.

A deal was discussed during the Hillsborough talks. Like other hon. Members who spoke earlier, I do not know its terms. *The Irish Times* mentioned sections of a document that was discussed at Hillsborough. It dealt with a wide range of issues, including so-called normalisation. I understand that that will involve significant troop withdrawals—perhaps between 5,000 and 7,000 troops over a period of time—the demolition of the Army watchtowers along the border in south Armagh; remaining troops being confined to barracks and becoming "invisible". That is proposed at a time when so-called dissident republican terrorists promise a bomb a week. One of those bombs was delivered to the High Court in Belfast last week.

David Burnside: My hon. Friend should not confine his remarks to dissident republicans. Only last week in south Armagh, an illegal IRA gun was used to shoot a member of the IRA. The former chief of staff, Brian Keenan, gave the oration. Is that an organisation that is on ceasefire?

Mr. Donaldson: I thank my hon. Friend for that intervention. Let me quote some of Mr. Brian Keenan's comments during the oration. I understand that he is the deputy chief of staff of the Provisional IRA. The Secretary of State should note the comments because they come close to, if they do not constitute, incitement to hatred under current Northern Ireland legislation. He said:

> "There is no place in this community, or any republican community for degenerates who abuse and contaminate the struggle young Keith died on behalf of."

He refers to Keith Rodgers, the IRA volunteer who died last week. He continued:

> "It is not the time now for any thoughts of revenge, the republican movement will no doubt make their position very clear."

Those comments are being interpreted by many people in Northern Ireland as a clear threat from Mr. Keenan that the IRA will take revenge. All this sets the political context in which we are considering the Bill tonight, in which the Government took the decision to postpone the date of the election, which has given rise to this legislation. My hon. Friend the Member for South Antrim (David Burnside) is right: it is not only the Real IRA and the Continuity IRA but the Provisional IRA that have been involved in acts of terrorism, as we saw last week at Cullaville in south Armagh. It matters not that the objects of that violence were republicans, or that it was some kind of internal feud or dispute. It still constitutes terrorism and the use of violence to further a political agenda.

I am disappointed that no SDLP Members are here for this debate. On a previous occasion, and with a fanfare of trumpets, the leader of the SDLP launched a direct rule watch, in which the party would take the lead in monitoring direct rule. Where are its members today, when this matter is being considered in the House? It has three hon. Members who are entitled to take their seats here, yet none of them is here to scrutinise this important piece of legislation, which is being introduced under direct rule. The direct rule watch seems to have gone to sleep so far as the SDLP is concerned. The party was very active in putting forward demands under the Hillsborough process on issues such as criminal justice, yet it is not here to make a contribution tonight.

The hon. Member for Belfast, East (Mr. Robinson) referred to the new international body that is to be created to oversee the implementation of the agreement and, specifically, to deal with the issue of sanctions. This is important because we are told that power will not be restored to the Assembly until there is some kind of political deal. Part of that deal supposedly involves the establishment of this international body. There was an interesting article in *The Irish Times* on Saturday 15 March, written by the former Irish Prime Minister, Garrett Fitzgerald, who said of this proposal:

> "And as Sinn Féin also seeks the abolition of the British government's unilateral power to suspend the Assembly, its abolition—and the substitution of an alternative method of guaranteeing the integrity of the process that would involve representatives of the Irish and US Governments—may have positive elements from their point of view.
>
> For Sinn Féin, the *de facto* transfer to an international body of British sovereignty over the working of the system of government of Northern Ireland must surely have some attractions."

Well, it has no attraction for any Unionist who values the Union. I cannot believe that we would want to support a proposal that would see the transfer of the sovereignty of the United Kingdom to some kind of international body on an issue as important as the exclusion from office of a Minister in the Northern Ireland Assembly.

In terms of the legislation before us, I believe that the Government are wrong to change the date of the election, but they have clearly made up their mind to do so. I would echo the remarks that have been made by others, however. There should be no further postponement of the date of the election: 29 May is now proposed as the day on which the people of Northern Ireland should go to the polls, and that date should be adhered to. No one should be afraid of the democratic process. If we believe in and cherish democracy, elections should be at the heart of that process, and it is time for people to give their verdict on that process.

The way things are going—and if the Government cobble together this deal and manage to get enough people to sign up to it—I cannot believe that a majority of Unionists will accept the kind of deal that is on offer at present, in which policing and justice powers would be transferred and then exercised under some kind of joint arrangement. In the present circumstances, in which the IRA is continuing to engage in violence and has failed to decommission its illegal weapons, I do not believe that anyone would support someone from Sinn Fein-IRA becoming a Minister with responsibility for justice or policing. These are important issues. If the deal that has been outlined in some of the media is introduced, it will be rejected by the Unionist community.

Lady Hermon: I am most grateful to my hon. Friend and colleague for giving way again. I want to make two points. First, it was grossly unfair to criticise the absence of the SDLP Members here this evening. I am sure that he knows that they have domestic reasons that sometimes make it difficult for them to attend.

Mr. Peter Robinson: Apologist.

Lady Hermon: I am so glad that hon. Members have all been blessed with St. Patrick's generosity of spirit in the Chamber this evening. The second point that I would like my hon. colleague to remember is that there is still a substantial number of pro-agreement Unionists in Northern Ireland, and I would not wish him to preempt their judgment or their decision on 29 May.

Mr. Donaldson: I appreciate the points that my hon. Friend has made, but I do not agree with her on the SDLP. Wallace high school in my constituency is playing in the schools rugby cup final today. My daughter attends that school, and I had wished to be there today to see that cup final. I deemed it more important, however, to deal with the business that I was elected to deal with here, which is legislation from the British House of Commons. No one should apologise for the absence of a political party that ought to be here—

Mr. Deputy Speaker: Order. I think that we have heard quite enough on that subject. We should be dealing with the business before the House.

Mr. Donaldson: Thank you, Mr. Deputy Speaker.

I do not believe that a majority of Unionists would support the kind of deal that has been outlined. I concede to the hon. Lady that there could well be a minority of Unionists who might sign up to and support the deal, and the election will provide the verdict on that, when it comes.

In conclusion, there has to be a bottom line here. This process has lurched from one crisis to another, and every time we reach a crisis, the Government reach into the goody bag to find more concessions to make to the republican movement. Instead of punishing those who have been responsible for the crisis, they reward them. That is precisely what is happening here, in terms of on-the-run terrorists, for example. Some kind of deal is also to be conceded to the IRA in reward for its targeting Unionist politicians, prison officers and police officers.

The Prime Minister talked about acts of completion, and we need such acts. We need complete disarmament and complete disbandment. That has to be the bottom line. I urge the Secretary of State to stick to that instead of holding out carrots by offering concessions to the republican movement, which, of course, it will pocket while offering the minimum in return.

Mr. John Taylor: How confident is the hon. Gentleman of the thorough degree of the acts of completion that he seeks, and over what timetable does he think that they are achievable?

Mr. Donaldson: The agreement stated that they ought to have been achieved after two years, but that was in 2000. The acts of completion need to be achieved very quickly indeed. The article by Mr. Alex Kane to which I referred earlier suggested that there should be a six-month period in which the IRA would follow through on the commitments made, but that its political representatives should not be allowed back into government in Northern Ireland until such completion had occurred. That is the principle here, and it has consistently been my view that, because of the IRA's failure to commit to the requirements of the agreement for complete disarmament, its political representatives should be excluded from office until such completion has taken place.

If the Assembly cannot be put back together and have power devolved back to it before the elections, may I make a suggestion to the Secretary of State? After the elections, he should reconvene the Assembly, put back in government those parties that are committed to exclusively peaceful means and exclude from office those parties that have failed to make that commitment. They should not be permitted to re-enter government until they have completely disarmed and completely disbanded. In my opinion, that is clear.

While expressing grave concerns about the purpose of the legislation, I reiterate what other Members have said today: we look to the Secretary of State, in this debate, to make it absolutely clear that this is the final time that the election will be delayed and that it will happen on 29 May.

7 pm

David Burnside (South Antrim): It is terribly important that we look forward positively to the election. There should not have been a postponement until 29 May, but the election will now take place and I hope that the Government commit themselves to that date, supported by the Opposition and all the minority parties whose Members have spoken here tonight. However, it is no good looking forward unrealistically. The Assembly and the Executive have not worked. Humpty Dumpty has fallen off the wall and there are inherent flaws in the institutions set up by the Belfast agreement, which a new Assembly will try to put together again.

It was an admirable aim to have an all-inclusive Executive, but that meant no collective Cabinet responsibility and no departmental Committee structure that could hold Ministers to account. It meant, in reality, that there was no Opposition for the Northern Ireland Administration. All of us who are standing in the Assembly election look forward to campaigning for something that works and is right at Stormont, but the Secretary of State will have to be flexible in reaccommodating and regaining the consent of the pro-Union people in Northern Ireland.

I voted for the Belfast agreement. I was one of the 55 per cent. of the pro-Union people, who, traditionally, are Protestants, who supported the agreement, but we have been seriously let down by the Government's mismanagement of the political process. Promise after promise by the Prime Minister has been broken. I shall not repeat them, as the House has heard them time and again. The House is about to authorise going to war, but Sinn Fein-IRA remain armed, terrorist and involved in criminal activities and we are expected, before 29 May and with a couple of promises, to put them back in the Northern Ireland Executive with Martin McGuinness as Minister of Education and Gerry Kelly, perhaps, as Minister of justice after the election. No way, Secretary of State, will we allow that to happen.

After the election, there must be a coming together of the Ulster Unionist party and the Democratic Unionist party to renegotiate, to get inside the negotiation and to re-establish administrative devolution that works at Stormont. The system has not worked; it has inherent flaws. I see no time in the foreseeable future at which I, as an Ulster Unionist, could support Sinn Fein representatives returning to an Executive governing Northern Ireland. They should not have been allowed to participate in the first place. They have been tried and they have failed. While their ceasefires have stopped the major bombing and the major violence that terrorised the Province for 30 years, their organisation remains a terrorist organisation. They must be marginalised from the process.

After the election—it is important that it takes place—I would support the Ulster Unionist party, the DUP, the Social Democratic and Labour party and the other smaller parties that may or may not be elected to the Assembly trying to reach a consensus agreement to replace the inclusive imposed coalition with a voluntarily agreed coalition of democratic parties so that we could have the advantages of devolution and, I hope, a slimmed down Executive and Assembly. We want something realistic that can work in co-operation with local government in Northern Ireland, which is under review. A considerable transfer of powers is needed to the local government authorities that will replace the 26 district councils.

It is good to have an election, and it is good to have an election that will give the people of Northern Ireland a chance to express their views on how they want Northern Ireland governed internally within the United Kingdom and locally. There is support for devolution, but not the devolution that has been tried and has lurched from crisis to crisis since 1998. Let us admit that. consider the system and try to improve it. After the election, we should get into negotiations. I hope that all parties will be involved, and it is totally unacceptable for the DUP not to be invited in. I would expect the Secretary of State to invite all the parties and to have a negotiation to try to reach consensus after the election.

Lady Hermon: I am most grateful to my hon. Friend for giving way. I must make it absolutely clear that my colleague's views, which are going on the record, are entirely his own. They do not reflect a decision of either the Ulster Unionist Council or the Ulster Unionist Executive.

David Burnside: My views and what I am saying are consistent with the united resolution of the UUC, which was passed at the Ramada hotel. I intend to stick by it and to adhere to it to the letter, which means that I will not support at a future UUC meeting going into the type of settlement proposed and negotiated at Weston Park and Hillsborough. Therefore, I am happy to go to the electorate on 29 May, as I hope my party will go to the electorate. with a united policy statement that adheres to democracy in Northern Ireland and to "no guns, no government", which was our party's policy at the last Assembly election. Unfortunately, our party withdrew from it.

On that further note of Unionist unity, I want to convey this to the House: the Unionist people have had enough of this process and we must regain their consent. All the parties will take part in the democratic election and we must try to make it a real election that produces Executive government in Northern Ireland, but there needs to be a deadline that is not six or 12 months, Secretary of State. After the election on 29 May, he must tell the parties, "There is negotiation and openness. We want consent across the community and we want consent from the pro-Union and the nationalist communities." We all recognise in Unionism—both the UUP and the DUP, I believe—that we cannot have a local Administration unless it has cross-community support that reflects the Unionist tradition and majority as well as nationalist opinion.

Lembit Öpik: If the hon. Gentleman were Secretary of State for Northern Ireland, what process would he introduce to achieve that?

David Burnside: After 29 May, I would put on a deadline of about four weeks and say that the parties must try to bring together an inclusive Executive under the current institutions. If that was not possible, the sectarian blocs of nationalists and Unionists should be replaced with a weighted majority of, say, 60 or 65 per cent. under an Assembly vote, which would allow the formation of a voluntary coalition. They would have executive Cabinet responsibility, with all that that entails, and there would be a stronger Committee system. We would negotiate a local Administration at Stormont that reflected the whole community and brought better accountable government to Northern Ireland. We need a deadline and politicians elected to the Assembly must not just sit there being paid but not doing the job. They must decide to put the system together, make it operate and make it effective. A short rather than a long deadline would help to concentrate the minds of all the political parties.

It is not unfortunate, but fortunate, that the differences within Unionism have been expressed here, although I hope the House understands that the pro-Union people have a right to expect their consent to be given to an election and to the institutions of government. The whole system has gone in one direction: it has the consent of the nationalist and republican community, but not that of the pro-Union community in Northern Ireland. The task after the election is to regain that consent, so that we can have better administrative devolution and accountable government at Stormont with the consent of the Unionist and the nationalist people.

7.9 pm

Mr. Nigel Dodds (Belfast, North): I join the hon. Member for Grantham and Stamford (Mr. Davies) in sending our good wishes on this St. Patrick's night to the men of the Irish Guards and the Royal Irish Regiment. At this critical time, our thoughts are with them.

It is important to take time to debate democracy in part of the United Kingdom. The Government's move to postpone elections, coming on top of the shabby

[Mr. Nigel Dodds]

history of interference with the legal set-up for the Northern Ireland Assembly elections that was outlined by my hon. Friend the Member for Belfast, East (Mr. Robinson), sends a worrying message to the people of Northern Ireland: the Government are prepared to interfere with the rights of the electorate—the democratic rights of the people of Northern Ireland—if it ends in a result that better suits their political objectives and those of their friends rather than one that truly reflects the wishes and feelings of the people of Northern Ireland.

Although our minds are concentrated tonight on events that are taking place farther afield than Northern Ireland and although we await statements on world conflict of historic importance, we should remember that the debate on Iraq is about human rights and democracy; yet the House is currently discussing a measure that would stop a democratic election taking place on 1 May and would postpone it until 29 May, as a result of negotiations at Hillsborough Castle on 3 and 4 March 2004 that involved, among others, a party that is inextricably linked to terrorists and whose representatives at Hillsborough included people who sit on the army council of the Provisional IRA. It is ironic, to put it mildly, that we are about to discuss action against Iraq because of its possession of weapons of mass destruction and its links to worldwide terrorism, when we are dealing with legislation for part of the United Kingdom that arose from negotiations to which one of the parties was the Provisional IRA, which has worldwide links with terrorism.

Many people in Northern Ireland deeply resent the Prime Minister's approach to the decommissioning of illegal terrorist weaponry, where he is prepared to go the second, nay the third, nay the fourth mile in negotiating with IRA-Sinn Fein and giving them concessions, while he takes a completely different approach to Iraq—one that involves military action. Many people in Northern Ireland say: would that the Prime Minister had adopted the same approach towards the Provisional IRA in Northern Ireland that he is prepared to adopt towards the Iraqi regime and its possession of weapons of mass destruction. When one considers this Bill, which arose from the negotiations at Hillsborough Castle, it is hard to square the Government's approach to Iraq with their approach to the Provisional IRA and its cohorts in Northern Ireland.

As other Members have pointed out, the Democratic Unionist party experienced a complete lack of consultation, dialogue or briefing about the negotiations, which is deplorable. It is a travesty of democracy, especially as there are five DUP Members.

The other day, on television, I heard a member of the American Administration give an insight into dealings over the putative agreement that had been reached at Hillsborough. Today, the hon. Member for Grantham and Stamford indicated that he had received at least two briefings on the outcome of the Hillsborough talks, even though, like us, he was not present. Paragraph 4 of the explanatory notes states:

> "The Bill follows intensive negotiations at Hillsborough on 3 and 4 March 2003 between the UK and Irish Governments and Northern Ireland political parties."

My party, with other like-minded Unionists, represents the majority of the Unionist people of Northern Ireland. The Government may not like that, but the facts are clear; from the results of the last Westminster election and the contributions from the Unionist side tonight. It is wholly unacceptable that the people whom we represent should be excluded from negotiations on the political way forward in Northern Ireland, and should even have been denied access to knowledge of what was discussed at Hillsborough.

It is no good for the Government to say, "It is all about implementing the agreement and you're against the agreement". It is time that the Government faced the fact that, even if they have 100 per cent. nationalist support, they cannot implement a process based on the consent both of Unionists and nationalists if they no longer have Unionist consent. If the process does not have the consent, support and acquiescence of a majority of Unionists, the Government should recognise that and enter negotiations with those of us who represent the majority of Unionists. In their contributions tonight, Ulster Unionist Members, too, have reflected the concerns of the Unionist community.

Back in 1985, Unionist people and their representatives were completely excluded from consultation on the negotiations that led up to the Anglo-Irish agreement. The same mistakes are being repeated. The explanatory notes state that the measure will allow a period of three or four weeks for the parties to reflect, yet the second-largest Northern Ireland party represented in the House has not even been given the proposals. The proposals included things that are not in the agreement, such as legislation relating to on-the-run terrorists, so it is no good saying that the measure is all about implementing the agreement. Some of the points discussed at Hillsborough go well beyond what is in the agreement.

That the Government can believe that the measure offers a proper, stable and sensible way to proceed is beyond those of us who represent the majority of Unionist people. The Government and other Members are keen to point out that the process is inclusive and involves everyone. They say that that includes Sinn Fein-IRA, no matter about their past or even their present. It seems to us and to the people whom we represent that the process includes everybody but the majority of the Unionist people. That cannot be right.

When the Under-Secretary responds to the debate, he should explain why the majority of Unionists in Northern Ireland and the representatives in this place of a substantial section of the Unionist community are being kept in the dark about the proposals. Why do we have to rely on newspaper reports? Why do we have to rely on Mr. Hass, the American envoy? Why do we have to rely on the utterances of members of the IRA army council who are better informed about what is going on at Hillsborough and in the negotiations than the decent law-abiding people of Northern Ireland? For the Minister to think that the measure will build confidence and gain the support of Unionists when they have been excluded from any chance of input to the negotiations beggars belief. I challenge him to address that point.

I shall not detain the House by going into details about the overall package that was discussed at Hillsborough, as they have already been covered by other hon. Members. Those negotiations continue. Although the Prime Minister told us that there would be no further negotiations, there have been delegations to Downing street from one or two of the main parties since Hillsborough. Even within a few hours, or days, of the Prime Minister's statement at Hillsborough, the situation that he outlined was reversed.

People in Northern Ireland are gravely concerned that the election has been put back to give further consideration to the scaling down of security along the border, in Belfast and in other urban areas of Northern Ireland merely in response to some gesture from the Provisional IRA, when, as we have heard recently, that organisation and other so-called dissidents are still active in Northern Ireland.

It strikes many people in Northern Ireland as outrageous that anyone should suggest—after the leaving of a bomb at the Laganside courthouse, which Her Majesty had visited only the previous week—that we can simply tear down all our defences and leave ordinary decent people denuded of proper security, simply because Gerry Adams and Martin McGuinness demand that as part of the price of their returning to government.

As has been said many times in the House, we should not accept a process allowing those currently on the run to evade any form of justice. We should remember that those whom we are discussing have committed some of the most awful, heinous crimes. We should remember the case of Mrs. Hill, whose husband lay in a coma for more than a decade—

Mr. Deputy Speaker: Order. The hon. Gentleman is going into too much detail, which is outside the scope of this Second Reading debate. We cannot recapitulate the whole history, recent or distant, of the troubles of Northern Ireland on this occasion.

Mr. Dodds: The election has been postponed to give Northern Ireland parties which are party to the deal more time to reflect on a range of issues such as the running down of security, the evading of justice by those on the run, the introduction of legislation devolving criminal justice in Northern Ireland, and policing. I was in the process of citing a specific example, but in deference to your ruling, Mr. Deputy Speaker, I will not go into specifics. I will say this, in general terms. There are people in Northern Ireland tonight who will view the Bill as having been designed simply to allow the IRA time to go away and try to do some sort of deal with its own people—to persuade people that it is worth pocketing all the concessions, and that in return for a gesture on decommissioning, some statement or stunt, it will return to government in Northern Ireland.

We have heard no details of the definition of the acts of completion outlined by the Prime Minister in Belfast on 17 October. We have heard no definition from anyone in Government of a complete end to paramilitarism. Does it mean disbandment? It should mean disbandment if it is to mean anything, and that disbandment must be proved over a considerable period. I ask, as others have today, how anyone can trust the word of the Provisional IRA. I am one of the Members who have been visited in recent weeks to be told that our details are being held by the Provisional IRA—and its army council includes Gerry Adams and Martin McGuinness. Those elected politicians in the Assembly who people are so keen to return to government are organising the gathering of such intelligence, and the targeting of other elected Members as well as a host of ordinary citizens across Northern Ireland.

The hon. Member for Grantham and Stamford spoke of the Government's failures. He said that the middle ground represented by the Ulster Unionists and the SDLP had been failed by the Government's appeasement. It must be said that those parties, and their leadership, have been party to that appeasement. Many of the deals done with the Provisional IRA have been done with the support of not just the British Government but the pro-agreement parties, led by the right hon. Member for Upper Bann (Mr. Trimble). They cannot wash their hands of responsibility.

Substantial concessions are being offered to the Provisional IRA, as is clear to the people of Northern Ireland. We regret the fact that the Bill is before the House tonight. The election should have proceeded on 1 May, and we are opposed to any further delay. I hope the Minister will confirm that there will indeed be no further delay. On Radio Ulster the other morning, in reply to a question from the interviewer, his colleague the Secretary of State, said that "hopefully" the election would take place on 29 May. I should be grateful if the Government would confirm that it will, come what may, and that there will be no further attempt to interfere with the rights of the people of Northern Ireland.

I add my voice to those of Members throughout the House who have expressed concern about the possible effect of legislation on electoral fraud, namely the disfranchising of tens of thousands of people in Northern Ireland. It is vital that, when the election goes ahead, everyone whom the register entitles to vote is able to do so. If they have no photographic ID at the time of the election, they should not be deprived of that right.

7.25 pm

Mr. John Taylor (Solihull): Let me say, I hope not gracelessly, that if the Government are hoist on their own guillotine with the present business it is their fault. The lesson is that they should not guillotine everything: they are now reaping the results of their guillotine reflex.

Those who are present now may wish to know that four hours ago my hon. Friend the Member for Grantham and Stamford (Mr. Davies) offered them the opportunity of proceeding without a guillotine, whereupon other matters could have intruded. Ministers declined, but I do not intend to extend their discomfiture. My party has said that it will not oppose the Bill; but if the Government attempt a second postponement, we certainly will.

7.27 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Desmond Browne): I listened with interest to hon. Members of all parties. Let me say at the outset that the Government agree with all who have

[Mr. Desmond Browne]

spoken that the postponing of any election is a serious step, but what is proposed in this instance is a short, defined postponement. I will develop the reasons given by my hon. Friend the Minister of State shortly, but let me say to all who have sought clarification that the people of Northern Ireland will have a chance to deliver their verdict on 29 May if the Bill is passed.

Although it may not be reflected in the number of speeches made to this effect, there is widespread agreement in the House on the desirability of the Bill. Although I cannot agree with the hon. Member for North Antrim (Rev. Ian Paisley) and his colleagues, I respect their views; but those views are, to an extent, rooted in their antipathy to the Belfast agreement, which the great majority of Members support and which, I think, lies at the heart of the albeit qualified support that the official Opposition are prepared to give the Bill tonight.

Let me now—early in my speech—deal with the issue that has largely dominated the contributions of members of the party of the hon. Member for North Antrim in the context of the talks that have taken place. I understand why it has. My right hon. Friend the Secretary of State—any of us, indeed—would be happy to talk to the hon. Gentleman's party about the political way forward, but our proposals, which formed the basis of the discussions at Hillsborough castle and are at the heart of the decision to postpone the election for a comparatively short time, are essentially about the better and fuller implementation of the agreement. It must be said that it is unlikely that the hon. Gentleman or his colleagues have many suggestions to make in support of that objective.

Mr. Peter Robinson: Will the Minister give way?

Mr. Browne: May I finish responding to the point that the hon. Gentleman, among others, made?

The discussions are about the full implementation of the agreement. Members of the Democratic Unionist party say that that is an inadequate response but the Government's response is that anti-agreement parties, though we respect their views, by their nature are not going to contribute constructively to that debate.

The proposals will in due course be published when they become definitive, which the Governments expect to be at or about the beginning of April. The Hillsborough discussions involved a series of working drafts aimed at finding common ground between the parties, so that those proposals can be published at that time.

Mr. Robinson: The Minister puts a far from convincing case if he is saying that, because my party does not agree with the Government's policy on this issue, we cannot have any valuable contribution to make and should not be heard. That seems an outrageous suggestion for any democrat to make. We may have a different policy but that does not mean that there are not genuine proposals that we can put and general views that we can submit to Government on all these issues, particularly as some of them go beyond the Belfast agreement; they were not touched on in terms of the format of the agreement.

Mr. Browne: I am grateful to the hon. Gentleman for his contribution. Had I said what he has just attributed to me, it would have been outrageous, but I did not. I said at the outset that my right hon. Friend the Secretary of State and indeed any of us would be happy to discuss the way forward for Northern Ireland with the hon. Gentleman or any member of his party. If he seeks to have those discussions and has contributions to make, those discussions can take place. He knows, because he has regular access to Ministers in the Northern Ireland Office, that when he and others request meetings, they are refused only if the diary of the respective Minister does not allow it. If he wants to come in to make the sort of contribution that he has just told the House he wants to make, we will be happy to have those discussions with him.

The hon. Member for Montgomeryshire (Lembit Öpik) raised a different point in relation to the same issue: whether all parties had the same opportunity in the context of the discussions at Hillsborough to make a contribution. We in Government listened to all the views expressed to us, whether they were on the details of the text or the substance.

No one will be surprised to learn that we spent more time discussing some particular issues with some parties than we spent with others. That has nothing to do with democracy or being undemocratic. It is just a reflection of the realities of negotiation. Parties came to those discussions with interests that they wished to discuss with us in greater detail than other parties, but we shall take into account in producing our final proposals all the views expressed to us, whether on the text or otherwise. However, we do not propose to enter into detailed textual negotiation before publication. That would protract the process of reaching the point of definition, so that these matters can be published. In the views of both Governments, significant and sufficient discussion has taken place and the Governments hope to be in a position at or about the beginning of April to publish the definitive text.

While I am on the detail of the matter, the hon. Member for Belfast, East (Mr. Robinson), and others who were encouraged by him to do so, have let their imaginations run away with them about who might or might not be the Minister for policing and justice in Northern Ireland. There is no such deal. The hon. Gentleman knows that it has been Her Majesty's Government's intention in the right circumstances to devolve responsibility for policing and justice. Indeed, the introduction to the implementation plan on criminal justice specifically said that a significant time ago.

That principle commands wide support across Northern Ireland, but much is not agreed, including the timing of it and the ministerial structure that will have to take on those important responsibilities for Northern Ireland. A good deal of discussion is needed before we could arrive at answering many of the questions about ministerial appointments, even on the most optimistic timing.

I dare say that the hon. Member for Belfast, East will not desist from making his colourful assertions, because it allows him to give descriptions of the background of his nominee for the post in the context of what he anticipates is happening, but, if he will allow me to, I will try to put his mind at ease by saying that there is no deal such as that on which he based his contribution and which was supported by other hon. Members.

Mr. Donaldson: Is the Minister aware of a report in *The Irish Times* that stated that the Government were considering a variety of models for the devolution of justice, including

"a joint ministry with office holders drawn from the two political traditions"?

If that is not the case, will he deny it, and will he show a willingness to share the proposals with those of us who have not seen them?

Mr. Browne: I am aware of that report. But the fact that something was reported in *The Irish Times* does not mean that it is correct. What I have said is—*[Interruption.]* If the hon. Gentleman and others will wait a moment, I may answer the question. What I have said is that it has long been the Government's intention in the right circumstances to devolve responsibility for policing and justice, so no one should represent that to the House as something that emerged from the Hillsborough discussions. It is not. Indeed, it is an aspiration of the hon. Gentleman's party that policing and justice be devolved to Ministers in Northern Ireland in the context of devolution. He knows that fine well and if he is trying to pretend otherwise—*[Interruption.]* Let me finish. The point is that it cannot be devolved to Northern Ireland unless it is devolved into some ministerial structure. He will accept that, so we agree that it is the hon. Gentleman's party's policy to see devolution in the right circumstances. We agree that there will need to be a ministerial structure into which it should be devolved. We must, therefore, agree that it is sensible for the Government to consider what that structure will be.

At the moment, the Government have reached no decision as to what that structure will be and that structure cannot be agreed unless it is agreed with the parties that form the devolved Assembly. I cannot make it any clearer than that. People may take from that that we must be considering models and then seek to set them out in a newspaper article, but that will not be Government policy and it is not likely to be the way in which Government policy is fixed.

Mr. Peter Robinson: The Minister's evasion in answering the question of the hon. Member for Lagan Valley (Mr. Donaldson) seems to suggest that the report is right—that that is one of the options being considered. The Minister still has not told us that it is not one of the options. If it is one of the options being considered, everything that I said stands and I was perfectly entitled to make my comments.

Mr. Browne: I do not agree with the hon. Gentleman. I have just made the Government's position clear. The Government's position on devolution of policing and justice has been clear for some considerable time. It would have been remiss of the Government in the time since they have made that position clear—urged to do so by, among others, the Ulster Unionist party—not to consider what structures could be put in place to receive devolution, but no decisions have been made and there is no policy.

I want to refer to my hon. Friends the Members for South Dorset (Jim Knight) and for Cardiff, West (Kevin Brennan), who contributed to the debate. My hon. Friend the Member for South Dorset told us that it was his first contribution to a Northern Ireland debate. I feel for him. I know from my time on the Back Benches in the early years of the previous Parliament how daunting it can be to enter these debates. Often, the first contribution in response, although not this time, is a Northern Ireland Member telling the hon. Member that their contribution is worthless because they do not live in Northern Ireland. The irony is that it normally comes from a party that puts itself forward as a Unionist party and in every other context wishes to identify itself with the rest of the United Kingdom.

The fact that that did not happen tonight is a credit to both my hon. Friends, who spoke well. Their advocacy of the restoration of devolution was strong and augurs well for how much can be learned in a comparatively short time in visiting Northern Ireland. Frankly, in many aspects, Northern Ireland is not that much different from the rest of these islands. Members should not be daunted from entering these debates just because Northern Ireland politicians can sometimes be a little over-aggressive in responding to honest contributions.

I am grateful to the hon. Member for Grantham and Stamford (Mr. Davies) for his contribution, which was characteristically comprehensive, and multilateral and understated. I am also grateful for his qualified support for the Government. He will forgive me if I do not respond in detail to his analysis of the past months and years. Whether his prescriptions would have led to greater political progress than we have seen is perhaps for other Members to judge, but I am grateful to him for his praise for the wisdom of my right hon. Friend the Secretary of State, and for his support. It would be churlish of me to enter into a critique of his analysis at this stage. I am grateful for his current position in supporting Government policy in Northern Ireland, and I hope to keep him there.

I am also grateful to the hon. Member for Montgomeryshire for his support, even if that, too, was conditional. I hope that my earlier answer about the election date has matured the conditionality of his contribution. He raised a number of interesting issues, as he usually does in such debates. He asked whether we can expect continued round table talks. What I can offer him is that we will continue to stay in touch with the parties in Northern Ireland, but whether those talks will be round table, bilateral, multilateral, quadrilateral or any other "lateral" I cannot say at this stage; it depends on whether people ask for them. If the talks involve the hon. Member for Belfast, East and his party, I suspect that they will be simply bilateral. However, talks will take place, and we will continue to stay in touch.

More importantly, the parties in Northern Ireland need to talk to each other, because what matters is the future of politics in Northern Ireland, and of the parties. This agreement is not a series of bilateral agreements with the British Government, or of trilateral agreements with the British Government and the Irish Government; it is a multilateral agreement, and the parties need to understand that, and to talk to each other about it. It would sometimes be better if they spoke to each other before coming to either Government to talk about the issues that they wish to address.

[Mr. Browne]

The hon. Member for Montgomeryshire asked for an assurance that the letter written by the Leader of the House of Lords to some of his colleagues in the other place would be honoured, and I have no difficulty in giving him that. The proper place for discussing issues relating to the Police (Northern Ireland) Bill is during the remaining stages of that Bill, which the House should consider shortly.

The hon. Gentleman also raised the important issue of justice and victims, in the context of on-the-runs. He will accept that the Government's stated position since Weston Park is a logical extension of the Good Friday agreement. It has never been the Government's intention to treat this as an amnesty. We have always intended to deal with this issue, but I can assure him that it can be dealt with only as one step in the context of acts of completion. I think that that is the assurance that he was looking for, and I hope that he accepts it.

Lembit Öpik: I also seek the Minister's reassurance that the Government are still looking at some form of licensing scheme, or, to be more exact, that they are not intending to push through a blanket amnesty.

Mr. Browne: The Government have made it clear that amnesty is not part of their thinking. There will have to be a system that respects the issues of justice, and the question of victims is also important in that regard.

On victims, the hon. Gentleman also raised the question of exiles and punishment beatings. He can rest assured that exiles and punishment beatings fit in with the Government's definition of acts of completion. In his speech in Belfast on 17 October last year, and in a statement in the House in November, the Prime Minister made it clear that violence must be given up completely in a way that satisfies everyone, and which gives them confidence that the Provisional IRA has ceased its campaign, thereby enabling us to move the democratic process forward, with every party that wants to be in government abiding by the same democratic rules. That means acts of completion, which manifestly must include some response to the issue of exiles, and an end to punishment beatings, among other forms of behaviour.

Several hon. Members mentioned electoral fraud and the electoral identity card. The exact provenance of a letter—a copy of which I have in front of me—that purports to come from the Democratic Unionist party's leader, the hon. Member for North Antrim, and which approves the implementation of measures to remove all forms of electoral identity other than those involving photographic identification, may need to be resolved without delay to ensure that these measures are in place before the next election in Northern Ireland. I am confident that the letter will prove to have come from his office.

I should point out that every party in Northern Ireland that is represented in this House agreed at the end of February, or thereabouts, to that legislation. As I undertook to do in this House, I wrote to all those parties asking for their comments on whether we should take that step, recognising its significance in terms of what was required from electors in Northern Ireland, and recognising that if the process was mishandled, it could accidentally disfranchise a lot of innocent, good voters. All the parties in Northern Ireland that are represented in this House wrote back in a positive fashion, saying that we should go ahead, and it was on that basis alone that I decided to do so.

With respect, issues are now being raised with me that ought to have been raised at that time. I am told that there is evidence to suggest that people are being turned away in their efforts to obtain these cards. I should point out that I have no such evidence, but if the parties do have it, they should bring it to my attention as quickly as possible. *[Interruption.]* I note that some assent is coming from a sedentary position, and I should be happy to receive that information.

Some people tell me that the system is being gummed up, but that is not the case. As research continues, evidence is emerging to suggest that in excess of 900,000 people in Northern Ireland have photographic driving licences. Given that it is not possible to drive until one is over 17, by far the majority of those people will be voters, or at least entitled to be registered. We also know that, thanks to the policy of the hon. Member for Belfast, East, a significant number of people—in excess of 140,000—have other photographic identification.

For example, in Northern Ireland there are 150,000 holders of passports issued by the Irish Government, and about 75 per cent. of adults across the UK have UK passports, all of which will be accepted. It does not take a genius to work out that although the number of people on the electoral register is increasing, the likelihood is that almost every one of the 1.1 million, or thereabouts, on the register has the appropriate type of electoral identification. Having said that, 50,000 applications for electoral ID cards are being processed, only 3,500 of which had to be rejected because of the way in which the forms had been completed. The issuing of those cards by post is increasing daily, and the chief electoral officer has given an undertaking that anybody who applies before 16 May will have an electoral ID card for the election on 29 May.

On the absence of advertising, the Electoral Commission, which has accepted responsibility for advertising, is spending more than £500,000 in Northern Ireland on advertising the electoral identity card. I understand that advertisements have been placed during peak-time television programmes, including episodes of "Coronation Street", which are watched by more than 50 per cent. of the adult population of Northern Ireland. Daily advertisements are also placed in the press. The advertising campaign, which is being conducted through television, the press and billboards—I have seen the press and billboard advertisements—is extensive and very expensive. I do not understand why it has been suggested that the campaign is inadequate.

Mr. Peter Robinson: The Minister is stringing out figures on the number of people with passports, driving licences, and smart passes for senior citizens. He then says that because of those numbers, and of the number of people who vote in Northern Ireland, there is clearly no problem. However, he must surely have considered the possibility that someone with a passport might also have a driving licence; in other words, we could be dealing with the same person, so both documents should not be added into the equation. The reality is that the

Minister, in a letter to me, indicated that some 243,000 people—one in five voters in Northern Ireland—had said that they needed a photo-identity pass, having been shown the alternatives, but only 55,000 have made an application. That suggests that some 190,000 people—almost one in five of the voting population—will be disfranchised—

Madam Deputy Speaker (Sylvia Heal): Order. Will the hon. Gentleman bring his remarks to a close?

Mr. Browne: I propose to bring my remarks to a close shortly, Madam Deputy Speaker. However, the hon. Member for Belfast, East may be assured that sufficient resources are available to ensure that everyone who needs an electoral identity card can have one.

It has been suggested that in postponing the election our motive is to influence the result in one way or another. We have not proposed the delay with the aim of influencing the choice of Northern Ireland voters one way or another. No Government could or should prevent the people of Northern Ireland from expressing their democratic choice, and it would be a rash Government who tried to do so.

What we do have a duty to do is to try to give the people of Northern Ireland something real to vote about. The majority of people in Northern Ireland want the Belfast agreement to work, and it is not in their interest for the process to fail. In the long run, stable and inclusive institutions can flourish only in a society from which the shadow of political violence has been removed. The Government believe that the Bill is a necessary part of bringing that about.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Committee of the whole House, pursuant to Order this day.

Bill immediately considered in Committee.

[Sylvia Heal *in the Chair*]

Clause 1

Dates Of Election, Etc

7.52 pm

Mr. Peter Robinson: I beg to move manuscript amendment No. 1, in line 2, to leave out from the beginning to the word "in" in line 13 and insert—

"In Section 31 of the Northern Ireland Act 1998".

It will assist the House if I say that I do not intend to speak for more than a couple of minutes on the amendment—[Hon. Members: "Hear, hear."]—although if I were encouraged, that might change.

The amendment was covered to some extent on Second Reading. Having spoken for three quarters of an hour in that debate, I do not need to add many points. The effect of the amendment would be to have an election on 1 May, as provided in the original 1998 legislation and in the order put forward by the Secretary of State for Northern Ireland when he was required by legal action to do so. There should be no further delay to the election. The people should have the opportunity to speak.

The reality is that the Secretary of State and the Prime Minister are attempting, once again, to cobble together an agreement that has clearly failed. It has gone from crisis to crisis. It has collapsed on four occasions, it has been attended by all sorts of violence and the misbehaviour of the Provisional IRA, and it is abundantly clear that the Secretary of State will not be able to obtain a stable political structure from the existing Belfast agreement. It was Einstein who once defined insanity as endlessly doing the same thing and hoping for a different result. That seems to be the Government's intention. They continue to repeat the same mistakes that they have made before and hope that things will turn out all right. They will not turn out all right, because a new agreement is needed. I hope that the election will allow us to reach a situation in which we can have negotiations for a new agreement that will enjoy the support of not only nationalists in Northern Ireland but the Unionist community as well.

Mr. Alistair Carmichael (Orkney and Shetland): The House has already heard from my hon. Friend the Member for Montgomeryshire (Lembit Öpik) that we generally support the Bill, so it will come as little surprise that we are opposed to the amendment. We oppose it for two reasons. First, it does not add anything to the Bill. Secondly, as the Minister said earlier, it is a wrecking amendment, although it would not actually wreck the Bill. Clause 1(3) would still categorically state that the date of the election would be 29 May 2003. All the amendment would do is add further confusion and provide work for the courts when the inevitable challenge is brought by the Democratic Unionist party.

Mr. Desmond Browne: As the hon. Member for Orkney and Shetland (Mr. Carmichael) has just said, the amendment is designed to wreck the Bill by removing the provisions that would revoke the order that sets the election day for 1 May and amend the legislation to set a new election date of 29 May. In moving the amendment, the hon. Member for Belfast, East (Mr. Robinson) did not pretend that it was anything else. It might even qualify as a reasoned amendment on Second Reading.

It will be obvious that the Government cannot accept the amendment. Postponement is not a step that the Government propose lightly, but we believe that there is a chance of a real breakthrough that will give the people of Northern Ireland the opportunity to vote for an Assembly ready to take up powers again. That chance should not be missed, and I submit to the House that it will be missed unless we have this window of opportunity. We cannot allow the Bill to be wrecked in this fashion.

Mr. Peter Robinson: I regret that the Government wish to resile from a date that was set by them in the legislation, and later confirmed by an order by the Secretary of State for Northern Ireland, simply for political purposes. People should not attempt to manipulate elections and the electoral process for party political reasons. The election date was set by the Government and should not be manipulated by them. I trust that hon. Members will consider the matter and join us in the Lobby on that issue.

Question put, That the amendment be made:—

The Committee divided: Ayes 6, Noes 368.

Division No. 115] **[7:56 pm**

AYES

Burnside, David
Dodds, Nigel
Donaldson, Jeffrey M.
Paisley, Rev. Ian
Robinson, Peter *(Belfast E)*
Smyth, Rev. Martin *(Belfast S)*

Tellers for the Ayes:
Mrs. Iris Robinson and
Mr. Gregory Campbell

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baird, Vera
Banks, Tony
Barrett, John
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradshaw, Ben
Breed, Colin
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnett, John
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Keetch, Paul
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McIsaac, Shona
Mackay, rh Andrew
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda

Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soames, Nicholas
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Viggers, Peter
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Nick Ainger and
Mr. Gerry Sutcliffe

Question accordingly negatived.

Clause 1 ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Bill reported, without amendment.

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Jane Kennedy.]*

8.12 pm

Rev. Ian Paisley: All I say on behalf of the electors whom I represent is roll on 29 May. Let us have the result of the election and let the House take proper democratic note of the same.

8.13 pm

Lembit Öpik: The Minister heard the earlier debate. It is vital that the Government define acts of completion. They must also ensure that there is parity of treatment in terms of information for Northern Ireland parties.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Madam Deputy Speaker: The House will now be suspended for 10 minutes. The Division bell will ring for three minutes before we commence the statements.

8.14 pm

Sitting suspended.

On resuming—

Iraq

8.24 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): With permission, Mr. Speaker, I should like to make a statement in respect of Iraq and the debate that will be held in the House tomorrow.

As the House will be aware, in the Azores yesterday my right hon. Friend the Prime Minister, Prime Minister Aznar of Spain, President Bush of the United States and Prime Minister Barroso of Portugal called on all members of the Security Council to adopt a resolution—which would have been its 18th on Iraq—to challenge Saddam to take a strategic decision to disarm his country of his weapons of mass destruction as required by Security Council resolution 1441. Such a resolution has never been needed legally, but we have long had a preference for it politically.

There has been intense diplomatic activity to secure that end over many months, culminating in the past 24 hours. Yesterday evening, our ambassador to the United Nations, Sir Jeremy Greenstock, consulted his fellow permanent representatives from other Security Council member states. Just this morning I spoke to my Spanish, American, Russian and Chinese counterparts.

Despite those final efforts, I regret to say that we have reluctantly concluded that a Security Council consensus on a new resolution would not be possible. On my instructions, Sir Jeremy Greenstock made a public announcement to that effect at the United Nations at about 3.15 pm UK time today.

What we know about the Iraqi regime's behaviour over many years is that there is the greatest chance of their finally responding to the United Nations obligations on them if they face a united Security Council. So, over the months since resolution 1441 was unanimously adopted by the Security Council in early November, the Prime Minister and I, and our ambassador to the United Nations, have strained every nerve in search of that consensus which could finally persuade Iraq, by peaceful means, to provide the full and immediate co-operation demanded by the Security Council.

Significantly, in all the discussions in the Security Council and outside, no one has claimed that Iraq is in full compliance with the obligations placed on it. Given that, it was my belief, up to about a week ago, that we were close to achieving the consensus that we sought on the further resolution. Sadly, one country then ensured that the Security Council could not act. President Chirac's unequivocal announcement last Monday that France would veto a second resolution containing that or any ultimatum "whatever the circumstances" inevitably created a sense of paralysis in our negotiations. I deeply regret that France has thereby put a Security Council consensus beyond reach.

I need to spell out that the alternative proposals submitted by France, Germany and Russia for more time and more inspections carry no ultimatum and no threat of force. They do not implement resolution 1441 but seek to rewrite it. To have adopted such proposals would have allowed Saddam to continue stringing out inspections indefinitely, and he would rightly have drawn the lesson that the Security Council was simply not prepared to enforce the ultimatum that lies at the heart of resolution 1441: in the event of non-compliance, Iraq, as operational paragraph 13 spells out, should expect "serious consequences."

As a result of Saddam Hussein's persistent refusal to meet the UN's demands, and the inability of the Security Council to adopt a further resolution, the Cabinet has decided to ask the House to support the United Kingdom's participation in military operations, should they be necessary, with the objective of ensuring the disarmament of Iraq's weapons of mass destruction, and thereby the maintenance of the authority of the United Nations.

From the outset of this crisis the Government have promised that, if possible, the House would have the opportunity to debate our involvement in military action prior to the start of hostilities and on a substantive motion. The House will have that opportunity tomorrow. Copies of the motion, proposed by the Prime Minister and Cabinet colleagues, have been placed in the Vote Office.

In addition to dealing with military action the motion states that in the event of military operations the House requires that

> "on an urgent basis, the United Kingdom should seek a new Security Council Resolution that would affirm Iraq's territorial integrity, ensure rapid delivery of humanitarian relief, allow for the earliest possible lifting of UN sanctions, an international reconstruction programme, and the use of all oil revenues for the benefit of the Iraqi people and endorse an appropriate post-conflict administration for Iraq".

In addition, the resolution goes on to endorse the middle east peace process as encapsulated in the imminent publication of the road map. I understand, Mr. Speaker, that you will be specifying the time by which amendments to this motion must be received. My hon. Friend the Parliamentary Secretary, Privy Council Office will make a short business statement immediately after the proceedings on this statement.

To inform the debate, I have circulated several documents to all right hon. and hon. Members today. These include a copy of the response from my noble and learned Friend the Attorney-General to a written question in the House of Lords in which he sets out the legal basis for the use of force against Iraq, as well as a detailed briefing paper summarising the legal background which I have sent to the Chairman of the Foreign Affairs Committee. I have also made available a note summarising Iraq's record of non-compliance with resolution 1441. A new Command Paper comprising key recent United Nations documents, including the 173 pages of Dr Blix's paper on "Unresolved Disarmament Issues: Iraq's Proscribed Weapons Programmes", which was published on 7 March in the Security Council, is now available in the Vote Office.

The debate tomorrow will be the most important in the House for many years. Some say that Iraq can be disarmed without an ultimatum, without the threat or the use of force, but simply by more time and more inspections. That approach is defied by all our experience over 12 weary years. It cannot produce the disarmament of Iraq; it cannot rid the world of the danger of the Iraqi regime. It can only bring comfort to tyrants and emasculate the authority of the United Nations. It is for these reasons that we shall tomorrow be asking the House to endorse and support the Government's resolution.

Mr. Michael Ancram (Devizes): May I thank the Foreign Secretary for his statement and for giving me early sight of it? His statement is indeed a sombre one. Put bluntly, the talking is over, diplomacy is at an end and tonight we face the grim prospect of war. We are where we are tonight because Saddam Hussein has contemptuously failed to take the final opportunity that resolution 1441 offered him. Hopes that he might accept the inevitable this time and disarm have been dashed. Instead, he has chosen to take the international community to the wire.

There was a chance that a clear, unequivocal and united voice from the international community might yet have persuaded him to disarm or to go. France put paid to that. I hope that in Paris they will reflect tonight on what they have achieved.

There will be many different and deeply held feelings in the House tonight and during the debate tomorrow. It would be very strange if there were not. But while we may not agree with each other, I hope and believe that none of us will do other than totally respect the sincerity with which these views are held.

Saddam Hussein, in possession of weapons of mass destruction, is a threat to international peace and security. No one, not even France, denies that. It is not just a threat within the middle east but to the international community at large, including ourselves. That is why we believe that action to disarm him can no longer be delayed. We will, of course, debate all this tomorrow, and we will vote on it. I do not intend to pre-empt that debate or that vote tonight, but there are questions that I must ask.

What discussions has the Foreign Secretary had with his Turkish counterpart to ensure that action in Iraq will not provoke unrest between northern Iraq and Turkey?

What preparations are in place to ensure a swift delivery of humanitarian aid and relief to the people of Iraq, who have suffered for so long under the heel of Saddam Hussein?

What discussions has the Foreign Secretary had with the Secretary-General of the United Nations in accordance with the motion proposed for tomorrow to ensure that a representative Administration can swiftly be set up in Iraq under United Nations auspices to ensure the speedy rehabilitation of that country?

Again, in accordance with the motion proposed for tomorrow, what steps is the right hon. Gentleman taking to follow up President Bush's statements on Israel-Palestine and, in particular, to ensure that there is a genuine and sustained momentum towards the two-state solution? What talks has the Foreign Secretary had with other members of the Quartet, including Russia, to make real progress on that front? And what other steps will he take to reassure the Islamic community that military action in Iraq is not an attack on Islam but can bring long-term benefit and stability to the Muslim world?

Our thoughts tonight must be with our armed forces as they face the prospect of conflict. We ask much on their behalf, and our prayers must be with them and their families. They must know that from these Benches they have our unqualified support. We will offer the Government our support in the decisions that must now be made. We will do so because they have reached the same conclusions as us on the threat posed by Saddam Hussein and the legality of taking action. We believe that they are acting in the national interest, and as long as that is the case we will continue to support them. Her Majesty's Opposition will do what in our hearts we know for our country is right.

Mr. Straw: I thank the right hon. Gentleman for his remarks, and shall deal briefly with his points. I picked up the first when he said that we should respect the sincerity with which a wide variety of views are held in the House, which is absolutely right. At the same time, we should accept that nobody—no single individual—has a monopoly of wisdom or morality on this issue. People have both strong views and different points of view. I speak for myself, but I think that I speak for the whole House too, when I say that for each of us the prospect of having to endorse and support military action, whatever the cause, is extremely difficult. Speaking for myself, I shall of course vote for the motion tomorrow, as I endorsed the idea of military action today in Cabinet. I believe that now it is only by the use of "all necessary means", to quote United Nations resolution 678, that it is possible to secure the disarmament of Saddam Hussein's weapons of mass destruction. I entirely agree with the right hon. Gentleman that had it been possible for the international community, through the Security Council, to speak with the same united voice as was assembled when we passed resolution 1441, we would not now be in this situation. However, I believe that we have striven as hard as we possibly could for that kind of unity, and I greatly regret that it was not possible to achieve it.

The right hon. Gentleman asked me a number of specific questions, including one about discussions with my Turkish counterpart. I personally have not had discussions with my Turkish counterpart because who he was was in a state of flux. The Foreign Minister in Turkey changed just a few days ago from Foreign Minister Yakis to Foreign Minister Gul. I intend to talk to him in the next couple of days, but our excellent ambassador in Ankara, Peter Westmacott, has been in very close touch with the Turkish authorities.

The right hon. Gentleman asked about measures on swift humanitarian aid, which are indeed spelt out in the text of the resolution. We are not just talking about it—in the event of military action we would seek an immediate and strong United Nations mandate for that. The right hon. Gentleman asked if I had discussed the matter with Secretary-General Kofi Annan. I did indeed, at a face-to-face meeting with Kofi Annan in New York on 6 March.

The right hon. Gentleman asked about relations between Israel and Palestine. I obviously understand that in some quarters in the House there is scepticism about the position of the United States in respect of Israel-Palestine, but I would point out to the House that it is under this US Administration, for the first time ever, that the United States and through it, with a consensus, the United Nations, have supported the concept of a two-state solution, with a secure state of Israel and a viable and secure state of Palestine. That has been

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encapsulated in resolution 1397. We have been seeking to ensure the implementation of that resolution. I have spoken twice in the past two weeks to Chairman Arafat of the Palestinian Authority, and since the middle of January we have been actively involved with the Palestinian Authority in assisting with the process of its reform. Largely because of that, it has been possible for Chairman Arafat to nominate the excellent Abu Mazen as the Prime Minister of the Palestinian Authority, and hopefully for the Palestine Legislative Council to endorse the appointment and for it to be accepted, perhaps tomorrow or the next day. I hope that that will be followed by the full publication of the road map, and I hope that the House will be united in its determination. The message that we send, yes, to the Israelis and the Palestinians, and also to the members of the Quartet, including the United States, is that we are determined to see the full implementation of the road map as early as possible.

The right hon. Gentleman raised two further points. One was in respect of support for the armed forces. It goes without saying that our thoughts are with our armed forces. There cannot be a single Member of the House who does not have constituents with relatives in the armed forces in the Gulf or in the theatre. I have been talking to the parents of my constituents who are out there. I know the anxiety that this period will inevitably cause them. Of course, our hearts and prayers go out to them.

The right hon. Gentleman's very important last point was about the Muslim communities around the world. When I discussed the matter with some of my Muslim friends in my Blackburn constituency on Friday, a leading Muslim told me that he had asked some of his colleagues how many Muslims had been murdered by Saddam Hussein. The answer came back: well over a million. Then he had asked how many countries Saddam Hussein had invaded. The answer is two sovereign nations, both of them Muslim. The simple truth is that Saddam Hussein has murdered and terrorised more Muslims than any other tyrant in recent history. The world, and the Muslim world particularly, will be a great deal better when he is disarmed.

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): I am grateful to the Foreign Secretary for his statement and for the advance copy that I received. The whole House will be united in regret that we have reached the point where military action against Iraq is imminent. Our thoughts this evening are with our armed forces and their families.

A few hours ago, the Secretary-General of the United Nations said that if military action takes place without the backing of the Security Council, its legitimacy will be questioned and the authority for any action will be diminished. In the light of those comments, does the Foreign Secretary accept that the disarmament of Saddam Hussein's evil regime should continue under United Nations auspices? Does he also accept that at this moment, when the weapons inspectors have been preparing timetables to complete their work, the right decision would be to allow them to continue their endeavours and not to go to war at this time?

Mr. Straw: Of course it would have been better if it had been possible to achieve a consensus in the United Nations for a second resolution, but there is no question about the legality of the action that we propose to take. [*Interruption.*] No. That goes back to resolutions 678 and 687. I put the resolutions before the House, so they are plain for everybody to see. I am extremely familiar with the negotiating history of resolution 1441. As I have told the House on many occasions, France and Russia informally proposed that there should be a lock in resolution 1441 requiring that before any military action or any enforcement of the system of disarmament proposed—by force—there had to be a second resolution. France and Russia dropped that proposition. They never even put it forward as a formal amendment. Instead, what was finally agreed in the resolution was a process by which it was declared in operational paragraph 1 that Iraq had been and remains in material breach; in operational paragraph 2, a final opportunity to Iraq to disarm; in operational paragraph 4, a statement of what constitutes a further material breach—namely, a false declaration and other failure to comply; then a process, if Iraq was in further material breach, which it has been for weeks, setting out further discussions in the Security Council, which have already taken place; and in operational paragraph 13, which states in words that everybody understands that if Iraq failed to comply, serious consequences would follow. It is in pursuit of the authority of the United Nations that we are moving the motion tomorrow in order to secure the disarmament that the United Nations has been seeking for the past 12 years.

So far as a further timetable for the inspectors is concerned, let me say that this issue arises under Security Council resolution 1284. One or two members of the Security Council are now clutching resolution 1284 as if it were their own. Resolution 1284 was finally agreed by the Security Council after very difficult negotiations in 1999. France sought to water down the inspection regime time and again. It was agreed in order to get any resolution through, for example, that presidential palaces would be exempted from the inspection. France then refused to back that resolution, and because it was not supported by any credible threat of force, Iraq refused to comply with it. What that tells us is that unless we have a tough resolution and back it with a credible threat of force and, as we are now getting to the point, the use of force, we will never ever get this tyrannical regime to comply with its United Nations obligations.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): Is it not a fact that, if the United Nations had acted in 1991 when the ceasefire was first breached and the following resolutions of that year were also breached, we would not be in our current position? Is not the awful lesson of the 12 years that have intervened, in which there have been so many deaths and genocidal activities in Iraq, that we cannot go on passing resolutions unless we are resolved to act?

Mr. Straw: I entirely agree with my hon. Friend. I say to the House that we need to think about where we would be if we failed now to act. We know that this man has weapons of mass destruction. That sounds like a slightly abstract phrase, but what we are talking about is chemical weapons, biological weapons, viruses, bacilli and anthrax—10,000 litres of anthrax—that he has. We know that he has it, Dr. Blix points that out and he has failed to account for that. If we allow these weapons to remain in the possession of Saddam Hussein and do nothing about it, we cannot complain when the regime becomes further empowered to act in a tyrannical way with his neighbours and also if such weaponry finds its way into the hands of other rogue states or terrorist groups and then inflicts destruction very much nearer home.

Tony Baldry (Banbury): I am sure that the Foreign Secretary will agree that we as a nation will be judged not only on the effectiveness our military campaign, but on the efficiency of the humanitarian relief that we bring to Iraq. Will he give a clear undertaking to the House that Her Majesty's Government shall will the means to ensure that proper humanitarian relief is provided for the people of Iraq and also that we will provide the leadership that is necessary to supply humanitarian relief to a country where, tragically, two thirds of the people are already dependent on food aid? Whenever the Cabinet considers the military campaign, can it please also consider the humanitarian campaign?

Mr. Straw: I entirely endorse what the hon. Gentleman says. I read out a key part of the motion that will be put before the House tomorrow, in which we shall seek a new Security Council resolution that deals with the whole question of humanitarian relief.

I also point out that one of the many terrible things that Saddam Hussein has done to his own people has been to impoverish a very rich nation. This was a nation that had the same living standards, if you please, as Portugal or Malaysia 25 years ago. It is now one of the poorest nations on earth, where 60 per cent. of the people have been plunged into poverty not because of sanctions, but because of a quite deliberate policy by the Saddam Hussein regime to divert money that should and could have gone to the wonderful people of Iraq to its military spending and luxury goods for the regime's friends.

Kali Mountford (Colne Valley): The people of Iraq have now languished under the tyranny of Saddam for far too long. Is not this cynical use of the process of the United Nations bringing it into disrepute? Are we not now in a position where, after the cynical protection of oil interests in Iraq, the cynical attempt to hide the fact that France vetoed any effort to indict Saddam and shying away on sales of weapons to Iraq, there is no prospect of unity in the United Nations and thereby no prospect of saving the people of Iraq?

Mr. Straw: It is for each member state of the United Nations to explain its own policy, and I am happy to explain ours. I entirely agree with my hon. Friend. We passed resolution after resolution in respect of Iraq, which I have presented to the House first in this Command Paper, then in the supplementary Command Paper. I say to any hon. Member who is still unpersuaded about the need for action and the fact that Iraq has failed to comply with its disarmament obligations that they should simply read that which is now available to every Member in the document in the Vote Office—the 173 pages of Dr. Blix's report published on 7 March. That sets out chapter by chapter—in 29 chapters on more than 100 separate disarmament obligations—how Saddam, after 12 years, plainly has no intention whatsoever of meeting his disarmament obligations.

Mr. Ian Taylor (Esher and Walton): Does the Foreign Secretary recognise that many of us believe that the United States, having looked for Osama bin Laden, has quickly focused on the tangible target of Saddam Hussein, and that the irony is that the person who will be most pleased in the next few days is Osama bin Laden because of the risk from terrorism? Is he aware that the way in which the United States has conducted its campaign over the past few months has led to the fracture of the United Nations, the fracture of NATO and the fracture of the European Union? How is that in the British national interest?

Mr. Straw: I do not agree with the hon. Gentleman. I just say this to him: I do not believe that the fight against international terrorism and the need to deal with rogue states are alternatives. They are not alternatives at all. We have to deal with international terrorism; we have to deal, too, with the threat of rogue states. I understand what the hon. Gentleman says, but the simple truth is that if that was the reason why the United States had gone to the United Nations, no other member of the United Nations would have supported it. It was because the case against the Iraqi regime, spelled out in 17 successive resolutions of the United Nations, is overwhelming. It is the United Nations that has been saying over 12 years that Iraq represents a threat to international peace and security.

As for the hon. Gentleman's point about the fracture of the United Nations, it is a fact, so far as NATO is concerned, that NATO, at its Prague summit at the end of November, fully and unanimously endorsed resolution 1441. I have to say to the hon. Gentleman that if he is thinking about the issue of assistance to Turkey, the decision to provide assistance to Turkey was supported by 16 of the 19 member nations of NATO and opposed by only three.

Jim Dowd (Lewisham, West): Will my right hon. Friend accept my thanks for his efforts, application and dedication in seeing UN resolution 1441 brought to fruition and pursued? Does he accept that had everybody who voted unanimously for that resolution meant what they said at the time, we would not now be in this position? Can he tell me when he first realised that those who signed up for "serious consequences" for non-compliance actually meant "zero consequences" for non-compliance? Can he tell me that the Government, once the current storm has abated, will do all that they can to resurrect the worldwide credibility of the UN, which has been so seriously undermined by those who have been playing games with what the international community should have done many years ago?

Mr. Straw: I am grateful to my hon. Friend for his opening remarks. We have done all that we can to secure

[Mr. Straw]

a peaceful resolution to the crisis. It is still possible, let me say, for it to be resolved peacefully by Saddam Hussein's agreeing to go into exile. Should that be the case, as I have said on a number of occasions, we would support a United Nations Security Council resolution to provide Saddam Hussein with immunity from prosecution so that he could go into exile and enjoy a retirement of the kind that he has denied to so many of his own people. I am willing to accept that terrible compromise to try to avoid a war. I hope and believe that the whole House would also do that.

My hon. Friend asks whether I concluded that some members of the Security Council were trying to rewrite 1441. I reached that conclusion a week ago, but I had suspected it for some time. I attended successive Security Council meetings in which Dr. Blix and Dr. el-Baradei pointed out that Iraq had not complied with clear obligations to make full and complete disclosure by 7 December. Instead, it recycled the incomplete, mendacious and deceitful disclosures that it had made in the past. It failed in every other respect to comply fully with the resolution.

The issue raises a question about United Nations authority, which is at stake. It is incumbent on all Security Council members to mean what they say and to say what they mean. We have done that; I regret that others have failed to do so.

Mr. Alex Salmond (Banff and Buchan): But is not the reality that the Government do not have a majority in favour of their position on the Security Council and that they have never had a majority for early recourse to war? Most countries perceive a clear alternative and doubtless believed the United States ambassador when he told them that 1441 was not a trigger for war. Instead of blaming the French, will the Government reflect on their responsibility for turning a 30-nation coalition that expelled Saddam Hussein from Kuwait into the four countries whose representatives met yesterday in the Azores? Two of them are not even committing troops to the engagement.

We are all worried and we all support our troops—[*Interruption.*] But are there worse circumstances under which to take a country to war than no consent at home and no consensus in the international community?

Mr. Straw: I have been in the House long enough to recall that the hon. Gentleman described our action in Kosovo, which was entirely right, as an unpardonable folly.

David Winnick (Walsall, North): If the military action that everyone now expects takes place, will not British troops be fighting a murderous tyranny? Do not those troops deserve support from all hon. Members because they will be doing right? Does my right hon. Friend agree that a large majority of people in Iraq will welcome liberation from tyranny? They have been imprisoned long enough, and it will be surprising if our troops are not treated as liberators when the time comes.

Mr. Straw: I entirely agree. My hon. Friend has been steadfast in his support for implementing 1441.

Mr. Crispin Blunt (Reigate): Four years ago, the Foreign Secretary was part of a Government who committed British troops to an offensive operation with no United Nations authority. Four years later, those troops remain deployed. Does he believe that criticism of his strategy today, when operating under United Nations authority, with an exit strategy of an Iraq free of tyranny—and free of foreign troops in months if not years—is justifiable from those who were a party to the decision to launch the Kosovo operation?

Mr. Straw: The hon. Gentleman raises the legal base for the action in Kosovo. That was questioned because there was a threat of a veto from Russia and securing a resolution was therefore not possible. I well remember that the action, which I fully supported, was controversial. However, events have shown that it was justifiable. We are currently following through the recent injunctions of resolution 1441, which the United Nations passed unanimously only four months ago.

Jeremy Corbyn (Islington, North): Does the Foreign Secretary accept that rejecting the road of peace and a legal solution to the problem means that tomorrow or the day after, cluster bombs, depleted uranium, cruise missiles and a panoply of weapons of huge destruction will be unleashed on the people of Iraq? Many will die. Many soldiers on all sides will die. What, in the Foreign Secretary's view, will be the long-term consequences for other conflicts throughout the middle east?

Mr. Straw: What I say to my hon. Friend first is that, as I said earlier, no one in the House has a monopoly on wisdom or morality on this issue, and I hope that we all respect each other's positions. Decisions about military action are very difficult because—my hon. Friend is right—people will be killed if military action is taken. Innocent civilians will be killed. However much the military strive, as they do, to avoid civilian casualties, some will be killed.

My hon. Friend asked what would be the result of military action. Yes, people will be killed, but the result will be better than the result of not taking military action. I am quite clear about that. If we fail to take military action, many thousands more will perish at Saddam Hussein's hand, and the ongoing instability of the region—caused by Saddam Hussein's armaments and weapons of mass destruction—will continue. It is my belief that, just as we found in Afghanistan—an imperfect country, but far, far better than the Taliban regime before—that military action has helped to stabilise the regime and, above all, to liberate the benighted people of that country, so we shall find the same in respect of Iraq.

John Barrett (Edinburgh, West): How will the Foreign Secretary proceed if the Government lose the vote tomorrow, or would that be dismissed as an "unreasonable" vote?

Mr. Straw: We are not intending to lose the vote tomorrow, although we are certainly not relying on the Liberals. [*Interruption.*]

Mr. Speaker: Order.

Mr. Martin O'Neill (Ochil): Does my right hon. Friend realise, as one of those who opposed the march on Baghdad, that we now face a very different situation from the one that we faced 12 years ago? Is he also aware that those who choose to oppose resolution 1441 now are doing so in the certain knowledge that there will be no military action or military sanctions until November or December of next year, and that to do that is to give away to Saddam Hussein an inordinately long period of negotiation and obfuscation, which has marked the way in which he has behaved in the international arena all these years? We must act now, and we must act quickly.

Mr. Straw: I agree with my hon. Friend. I must also point out to the House that the reason why there was not a march on Baghdad was that the United States Government and the chief of their military staff, the then General Powell, wished to follow United Nations resolutions and decided that they had no United Nations mandate to complete the action on to Baghdad. Many will say, "Would that they had been able to undertake that action to rid the world of Saddam," but I certainly supported the decision not to take action at that stage, because it would have been against the mandate of the UN.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Does my right hon. Friend agree that, with the publication of the road map for Palestine having given real hope for the people of Palestine, the agreement that Iraq's oil should be for the benefit of the people of Iraq and that the United Nations should lead a massive programme of reconstruction and humanitarian support, and the likelihood that we would have got a second UN resolution if it had not been for the French veto, there are now no valid reasons whatever for any Labour MP not to support our Government tomorrow?

Hon. Members: Want to bet?

Mr. Straw: Yes. I am grateful to my right hon. Friend for that very difficult question, and I agree with him. Of course this is a difficult issue, but I ask my right hon. and hon. Friends, as well as Opposition Members, who take a different view to spell out in detail what the alternative is.

Mrs. Alice Mahon (Halifax): Inspectors.

Mr. Straw: I hear an hon. Member saying "Inspectors", but all I say is that to continue with inspectors and to offer more time is not to disarm Saddam Hussein but to allow him to re-arm.

Mr. Julian Brazier (Canterbury): The Foreign Secretary knows of the absolutely solid support that he has from the Conservative Benches at this difficult time for the actions that will be undertaken shortly by the men and women of our armed forces. May I ask him, none the less, whether he agrees that the real test of the operation will be whether moderation or fundamentalism ends up being strengthened in the region as a whole? Will he accept it from the many Members of the House with experience of that part of the world that the key test for moderate Arab and Islamic opinion will be whether we and the Americans deliver on the so-called road map, and do not merely talk about it afterwards?

Mr. Straw: Yes, I entirely agree with what the hon. Gentleman says. If we think of all the issues that have led to an alienation of Arab and Islamic countries from the west, Iraq is not among them. Most of them are contemptuous of Saddam Hussein, whom they regard, quite correctly, as a terrible follower of Islam. The issue in question is justice for the Palestinians, as well as a viable state of Palestine, within the borders broadly laid down under resolution 242 in 1967, with its own capital, and not just an end to settlements but a removal of settlements and a solution to the refugee crisis. That is absolutely essential at all times, and that need is reinforced by the current crisis.

Mr. Gerald Kaufman (Manchester, Gorton): I welcome what the Prime Minister, the Foreign Secretary and the Government motion say about the fundamental importance of the road map to middle eastern peace, but will my right hon. Friend give the House an assurance, especially taking into account the terribie slaughter of Palestinian children by Israeli forces during the past few days, that it will not be Ariel Sharon's Government who make the decisions about progress on the road map, but that that will be done by the Quartet and by our own Government, and that the Government will yield nothing on moving towards a just peace settlement with security for Israel and a decent national settlement for the Palestinian people?

Mr. Straw: Yes, I give my right hon. Friend that assurance, and I point out to him, in support of that, that when, I think in great error, the Prime Minister of Israel decided to ban representatives of the Palestinian Authority from travelling to the United Kingdom for a meeting to discuss Palestinian Authority reform, my right hon. Friend the Prime Minister was determined that that meeting should go ahead. Therefore, we indeed went ahead by using video screens. That was far less satisfactory than a face-to-face meeting, but it sent out a very clear message that we wished, whatever the obstacles, to assist the Palestinians in their reform process and, in doing so, to bring justice to the Palestinians. We shall continue in that endeavour.

Rev. Martin Smyth (Belfast, South): We on the Ulster Unionist Benches supported the Government seeking a second resolution and we regret that it has not been achieved, but is it not unfair of people to undertake an anti-American vendetta and fail to recognise that perhaps Russia and France have their own interests as well? May I therefore press this question: we talk about humanitarian relief afterwards, but what percentage of the $30 million that has already been subscribed to the UN's $130 million humanitarian appeal fund has come from the dissenting nations in the UN? If they are not joining the effort to get rid of Saddam, are they joining the effort to look after the humanitarian interests of the people?

Mr. Straw: I am sorry that I do not have a detailed answer for the hon. Gentleman, but I shall write to him.

Mike Gapes (Ilford, South): My right hon. Friend knows that the Saddam regime practised ethnic cleansing of the Shi'a Marsh Arabs and of the Kurds. He will also be aware that, in the past week, 600 Kurdish families have been driven out of Kirkuk. Does he find it surprising that some people who were prepared to

[Mike Gapes]

support military action against ethnic cleansing in Kosovo without a UN resolution in 1999 are now prepared to oppose action in support of UN Security Council resolutions 1441, 678 and 687?

Mr. Straw: My hon. Friend points to an inconsistency and he is right. People are now passionate about this issue, but I remind the House that people became very passionate and, to a degree, divided over Kosovo; yet in many ways the decisions that we took then were more difficult, because there was no clear legal base, than the decisions that we ought to be taking now in respect of Iraq.

Dr. Julian Lewis (New Forest, East): Given that, in the past, the Government successfully took military action in the Balkans without authorisation from the United Nations, has it not turned out to be a serious mistake by the Prime Minister to expend so much effort in persuading our American allies to go down the flawed route of an unnecessary second United Nations resolution?

Mr. Straw: No, I do not accept that. Yes, we played our part in persuading the United States Government to go down the UN route but, in the end, they are, of course, responsible for their own decisions. It is my belief that the standing of the United States in the world, as well as the authority of the United Nations, has been greatly reinforced by the decision that President Bush made, and announced on 12 September last year at the General Assembly, to support the UN, not only in respect of its actions on Iraq but in many other ways. If, as I believe it is, it turns out to be necessary for military action to occur in Iraq, international consent will be greatly broadened by the fact that we tried every diplomatic means possible to resolve the crisis peacefully and under the aegis of the United Nations. What we are now doing is seeking to enforce the authority of the United Nations when it said many years ago, and repeated just four months ago, that, if necessary, serious consequences would follow for Iraq for its failure to comply with UN obligations.

Mr. Robert Marsh[illegible]-Andrews (Medway): The Foreign Secretary will be aware that many Members on both sides of the House and many people in the country believe that the much-demonised French are not isolated in the Security Council or in international chambers in their opposition to this war. In those circumstances, why have we not had the courage to go back to the Security Council in order to test, at the very least, the true weight of world opinion?

Mr. Straw: I thought that I had explained that to the House. [HON. MEMBERS: "No."] I am not demonising anybody; I am simply laying out the facts of the matter and they are straightforward. My hon. and learned Friend is acquainted with the words of the law so I am sure that he will be almost as familiar as I am with the terms of 1441. As I have already explained to the House, that laid out a clear set of obligations on Iraq and a process for the United Nations. We were following that process because of Iraq's non-compliance. We were close to achieving a consensus and were in exactly the same situation as we were shortly before we achieved consensus on 1441. Then, a week ago today, President Chirac came along and said in terms that, whatever the circumstances, France would veto a second resolution. That is what he said and it paralysed the negotiation process. The responsibility for there not being a second resolution, which was never needed legally although we would have preferred it politically, does not rest on the shoulders of the United Kingdom Government.

Gregory Barker (Bexhill and Battle): Although we now face the bleak prospect of war, the Foreign Secretary has gone out of his way in recent weeks and months to keep the House up to speed with all the developments in the diplomatic field. Likewise, we have received numerous statements about military preparations. However, we have been kept woefully ignorant about contingency planning for the humanitarian crisis that will surely follow military action. When can we expect the Secretary of State for International Development to stop grandstanding in the media and actually come to the House, face up to her responsibilities, make a statement and answer questions. If she will not come to the House, will the Foreign Secretary send her successor tomorrow?

Mr. Straw: I believe—I say this in all seriousness—that no one in the House has done more for the cause of international development than my right hon. Friend the Secretary of State. That happens to be true. Her dedication and commitment to the cause is huge.

The hon. Gentleman asked a serious question. We were reluctant to come to the House and spell out the detailed arrangements with respect to humanitarian aid because we were hoping against hope that there could be a peaceful, diplomatic solution to the crisis which, yes, would keep Saddam Hussein in place—so the issue of humanitarian relief would not arise—but would at the same time disarm Iraq of its weapons of mass destruction. I accept that we have almost certainly passed that point, and of course in the days and weeks ahead statements will be made to the House about our plans for humanitarian relief and reconstruction; but those plans are already contained, in outline, in the motion that we will present to the House tomorrow.

Dr. Gavin Strang (Edinburgh, East and Musselburgh): Will my right hon. Friend confirm that when resolution 1441 was passed China, Russia and France issued a joint statement making it clear that their support for the resolution did not constitute an endorsement of military action? Far from the credibility of the UN being safeguarded, is it not the case that this war is not backed by a second resolution because there is currently no support in the Security Council for an attack on a sovereign state?

Mr. Straw: I think there is support for the enforcement of the will of the United Nations. This should not be parodied as an attack on a sovereign state. The only state that has gratuitously attacked other sovereign states without any justification or cause in the last 15 years is Iraq, which attacked first Iran and then Kuwait.

It is true that China, Russia and France each issued what is called an explanation of vote—as did we—saying that resolution 1441 did not provide for automaticity in respect of the use of force. We said the same. There was never provision of an automatic figure for the use of force. What resolution 1441 did anticipate was that if Iraq failed to comply with its obligations there would be a process, and serious consequences would follow. That is exactly the procedure, and the law, that we are following.

Lembit Öpik (Montgomeryshire): The Foreign Secretary has the capacity to evade this question, but I hope he will answer it with candour. How will he and the Government respond if over time it can be shown that an attack on Iraq has prompted or caused sustained international terrorism in the United Kingdom and abroad rather than preventing it?

Mr. Straw: I am afraid I do not accept that the way to oppose terrorists is to appease tyrants.

Mr. Stuart Bell (Middlesbrough): Should the House not be encouraged by the fact that, tomorrow or the day after, it will have an opportunity to vote for a motion calling on Her Majesty's Government, on an urgent basis, to return to the UN Security Council to pass a resolution providing for Iraq's borders, for the release of its oil, for humanitarian aid, and for human rights for all Iraqis—Shi'ites, Kurds and those in Saddam City?

Is my right hon. Friend aware that the French President will shortly host a meeting of G8 nation states in Paris? Will that not provide an opportunity for members of the international community to join the Security Council in enhancing the international reconstruction to which he has referred?

Mr. Straw: My hon. Friend mentioned the G8 meeting. There are of course differences—well aired today by Members, including me—between international partners; but in all the discussions I have had in the past week with my fellow Foreign Ministers, including the French, Russian, Chinese and German Foreign Ministers, I have emphasised the need for us to ensure that the United Nations stays together as far as possible, and also that we use other international institutions, including the G8, as a means of providing funds for reconstruction.

We say in our motion that the Security Council resolution that we will seek will aim to secure a swift end to sanctions. I think the whole House is united on the need for a swift end to sanctions in appropriate circumstances. Again, I ask those who doubt the wisdom of military action what is their alternative. How do we end not only the tyranny of Saddam Hussein but his impoverishment of his own people over 12 weary and long years?

Simon Hughes (Southwark, North and Bermondsey): Even if Saddam Hussein will only be disarmed by force, can the Foreign Secretary explain why the interests of Britain and Europe, international security and the authority of the UN are better served by taking action this week, backed by only two permanent members of the UN, with no majority in the Security Council, when six or seven more weeks of giving peace a chance and the inspectors a chance might produce all the permanent members, the Security Council and the Secretary-General of the UN, and have real authority? Why is that a less good option?

Mr. Straw: I think that the hon. Gentleman was trying to give a rather poor imitation of the French, German and Chinese proposals.

Simon Hughes: Why is it less good?

Mr. Straw: Let me just explain. Those proposals were to make use of the provisions of resolution 1284, for which those countries did not vote in the first place and which have no teeth whatever. What France is proposing is exactly what the hon. Gentleman is proposing—that there should be 140 days and then a report, then another 140 days and then a report, and then another 140 days.

Simon Hughes *indicated dissent.*

Mr. Straw: That is exactly what the hon. Gentleman is proposing. It is a means not of dealing with the issue but of avoiding the issue, which is exactly where the Liberals are on every issue.

Hon. Members: More!

Mr. Speaker: Order. [*Interruption.*] Order.

Jane Griffiths (Reading, East): In the difficult days and weeks that lie ahead, will my right hon. Friend find the opportunity to continue his efforts to persuade his counterparts across the channel in France of the effect that their perfidious action in treating the United Nations with contempt could have, not necessarily for Iraq, but for conflict resolution in the wider world in future?

Mr. Straw: It is fair to say, listening to this debate and taking part in it, that on the whole hon. Members have been unimpressed by the position taken by the French Government.

Glenda Jackson (Hampstead and Highgate): In the light of my right hon. Friend's previous replies, does he wish the House to believe that the requests, twice made, of the UN inspectors for more time, most recently not for weeks, not for years but for months, was not a genuine request on the part of those UN officials but a request made at the behest of France, Russia, China and Germany?

Mr. Straw: My hon. Friend raises an important issue. She refers, I believe, to the last report of Dr. Blix, the short one, that he presented to the Security Council on 7 March and to which I referred when I spoke in the Security Council that afternoon, but the simple fact of the matter is that Dr. Blix—his report is published in the Command Paper before me—was referring to the possibility of the inspection process taking not weeks, not years but months in the context of Iraq's full compliance. As I pointed out to the Security Council that afternoon, no one—not the inspectors and no member of the Security Council—has

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ever been able to say that Iraq is in full compliance with the Security Council resolutions that were required of it on 8 November.

Mr. Neil Gerrard (Walthamstow): Does the Foreign Secretary not recognise that what really destroys the credibility of the United Nations is not France or any other country following the rules of the UN, but Governments preparing for months for war and planning for war while simultaneously saying that they are going down the UN route but will not accept the use of the veto? As for the use of the veto in the UN, the UK and US Governments between them are responsible for more than 40 per cent. of the occasions on which it has been exercised. The US alone has used it 75 times, mostly on the middle east.

Mr. Straw: Each member of the permanent five of the Security Council has made use of the veto to a varying extent. Let us be clear about this: the difference between 1284 and 1441 was not just the words on the paper, although that was a big difference; the only reason for the difference between Iraq's refusal to let in the inspectors at all after the passage of 1284, and our getting them back, at least, with the passage of 1441—with some compliance on process, but reluctant compliance on substance—is the fact that we backed our diplomacy with a credible threat of force. My hon. Friend must face up to the fact that that is spelled out in chapter VII of the United Nations charter, and that it is others who are undermining the UN's authority if they fail to back this credible threat of force in order to maintain the authority of the UN.

Mr. Tony Banks (West Ham): May I pay tribute to my right hon. Friend, and to the Prime Minister, for all their efforts to get a peaceful resolution to this situation, and for using the United Nations in doing so? However, ultimately we have to accept that we have failed. Regrettably, we are now almost isolated in Europe, which must be very bad for this country. Will my right hon. Friend tell the House what military and political support we expect to get from our European colleagues when the Anglo-American invasion of Iraq takes place?

Mr. Straw: I am very grateful to my hon. Friend for the warm tribute that he paid to my right hon. Friend the Prime Minister and me, and in view of it I very much look forward to his support in the Lobby tomorrow evening. However, it is a parody to suggest that this issue has separated Europe from America, or the Anglo-Saxons from the Europeans. That is simply not the case; more European countries, across the 25 current or putative members of the European Union, support the position that we take than support the opposite point of view. That has been made very clear in a number of letters from the Vilnius 10 and from the Group of 8, and in a succession of resolutions passed by the European Council and by the NATO Council, which endorse the position that we have taken.

Sir Patrick Cormack (South Staffordshire): Would not those countries that believe in proper reconstruction of Iraq as a peaceful nation do better to come to London, rather than go to Paris and follow in the footsteps of Mugabe?

Mr. Straw: The French have the chairmanship of the G8, and we look forward to constructive discussions with them about the reconstruction of Iraq.

Joan Ruddock (Lewisham, Deptford): Sadly, I am unable to support my Government in this action, but I should tell my right hon. Friend that I believe that the whole House will appreciate what he has said about keeping civilian casualties to a minimum. For many of us, the test of that policy will be no cluster bombs, no depleted uranium weapons, and no targeting of water and food supplies.

Mr. Straw: I acknowledge what my hon. Friend says, and I am sorry that she feels unable to support the Government in the Lobby tomorrow. I will have a separate discussion with her about what she feels are the alternatives, now that we have reached the end of the diplomatic road, I am afraid to say. If I felt that there were a further peaceful alternative apart from the exile of Saddam Hussein, I would take it, because, like everybody else in this House, I hate the idea of war. I no more want military action to be taken than does anybody else.

As for targeting, we have to acknowledge the fact that people will be killed if there is military action, and that some of them will be innocent people. That is the nature of warfare, but I can tell my hon. Friend that every effort is being taken, and will be taken, to ensure that, so far as is humanly possible, the targeting will be very careful, proportionate and designed, obviously, to attack military and legitimate targets, and not anybody else.

Mr. Chris Bryant (Rhondda): Notwithstanding the statement by the French President last week that he would veto a second resolution in any circumstances—if anything has been reckless in the past few months, that was—surely France and Russia will be critically important if we are to rebuild Iraq, especially if we are also to maintain its territorial integrity. When and how does the Foreign Secretary hope to start negotiations with France and Russia to ensure that that happens?

Mr. Straw: As I have already explained to the House, discussions with our French and Russian—and, indeed, Chinese and German—colleagues continue, and I have made it clear that while there is unquestionably a difficulty between us on this issue, we must not let that get in the way of co-operation on a wide range of other issues, including the humanitarian reconstruction of Iraq should that prove necessary.

Helen Jackson (Sheffield, Hillsborough): Is it not the case that having decided to go down the collective route through the United Nations, which carried the unanimous approval of this House, and securing resolution 1441, it was incumbent on the Government to continue to go with the collective view of the UN? Does not the failure of the US and Britain to carry their point of view through the Security Council stand us in poor stead as a precedent for dealing with further difficulties that may arise this century?

Mr. Straw: As my hon. Friend knows from her involvement in one of our party's policy commissions on foreign affairs, it was the Labour party's preference to seek a second resolution, but it was not a requirement. We have sought to follow the policy of the party as laid out in a clear mandate at party conference and on 27 January. It is a matter of regret that we were not able to achieve a consensus in the Security Council, but it was not for want of trying.

The right hon. and learned Member for North-East Fife (Mr. Campbell)—whose absence is regretted on both sides of the House—said:

> "We must remember that the United Nations is not some third party to whom we have subcontracted our security responsibilities. It is no more and no less than the sum of its members."—[*Official Report*, 24 September 2002; Vol. 390, c. 45.]

My regret is that some members of the Security Council, having said one thing in the resolution in November, decided to change the meaning of that resolution this year.

Dr. Brian Iddon (Bolton, South-East): Tomorrow's Government motion refers to

> "the imminent publication of the Quartet's roadmap".

What does "imminent" mean in that context? Does it mean tomorrow? Will we be informed of the contents of the road map so that we may have a properly informed debate tomorrow?

Mr. Straw: "Imminent" means that we are hoping to see the full publication of the roadmap once Abu Mazen has been endorsed and has accepted the post. There will then be an interlocutor for the Quartet to deal with. Informal copies of the road map are publicly available on the website and I shall ensure that one is placed in the Library of the House.

Tony Wright (Cannock Chase): I thank my right hon. Friend for fulfilling his commitment to enable the House to vote again on this issue, although we all recognise that we are probably at the end of the road tonight. Does he understand why some of us who are not anti-American or pacifists, and who have supported every other military action that the Government have taken, have found it difficult in these circumstances to support this military action? We knew that Saddam Hussein could be disarmed only through a process that was like drawing teeth, and that we had to back that with the use of force, but is not this the first time in this country's history that we will wage war on a country that is actually getting rid of some of its weaponry under UN auspices?

Mr. Straw: I am grateful to my hon. Friend for his remarks. I have been in the House now through four different sets of military action and it is fair to point out that this is the first time—and I am glad that it has been supported on all sides—that the Government have followed a clear process of ensuring that every debate takes place on a substantive resolution. I know that there was some scepticism that we would not introduce a resolution until after military action had taken place, but I hope that the House is reassured that we are doing exactly what we said we would do and are ensuring that the House has both the power and the responsibility in respect of this matter before any action is taken, not after. I am glad that we have set that precedent for the future.

Let me pick up on my hon. Friend's analogy about drawing teeth. Drawing teeth is not just difficult but is possible only if the patient has his mouth open. In the case of Saddam Hussein, if I may continue the analogy, we have a patient who most of the time has his mouth closed and who from time to time bites the dentist. In those circumstances, achieving compliance from this so-called patient to draw the teeth becomes impossible.

Mr. Stephen McCabe (Birmingham, Hall Green): I acknowledge the efforts of my right hon. Friend and the enormous efforts of the Prime Minister to try to secure the additional UN resolution that so many of us wanted. Is not the choice before us now stark? People can, however unintentionally, give further succour to this dangerous, evil tyrant, or they can support our armed forces and show the will and determination that are needed finally to disarm this butcher.

Mr. Straw: Like my hon. Friend, I do not impugn the motives of anybody in this House, but we all have to think very carefully about the consequences of what we are doing. If we were to weaken our resolve at this stage, it would be Saddam Hussein who would be emboldened and millions and millions of Iraqis who would be plunged into further desperation and despair as they saw the one hope of liberation disappear.

John McDonnell (Hayes and Harlington): I hope that we will have time tomorrow to debate the rights and wrongs of this war, but may I make this one appeal? I return to the point that was raised by my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) about civilian casualties. Today, reports are coming through from Baghdad of parents who are desperately trying to find room on buses to Jordan for their children. Would it be possible—through the United Nations and perhaps through an independent country such as Jordan—to make an offer to evacuate the children of Baghdad before the bombing starts?

Mr. Straw: I doubt very much whether that would prove possible. [HON. MEMBERS: "Why?"] I am about to explain why. The reason why I think that it would not be possible is that I do not think, for a start, that there would be any compliance by Saddam Hussein. I recall, during the last Gulf war, that, far from trying to ensure that children in Baghdad were placed in safe places, he ensured that they were used as human shields.

Mr. Tony McWalter (Hemel Hempstead): My right hon. Friend has given a clear indication tonight that he does not think that the process of inspection could ever produce the effective decommissioning of weapons of mass destruction—which is the object of this whole enterprise—even though that process did achieve significant results in 1998. As the inspectors themselves have never claimed that the process would prove futile, does my right hon. Friend have no confidence in the weapons inspectors whatsoever?

Mr. Straw: I have every confidence—and I have expressed that confidence—in the weapons inspectors. With respect, my hon. Friend misunderstands what I have been saying. Weapons inspection systems can work, and weapons inspectors can work, where there is

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compliance by the country concerned. When South Africa came into compliance, I understand that it took nine inspectors just three months to verify South Africa's disarmament of its nuclear installations. Twelve years after Iraq was ordered within 45 days fully and completely to comply with its disarmament obligations and to begin the disarmament process with the inspectors, the weapons inspectors have still laid out 29 separate chapters, in 173 pages, of incomplete disarmament obligations. As long as this regime is in place, and as long as it is refusing to co-operate, the inspection process becomes well-nigh impossible.

Business of the House

9.40 pm

The Parliamentary Secretary, Privy Council Office (Mr. Ben Bradshaw): With permission, Mr. Speaker, I should like to make a short statement about the business for tomorrow.

There will now be a debate on Iraq on a Government motion. The business for the remainder of the week will remain unchanged and there will be the usual statement on Thursday.

May I say how sorry I am that my right hon. Friend the Member for Livingston (Mr. Cook) is not making this statement? I hope that the whole House will join me in paying tribute to the outstanding contribution that he made as Leader of the House.

Mr. Eric Forth (Bromley and Chislehurst): May I echo the Minister's words about the right hon. Member for Livingston (Mr. Cook)?

I very much welcome the statement. It is right that we debate the matter tomorrow. Will the Minister confirm, however, that the debate will start at 12.30 pm and continue until 10 o'clock, when the votes will be held?

Mr. Bradshaw: Yes, I can confirm that.

Mr. Andrew Stunell (Hazel Grove): May I add our words to those of the Minister and the shadow Leader of the House in support of the work carried out by the right hon. Member for Livingston (Mr. Cook) in his role as Leader of the House?

I remind the Minister that the Foreign Secretary— [*Interruption.*]

Mr. Speaker: Order. Hon. Members must let the hon. Gentleman speak.

Mr. Stunell: The Foreign Secretary told the House just a few moments ago that there was a tendency for nations that have voted on 1441 to change their interpretation of it.

Mr. Speaker: Order. This is a business statement. The time for the hon. Gentleman to raise that issue has passed. Perhaps he will catch my eye tomorrow.

Mr. Simon Thomas (Ceredigion): May I associate Plaid Cymru and the Scottish National party with the Minister's comments on the former Leader of the House?

Tomorrow's vote will be desperately important and many of us will want to oppose the Government. Although they are not legally bound to pay attention to the vote, will the Minister give an undertaking—an assurance—that the Government will be honour bound to pay attention to it? If so, every Member's vote will count, and it will therefore be a real vote on whether we should go to war or not. Will he also give an undertaking that if the vote goes against the Government, they will not go to war?

Mr. Bradshaw: The Government have bent over backwards to honour their commitments to the House and I am confident that they will do so again tomorrow by giving the House an unprecedented opportunity to express its will.

Chris Grayling (Epsom and Ewell): Will the Minister tell the House whether the Prime Minister will lead the debate tomorrow and how much time he will spend in the Chamber?

Mr. Bradshaw: Yes, the Prime Minister will lead the debate tomorrow. I do not know how much time he will spend in the Chamber, but I suspect that it will be a lot.

Mr. Speaker: I have a statement that may help the House.

The Secretary of State invited me in the course of his statement to specify a time by which amendments to the Government's motion on Iraq must be submitted. Members who want their amendment to appear on the Order Paper tomorrow morning must, of course, table it before the House rises tonight, but I will consider for selection any amendment that is submitted in good order before 10 am tomorrow.

Personal Statement

9.44 pm

Mr. Robin Cook (Livingston): This is the first time for 20 years that I have addressed the House from the Back Benches. I must confess that I had forgotten how much better the view is from here. None of those 20 years were more enjoyable or more rewarding than the past two, in which I have had the immense privilege of serving this House as Leader of the House, which were made all the more enjoyable, Mr. Speaker, by the opportunity of working closely with you.

It was frequently the necessity for me as Leader of the House to talk my way out of accusations that a statement had been preceded by a press interview. On this occasion I can say with complete confidence that no press interview has been given before this statement. I have chosen to address the House first on why I cannot support a war without international agreement or domestic support.

The present Prime Minister is the most successful leader of the Labour party in my lifetime. I hope that he will continue to be the leader of our party, and I hope that he will continue to be successful. I have no sympathy with, and I will give no comfort to, those who want to use this crisis to displace him.

I applaud the heroic efforts that the Prime Minister has made in trying to secure a second resolution. I do not think that anybody could have done better than the Foreign Secretary in working to get support for a second resolution within the Security Council. But the very intensity of those attempts underlines how important it was to succeed. Now that those attempts have failed, we cannot pretend that getting a second resolution was of no importance.

France has been at the receiving end of bucketloads of commentary in recent days. It is not France alone that wants more time for inspections. Germany wants more time for inspections; Russia wants more time for inspections; indeed, at no time have we signed up even the minimum necessary to carry a second resolution. We delude ourselves if we think that the degree of international hostility is all the result of President Chirac. The reality is that Britain is being asked to embark on a war without agreement in any of the international bodies of which we are a leading partner—not NATO, not the European Union and, now, not the Security Council.

To end up in such diplomatic weakness is a serious reverse. Only a year ago, we and the United States were part of a coalition against terrorism that was wider and more diverse than I would ever have imagined possible. History will be astonished at the diplomatic miscalculations that led so quickly to the disintegration of that powerful coalition. The US can afford to go it alone, but Britain is not a superpower. Our interests are best protected not by unilateral action but by multilateral agreement and a world order governed by rules. Yet tonight the international partnerships most important to us are weakened: the European Union is divided; the Security Council is in stalemate. Those are heavy casualties of a war in which a shot has yet to be fired.

I have heard some parallels between military action in these circumstances and the military action that we took in Kosovo. There was no doubt about the multilateral

[Mr. Robin Cook]

support that we had for the action that we took in Kosovo. It was supported by NATO; it was supported by the European Union; it was supported by every single one of the seven neighbours in the region. France and Germany were our active allies. It is precisely because we have none of that support in this case that it was all the more important to get agreement in the Security Council as the last hope of demonstrating international agreement.

The legal basis for our action in Kosovo was the need to respond to an urgent and compelling humanitarian crisis. Our difficulty in getting support this time is that neither the international community nor the British public is persuaded that there is an urgent and compelling reason for this military action in Iraq.

The threshold for war should always be high. None of us can predict the death toll of civilians from the forthcoming bombardment of Iraq, but the US warning of a bombing campaign that will "shock and awe" makes it likely that casualties will be numbered at least in the thousands. I am confident that British servicemen and women will acquit themselves with professionalism and with courage. I hope that they all come back. I hope that Saddam, even now, will quit Baghdad and avert war, but it is false to argue that only those who support war support our troops. It is entirely legitimate to support our troops while seeking an alternative to the conflict that will put those troops at risk.

Nor is it fair to accuse those of us who want longer for inspections of not having an alternative strategy. For four years as Foreign Secretary I was partly responsible for the western strategy of containment. Over the past decade that strategy destroyed more weapons than in the Gulf war, dismantled Iraq's nuclear weapons programme and halted Saddam's medium and long-range missiles programmes. Iraq's military strength is now less than half its size than at the time of the last Gulf war.

Ironically, it is only because Iraq's military forces are so weak that we can even contemplate its invasion. Some advocates of conflict claim that Saddam's forces are so weak, so demoralised and so badly equipped that the war will be over in a few days. We cannot base our military strategy on the assumption that Saddam is weak and at the same time justify pre-emptive action on the claim that he is a threat.

Iraq probably has no weapons of mass destruction in the commonly understood sense of the term—namely a credible device capable of being delivered against a strategic city target. It probably still has biological toxins and battlefield chemical munitions, but it has had them since the 1980s when US companies sold Saddam anthrax agents and the then British Government approved chemical and munitions factories. Why is it now so urgent that we should take military action to disarm a military capacity that has been there for 20 years, and which we helped to create? Why is it necessary to resort to war this week, while Saddam's ambition to complete his weapons programme is blocked by the presence of UN inspectors?

Only a couple of weeks ago, Hans Blix told the Security Council that the key remaining disarmament tasks could be completed within months. I have heard it said that Iraq has had not months but 12 years in which to complete disarmament, and that our patience is exhausted. Yet it is more than 30 years since resolution 242 called on Israel to withdraw from the occupied territories. We do not express the same impatience with the persistent refusal of Israel to comply. I welcome the strong personal commitment that the Prime Minister has given to middle east peace, but Britain's positive role in the middle east does not redress the strong sense of injustice throughout the Muslim world at what it sees as one rule for the allies of the US and another rule for the rest.

Nor is our credibility helped by the appearance that our partners in Washington are less interested in disarmament than they are in regime change in Iraq. That explains why any evidence that inspections may be showing progress is greeted in Washington not with satisfaction but with consternation: it reduces the case for war.

What has come to trouble me most over past weeks is the suspicion that if the hanging chads in Florida had gone the other way and Al Gore had been elected, we would not now be about to commit British troops.

The longer that I have served in this place, the greater the respect I have for the good sense and collective wisdom of the British people. On Iraq, I believe that the prevailing mood of the British people is sound. They do not doubt that Saddam is a brutal dictator, but they are not persuaded that he is a clear and present danger to Britain. They want inspections to be given a chance, and they suspect that they are being pushed too quickly into conflict by a US Administration with an agenda of its own. Above all, they are uneasy at Britain going out on a limb on a military adventure without a broader international coalition and against the hostility of many of our traditional allies.

From the start of the present crisis, I have insisted, as Leader of the House, on the right of this place to vote on whether Britain should go to war. It has been a favourite theme of commentators that this House no longer occupies a central role in British politics. Nothing could better demonstrate that they are wrong than for this House to stop the commitment of troops in a war that has neither international agreement nor domestic support. I intend to join those tomorrow night who will vote against military action now. It is for that reason, and for that reason alone, and with a heavy heart, that I resign from the Government. *[Applause.]*

Mr. Speaker: Order. I have motions to put before the House.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation)

IMMIGRATION

That the draft Asylum (Designated States) Order 2003, which was laid before this House on 11th February, be approved.—*[Mr. Jim Murphy.]*

The House divided: Ayes 328, Noes 43.

Division No. 116] [9:56 pm

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Gregory *(E Lond'y)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Owen, Albert
Paisley, Rev. Ian
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*

Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Jo[illegible]
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev. Martin *(Belfast S)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Spink, Bob *(Castle Point)*
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Gerry Sutcliffe and
Mr. Jim Murphy

NOES

Allan, Richard
Barrett, John
Breed, Colin
Burnett, John
Calton, Mrs Patsy
Carmichael, Alistair
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gidley, Sandra
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Heath, David
Hermon, Lady
Holmes, Paul
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
McDonnell, John
Moore, Michael
Oaten, Mark *(Winchester)*
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Robertson, Angus *(Moray)*
Salmond, Alex
Sanders, Adrian
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wishart, Pete

Tellers for the Noes:
Mr. Andrew Stunell and
Bob Russell

Question accordingly agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With the leave of the House, I shall put together the Questions on motions 4, 5, 6, 7 and 8.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE

That the Local Government Finance (England) Special Grant Report (No. 113) on the Special Grant in aid of the revenues of the London Borough of Hackney for 2002–03, a copy of which was laid before this House on 24th February, be approved.

INDUSTRIAL ORGANISATION AND DEVELOPMENT

That the draft Apple and Pear Research Council (Dissolution) Order 2003, which was laid before this House on 25th February, be approved.

That the draft Horticultural Development Council (Amendment) Order 2003, which was laid before this House on 25th February, be approved.

REHABILITATION OF OFFENDERS

That the draft Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) (England and Wales) Order 2003, which was laid before this House on 25th February, be approved.

POLICE

That the Police and Criminal Evidence Act 1984 (Codes of Practice) (Codes B to E) (No. 2) Order 2003, which was laid before this House on 27th February, be approved.—*[Mr. Fitzpatrick.]*

Question agreed to.

PETITION

Iraq

10.7 pm

Annabelle Ewing (Perth): I am pleased to present what could not be a more timely petition on behalf of my constituents in the Strathearn Coalition for Justice Not War, who have collected 444 signatures from people across Strathearn in a short time. At this eleventh hour, my constituents are making a direct appeal to this House to exert its influence over Tony Blair and the UK Government to step back from the brink of war.

To lie upon the Table.

Press Complaints Commission

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Sutcliffe.]*

10.8 pm

Ian Lucas (Wrexham): I am grateful for the opportunity to discuss this important issue. I approach the debate with some trepidation, because there is often a great difficulty in raising issues that relate to confidentiality and children. It is very important to try to respect the anonymity of children in any description of their difficulties, so I shall refer to actual cases, but not to any names, although I trust that all the facts that I lay before the House will be entirely correct.

By common consent, children are one of the most vulnerable groups in our society and are deserving of special protection. The Children and Young Persons Act 1933 affords the protection of anonymity to children who are suspected of committing criminal offences and, indeed, to those who are convicted of committing criminal offences. For the most part, that legislation is uncontroversial. It is well recognised and accepted that adverse publicity can prejudice children's futures and that the press could affect those children's futures if names were to be reported. Generally speaking, the press respect the law and do not publish the names of suspected young offenders. However, some recent cases have highlighted a very serious discrepancy in the way that some children are affected by adverse publicity. When children are victims of a crime, they may be protected by the law. The court can make an order that such children should not be identified. The position is much less satisfactory, however, in two particular circumstances.

The first of those circumstances is where an offence may have been committed, but no charge has been preferred. The court has no power to issue orders in such circumstances. Equally, if an offence is committed abroad the legal protections do not apply. In both cases, the law does not protect the child involved. It is fair to say, however, that an intended measure of protection is offered by the Press Complaints Commission code, which includes a section that specifically relates to children. It recognises, as does the law, that children deserve special protection. In the light of recent cases, however, I am not certain that the code offers sufficient protection.

It is worth pausing to consider how profound can be the effect of media attention on an individual in the modern world. In a previous role, when I was a solicitor, I represented an individual who was the victim of a crime that attracted worldwide media attention. The press are absolutely relentless in such circumstances. Many members of the press believe that they have a right to question such a victim, to highlight and invade their personal life and to tell the world about it. Some reporters do not seem to understand that the long-term effect that such attention can have on a person is very potent. When the story no longer has "legs", the press move on, but the victim still has to deal with its aftermath.

The Select Committee on Culture, Media and Sport is investigating the subject, and I look forward to seeing its report. I have attended one of its evidence sessions because of my particular interest. I hope that some of the press reports that I have read, which suggest that the Government will reject its concerns out of hand, are inaccurate.

I want specifically to concentrate on how press reporting can affect children. In two recent cases, young girls under 16 appear to have been the victims of crime. I will not identify them, although at all stages the newspapers and broadcasting media have done so. One girl disappeared in this country and the other disappeared abroad. Both appeared to be having relationships with older men. The Press Complaints Commission code says at paragraph 7.1:

> "The press must not, even where the law does not prohibit it, identify children under the age of 16 who are involved in cases concerning sexual offences, whether as victims or witnesses."

In one of the cases to which I refer, a national newspaper seemed to have no doubt as to the nature of the adult's relationship with the child. It interviewed other women who had had a sexual relationship with the man concerned and published their findings. One, who was identified as having been "bedded" by the same man, said:

> "He's obviously a pervert."

I believed that a series of articles about the child were in breach of the Press Complaints Commission code, especially when I read in its preamble that it should be

> "honoured not only in the letter but in the full spirit."

I therefore wrote to the PCC.

I was surprised by the letter that I received in return, which stated:

> "we could not investigate anything without the co-operation of the child's parents."

The code does not specify that. I was also told that I should have complained about the story within one month of publication. The code does not state that, either. When I read the letter, as a former solicitor, I took the view that it was a good defence response to an allegation by the prosecution. I had not understood that that was the PCC's role. Its objections were further undermined by additional reporting of the same story within two weeks of my complaint.

The further reporting provided the additional detail that the child had been put on a school "runaway watch". The child's comments about her treatment at school were quoted and the school was identified. Even the timing of her private tuition lessons was published.

In the second case, the child's school was identified after she had been traced. Her home address was also identified. The central irony is that if either girl had committed a criminal offence rather than been the victim of such an offence, it would have been illegal to print all that information.

I decided to take a different tack and write to two of the editors. They took the view that as the children's names were in the public domain, their obligation was simply to inform their readers of the facts. They had no comprehension of or sympathy for the interests of the child. Those interests were irrelevant to them.

I should therefore like the Minister to consider the discrepancy in the law and examine two possible courses. In the first instance, I have been dissatisfied with the response from the PCC. I acknowledge that legislation on such matters is sensitive, difficult and a step that no Government wish to take. Freedom of the

[Ian Lucas]

press is intensely valuable. However, it is limited by law in the case of individuals, including children, who commit criminal offences.

I believe that the press should accept that it is in the general public interest not to broadcast or publish the names of children who are victims of crime. I hope that that argument is uncontroversial. The press work within such limits regularly when they report from the courts, and I believe that they appreciate that children need special protection. I ask the Minister to join me in making representations to the PCC and to consider carefully the way in which it reports cases that involve children, especially when such cases are salacious, have a sexual element or have a profound effect on the individuals.

Those young people have the rest of their lives to experience what the press has told the general public about them. When the press moves on to the next story, it does not appreciate the way in which the publication of the private affairs of young children can remain fresh in their community, town and life for all their days. If we are to be honest and straightforward about deciding that we have an obligation to the youngest and most vulnerable people in our society, we have an obligation to act and to try to persuade the press to be more responsible in the way in which it reports these matters.

I sincerely hope that the Press Complaints Commission will see the validity and strength of these arguments, but if it does not, and if it takes the view that the victims of crime deserve less protection than those who commit crimes—even though they may be juveniles—the Government should look closely at amending current legislation to ensure that the protection given to those who commit criminal offences is extended to the victims of offences, whether the offences are committed in this country or abroad.

10.20 pm

The Minister for Tourism, Film and Broadcasting (Dr. Kim Howells): I am grateful to my hon. Friend the Member for Wrexham (Ian Lucas) for raising this important and topical subject. He spoke eloquently about two particular cases. It is not for me to offer judgment in individual cases. I have great sympathy for members of the public who find themselves suddenly thrust into the public eye. That can be a harrowing experience, particularly as that exposure often comes at a time when they are particularly sensitive or vulnerable, but I know that my hon. Friend agrees that we need to have a sense of perspective when considering these issues.

Every week, some 162 million newspapers are sold in this country. This is a hugely successful industry that reflects, and has an impact on, every aspect of our lives. We cannot, and do not, expect to like or agree with everything that is printed. Governments, in particular, would occasionally like the media to agree with them, and to appear to understand them. I have reason to know that that is not often the case. But, although this is sometimes a cause for frustration, I am, on the whole, glad of it. We have a vibrant and irreverent press that is undoubtedly free, and we know that this country would be a far poorer place without it.

That certainly does not make our press perfect, but, considering the vast number of publications, copies distributed, and articles that they contain, the number of complaints and concerns is actually very small. All can be considered against the newspaper industry's own code of practice, which is overseen by the Press Complaints Commission. The code is voluntary, but practically every publication in the country signs up to it, although a few small, independent newspapers do not. It contains 16 clauses covering, among other things, accuracy, privacy, harassment, intrusion into grief or shock, and children. Some of those clauses contain exclusions that apply if publication can be demonstrated to be in the public interest. The public interest is not an easily defined commodity, and lawyers, journalists and politicians debate it every day. It can include the detection or exposure of a crime, the protection of public health and safety, and the prevention of the public from being misled. It is not defined as whatever the public are interested in, or whatever they might find amusing, titillating, or frankly outrageous.

Last year, 2,630 people complained to the PCC about items in newspapers and magazines. About one third of all complaints were outside the remit of the PCC, covering legal issues or issues of taste and decency, or were from people not directly concerned. The commission is not in the game of offering legal advice; nor is it a censorship body in any shape or form. As a rule, the commission considers complaints only from people who are directly involved, although, in exceptional circumstances, it will act of its own volition, often provoked by letters from members of the public.

Of the properly constituted complaints, most were about inaccuracy, while about a quarter were about some aspect of privacy. After investigation, no breach was found in 26 per cent. of cases, and in most other cases, the PCC helped the complainant and the newspaper to reach a satisfactory agreement, such as the publication of a letter setting the record straight, or of an apology. In only 36 cases was a full adjudication needed; 17 cases were upheld and 19 rejected.

In addition, newspapers are bound by the general law that binds us all, but the code goes further than the law in many respects. For instance, the use of listening devices is not illegal, but the code bans it for journalists hoping to obtain information. As the code is voluntary rather than statutory, it has built-in flexibility to respond to new challenges where necessary, and there have been changes since it was established in 1991. They include prohibitions on some uses to which telephoto lenses are put. We have to accept, however, that no matter how well intentioned and how well thought through the code is, it does not cover every eventuality.

Any code or law is always open to some interpretation, so there is often still a debate to be had. One area that still attracts debate is the handling of cases involving children. All areas of the code cover children, so they have the same protection as adults from misleading or inaccurate reporting, intrusions into their privacy and so on, but sections of the code are specifically devoted to the coverage of stories involving children.

There are additional restrictions on what a newspaper may print about a child, and the tenets are these: young people should be free to complete their time at school without unnecessary intrusion; journalists must not interview or photograph a child on subjects involving the welfare of the child, or of any other child, without the consent of a parent or guardian; pupils must not be approached or photographed while at school unless the school authorities have given permission; there must be no payment to children or parents for stories involving the welfare of the child unless it is demonstrably in the child's interest; and where material about a child is published, there must be justification for publication other than the fame or notoriety of his or her parents.

Ian Lucas: One area that I am concerned about is that it appears in certain cases that parents perhaps do not act in the best interests of the child. That could be the cause of grave anxiety. I was concerned to learn that the PCC would not countenance a complaint, even from a Member of Parliament, when the parents did not agree to it. Could that be looked at?

Dr. Howells: I intend to come to that in a few moments, if my hon. Friend will bear with me, because it is an important point that needs careful deliberation.

In cases concerning sexual offences, the PCC rules are even tougher. Even where the law does not prohibit it, the press must not identify children involved in a sexual offence, whether as victims or as witnesses. My hon. Friend has raised that issue, inside and outside the Chamber. An adult may be identified, but the word "incest" must not be used if that could lead to identification of a witness or a victim, and care must be taken to ensure that the relationship between an accused and a child could not be inferred from anything in the report.

That all sounds very clear and straightforward, but there are always "what ifs". My hon. Friend has just raised one. What if the child is the victim of a sexual offence, but does not consider himself or herself to be one? What if a child and his or her family willingly talk about the story? What if a child goes missing and the family eagerly recruit the press to maximise public awareness, but it then turns out that he or she has been the victim of a sexual offence?

We have seen examples of all those recently, and my hon. Friend has spoken to us this evening about two such cases. One shows several of those elements. It seems that the girl at the centre of the case and her parents chose to speak out, which is the point that he just raised. They have the right to do so. At that point, there was no suggestion that she was the victim of any offence. The details were widely published, and it is possible that they may have helped the police to find the girl and reunite her with her family. I do not know; my hon. Friend will know more about that. At that stage, there were again comments to media organisations, and again, the family had the right to make such comments.

Although so many details are already in the public domain—they cannot, of course, be retracted—there is still protection under the terms of the code. If the girl in that case, and her parents or guardians, now wish to remain silent, even though they have spoken to the press before, they have the right to do so, and they will have the protection of the code. Furthermore, if they believe that there was a breach of the code, they should contact the PCC immediately. As my hon. Friend has had experience of dealing with the PCC, I am certain that he will assist the family in their endeavours.

Those facts, without speaking particularly about that case, highlight certain moral issues. Decisions about whether a child should speak to the press are, in effect, made by parents or guardians on their behalf. Sometimes there are doubts about whether allowing a child to speak to the press really could be said to be in that child's best interests. We may believe that in certain cases it is not, but that is a matter of opinion, and as long as parents behave within the law, it is a matter for their judgment. We may not agree with their decision but, in principle, I believe that we must support their right to make decisions for their children.

Sadly, there are times when parents make very wrong, or even—as my hon. Friend has pointed out—harmful decisions for their children, and that is when social services might become involved. However, unless that is the case, parents have the right to speak to the press about their child as they see fit. We have no right to complain about their comments, and must keep our disapproval to ourselves.

I hope that my hon. Friend will agree that we at the Department for Culture, Media and Sport have listened to what he said and that we are extremely sensitive to the important issue that he raised. I thank him once again for giving the House the opportunity to hear his analysis of a difficult but important subject.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes to Eleven o'clock.

House of Commons

Tuesday 18 March 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Mental Health (Barnet)

1. **Mr. Andrew Dismore** (Hendon): If he will make a statement on mental health services in Barnet. [103193]

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): Local mental health services in Barnet are making good progress against the national service framework targets, but they face considerable challenges in meeting additional demands and improving further services for patients. Public and staff are being involved in the plans for future developments.

Mr. Dismore: I am grateful to my hon. Friend for that response, but I am sure that she is aware of the long waiting times for intensive out-patient care. I wish to raise in particular the matter of the Barnet psychiatric unit, which closed temporarily more than five years ago, with a view to being reopened. Nothing has happened yet and the result is that the temporary ward at Edgware hospital is under considerable strain. What will happen in terms of reproviding the Barnet psychiatric unit, and when may we expect to see some progress on the issue? The present situation is unsustainable, and perhaps the money could be found from the modernisation fund.

Ms Blears: My hon. Friend will be aware that the outline business case to reprovide the acute in-patient service at Barnet was considered by the primary care trust in December. The acute unit will now provide 54 beds and will bring acute mental health services on to the same site as the rest of the acute services. That will be a real improvement for patients. The extra revenue costs are likely to be some £350,000 and the PCT has confirmed that it will be able to afford that. We need now to make swift progress in relocating those services to Barnet to serve people in that community.

Sir Sydney Chapman (Chipping Barnet): In supporting the hon. Member for Hendon (Mr. Dismore) about the need for that acute service, may I ask the Minister to confirm that the social service inspectorate's report of May 2002 was selectively damning? It said that mental health services in Barnet had been allowed to drift, service users were losing out and carers were not being supported. May we have her assurance that the Government are addressing the matter and taking the necessary actions to put things right quickly?

Ms Blears: The hon. Gentleman is too harsh on those local services. The area has lower than average suicide rates, admission rates and readmission rates, as well as good user involvement, a good relationship with Barnet Voice for Mental Health and good carer involvement. Local people are working hard to ensure that mental health services in the area serve the needs of patients. They are setting up new assertive out-reach and crisis intervention teams, and much good work is being done. Further improvements do need to be made, but significant progress has already been achieved.

Mrs. Patsy Calton (Cheadle): May I first pay tribute to Lord Hunt of Kings Heath, who left the Government today? He was effective, well respected and well known to those who work in, and care about, the NHS. The child and adolescent mental health services report zero weeks waiting time—in other words, no waiting time—for first out-patient appointments—[HON. MEMBERS: "In Barnet?"] Yes, in Barnet. What does Barnet have that other areas, such as my own of Stockport, do not; or is that another case of inaccurately reported waiting times?

Ms Blears: I thank the hon. Lady for her kind remarks about Lord Hunt. He was an able Minister and a close colleague who will be severely missed in our Department. The hon. Lady should know that we will commit £300 million to the national service framework, including £93.5 million this year. The children's national service framework will also address the issue of waiting times, which is a major priority in the planning and priorities framework for this year. Out-patient waiting times are too long, but clear action will be taken and the necessary investment made in the service to ensure that we reduce them.

Hospital Private Finance Initiative

2. **James Purnell** (Stalybridge and Hyde): If he will make a statement on the private finance initiative in hospitals. [103194]

The Secretary of State for Health (Mr. Alan Milburn): The private finance initiative is helping to deliver the biggest hospital building programme in the history of the national health service. Of the 104 PFI hospital schemes announced since 1997, 25 are already operational and a further 23 are under construction.

James Purnell: I thank my right hon. Friend for that answer. Over the past few years the doctors, nurses and administrators at Tameside general have done fantastic work, despite the fact that the hospital site is spread across many buildings, many of them old Victorian workhouses, and that patients still have to be ferried between buildings by ambulance. Without PFI we would have to wait decades for another hospital. Can

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my right hon. Friend tell me when we can expect completion of a new hospital if Tameside is successful in the current application process?

Mr. Milburn: I am aware of the problems in Tameside because my hon. Friend has been to see me to talk about them and to present me with a petition that he and other members of the local community organised. We will make progress as soon as possible, but the process takes some time. Once building begins, we may be confident that the new development will be built on time and to cost. It is worth saying that, as a consequence of PFI, major capital investment is now going into the national health service. Since 1997, capital spending in the NHS has risen by 63 per cent., partly as a result of PFI. To give hon. Members a point of reference, investment fell by more than 20 per cent. under the Conservative Government between 1992 and 1997.

As a result of the extra investment that will come on line from April, over the course of the next four years capital spending in the NHS will rise by a further 144 per cent., to give the NHS, its staff and its patients precisely the sort of modern working environment and modern facilities that they need. People will draw a clear contrast between a Labour party that is committed to investment and the Conservative party.

Mr. John Randall (Uxbridge): The Secretary of State will no doubt be aware of the bureaucratic blunders in the Paddington basin project, which resulted in a 17.5 per cent. shortfall in space. People forgot to take note of the new regulations on elderly patients in hospital. Does the Secretary of State agree that it is time to reconsider the relocation of Harefield hospital to the Paddington basin? It is time to reinvest in Harefield and so save everybody money.

Mr. Milburn: I can always rely on the hon. Gentleman to accentuate the positive. On the subject of the Paddington basin, we have been through the process and, indeed, I have been to Harefield. As the hon. Gentleman knows, I met local people and members of staff, including Sir Magdi Yacoub. The decisions were difficult but I believe that they are right, not just for Harefield but for health services in the area. As a consequence of the extra investment that is now going into the NHS in the area, we will get modern hospital facilities that are long overdue.

Foster Carers

3. **Jonathan Shaw** (Chatham and Aylesford): How many children are looked after by private foster carers. [103195]

The Minister of State, Department of Health (Jacqui Smith): Data on the number of children looked after by private foster carers are not collected centrally. The Children Act 1989 places a duty on local authorities to

> "satisfy themselves that the welfare of children who are privately fostered within their area is being satisfactorily safeguarded and promoted".

Jonathan Shaw: The Minister will know that the social services inspectorate wrote to Departments and estimated that as many as 40,000 or 50,000 children are privately fostered. Those children are afforded less protection than children who are child-minded. She will also know that Lord Laming had little to add on safeguards for children who are privately fostered, other than the recommendations that came from the Utting inquiry on children living away from home. Will she tell us when a Green Paper will arise from the Laming inquiry into the Victoria Climbié case? Why are the Government so reluctant to introduce a registration scheme for privately fostered children, as recommended by Utting?

Jacqui Smith: I pay to tribute to my hon. Friend for his continued concern about the protection of privately fostered children. Although I share his objective, I have not always shared his view on the most effective way of ensuring that protection. As he has suggested, we have taken action to ensure that the legal responsibilities that already exist for private fosterers and local authorities are taken forward. A letter from the chief inspector has outlined that, and there have been an SSI inspection and a leaflet campaign to raise awareness. As my right hon. Friend the Secretary of State made clear when we published the report of the Climbié inquiry, we will give a full response to Lord Laming's recommendation that we should review legislation in this area at the time of the children's Green Paper. I believe that that Green Paper will be published later in the spring.

Mr. David Cameron (Witney): Does the Minister agree that many children in foster care will go on to be adults in adult placement care? Is she aware that the number of adult placement carers is falling because of the Government's decision to have them regulated by the National Care Standards Commission? When will the Government announce the decision of their review of that matter? Does the Minister accept that adult placement carers are looking after vulnerable adults in their own homes? Those homes are not care homes and they should not be regulated by the NCSC and made subject to all manner of rules and bureaucracy that are completely unnecessary.

Jacqui Smith: The hon. Gentleman raises the issue of adult placements, which has also been raised by several of my hon. Friends, and by at least one of his hon. Friends, who visited me, along with representatives of the National Association of Adult Placement Services. As a result of that meeting, we are undertaking a consultation on how to ensure that, in putting in place the necessary regulation to ensure that vulnerable people who are cared for in adult placements get the protection that they deserve, we also continue to recognise the specific circumstances of those who care for vulnerable people in their own homes. It is not true that the conditions for adult placement schemes are the same as for care homes; indeed, they never have been. What we have done is to listen to the genuine concerns of those who undertake this very important role, to undertake a consultation, and to make changes that will help to promote the work of those who care for vulnerable people in their own homes.

Mr. Hilton Dawson (Lancaster and Wyre): To return to the subject of private fostering, I well understand that my hon. Friend often has to wrestle with huge problems that require major investment, organisational change and cultural reorganisation within complex health and social care systems. Does she agree that, by contrast, private fostering would be simple to crack, would require almost no investment, and would provide great protection for children? Indeed, it is the sort of job that she could knock off before breakfast one morning. Will she therefore join me in looking forward to the blithe new morning when she will have the opportunity to do that?

Jacqui Smith: Perhaps I should point out to my hon. Friend that one of the things that I am wrestling with, as he puts it, is what we need to do to ensure that the changes that we make really do make a practical difference to vulnerable children. As my right hon. Friend made clear in responding to the Climbié inquiry, our consideration of the issues arising from private foster care will be based on what will make a practical difference to the protection of those children, on how we can ensure that the considerable protection already provided in legislation is carried through properly, and—perhaps most importantly—on how we can ensure that local authorities fulfil their responsibilities to those children. We discovered that, even under the current legislative framework, Gloucestershire local authority, for example, has taken action and increased the number of notifications of private foster carers from 11 to 224 in the past three years. That is—

Mr. Speaker: Order. The answers are a bit on the long side today.

NHS Dentists

4. **Mr. Peter Pike** (Burnley): What estimate he has made of the number of people in the north-west who are no longer able to get on the list of an NHS dentist. [103196]

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): National health service dental registrations in the north-west have been stable for several years. The region has the second highest registration rate for adults in England, at 49 per cent., which is significantly above the England average. More than 60 per cent. of children in the region are registered with a dentist. This is broadly in line with the national average.

Mr. Pike: Will my hon. Friend recognise that I get letters every week from people in Burnley who cannot get on an NHS dentist's list, and that advising them to phone NHS Direct is not the way forward? The primary care trust informs me that another dentist is transferring his patients to Denplan, and that a further one will follow shortly. An NHS dental service is no longer available to the majority of people in my constituency, and that is not acceptable.

Mr. Lammy: I sympathise with the problems that some of my hon. Friend's constituents are experiencing, and I understand that there are particular recruitment problems in Burnley. However, that is why there are a number of primary dental service pilots and a new dental unit in Burnley. I am also advised that my hon. Friend's NHS managers are talking to Manchester dental school, to ensure that students want to come to Burnley to work. At the same time, my officials and I are holding discussions with the British Dental Association to ensure that we have support teams in our access problem areas. I will ensure that my hon. Friend's constituency is considered as part of that programme.

Primary Health Care

5. **Mr. Andrew Stunell** (Hazel Grove): If he will make a statement on budget deficits in primary health care services. [103197]

The Minister of State, Department of Health (Mr. John Hutton): In both of the last two financial years, the national health service has reported a break-even position, an improvement on the deficit of £459 million in 1996–97. For this financial year, discussions are currently taking place between primary care trusts and strategic health authorities on managing their end-of-year financial positions.

Mr. Stunell: I thank the Minister for that reply. When the Department wrote to me recently boasting about the additional money for Stockport primary care trust, was the right hon. Gentleman aware that £5 million of that was needed for deficit reduction and that, as a result, the trust's board tells me that it is now required to make real-terms reductions of £1.3 million in the next financial year? As audiology, child psychiatry and mental health services are under real pressure in Stockport, may I encourage the right hon. Gentleman, when he writes to hon. Members boasting about increases in money, to avoid the spin and state the facts?

Mr. Hutton: We always state the facts and we have done that on this occasion. I am grateful to the hon. Gentleman for pointing out the difficulties that his PCT is experiencing, and I shall certainly look into those issues on his behalf, but a certain reciprocity would be welcome. I am happy to go in for that, if the hon. Gentleman would like to welcome the 26 per cent. cash increase that Stockport PCT received over the past three years and the 29 per cent. increase to which it can look forward over the next three years.

Mr. Simon Burns (West Chelmsford): I am not sure whether the Minister fully understands what a fact is. If he cut out the spin and actually answered the question put by the hon. Member for Hazel Grove (Mr. Stunell), he would be aware that a number of PCTs will have deficits at the end of the current financial year. For example, my PCT in Chelmsford will have a deficit of £1 million. I wrote to 50 per cent. of PCTs, and a significant number wrote back to say that they will not break even at the end of this year and will have deficits. Instead of spinning and citing figures, why does the Minister not face up to reality, answer the question straightforwardly and explain how PCTs with deficits at the beginning of the next financial year will deal with them?

Mr. Hutton: I did answer the question put by the hon. Member for Hazel Grove fairly and fully, but there is a wider issue. Of course, we shall look into the end-of-year position; it is the job of SHAs and PCTs to do that.

There is, however, a certain credibility gap when the hon. Member for West Chelmsford (Mr. Burns) comes to this place demanding, in effect, more resources for the NHS when his policy is to take money away from the NHS.

Community Hospitals

6. **Mr. John Grogan** (Selby): If he will make a statement on the Government's policy on smaller community hospitals. [103198]

The Secretary of State for Health (Mr. Alan Milburn): We want to see a new lease of life for community hospitals. Our new guidance, "Keeping the NHS Local", issued last month, emphasises the important role that community hospitals can play in providing locally based health services.

Mr. Grogan: I thank my right hon. Friend for that very encouraging reply. In the light of it, will he join me in urging the North and East Yorkshire and North Lincolnshire strategic health authority to give urgent and careful consideration to the outline business case that it will receive later this month from the Selby and York primary care trust for the complete rebuilding of Selby War Memorial hospital, not only because of the role played by the hospital in the community but also because that exciting project is one of the first to come from a PCT?

Mr. Milburn: I very much enjoyed meeting my hon. Friend and representatives of his local PCT about a month ago to talk about the proposed development. As he remembers, I visited the hospital two or three years ago and was most impressed by what I saw. There is a strong case for redevelopment. Obviously that will take investment and it will need a good case, but I know that the PCT will make a good case to the SHA. Equally, I am sure that my hon. Friend will remind his constituents that such developments are possible only because of the investment that the Labour Government are making.

Mr. Roger Gale (North Thanet): On the assumption that the Secretary of State will give the go-ahead to the reorganisation of health care in east Kent, and given the excellent coastal and cottage hospitals in that area, will he tell us what financial assistance he will give the PCT so that hospitals such as the Queen Victoria Memorial hospital in Herne Bay can have the minor injuries and accident and illness units and telemedicine that they need, which would help patients to be treated closer to home without having to travel at all?

Mr. Milburn: As the hon. Gentleman is well aware, not least because he has been one of the protagonists in the whole sorry affair vis-à-vis east Kent, decisions have to made, and most members of the community now want a final decision so that we can make progress. What is absolutely clear across the country, not just in east Kent, however, is that community hospitals have a very important part to play. Indeed, technological change and medical advance are driving many of the treatments that were previously available only in the big tertiary centres and making them available much more locally, provided, of course, that we invest in the necessary information technology and make the necessary capital investment and resources available for staff and training. That is precisely what the Government want to do—but whether the Conservative party agrees with those proposals is a moot point.

Phil Sawford (Kettering): On 10 February, I attended the official opening of the new £1 million skin care unit at Kettering general hospital, which will deal with the increasing number of problems with eczema, skin cancer and other dermatological conditions. I welcome that investment in our local health service. Does my right hon. Friend believe that smaller hospitals would benefit from that kind of investment if we adopted a policy of cutting public spending by 20 per cent., like the Conservative party has?

Mr. Milburn: I take the very simple view—I think that my hon. Friend shares it—that if we want more out of the national health service, we simply have to put more in. That is what the Government are committed to; it is what the Conservative party opposes.

Chris Grayling (Epsom and Ewell): According to the logic of the document published by the Secretary of State's Department on 14 February and, indeed, the strategies of many local NHS trusts, services would move from district general hospitals to community hospitals; but does the Secretary of State acknowledge that, if that happens, many parts of the country are likely to have fewer district general hospitals?

Mr. Milburn: No, I do not think that that is the case. Although change will always be necessary in the NHS—change is often a very positive thing because it is driven by medical advance and technological improvement and it makes more treatments available to more patients—we have to move away from the idea that the "biggest is best" philosophy will always work for NHS patients, especially in local communities.

Rather than presuming that biggest is always best and that the only way to solve a problem with local health services is to centralise those services, the new guidance rightly says that the starting point for examining what is needed in the local community should be the presumption of keeping as many services as locally based and locally accessible as possible. That is what we want to do, but it can only be done—I repeat this point—provided that we make the necessary investment in IT, technology, training, staff, buildings and equipment. We are prepared to make that investment. Of course, the hon. Gentleman's party voted against it.

Foundation Hospitals

7. **Mr. Andrew Mackay** (Bracknell): If he will make a statement on foundation hospitals. [103199]

The Secretary of State for Health (Mr. Alan Milburn): The Health and Social Care (Community Health and Standards) Bill published on 13 March sets out our legislative proposals for NHS foundation trusts. Subject to Parliament, I expect that, in four to five years, every NHS hospital will have the opportunity of becoming an NHS foundation hospital.

Mr. Mackay: As the Secretary of State will be aware, Conservative Members strongly support foundation hospitals, so we were concerned to note that at least 115 of his Back-Bench colleagues have signed an early-day motion criticising them. Will he explain to the House why he has so singularly failed to sell his policy to them?

Mr. Milburn: I suppose that I should say that I am grateful to the right hon. Gentleman for his support. However, there is a small matter of difference between him and me on foundation hospitals, as he calls them: I believe that those hospitals should be part of the NHS. They should have greater freedom, greater local control and greater local accountability, but none the less they should be subject to national inspection systems and, most importantly, to national standards. Indeed, what is very obvious every time Conservative Members talk about foundation hospitals is that they use those two words, but they fail to mention the three words that are important: national health service.

Mr. Lindsay Hoyle (Chorley): Obviously, as a person who has been treated by an NHS hospital—I received remarkable treatment at St. Thomas's—I can only congratulate the NHS on the service that it provides, and that is without foundation hospital status. If my right hon. Friend pursues the foundation hospitals policy, will he ensure that all hospitals can apply for that status and that real consultation will take place with the staff, patients and trade unions before we venture down that road?

Mr. Milburn: My hon. Friend is absolutely right. Incidentally, I wish him well and I hope that the other knee survives. When he reads the Bill he will see that we set out the process of consultation in it. If proposals are to come forward from NHS trusts that want to become NHS foundation trusts, they must have the local community on board. Clearly, it will be important to consult local Members of Parliament and elected local councillors, but equally, it will be important to consult local staff and other parts of the local health community: most notably, primary care trusts.

I can give my hon. Friend the undertaking that he seeks: our ambition has always been to try to raise standards of care in every single NHS hospital. We do not want a two-tier service, and we certainly do not want to pursue a sink-or-swim policy. That is why I believe that it is necessary to provide extra help and support so that every hospital, over a four-to-five-year period, has the opportunity to become an NHS foundation hospital.

Mr. Peter Lilley (Hitchin and Harpenden): Will foundation hospitals be subject to the remorseless process of centralisation, mergers and closures being carried out by strategic health authorities across the country?

Mr. Milburn: Strategic health authorities, under the proposals contained in the Bill, as the right hon. Gentleman will see when he reads it, lose their powers of direction—effectively, my powers of direction—over NHS hospitals. I believe that that is right. Although it is absolutely necessary, for equity purposes, to ensure that appropriate standards in the system apply in all parts of the country, ultimately, health care is delivered locally, not nationally. If we are to have better local health services capable of dealing with specific local problems in local communities and tackling some of the appalling local health inequalities that exist in our country, and which have been widening for decades, it is necessary to put local staff and local communities in charge of the hospitals that serve them.

Mr. David Hinchliffe (Wakefield): In evaluating the expressions of interest in foundation status that have been received so far, what steps have been taken by the Government to establish whether there is genuine local community support at this stage for foundation trust status beyond a handful of very ambitious NHS managers?

Mr. Milburn: We will do precisely that. To continue the conversation that my hon. Friend and I had in the Health Committee a week or so ago, it will be extremely important, when I assess the proposals that come forward from NHS trusts that want to become NHS foundation trusts, that they genuinely demonstrate that they have support, not just in the local hospital but in the local community, too. That will be important because, ultimately, those hospitals will become owned and controlled by the local community. I want to ensure that as wide a range of stakeholders, and as many people in the local community and among local staff as possible, are involved in this process from the outset.

Dr. Liam Fox (Woodspring): In the Prime Minister's speech and subsequent article, "Where the Third Way Goes from Here", he says that we must

> "set the parameters for the future partnerships we will need between tax-funding and personal contributions".

Does that mean that in foundation hospitals and elsewhere in the NHS, the Government are considering co-payment?

Mr. Milburn: No, that is the hon. Gentleman's policy, not mine.

Dr. Fox: How very interesting, because in the next paragraph of the article, the Prime Minister says:

> "We should be opening up healthcare for example to a mixed economy . . . and be willing to experiment with new forms of co-payment in the public sector."

Does that not entirely torpedo what the Secretary of State has just said?

Mr. Milburn: No, because, unlike the hon. Gentleman, I have read the whole article, not one section of it, and what the Prime Minister was clearly talking about was our proposals in relation to tuition fees. It is the hon. Gentleman who is making proposals for co-payment. Just this weekend, he went out of his way to suggest that the future of Conservative party policy on health care is clear. He wants

> "a pay-as-you-go market where patients pay for a single procedure or item of care".

That may be the Conservative policy for the future of health care. It is not Labour's policy.

School Pupils

8. **Bob Russell** (Colchester): When he last met the Secretary of State for Education and Skills to discuss the health of school pupils. [103200]

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): My right hon. Friends the Secretary for State for Health and the Secretary of State for Education and Skills last met on 12 March 2003 and discussed a range of issues about the health, social care and education of children. They propose to meet regularly to continue their discussions on these issues.

Bob Russell: Will the Minister accept that obesity among school pupils is now running at record levels and increasing year by year? Does she accept that a major reason for that is 20 years of attacks by the educational establishment on physical education and sport in schools, with the result that today's young people are less fit than their parents and grandparents were at their age? Unless urgent action is taken to make young people fitter and healthier, they will have serious mobility, breathing and heart problems at a much earlier age, which will put an extra major pressure on the national health service.

Ms Blears: I share the hon. Gentleman's concerns, which is why physical activity is a crucial factor in the NHS plan, the cancer plan and the coronary heart disease and diabetes national service frameworks. It is also why we are working closely with the Department for Culture, Media and Sport on its £459 million programme to enhance school sport and club links. The New Opportunities Fund programme is providing £581 million to enhance school sports facilities. The issue is extremely important for the Department of Health because obesity leads to perhaps 9,000 premature deaths in this country every year.

Mr. Barry Sheerman (Huddersfield): Will my hon. Friend take more action with the Department for Education and Skills? Does she remember that my Committee, the Select Committee on Education and Skills, examined school meals only two years ago? We made some strong recommendations because it is a catastrophic situation when our children's diet and lack of exercise causes such concern. There are action points and we have done a lot of the work, but instead of merely discussing the problem, will the Minister meet her opposite number in the DFES to produce an action programme?

Ms Blears: I assure my hon. Friend that regular meetings are held between the Department for Culture, Media and Sport, the Department for Education and Skills and the Department of Health—that really is joined-up government. He will be aware of the food-in-schools programme. We are rolling out the national school fruit scheme so that by the end of the year, about 1 million children will receive a free piece of fruit in school every day. It is a high priority to extend the healthy schools programme to school meals, tuck shops and vending machines, and to ensure that fresh water is available in schools.

Ann Winterton (Congleton): It could be said that many school children are the equivalent of couch potatoes, which hints at a lack of exercise and obesity. However, there is activity on the equivalent of the couch because the level of sexually transmitted diseases is rising at almost epidemic proportions among under-age children in certain areas of the country. It is said that there are not adequate resources to deal with the problem. Will the Minister comment on that?

Ms Blears: The hon. Lady will know that this country has a sexual health strategy for the first time. That is backed up by £47 million of extra investment and £5 million has been invested this year in genito-urinary services to try to halt the rise of disease and to ensure that people with sexually transmitted infections receive swift treatment. She will also know about the major media campaign that was launched to try to persuade young people to change their behaviour and adopt safe-sex practices in future. That is an attempt to halt the rise of infections such as chlamydia, which are of great concern to many people in this country.

Mr. Andy Reed (Loughborough): My hon. Friend is right to point out the extra investment in schools, and especially the money for school sports co-ordinators. Is she aware that, in reality, many people who did sport at school drop it after they reach 16 or 17? Obesity costs the country, and especially the health service, £2 billion. Will she ensure that her Department plays its part with Sport England, lottery money and the Department for Education and Skills to invest in the long-term future of our people by ensuring that we reduce people's obesity not only when they are at school, but throughout their lives?

Ms Blears: My hon. Friend makes an important point and I am delighted to tell him that the Department of Health will fund nine local exercise action pilots—LEAP projects—to encourage more forms of exercise among groups ranging from older people to young parents to schoolchildren. We realise that enabling people to access sport and physical activity throughout their whole lives is key to ensuring that we reduce levels of coronary heart disease, cancer, strokes and diabetes.

Endometriosis

9. **Mrs. Annette L. Brooke** (Mid-Dorset and North Poole): What progress has been made with the establishment of centres of excellence for the treatment of endometriosis. [103201]

The Minister of State, Department of Health (Jacqui Smith): The Government recognise that endometriosis affects the lives of many women and their families. Some specialist clinics treating advanced endometriosis have developed locally in response to need. Officials in my Department have discussed centres of excellence with the National Endometriosis Society and other organisations, and will continue working with them to see whether further work is appropriate.

Mrs. Brooke: Does the Minister accept that much more is needed? What encouragement can she give to women and their families who experience long delays in diagnosis and in appropriate treatment once the diagnosis has been made?

Jacqui Smith: The hon. Lady plays an important part in the all-party group on endometriosis. As she points out, it is important that endometriosis should be diagnosed early, allowing treatment with some of the less radical approaches. That is why the pilot scheme for the national electronic library for health and a virtual branch library under that will include a section on women's reproductive health. We shall ensure that endometriosis is covered in that so that general practitioners, the first and very important point at which women can be diagnosed and then referred if necessary, have the necessary information in order to be able to carry out their work.

Junior Doctors

10. **Mr. Archie Norman** (Tunbridge Wells): What assessment he has made of the impact on medical staffing in acute hospitals of extending the working time directive to junior doctors. [103202]

The Minister of State, Department of Health (Mr. John Hutton): The Department of Health has issued guidance, with the support of the medical royal colleges, that sets out a range of solutions that will enable NHS trusts to meet their statutory obligations under the working time directive. That is being supported through a programme of pilots, a strategic support fund and the increases in staff and resources announced in the NHS plan.

Mr. Norman: Does the Minister recall that the Royal College of Physicians has warned that implementation of the working time directive in August next year will lead to

"a substantial risk to the safety of many hospital in-patients"?

Can he comment in particular on the fact that his Department's own pilot study suggests that smaller hospitals, those with six specialist registrars or fewer, will really struggle? Can he now give the House a pledge that if there turns out to be a conflict between the working time directive and acute care in acute hospitals, it will be the patients who are put first?

Mr. Hutton: Of course that must be right, and I can certainly confirm that, and of course I am aware of the views of the Royal College of Physicians, which we take seriously. It welcomed the guidance that we issued earlier in the year and we continue to discuss its concerns with it and how we can construct the right solutions. But it is possible, working with the pilots that we have announced for the 19 trusts that are devising the cost-effective solutions to the problems that the working time directive undoubtedly poses, that we can construct effective solutions that put the patient first. It is in everyone's interests to do that, and I think that we shall be able to do precisely that. *[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. There is too much conversation going on. These questions are important and we should be able to hear the answers.

Dr. Richard Taylor (Wyre Forest): Is the Minister aware that while we all welcome the reduction in junior doctor's hours, some junior doctors fear that the quality and length of their training and experience may be compromised, along with continuity of care?

Mr. Hutton: Yes, I am aware of that concern. The hon. Gentleman takes a close interests in these matters and I hope that he will have seen my recent announcement about how we intend to reform medical postgraduate training in order to avoid precisely that issue. We need a more structured senior house officer training programme and that is what will come through from the foundation programme that we shall be introducing. That work is being led by the chief medical officer, who I know takes such concerns seriously, and has made it clear, as we have, that the most important thing that we must do in the circumstances is to ensure that we preserve the quality of medical training in Britain, which most people, fairly, reasonably and rightly, regard as among the best in the world.

Rev. Martin Smyth (Belfast, South): When will that programme start and how long will it take before it is working? As additional consultants were appointed to try to relieve the pressures on junior doctors in the past, have we not succeeded?

Mr. Hutton: The reforms I mentioned to postgraduate medical education will start later this year, and I hope that we will be in a position to introduce them more widely from 2004. We are doing that in full consultation with all the devolved Administrations and with the support of the chief medical officers in all four nations of the United Kingdom.

Tim Loughton (East Worthing and Shoreham): The Minister has singularly failed to answer the question asked by my hon. Friend the Member for Tunbridge Wells (Mr. Norman). Does he agree with the Royal College of Physicians that implementation of the European directive by August 2004 will be difficult or even impossible and that the level of out-of-hours medical cover in many hospitals is already worryingly thin, posing a direct and alarming threat to safe levels of patient care? Given that the number of doctors enrolling in the past five years has been worryingly low—about 350, when the Minister estimates that 7,000 to 10,000 are needed to comply with the directive—is he now prepared to put British patients' interests first by delaying implementation, or does he expect doctors to deal with even more patients in fewer hours and risk many of our hospitals collapsing, or will patients simply have to wait even longer?

Mr. Hutton: We have heard it all now from the hon. Gentleman.

Tim Loughton: Answer the question.

Mr. Hutton: I did answer his hon. Friend; the problem is that usually he does not like the answers that I give.

We ought to be clear. The idea that we should delay implementation of the working time directive is ridiculous—that is not going to happen. No, I do not agree with the Royal College of Physicians' assessment. We have published guidance setting out how the NHS can reach compliance and how we will do that, and we are backing that with significant additional investment, which will be important. The hon. Gentleman, like the rest of his rag-tag army of clapped-out, failed Front-Bench spokesmen, has absolutely no strategy other than the usual parade of doom and gloom and cutbacks in NHS spending, which will make it impossible to do what he says we should be doing.

NHS Dentists

12. **Mr. David Kidney** (Stafford): What progress he has made in establishing the commissioning of NHS dentistry by primary care trusts. [103204]

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): The Health and Social Care (Community Health and Standards) Bill was introduced on Wednesday 12 March. It proposes that each primary care trust be given a duty to secure or provide primary dental services to the extent that it considers it reasonable to do so.

Mr. Kidney: Does my hon. Friend accept that previous initiatives, such as investing in dentistry and locating an NHS dentist through NHS Direct, have run their course and still many adults cannot find a dentist who will accept them as an NHS patient? Does he agree that the day cannot come too quickly when PCTs commission services so that there is a full range of NHS dentistry services available? Will he consider taking interim action to ensure that NHS dental services are boosted now?

Mr. Lammy: I am grateful to my hon. Friend for his remarks. We were right to take short-term and medium-term steps to ensure that people had access to NHS dentistry through dental access centres and the NHS commitment scheme. It is now right to ensure that PCTs can commission for dentistry in their locality to meet local needs, and we have put the Bill before Parliament to do that. My hon. Friend campaigns for his constituents in Stafford, and his local PCT is keen to act in that respect.

Bob Spink (Castle Point): Does the Minister recall the Prime Minister's promise that everyone would have access to an NHS dentist by September 2001? That promise was broken: fewer than half the people in this country have such access. Why was the Prime Minister's promise broken?

Mr. Lammy: The hon. Gentleman asked me precisely the same question in January and today I will give him the same reply. The promise was not broken. People have access to a dentist through NHS Direct. Dentist registration numbers are up, as is the number of dentists. He will know that the number of people registered fell to 16 million under the Conservative Government, whereas it is now 23.5 million.

David Taylor (North-West Leicestershire): Is not access to NHS dentistry a particular problem in areas where the population is growing at a more rapid rate than the national average, as is true in some parts of the east midlands? Cannot some of the gaps in provision be filled by a more effective amalgam of action by the Department of Health, the British Dental Association and primary care trusts? Will my hon. Friend look into the particular problem in areas like mine?

Mr. Lammy: My hon. Friend will be pleased that I am in dialogue with the British Dental Association, and we propose dental support teams to target access problems in specific areas. I will ensure that his area is considered, along with many others, to make sure that constituents get access to a dentist.

Child Mortality (Luton)

13. **Margaret Moran** (Luton, South): What further measures he intends to take to tackle child mortality in Luton. [103205]

The Minister of State, Department of Health (Jacqui Smith): A range of health initiatives are already being undertaken in Luton to contribute towards reducing child mortality. I was pleased to be able to visit the Our House project in my hon. Friend's constituency, where health visitors, other health professionals and parents are working together to safeguard their children's health and futures. In addition, we are increasing funding to Luton teaching primary care trust significantly to help tackle inequalities, of which child mortality is a particularly important one.

Margaret Moran: As my hon. Friend is aware, Luton suffers from a high level of infant mortality: 6.5 per 1,000 births, as opposed to the UK-wide average of 5.5—a tragic indicator of health deprivation. Is she aware that in terms of funding, Luton primary care trust is one of the furthest from capitation? At the end of a three-year period, it will be one of the eight PCTs furthest away from capitation. Although we are extremely grateful for the additional funding that we have received for many health projects in our area, for our Government have committed themselves to improve health care—

Mr. Deputy Speaker: Order. The hon. Lady has said quite enough.

Jacqui Smith: I understand my hon. Friend's concern. I know that she is keen to tackle health inequalities, so

I am sure she welcomes the fact that Luton PCT will receive an increase of more than 32 per cent. over the next three years, of which a significant part is a rolling-over of the health inequalities adjustment. Although I recognise her point, the allocations policy will reduce the discrepancy between Luton's financial position and its distance from target. We believe that we have struck the right balance for the present allocation round, but we will consider the policy in the light of all the circumstances when we outline the next set of allocations.

Budget Deficits

14. **Dr. Evan Harris** (Oxford, West and Abingdon): What recent advice he has given to (a) strategic health authorities and (b) local health economies on dealing with projected budget deficits. [103206]

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): All NHS organisations have been asked to plan for financial balance. We have asked strategic health authorities and their local health economies to work together to ensure that this is achieved. Primary care trusts have an important role to play in commissioning quality and affordable services from local trusts within the resources available.

Dr. Harris: Is part of the Minister's advice that the NHS locally should sack good chief executives or encourage them to resign when there is a deficit, like the £18 million deficit at the Oxford Radcliffe hospital, where David Highton, recognised as one of the best chief executives in the country, has resigned because he has been unable to achieve financial balance and meet the Government's targets because of the millions of pounds that he has had to spend on agency nurses to create the capacity that the hon. Lady's Government have failed to achieve in the Oxford area?

Ms Blears: The hon. Gentleman knows that management issues are a matter for the local trust, not for Ministers. He also knows that because of our ambitions for the service, there are indeed pressures on many health economies throughout the country because of our need to increase capacity and give patients more access to the service. He knows that we have the biggest increase in investment that the NHS has ever known—a 7.5 per cent. real terms increase for the next five years. I am sure the hon. Gentleman will welcome the massive investment that there has been in his community in the form of the new trauma centre, an increase in prescribing budgets, an increase in money for coronary heart disease and a range of other services in his local area. *[Interruption.]* There are challenges for the PCTs to face, but the investment is without question the largest that the NHS has ever known.

Mr. Deputy Speaker: Order. May I once again appeal to the House to be much quieter? I can hardly hear the questions and answers and it is unfair if hon. Members cannot hear what the Minister is saying or if the Minister cannot hear the questioner.

Mr. James Gray (North Wiltshire): When we visited the Minister recently to talk to her about the deficit of the Kennet and North Wiltshire primary care trust, she expressed what can best be described as indifference to its indebtedness. That means that there is now a threat to the local hospitals in Malmesbury and Devizes, just outside my constituency. Does she regret that indifference and does she believe that there is anything that can she do about the issue? What will she do to save Malmesbury hospital?

Ms Blears: I had an extremely constructive meeting, not with the hon. Gentleman, but with his colleague, the right hon. Member for Devizes (Mr. Ancram), and the chairman and chief executive of the local primary care trust, who showed me that they were determined to ensure that they could improve services for that local community. They are under financial pressure, but they have had an extra £45 million of investment in their local health services. I say to him that the comments that he has made in his local press about my alleged remarks are entirely untrue and a travesty of the meeting that I held with him. I am always willing to help local Members of Parliament, but in this case, he has not shown the necessary support to his local health community.

Community Pharmacies

15. **Andy Burnham** (Leigh): If he will make a statement on the implications for his Department of the Office of Fair Trading report on community pharmacies. [103207]

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): We have so far received about 1,000 responses to the OFT report on community pharmacies. It is the Government's intention to respond to the report within the next few weeks. We are working with my right hon. Friend the Secretary of State for Trade and Industry to ensure that our response properly reflects the interests of NHS patients in providing access and choice for improved local pharmacy services.

Andy Burnham: I fully support the vision of my hon. Friend's Department for the future role and development of community pharmacies, but can I tell him that the OFT's recommendations on scrapping control of entry regulations threaten to drive a coach and horses through his Department's policy? I represent an area of small towns with high chronic illness and low car ownership. Those towns have already lost banks and post offices. May I urge him to ask his DTI colleagues to reject the OFT's recommendations?

Mr. Lammy: My hon. Friend will appreciate that one cannot go through the Lobby as Minister with responsibility for pharmacy services at the moment without being lobbied by almost every MP about this important issue. That is a testimony to the work that community pharmacies do in all our areas. They provide valuable services in deprived communities and rural and suburban communities alike. It is right that we consider the proposals against our wider policy objectives in the Department of Health for community pharmacies.

Mr. David Tredinnick (Bosworth): Is the Minister not aware that, as things stand, he will be known as the man who shut down the rural pharmacies? Something should be done about that. Would he not be much better off ensuring that pharmacies in the countryside provide a range of complementary therapies?

Mr. Lammy: What would shut down the pharmacies is a 20 per cent. cut across the board. We have 90 days to consider the report and we are doing so very carefully.

Free Fruit Scheme

16. **Joyce Quin** (Gateshead, East and Washington, West): If he will make a statement on the operation of the free fruit scheme in schools. [103208]

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): We are committed to introducing a national school fruit scheme that will entitle four to six-year-olds to free fruit daily from 2004. The scheme is currently being rolled out region by region with funding from the New Opportunities Fund. By July, the scheme will be reaching about 1 million children.

Joyce Quin: I thank my hon. Friend for that reply. When I was an Agriculture Minister, I helped to launch the scheme and was delighted by the enthusiasm for it in some inner-city schools. Given that the House is so full, I am glad that so many people are present to hear me express my hope that the scheme will be extended to Gateshead, Sunderland and the north-east as soon as possible.

Ms Blears: My right hon. Friend is absolutely right that the scheme is hugely popular. About 88 per cent. of eligible schools have already taken it up and we are looking to roll it out to other regions over the next few school terms. I have visited school fruit projects in Newham and Runcorn, where children have hugely welcomed the apples, pears, bananas and oranges that they are getting every day. The scheme is making a real impact not only on their health, but on the curriculum. We are using it as a way of engaging children in improving their health and nutrition, and extending to their families ideas about getting school fruit, a healthy diet and the best possible start in life—something that should be available to all our children.

NHS Dentists

17. **Mr A.J. Beith** (Berwick-upon-Tweed): If he will make a statement on the availability of NHS dentistry in the town of Berwick-upon-Tweed. [103209]

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): The Government are aware that the Northumberland care trust has been concerned about access to NHS dentistry in Berwick-upon-Tweed. As a result, we have recently approved funding for the trust to appoint a part-time salaried dental practitioner to work in Berwick royal infirmary. That will address the issues in the short term while longer-term solutions are considered.

Mr. Beith: While that appointment has yet to be filled and there are no vacancies in NHS dental practices in the area, what can the Under-Secretary say to my constituents who have been told that the only way in which to get NHS dental treatment is to travel 65 miles to the Newcastle dental hospital?

Mr. Lammy: I hope that the right hon. Gentleman will encourage his constituents to support the Bill, which is currently being considered, and will give primary care trusts the leverage to ensure local commissioning. I am in discussion with the British Dental Association to ensure that we have dental support teams in areas where access is a specific problem.

Pensioner Trustees and Final Payments

12.31 pm

Mr. Jim Cunningham (Coventry, South): I beg to move,

That leave be given to bring in a Bill to give pensioner members of occupational pension schemes the statutory right to be member-nominated trustees of such schemes, and to guarantee the final payments of such schemes; and for connected purposes.

Given the seriousness of the occasion, I shall try to be as brief as possible.

It is the second time that I have introduced a pensioner trustees Bill. Many hon. Members will remember the mis-selling of occupational pensions in the late 1980s and early 1990s. Many people lost out and did not get the pension that they expected. The previous Government encouraged people to join such schemes.

Many occupational pension benefits are reduced for retired members who have no say. Recently, the Rolls-Royce retired members' committee organised a meeting in Coventry at which 400 retired members turned up. That shows the seriousness of the issue; it is always difficult to get more than 10 people to attend a public meeting.

Major companies now end final payment schemes without consultation, and there is a problem with pension scheme deficits. Companies such as Rolls-Royce have schemes that are more than £1 billion in the red. GlaxoSmithKline has a potential deficit of £1.3 billion.

A company can wind up its pension scheme even if it has no financial difficulties. Occupational pensions formed part of the wage settlement in the past, especially in the 1970s, as I am sure that many hon. Members remember. A clawback clause provided for offsetting an occupational pension to take account of a state pension.

My Bill would provide for the presence of one retired members' representative on any pensions board to represent the interests of retired members. The retired member trustee, representing those with occupational pensions, would have the same rights as other trustees. He or she will be required to act in the interests of all members of the scheme.

Question put and agreed to.

Bill ordered to be brought in by Mr. Jim Cunningham, Ms Debra Shipley, Mr. Stephen McCabe, Mr. Bill Olner, Andy King and Mr. Lindsay Hoyle.

PENSIONER TRUSTEES AND FINAL PAYMENTS

Mr. Jim Cunningham accordingly presented a Bill to give pensioner members of occupational pension schemes the statutory right to be member-nominated trustees of such schemes, and to guarantee the final payments of such schemes; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on 13 June 2003, and to be printed [Bill 77].

Iraq

[Relevant document: The Fourth Report from the International Development Committee, on Preparing for the humanitarian consequences of possible military action against Iraq (HC444-I).]

Mr. Deputy Speaker (Sir Alan Haselhurst): I have to inform the House that Mr. Speaker has selected the amendment in the name of the right hon. Member for Islington, South and Finsbury (Mr. Smith).

12.35 pm

The Prime Minister (Mr. Tony Blair): I beg to move,

That this House notes its decisions of 25th November 2002 and 26th February 2003 to endorse UN Security Council Resolution 1441; recognises that Iraq's weapons of mass destruction and long range missiles, and its continuing non-compliance with Security Council Resolutions, pose a threat to international peace and security; notes that in the 130 days since Resolution 1441 was adopted Iraq has not co-operated actively, unconditionally and immediately with the weapons inspectors, and has rejected the final opportunity to comply and is in further material breach of its obligations under successive mandatory UN Security Council Resolutions; regrets that despite sustained diplomatic effort by Her Majesty's Government it has not proved possible to secure a second Resolution in the UN because one Permanent Member of the Security Council made plain in public its intention to use its veto whatever the circumstances; notes the opinion of the Attorney General that, Iraq having failed to comply and Iraq being at the time of Resolution 1441 and continuing to be in material breach, the authority to use force under Resolution 678 has revived and so continues today; believes that the United Kingdom must uphold the authority of the United Nations as set out in Resolution 1441 and many Resolutions preceding it, and therefore supports the decision of Her Majesty's Government that the United Kingdom should use all means necessary to ensure the disarmament of Iraq's weapons of mass destruction; offers wholehearted support to the men and women of Her Majesty's Armed Forces now on duty in the Middle East; in the event of military operations requires that, on an urgent basis, the United Kingdom should seek a new Security Council Resolution that would affirm Iraq's territorial integrity, ensure rapid delivery of humanitarian relief, allow for the earliest possible lifting of UN sanctions, an international reconstruction programme, and the use of all oil revenues for the benefit of the Iraqi people and endorse an appropriate post-conflict administration for Iraq, leading to a representative government which upholds human rights and the rule of law for all Iraqis; and also welcomes the imminent publication of the Quartet's roadmap as a significant step to bringing a just and lasting peace settlement between Israelis and Palestinians and for the wider Middle East region, and endorses the role of Her Majesty's Government in actively working for peace between Israel and Palestine.

At the outset, I say that it is right that the House debate this issue and pass judgment. That is the democracy that is our right, but that others struggle for in vain. Again, I say that I do not disrespect the views in opposition to mine. This is a tough choice indeed, but it is also a stark one: to stand British troops down now and turn back, or to hold firm to the course that we have set. I believe passionately that we must hold firm to that course. The question most often posed is not "Why does it matter?" but "Why does it matter so much?" Here we are, the Government, with their most serious test, their majority at risk, the first Cabinet resignation over an issue of policy, the main parties internally divided,

[The Prime Minister]

people who agree on everything else—[Hon. Members: "The main parties?"] Ah, yes, of course. The Liberal Democrats—unified, as ever, in opportunism and error. *[Interruption.]*

The country and the Parliament reflect each other. This is a debate that, as time has gone on, has become less bitter but no less grave. So why does it matter so much? Because the outcome of this issue will now determine more than the fate of the Iraqi regime and more than the future of the Iraqi people who have been brutalised by Saddam for so long, important though those issues are. It will determine the way in which Britain and the world confront the central security threat of the 21st century, the development of the United Nations, the relationship between Europe and the United States, the relations within the European Union and the way in which the United States engages with the rest of the world. So it could hardly be more important. It will determine the pattern of international politics for the next generation.

First, let us recap the history of Iraq and weapons of mass destruction. In April 1991, after the Gulf war, Iraq was given 15 days to provide a full and final declaration of all its weapons of mass destruction. Saddam had used the weapons against Iran and against his own people, causing thousands of deaths. He had had plans to use them against allied forces. It became clear, after the Gulf war, that Iraq's WMD ambitions were far more extensive than had hitherto been thought. So the issue was identified by the United Nations at that time as one for urgent remedy. UNSCOM, the weapons inspection team, was set up. It was expected to complete its task, following the declaration, at the end of April 1991. The declaration, when it came, was false: a blanket denial of the programme, other than in a very tentative form. And so the 12-year game began.

The inspectors probed. Finally, in March 1992, Iraq admitted that it had previously undeclared weapons of mass destruction, but it said that it had destroyed them. It gave another full and final declaration. Again the inspectors probed. In October 1994, Iraq stopped co-operating with the weapons inspectors altogether. Military action was threatened. Inspections resumed. In March 1996, in an effort to rid Iraq of the inspectors, a further full and final declaration of WMD was made. By July 1996, however, Iraq was forced to admit that declaration, too, was false.

In August, it provided yet another full and final declaration. Then, a week later, Saddam's son-in-law, Hussein Kamal, defected to Jordan. He disclosed a far more extensive biological weapons programme and, for the first time, said that Iraq had weaponised the programme—something that Saddam had always strenuously denied. All this had been happening while the inspectors were in Iraq.

Kamal also revealed Iraq's crash programme to produce a nuclear weapon in the 1990s. Iraq was then forced to release documents that showed just how extensive those programmes were. In November 1996, Jordan intercepted prohibited components for missiles that could be used for weapons of mass destruction. Then a further "full and final declaration" was made. That, too, turned out to be false.

In June 1997, inspectors were barred from specific sites. In September 1997, lo and behold, yet another "full and final declaration" was made—also false. Meanwhile, the inspectors discovered VX nerve agent production equipment, the existence of which had always been denied by the Iraqis.

In October 1997, the United States and the United Kingdom threatened military action if Iraq refused to comply with the inspectors. Finally, under threat of action in February 1998, Kofi Annan went to Baghdad and negotiated a memorandum with Saddam to allow inspections to continue. They did continue, for a few months. In August, co-operation was suspended.

In December, the inspectors left. Their final report is a withering indictment of Saddam's lies, deception and obstruction, with large quantities of weapons of mass destruction unaccounted for. Then, in December 1998, the US and the UK undertook Desert Fox, a targeted bombing campaign to degrade as much of the Iraqi WMD facility as we could.

In 1999, a new inspection team, UNMOVIC, was set up. Saddam refused to allow those inspectors even to enter Iraq. So there they stayed, in limbo, until, after resolution 1441 last November, they were allowed to return.

That is the history—and what is the claim of Saddam today? Why, exactly the same as before: that he has no weapons of mass destruction. Indeed, we are asked to believe that after seven years of obstruction and non-compliance, finally resulting in the inspectors' leaving in 1998—seven years in which he hid his programme and built it up, even when the inspectors were there in Iraq—when they had left, he voluntarily decided to do what he had consistently refused to do under coercion.

When the inspectors left in 1998, they left unaccounted for 10,000 litres of anthrax; a far-reaching VX nerve agent programme; up to 6,500 chemical munitions; at least 80 tonnes of mustard gas, and possibly more than 10 times that amount; unquantifiable amounts of sarin, botulinum toxin and a host of other biological poisons; and an entire Scud missile programme. We are asked now seriously to accept that in the last few years—contrary to all history, contrary to all intelligence—Saddam decided unilaterally to destroy those weapons. I say that such a claim is palpably absurd.

Resolution 1441 is very clear. It lays down a final opportunity for Saddam to disarm. It rehearses the fact that he has for years been in material breach of 17 UN resolutions. It says that this time compliance must be full, unconditional and immediate, the first step being a full and final declaration of all weapons of mass destruction to be given on 8 December last year.

I will not go through all the events since then, as the House is familiar with them, but this much is accepted by all members of the UN Security Council: the 8 December declaration is false. That in itself, incidentally, is a material breach. Iraq has taken some steps in co-operation, but no one disputes that it is not fully co-operating. Iraq continues to deny that it has any weapons of mass destruction, although no serious intelligence service anywhere in the world believes it.

On 7 March, the inspectors published a remarkable document. It is 173 pages long, and details all the unanswered questions about Iraq's weapons of mass destruction. It lists 29 different areas in which the inspectors have been unable to obtain information. On VX, for example, it says:

> "Documentation available to UNMOVIC suggests that Iraq at least had had far reaching plans to weaponise VX".

On mustard gas, it says:

> "Mustard constituted an important part . . . of Iraq's CW arsenal . . . 550 mustard filled shells and up to 450 mustard filled aerial bombs unaccounted for . . . additional uncertainty"

with respect to over 6,500 aerial bombs,

> "corresponding to approximately 1,000 tonnes of agent, predominantly mustard."

On biological weapons, the inspectors' report states:

> "Based on unaccounted for growth media, Iraq's potential production of anthrax could have been in the range of about 15,000 to 25,000 litres . . . Based on all the available evidence, the strong presumption is that about 10,000 litres of anthrax was not destroyed and may still exist."

On that basis, I simply say to the House that, had we meant what we said in resolution 1441, the Security Council should have convened and condemned Iraq as in material breach. What is perfectly clear is that Saddam is playing the same old games in the same old way. Yes, there are minor concessions, but there has been no fundamental change of heart or mind.

However, after 7 March, the inspectors said that there was at least some co-operation, and the world rightly hesitated over war. Let me now describe to the House what then took place.

We therefore approached a second resolution in this way. As I said, we could have asked for the second resolution then and there, because it was justified. Instead, we laid down an ultimatum calling upon Saddam to come into line with resolution 1441, or be in material breach. That is not an unreasonable proposition, given the history, but still countries hesitated. They asked, "How do we judge what is full co-operation?"

So we then worked on a further compromise. We consulted the inspectors and drew up five tests, based on the document that they published on 7 March. Those tests included allowing interviews with 30 scientists to be held outside Iraq, and releasing details of the production of the anthrax, or at least of the documentation showing what had happened to it. The inspectors added another test: that Saddam should publicly call on Iraqis to co-operate with them.

So we constructed this framework: that Saddam should be given a specified time to fulfil all six tests to show full co-operation; and that, if he did so, the inspectors could then set out a forward work programme that would extend over a period of time to make sure that disarmament happened. However, if Saddam failed to meet those tests to judge compliance, action would follow.

So there were clear benchmarks, plus a clear ultimatum. Again, I defy anyone to describe that as an unreasonable proposition.

Last Monday, we were getting very close with it. We very nearly had the majority agreement. If I might, I should particularly like to thank the President of Chile for the constructive way in which he approached this issue.

Yes, there were debates about the length of the ultimatum, but the basic construct was gathering support. Then, on Monday night, France said that it would veto [illegible] second resolution, whatever the circumstances. Then France denounced the six tests. Later that day, Iraq rejected them. Still, we continued to negotiate, even at that point.

Last Friday, France said that it could not accept any resolution with an ultimatum in it. On Monday, we made final efforts to secure agreement. However, the fact is that France remains utterly opposed to anything that lays down an ultimatum authorising action in the event of non-compliance by Saddam.

Hugh Bayley (City of York): Will my right hon. Friend give way?

The Prime Minister: Very well.

Hugh Bayley: I am grateful to my right hon. Friend. I took the view that Britain should not engage in military action without a second resolution, but the decision of some members of the Security Council to back away from the commitment that they gave in November to enforce resolution 1441 has made me change my mind. Does my right hon. Friend agree that France's decision to use the veto against any further Security Council resolution has, in effect, disarmed the UN instead of disarming Iraq?

The Prime Minister: Of course I agree with my hon. Friend. The House should just consider the position that we were asked to adopt. Those on the Security Council opposed to us say that they want Saddam to disarm, but they will not countenance any new resolution that authorises force in the event of non-compliance. That is their position—no to any ultimatum and no to any resolution that stipulates that failure to comply will lead to military action. So we must demand that Saddam disarms, but relinquish any concept of a threat if he does not.

From December 1998 to December 2002, no UN inspector was allowed to inspect anything in Iraq. For four years, no inspection took place. What changed Saddam's mind was the threat of force. From December to January, and then from January through to February, some concessions were made. What changed his mind? It was the threat of force. What makes him now issue invitations to the inspectors, discover documents that he said he never had, produce evidence of weapons supposed to be non-existent, and destroy missiles he said he would keep? It is the imminence of force. The only persuasive power to which he responds is 250,000 allied troops on his doorstep. However, when that fact is so obvious, we are told that any resolution that authorises force in the event of non-compliance will be vetoed—not just opposed, but vetoed and blocked.

Mr. Jon Owen Jones (Cardiff, Central): If it is the case, as the Government continually say, that the

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French position was so uniquely influential, why did not the Government and the United States pursue the second resolution, which—if the Government have given us a true reflection of the Security Council's position—would show that the French were isolated?

The Prime Minister: For the very reason that I have just given. If a member of the permanent five indicates to members of the Security Council who are not permanent members that whatever the circumstances it will veto, that is the way to block any progress on the Security Council. *[Interruption.]* With the greatest respect to whoever shouted out that the presence of the troops is working, I agree, but it is British and American troops who are there, not French troops.

The tragedy is that had such a resolution ensued and had the UN come together and united—and if other troops had gone there, not just British and American troops—Saddam Hussein might have complied. But the moment we proposed the benchmarks and canvassed support for an ultimatum, there was an immediate recourse to the language of the veto. The choice was not action now or postponement of action; the choice was action or no action at all.

Llew Smith (Blaenau Gwent): What does the Prime Minister mean by an "unreasonable veto"? Were the 30 occasions on which the UK has used the veto and the 75 occasions on which the US has used the veto reasonable or unreasonable?

The Prime Minister: We can argue about each one of those vetoes in the past and whether they were reasonable, but I define an unreasonable veto as follows. In resolution 1441, we said that it was Saddam's final opportunity and that he had to comply. That was agreed by all members of the Security Council. What is surely unreasonable is for a country to come forward now, at the very point when we might reach agreement and when we are—not unreasonably—saying that he must comply with the UN, after all these months without full compliance, on the basis of the six tests or action will follow. For that country to say that it will veto such a resolution in all circumstances is what I would call unreasonable.

The tragedy is that the world has to learn the lesson all over again that weakness in the face of a threat from a tyrant is the surest way not to peace, but—unfortunately—to conflict. Looking back over those 12 years, the truth is that we have been victims of our own desire to placate the implacable, to persuade towards reason the utterly unreasonable, and to hope that there was some genuine intent to do good in a regime whose mind is in fact evil.

Now the very length of time counts against us. People say, "You've waited 12 years, so why not wait a little longer?" Of course we have done so, because resolution 1441 gave a final opportunity. As I have just pointed out, the first test was on 8 December. But still we waited. We waited for the inspectors' reports. We waited as each concession was tossed to us to whet our appetite for hope and further waiting. But still no one, not even today at the Security Council, says that Saddam is co-operating fully, unconditionally or immediately.

Simon Hughes (Southwark, North and Bermondsey): The Prime Minister will carry the House with him in describing the evil of Saddam Hussein and the effectiveness of the threat of force. Can he therefore explain why the diplomacy that has not so far succeeded—not through lack of his effort—should not be continued for a little longer, so that agreement could be reached between all permanent members of the Security Council? Then if force had to be used, it could be backed with the authority of the UN, instead of undermining the UN.

The Prime Minister: We could have had more time if the compromise proposal that we put forward had been accepted. I take it from what the hon. Gentleman has just said that he would accept that the compromise proposal we put forward was indeed reasonable. We set out the tests. If Saddam meets those tests, we extend the work programme of the inspectors. If he does not meet those tests, we take action. I think that the hon. Gentleman would also agree that unless the threat of action was made, it was unlikely that Saddam would meet the tests.

Simon Hughes *indicated assent.*

The Prime Minister: The hon. Gentleman nods his head, but the problem with the diplomacy was that it came to an end after the position of France was made public—and repeated in a private conversation—and it said that it would block, by veto, any resolution that contained an ultimatum. We could carry on discussing it for a long time, but the French were not prepared to change their position. I am not prepared to carry on waiting and delaying, with our troops in place in difficult circumstances, when that country has made it clear that it has a fixed position and will not change. I would have hoped that, rather than condemn us for not waiting even longer, the hon. Gentleman would condemn those who laid down the veto.

David Winnick (Walsall, North): Does my right hon. Friend agree that a criticism can be made of all the countries that make up the Security Council because it has taken 12 years to reach this point? Why was action not taken earlier? The delay and frustration has only encouraged the Iraqi dictator to act as he has, and there is no justification for further delay.

The Prime Minister: I truly believe that our fault has not been impatience. The truth is that our patience should have been exhausted weeks and months and even years ago.

Mr. Alex Salmond (Banff and Buchan): The Prime Minister says that the French have changed position, but surely the French, Russians and Chinese always made it clear that they would oppose a second resolution that led automatically to war. *[Interruption.]* Well they publicised that view at the time of resolution 1441. Is it not the Prime Minister who has changed his position? A month ago, he said that the only circumstances in which he would go to war without a second resolution was if the inspectors concluded that there had been no more progress, which they have not; if there were a majority on the Security Council, which there is not; and if there were an unreasonable veto from one country, but there are three permanent members opposed to the Prime Minister's policy. When did he change his position, and why?

The Prime Minister: First, the hon. Gentleman is absolutely wrong about the position on resolution 1441. It is correct that resolution 1441 did not say that there would be another resolution authorising the use of force, but the implication of resolution 1441—it was stated in terms—was that if Iraq continued in material breach, defined as not co-operating fully, immediately and unconditionally, serious consequences should follow. All we are asking for in the second resolution is the clear ultimatum that if Saddam continues to fail to co-operate, force should be used. The French position is that France will vote no, whatever the circumstances. Those are not my words, but those of the French President. I find it sad that at this point in time he cannot support us in the position we have set out, which is the only sure way to disarm Saddam. And what, indeed, would any tyrannical regime possessing weapons of mass destruction think when viewing the history of the world's diplomatic dance with Saddam over these 12 years? That our capacity to pass firm resolutions has only been matched by our feebleness in implementing them. That is why this indulgence has to stop—because it is dangerous: dangerous if such regimes disbelieve us; dangerous if they think they can use our weakness, our hesitation, and even the natural urges of our democracy towards peace against us; and dangerous because one day they will mistake our innate revulsion against war for permanent incapacity, when, in fact, if pushed to the limit, we will act. But when we act, after years of pretence, the action will have to be harder, bigger, more total in its impact. It is true that Iraq is not the only country with weapons of mass destruction, but I say this to the House: back away from this confrontation now, and future conflicts will be infinitely worse and more devastating in their effects.

Of course, in a sense, any fair observer does not really dispute that Iraq is in breach of resolution 1441 or that it implies action in such circumstances. The real problem is that, underneath, people dispute that Iraq is a threat, dispute the link between terrorism and weapons of mass destruction, and dispute, in other words, the whole basis of our assertion that the two together constitute a fundamental assault on our way of life.

There are glib and sometimes foolish comparisons with the 1930s. I am not suggesting for a moment that anyone here is an appeaser or does not share our revulsion at the regime of Saddam. However, there is one relevant point of analogy. It is that, with history, we know what happened. We can look back and say, "There's the time; that was the moment; that's when we should have acted." However, the point is that it was not clear at the time—not at that moment. In fact, at that time, many people thought such a fear fanciful or, worse, that it was put forward in bad faith by warmongers. Let me read one thing from an editorial from a paper that I am pleased to say takes a different position today. It was written in late 1938 after Munich. One would have thought from the history books that people thought the world was tumultuous in its desire to act. This is what the editorial said:

> "Be glad in your hearts. Give thanks to your God. People of Britain, your children are safe. Your husbands and your sons will not march to war. Peace is a victory for all mankind . . . And now let us go back to our own affairs. We have had enough of those menaces, conjured up . . . to confuse us."

Now, of course, should Hitler again appear in the same form, we would know what to do. But the point is that history does not declare the future to us plainly. Each time is different and the present must be judged without the benefit of hindsight. So let me explain to the House why I believe that the threat that we face today is so serious and why we must tackle it. The threat today is not that of the 1930s. It is not big powers going to war with each other. The ravages that fundamentalist ideology inflicted on the 20th century are memories. The cold war is over. Europe is at peace, if not always diplomatically. But the world is ever more interdependent. Stock markets and economies rise and fall together, confidence is the key to prosperity, and insecurity spreads like contagion. The key today is stability and order. The threat is chaos and disorder—and there are two begetters of chaos: tyrannical regimes with weapons of mass destruction and extreme terrorist groups who profess a perverted and false view of Islam.

Let me tell the House what I know. I know that there are some countries, or groups within countries, that are proliferating and trading in weapons of mass destruction—especially nuclear weapons technology. I know that there are companies, individuals, and some former scientists on nuclear weapons programmes, who are selling their equipment or expertise. I know that there are several countries—mostly dictatorships with highly repressive regimes—that are desperately trying to acquire chemical weapons, biological weapons or, in particular, nuclear weapons capability. Some of those countries are now a short time away from having a serviceable nuclear weapon. This activity is not diminishing. It is increasing.

We all know that there are terrorist groups now operating in most major countries. Just in the past two years, around 20 different nations have suffered serious terrorist outrages. Thousands of people—quite apart from 11 September—have died in them. The purpose of that terrorism is not just in the violent act; it is in producing terror. It sets out to inflame, to divide, and to produce consequences of a calamitous nature. Round the world, it now poisons the chances of political progress—in the middle east, in Kashmir, in Chechnya and in Africa. The removal of the Taliban—yes—dealt it a blow. But it has not gone away.

Those two threats have, of course, different motives and different origins, but they share one basic common view: they detest the freedom, democracy and tolerance that are the hallmarks of our way of life. At the moment, I accept fully that the association between the two is loose—but it is hardening. The possibility of the two coming together—of terrorist groups in possession of weapons of mass destruction or even of a so-called dirty radiological bomb—is now, in my judgment, a real and present danger to Britain and its national security.

Mr. Robert Key (Salisbury): Does the Prime Minister acknowledge that thousands of scientists and civil

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servants in this country—hundreds of them my constituents at Porton Down—have been warning of those threats for some years and are hugely relieved that he and his Government are taking this seriously? They will support him, as will I.

The Prime Minister: I thank the hon. Gentleman for that.

Mr. Tam Dalyell (Linlithgow): What could be more calculated to act as a recruiting sergeant for a young generation throughout the Islamic and Arab world than putting 600 cruise missiles—or whatever it is—on to Baghdad and Iraq?

The Prime Minister: Let me come to that very point.

Sir Teddy Taylor (Rochford and Southend, East): Will the Prime Minister give way?

The Prime Minister: Let me deal with this point first. Let us recall: what was shocking about 11 September was not just the slaughter of innocent people but the knowledge that, had the terrorists been able, there would have been not 3,000 innocent dead, but 30,000 or 300,000—and the more the suffering, the greater their rejoicing. I say to my hon. Friend that America did not attack the al-Qaeda terrorist group; the al-Qaeda terrorist group attacked America. They did not need to be recruited; they were there already. Unless we take action against them, they will grow. That is why we should act.

Lynne Jones (Birmingham, Selly Oak): Will the Prime Minister give way?

The Prime Minister: In a moment.

Sir Teddy Taylor: Will the Prime Minister give way?

The Prime Minister: Just give me a moment and then I will give way.

Let me explain the dangers. Three kilograms of VX from a rocket launcher would contaminate 0.25 sq km of a city. Millions of lethal doses are contained in one litre of anthrax, and 10,000 litres are unaccounted for. What happened on 11 September has changed the psychology of America—that is clear—but it should have changed the psychology of the world.

Of course, Iraq is not the only part of this threat. I have never said that it was. But it is the test of whether we treat the threat seriously. Faced with it, the world should unite. The UN should be the focus both of diplomacy and of action. That is what 1441 said. That was the deal. And I simply say to the House that to break it now, and to will the ends but not the means, would do more damage in the long term to the UN than any other single course that we could pursue. To fall back into the lassitude of the past 12 years; to talk, to discuss, to debate but never to act; to declare our will but not to enforce it; and to continue with strong language but with weak intentions—that is the worst course imaginable. If we pursue that course, when the threat returns, from Iraq or elsewhere, who will then believe us? What price our credibility with the next tyrant? It was interesting today that some of the strongest statements of support for allied forces came from near to North Korea—from Japan and South Korea.

Sir Teddy Taylor: The Prime Minister is making a powerful and compelling speech. Will he tell the House whether there has been any identification of the countries that have supplied these terrible biological materials—such as anthrax and toxins—to Iraq? Should those countries not be identified—named by the Prime Minister and condemned?

The Prime Minister: Much of the production is in Iraq itself.

Lynne Jones: A moment ago my right hon. Friend said that the association between Iraq and terrorists is loose, yet last night President Bush told the American people that Iraq has aided, trained and harboured terrorists, including operatives of al-Qaeda. Was President Bush accurate in what he told the American people?

The Prime Minister: First, let me apologise to the hon. Member for Rochford and Southend, East (Sir Teddy Taylor). He was making a point in my favour and I failed to spot it.

Secondly, to my hon. Friend, yes, I do support what the President said. Do not be in any doubt at all—Iraq has been supporting terrorist groups. For example, Iraq is offering money to the families of suicide bombers whose purpose is to wreck any chance of progress in the middle east. Although I said that the associations were loose, they are hardening. I do believe that, and I believe that the two threats coming together are the dangers that we face in our world.

I also say this: there will be in any event no sound future for the United Nations—no guarantee against the repetition of these events—unless we recognise the urgent need for a political agenda that we can unite upon. What we have witnessed is indeed the consequence of Europe and the United States dividing from each other. Not all of Europe—Spain, Italy, Holland, Denmark and Portugal have strongly supported us—and not a majority of Europe if we include, as we should, Europe's new members who will accede next year, all 10 of whom have been in strong support of the position of this Government. But the paralysis of the UN has been born out of the division that there is.

I want to deal with that in this way. At the heart of that division is the concept of a world in which there are rival poles of power, with the US and its allies in one corner and France, Germany, Russia and their allies in the other. I do not believe that all those nations intend such an outcome, but that is what now faces us. I believe such a vision to be misguided and profoundly dangerous for our world. I know why it arises. There is resentment of US predominance. There is fear of US unilateralism. People ask, "Do the US listen to us and our preoccupations?" And there is perhaps a lack of full understanding of US preoccupations after 11 September. I know all this. But the way to deal with it is not rivalry, but partnership. Partners are not servants, but neither are they rivals. What Europe should have said last September to the United States is this: with one voice it should have said, "We understand your strategic anxiety over terrorism and weapons of mass destruction and we will help you meet it. We will mean what we say in any UN resolution we pass and will back it with action if Saddam fails to disarm voluntarily. However, in return"—Europe should have said—"we ask two things of you: that the US should indeed choose the UN path and you should recognise the fundamental overriding importance of restarting the middle east peace process, which we will hold you to."

That would have been the right and responsible way for Europe and America to treat each other as partners, and it is a tragedy that it has not happened. I do not believe that there is any other issue with the same power to reunite the world community than progress on the issues of Israel and Palestine. Of course, there is cynicism about recent announcements, but the United States is now committed—and, I believe genuinely—to the road map for peace designed in consultation with the UN. It will now be presented to the parties as Abu Mazen is confirmed in office, hopefully today, as Palestinian Prime Minister. All of us are now signed up to this vision: a state of Israel, recognised and accepted by all the world, and a viable Palestinian state. That is what this country should strive for, and we will.

And that should be part of a larger global agenda: on poverty and sustainable development; on democracy and human rights; and on the good governance of nations.

Mike Gapes (Ilford, South): Will the Prime Minister give way?

The Prime Minister: In a moment.

That is why what happens after any conflict in Iraq is of such critical significance. Here again there is a chance to unify around the United Nations. There should be a new United Nations resolution following any conflict providing not only for humanitarian help, but for the administration and governance of Iraq. That must be done under proper UN authorisation.

Mike Gapes: I am grateful to my right hon. Friend for giving way, and I endorse very strongly what he said about the need for the road map of progress in the middle east. However, the problem is that there is a perception that we are engaged in a bilateral action with just the United States. Could he respond to my constituents and others who believe that, and point out how strong is the support for action at this moment to rid the Iraqi people of the oppressive Saddam regime?

The Prime Minister: I shall certainly do so. The UN resolution that should provide for the proper governance of Iraq should also protect totally the territorial integrity of Iraq. And this point is also important: that the oil revenues, which people falsely claim that we want to seize, should be put in a trust fund for the Iraqi people administered through the UN.

Mr. Simon Thomas (Ceredigion): Will the Prime Minister give way?

The Prime Minister: In a moment.

Let the future Government of Iraq be given the chance to begin the process of uniting the nation's disparate groups, on a democratic basis—

Jeremy Corbyn (Islington, North): Will the Prime Minister give way?

The Prime Minister: If my hon. Friend will allow me to continue for a moment, I shall come back to him.

The process must begin on a democratic basis, respecting human rights, as, indeed, the fledgling democracy in northern Iraq—protected from Saddam for 12 years by British and American pilots in the no-fly zone—has done remarkably. The moment that a new Government are in place, committed to disarming Iraq of weapons of mass destruction, is the point in time when sanctions should be lifted, and can be lifted, in their entirety for the people of Iraq.

Jeremy Corbyn: I thank the Prime Minister for giving way. Can he tell the House what guarantees he has had from the Turkish Government and the Turkish military that they will not use the opportunity of a war in the south to invade the northern part of Iraq and destroy the Kurdish autonomous region and the demands of Kurdish people for their own self-determination? There is a very serious fear that the Turkish army has always wanted to destroy any vestige of Kurdish autonomy.

The Prime Minister: Turkey has given that commitment. I have spoken to the Turkish Government, as have the President of the United States and many others. I have to say to my hon. Friend that it is clear from the conversations that I have had with people in that Kurdish autonomous zone that what they really fear above all else is the prospect of Saddam remaining in power, emboldened because we have failed to remove him.

I have never put the justification for action as regime change. We have to act within the terms set out in resolution 1441—that is our legal base. But it is the reason why I say frankly that if we do act, we should do so with a clear conscience and a strong heart. I accept fully that those who are opposed to this course of action share my detestation of Saddam. Who could not? Iraq is a potentially wealthy country which in 1979, the year before Saddam came to power, was richer than Portugal or Malaysia. Today it is impoverished, with 60 per cent. of its population dependent on food aid. Thousands of children die needlessly every year from lack of food and medicine. Four million people out of a population of just over 20 million are living in exile.

The brutality of the repression—the death and torture camps, the barbaric prisons for political opponents, the routine beatings for anyone or their families suspected of disloyalty—is well documented. Just last week someone slandering Saddam was tied to a lamp post in a street in Baghdad, their tongue was cut out, and they were mutilated and left to bleed to death as a warning to others. I recall a few weeks ago talking to an Iraqi exile and saying to her that I understood how grim it must be under the lash of Saddam. "But you don't", she replied. "You cannot. You do not know what it is like to live in perpetual fear." And she is right. We take our freedom for granted. But imagine what it must be like not to be

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able to speak or discuss or debate or even question the society you live in. To see friends and family taken away and never daring to complain. To suffer the humility of failing courage in face of pitiless terror. That is how the Iraqi people live. Leave Saddam in place, and the blunt truth is that that is how they will continue to be forced to live.

We must face the consequences of the actions that we advocate. For those of us who support the course that I am advocating, that means all the dangers of war. But for others who are opposed to this course, it means—let us be clear—that for the Iraqi people, whose only true hope lies in the removal of Saddam, the darkness will simply close back over. They will be left under his rule, without any possibility of liberation—not from us, not from anyone.

Glenda Jackson (Hampstead and Highgate): Will the Prime Minister give way?

The Prime Minister: In a moment. This is the choice before us. If this House now demands that at this moment, faced with this threat from this regime, British troops are pulled back, that we turn away at the point of reckoning—this is what it means—what then? What will Saddam feel? He will feel strengthened beyond measure. What will the other states that tyrannise their people, the terrorists who threaten our existence, take from that? They will take it that the will confronting them is decaying and feeble. Who will celebrate and who will weep if we take our troops back from the Gulf now?

Glenda Jackson: Will the Prime Minister give way?

The Prime Minister: I am sorry. If our plea is for America to work with others, to be good as well as powerful allies, will our retreat make it multilateralist, or will it not rather be the biggest impulse to unilateralism that we could possibly imagine? What then of the United Nations, and of the future of Iraq and the middle east peace process, devoid of our influence and stripped of our insistence?

The House wanted this discussion before conflict. That was a legitimate demand. It has it, and these are the choices. In this dilemma, no choice is perfect, no choice is ideal, but on this decision hangs the fate of many things: of whether we summon the strength to recognise the global challenge of the 21st century, and meet it; of the Iraqi people, groaning under years of dictatorship; of our armed forces, brave men and women of whom we can feel proud, and whose morale is high and whose purpose is clear; of the institutions and alliances that will shape our world for years to come. To retreat now, I believe, would put at hazard all that we hold dearest. To turn the United Nations back into a talking shop; to stifle the first steps of progress in the middle east; to leave the Iraqi people to the mercy of events over which we would have relinquished all power to influence for the better; to tell our allies that at the very moment of action, at the very moment when they need our determination, Britain faltered: I will not be party to such a course.

This is not the time to falter. This is the time not just for this Government—or, indeed, for this Prime Minister—but for this House to give a lead: to show that we will stand up for what we know to be right; to show that we will confront the tyrannies and dictatorships and terrorists who put our way of life at risk; to show, at the moment of decision, that we have the courage to do the right thing.

1.23 pm

Mr. Iain Duncan Smith (Chingford and Woodford Green): The House and the whole country rightly recognise that we are soon likely to be at war. It is a solemn moment in the life of our nation, and our first thoughts and prayers today must be with our troops and their families as they prepare for action. The Opposition recognise the heavy responsibility that the Prime Minister and the Government have to bear. I remind the House that the Prime Minister's decision comes at the end of 12 years of what was too often indecision by the international community.

I make it clear from the outset that the official Opposition will vote tonight in the same Lobby as the Government. In saying that, I recognise that there are honestly felt and genuinely carried differences of view on both sides of the House about further military action in Iraq. I respect those unreservedly, wherever they are held, and I recognise that they reflect strong differences of view that are felt throughout the country. However, given the differences and the difficulties that they have posed for the Government in general and for the Prime Minister in particular, I say frankly to the House that the official Opposition could somehow have sought to manoeuvre themselves into the No Lobby tonight. After all, we have argued consistently that Ministers have failed to convince the public of their case, and we have sought to hold the Government to account in the House for their mistakes. In particular, we have also pointed out the failures with regard to the humanitarian consequences of war. However, I believe that when the Government do the right thing by the British people, they deserve the support of the House, and particularly of the main Opposition.

Certain issues need to be taken head-on today. The idea that this action would become a recruiting sergeant for others to come to the colours of those who are "anti" any nation in the west is, I am afraid, nonsense. The biggest recruiting sergeant of all has been indecision, and the failure to take action to show that such resolve matters.

There are well-held views that I have respect for, but as I said, we could have sought a way to do something that would have damaged the Government. I understand that the Liberal Democrats will do just that tonight. They are, of course, entitled to their view, but I simply say this to them. One can argue that further military action by our armed forces would be illegal, or that it should be supported. But a political party surely cannot simultaneously argue that military action is illegal but should none the less be supported somehow. Yet that, we gather, is what the Liberal Democrats plan to put as their main case tonight. What is clear is that one cannot have it both ways; one has to make a decision and lead.

We are voting tonight in support of the motion not because we endorse every detail of the Prime Minister's handling of the matter, certainly not because we are eager for conflict—as the House knows, I served in the armed forces, and I have some knowledge of the horror of the aftermath of conflict—and not just because we want to show our support for our troops. That said, I believe firmly that, as the Prime Minister says, they are entitled to our full support today.

Saddam Hussein is a tyrant who tortures and murders his own people. He poses a threat to the safety and stability of the middle east, and he is in complete breach of his obligations to the United Nations and to the international community. However, the main reason why we will be voting for the motion is that it is in the British national interest. Saddam Hussein has the means, the mentality and the motive to pose a direct threat to our national security. That is why we will be voting tonight to do the right thing by our troops and the British people.

Mr. Robert N. Wareing (Liverpool, West Derby): I am interested in what the right hon. Gentleman is saying, just as I was in the Prime Minister's speech. However, is the right hon. Gentleman aware that, between 1986 and 1991, 12 early-day motions were tabled in this House calling for the abandonment of the supply of arms to Iraq and condemning what happened at Halabja, and that all the 60 Members who signed at least one of those motions—they included me—were Labour Members? Not a single Tory name was included. However, not even the Prime Minister signed any of them; indeed, only two members of the current Cabinet did so. Yet now they are most strident. I think that—

Mr. Speaker: Order. The hon. Gentleman is making a speech.

Mr. Duncan Smith: The hon. Gentleman makes a powerful case for supporting the Government's motion tonight, and I expect that he will be in the Lobby in support.

The Prime Minister rightly pointed out that Saddam Hussein has lied to the UN for 12 years. Even now, we do not know the full extent of his arsenal, or of his facilities to develop weapons. He has the means, and as has already been said, it should be evident to everyone that he remains in breach of the obligations under 1441. He has absolutely no intention whatsoever of relinquishing the weapons that he has developed: the remaining al-Samoud 2 missiles; the Scud-B warheads; the R-400 bombs; and the tonnes of VX, anthrax, sarin, soman, botulinum toxin, mustard gas and other deadly weapons, viruses and agents identified by Hans Blix in his report, which I recommend that every Member of this House read before passing judgment.

Saddam Hussein has not only the means but the mentality. To date, his main victims have been his own people. The tale of his rule of lawlessness is a litany of horror. Dissident women are raped, children are tortured and prisoners are trapped in steel boxes until they confess or die. As we have heard, chemical weapons have been used against the Kurds, and Shi'a villages razed to the ground. As the Prime Minister said, when Saddam Hussein came to power, Iraq was a wealthy country: today, it is impoverished.

If that was not enough, Saddam Hussein is also the man who has waged war against Iran, Kuwait, Saudi Arabia and Israel. Here in Britain, where we are at liberty to protest against any military action, we should recall—as the Prime Minister said—that such liberty does not exist for those who live in Iraq and whose tongues are ripped out if they dare to question Saddam Hussein.

When I had the privilege of visiting our troops in Kuwait, I also had the opportunity of talking to the families of 600 Kuwaiti prisoners of war, taken by Saddam Hussein at the time of the last Gulf war and still missing. I recall talking to one old man whose last sight of his son was when he was being taken away by Iraqi soldiers. He has never been returned. There is no documentary evidence of the existence of those 600 people. Inspection of the prisons is not allowed. At no time has Saddam Hussein agreed to independent inspectors telling their families what happened to them.

Some may say that 600 people do not matter in the great scheme of things, but the equivalent percentage in our population would mean that 60,000 British people were missing. How many Members would not consider that a matter of massive importance and a sign of the distinct distastefulness of that regime?

There is a huge and powerful argument to act. Saddam Hussein is in breach not only on weapons but also in personal terms for those who live and have to suffer under his regime. It is well worth meeting the dissidents and I advise all Members to do so. Their tales about what has happened to their families are harrowing. One man told me that he last saw his brother 18 years ago as he was being taken away for a minor traffic offence. His brother has never been seen again. I promise that no one will shed a tear over the departure of Saddam Hussein.

Saddam Hussein has the means and the mentality. He also has the motive. We in Britain helped to expel him from Kuwait. For more than 10 years, British forces have been enforcing the no-fly zones. We are a crucial part of the coalition that seeks to force UN resolutions upon his regime. The threat that his arsenal poses to British citizens at home and abroad cannot simply be contained. Whether in the hands of his regime or in the hands of the terrorists to whom he would give his weapons, they pose a clear danger to British citizens. To those who doubt that, I point out that only the other day Saddam said that he would strike anywhere,

> "by land, sea or sky".

Those who believe otherwise are living in cloud cuckoo land. The reality for them, as for others, is that Britain and its citizens are as much prime targets as anybody in the world.

As the Prime Minister said, Saddam's last hope lies in his ability to string along the international community for as long as possible. People who say that another month and a half would be all right and that it is only a small delay should realise that, in another month and a half, any military action will become nigh on impossible. The delay would not be for a month and a half but would have to last until the autumn, and in the meantime, Saddam's prevarications and games will split the international community and wreck the UN. The blame for further military action lies squarely in the hands of Saddam Hussein. It is his regime only that has made further military action necessary, yet, even now, he has the power to ensure that such action does not take place.

[Mr. Duncan Smith]

It would be wrong for us not to acknowledge the consequences of that military action. I am sad to say that the Iraqi people may have to suffer yet again, but I hope and believe that, in the decision that the Prime Minister has to take, the suffering of the Iraqi people will be short-lived and that the ultimate end will be peace and security in their country.

That is why the Opposition have constantly urged the Government to set out their plans for humanitarian assistance. Our view of the lack of preparedness was endorsed by the Select Committee on International Development, which warned last week of concern about the "lack of leadership" in co-ordinating the planning and preparation of the humanitarian response to possible military action. The Committee also recommended that the Department for International Development

"immediately issues a statement outlining its basic humanitarian contingency plans".

We welcome the written statement made last week by the Secretary of State for International Development, but it did not explain what is being done to improve co-ordination between the Ministry of Defence and DFID. It did not establish whether DFID would set up a mechanism to co-ordinate the UK humanitarian response. It did not set out what will replace the oil-for-food programme, which feeds up to 60 per cent. of the Iraqi population. It did not spell out DFID's plans in the event of Saddam Hussein unleashing any of his arsenal of chemical and biological weapons on his own people. Nor did it give details of how to cope with the flight of refugees. Those are pressing questions, as it is estimated that up to a million people may seek refuge on the borders. The questions need to be answered.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): If those preparations are so ill advanced, why is the right hon. Gentleman so keen on going to war?

Mr. Duncan Smith: The hon. Gentleman betrays a certain ignorance. The reality is that we need to deal with Saddam Hussein regardless of those arrangements. We have rightly urged the Government that arrangements must be made and that there must be a way of dealing with the emergency requirements. I believe that that can take place and I hope that, in their response to the debate, the Government will explain how those matters will be dealt with in the course of events.

David Burnside (South Antrim): Will the right hon. Gentleman give way?

Mr. Duncan Smith: I will give way in a second.

We note the renewed commitment of the Secretary of State for International Development to her position, but we remind her of its current significance to the Iraqi people and that her recent detachment and indecision have done them and the House a disservice.

We also accept that the prospect of further military action against Iraq causes widespread anxiety among Muslims throughout the Islamic world and in Britain. It is vital to recall that the majority of Saddam Hussein's victims have been Muslims; their number stretches to the appalling figure of more than 1 million. Two Muslim countries—Iran and Kuwait—were invaded by Saddam and Muslim countries bordering Iraq would not mourn his passing.

Mr. Gordon Prentice (Pendle): If the right hon. Gentleman is so concerned about sentiments in the Muslim world, is he in favour of enforcing the outstanding resolutions on Kashmir?

Mr. Duncan Smith: Decisions on Kashmir have little to do with what is happening in this case. We want all UN resolutions to be enforced, but these circumstances are particular and peculiar. They relate to the UN resolution under chapter VII, which shows that Iraq is a direct threat to the United Nations and all who inhabit the countries around it. That is the point. It is intriguing that the hon. Gentleman and others hang on to those other resolutions as though that justifies taking no action in this case. It is right to act and we should deal with this matter right now.

Mr. Mohammad Sarwar (Glasgow, Govan): Will the right hon. Gentleman take this opportunity to apologise to the Muslim world for supporting Saddam Hussein when he used chemical weapons against his people and killed 1 million Muslims?

Mr. Duncan Smith: I have never supported Saddam Hussein at any time when he has used any weapon, particularly not chemical weapons. What happened in Halabja was an outrage and should be condemned by everyone regardless of their views.

We remain committed to the right of Israel to exist behind secure and legally accepted borders, as the Prime Minister said, with binding guarantees of peace from its Arab neighbours, but hon. Members on both sides of the House are equally committed to the cessation of settlement activity and the establishment of a Palestinian state on the west bank. We are firmly of the view that Israel must withdraw from the occupied territories and believe that now is the time for the Government fully to embrace the process, as the Prime Minister laid it out.

There are welcome indications that the road map will be published soon, paving the way for a full and comprehensive settlement, and we realise that the Muslim world is looking to the implementation of that road map as a way forward that is coherent and consistent. It is imperative to all those committed to that road map now to prove their commitment to it during the months ahead, and I am assured that the Prime Minister will do just that.

The House knows that I have long held the view that Saddam Hussein is a threat to our national interest and that, if decisive action had been taken earlier, we would not now stand on the verge of war, but all that lies in the past, for we are entering the final phase of a 12-year history in relation to Iraq. The 17 resolutions passed since then have put Saddam Hussein under 27 separate obligations, and resolution 1441 gave him a final opportunity to meet those obligations or face the serious consequences named. More than 18 weeks have passed since he was given that final choice. More than 600 weeks have passed since he was given the first chance when the UN first entered Baghdad.

I acknowledge that other hon. Members oppose further military action and some have general doubts and concerns, but I genuinely urge them all to consider the consequences of turning back now. In turning back, we would widen splits in NATO, stir up isolationism in the United States and abandon our allies in Spain, Portugal, Italy, Australia and many countries in eastern Europe, where people know what it is like to live under tyranny and have supported the actions of the Prime Minister and others.

Above all, we would strip the UN of its authority, betray our own national interest and send an unmistakable signal to Saddam Hussein and every rogue state and terrorist group in the world that we lack the will to enforce just demands against those tyrannical regimes. That is the road that France would have us go down, and we must not take that road.

There are matters at stake that rise above party politics. It is the duty of the Government to act in the national interest, and it is the duty of the Opposition to support them when they do so. The Prime Minister is acting in the national interest today. That is why he is entitled to our support in doing the right thing. This is a critical moment for the House. If we vote to give Saddam yet another chance, the moment will pass, our concentration will falter, our energy and our focus will disperse and our nerve will fail, with disastrous consequences for us all.

We cannot funk this challenge and leave it for future generations. We cannot heap up the problems at their door and leave them to face the consequences. We must not deprive our troops of the support that they fully deserve from all quarters of the House. We must shoulder our responsibilities and seize that moment. If we give way now, our failure will be used as a club against us in years to come. We should stand firm, act and show that we have learned from past failures. For the sake of our security and that of the wider world, I urge the House to vote for the motion tonight.

Several hon. Members *rose—*

Mr. Speaker: Order. I will call a Back Bencher to move the amendment. I point out to the House that there is an eight-minute limit on Back-Bench speeches and that, on a day like this, it will not be appreciated if hon. Members approach the Chair—whether I or one of my Deputies is in the Chair—regarding when or whether they will speak. I call Peter Kilfoyle to move the amendment.

1.44 pm

Mr. Peter Kilfoyle (Liverpool, Walton): I beg to move, To leave out from "1441" in line 2, to "in" in line 21 and insert—

"believes that the case for war against Iraq has not yet been established, especially given the absence of specific United Nations authorisation; but, in the event that hostilities do commence, pledges its total support for the British forces engaged in the Middle East, expresses its admiration for their courage, skill and devotion to duty, and hopes that their tasks will be swiftly concluded with minimal casualties on all sides."

I hope to move the amendment without the rancour and personalisation that has sometimes characterised the debate on the fringes surrounding this issue because I agree with the Prime Minister when he says that this is one of those issues that come along once in a generation. Indeed, it is an issue that transcends many normal ties of party, friendship and even family because the outcomes of the decisions that will be taken here and elsewhere will be so tremendous. As the Prime Minister says, those decisions will set the tone for a very long time to come.

It would be remiss of me if I did not pick up a number of the points that the Prime Minister made in his speech if only to point out that he is rightly credited with being a man of conviction, but so are other right hon. and hon. Members, and with their convictions and their examination of the facts as opposed to the collection of assertions, value judgments and interpretations that seem to make up the Government's case, they seem to draw very different conclusions.

For example, the Prime Minister made much of events back in 1938. Of course, he said that he was not suggesting that anyone was an appeaser. The only person whom I have ever appeased in my life is Mrs. Kilfoyle—not very successfully, I hasten to add. The thing that struck me, of course, was that I do not recall that the League of Nations had inspectors in Germany dismantling the panzers in 1938, as we have inspectors dismantling the weapons in Iraq today.

The Prime Minister rightly made much of the dangers of terrorism, but does that not illustrate the idiocy of fighting the wrong war in the wrong place at the wrong time against the wrong enemy? We are having a 19th-century gunboat war in the Gulf when the real dangers of terrorism should be isolated and dealt with as the first priority. I accept the argument that those things run concurrently, but I do not accept the linkage that is often made. The Prime Minister said that the linkage is loose, but that it is hardening. He will have privileged information that we are not privy to, but nevertheless the one thing that I can guarantee will harden that linkage is the manifest failure to deal with the underlying causes that have given us the terrorism and the situation in Iraq in the first place.

I note the fact that the Government motion refers to the road map—a road map that was torpedoed within 24 hours by Prime Minister Sharon's insistence that he would not accept a Palestinian state.

Mr. Robert Jackson (Wantage): Will the hon. Gentleman give way?

Mr. Kilfoyle: No. I am sorry, but I have only eight minutes.

The fourth issue that struck me was the Prime Minister's comment that the US had a preoccupation after 9/11, which changed its world view. The US may have that preoccupation, but the Administration had set out their view long in advance of being an Administration. I refer the Prime Minister to the parliamentary record, which will show references to the letter written to President Clinton in 1998 by the Project for a New American Century in which it set out very clearly what its intentions were and urged President Clinton to mount an attack on Iraq.

Those of us who have put our names to the amendment have done so not with any sense of mischief making or because we do not recognise that those on the other side of the argument hold very sincere views, but because we are conscious of our interpretation of what

[Mr. Kilfoyle]

is said. My own interpretation is that this act would be illegal, immoral and illogical. The Government will tell us that the selected evidence from the Attorney-General that has been published has satisfied the Government and ought to satisfy the House, but I prefer to take the views of the many eminent jurists who have reached very different conclusions. And yes, I also accept the view set out by Kofi Annan that the international community needed a second resolution. I am satisfied that, without that second resolution, we are getting into extremely dangerous ground and setting extremely dangerous precedents.

It is immoral because in waging this war—we should think about what the term awe and shock implies—the United States is aiming to put in 10 times as many missiles and precision bombs in the first 48 hours as it committed in the whole of the last Gulf war. That is against a country that has been decimated year after year. Regardless of the rights and wrongs, the fact is that an already destroyed, effectively third-world country will be further damaged. It seems to me grossly immoral to talk about the reconstruction of damage that one has wilfully caused.

It is illogical because, as I intimated a moment ago, we are going after the wrong enemy at the wrong time and in the wrong way. I do not believe that Saddam Hussein has been anything other than contained. I do not believe any assertion that is made without the evidence being provided that there are linkages between him and al-Qaeda. I do not believe that he has had the wherewithal, or would have it, to be able to attack the United Kingdom directly. There has been an awful lot of scaremongering that does not add to the Government's case.

I am conscious that I am running out of time. I have mentioned once before in the House the advice that was given by Archidamus to his Spartan allies. He said that slow and cautious may be seen as wise and sensible. Many years later, the Athenian superpower, in its impatience, found out that he was absolutely right: impatience had imperilled it and led to its destruction. I say earnestly and honestly to the Government: their impatience will reap a whirlwind, which will affect us and ours for generations to come. I urge hon. Members to support the amendment.

1.51 pm

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Following the hon. Member for Liverpool, Walton (Mr. Kilfoyle), I acknowledge with thanks, through him, to the right hon. Member for Islington, South and Finsbury (Mr. Smith) and to all those concerned in all parties in this House, that an honest option has been discussed and agreed in a cross-party way. In the previous debate, the right hon. Gentleman made a powerful contribution to that cross-party basis, which needs to be heard and discussed rationally today.

Although it is sad that we have lost a very good Leader of the House, there is no doubt, having listened to his brilliant resignation statement in the House yesterday evening, that those of us who are supporting the cross-party amendment in the Lobby tonight, as I and my right hon. and hon. Friends will do, have gained a powerful additional advocate for the case that we are sincerely making. Given the events of the past few days and the last few hours, there has been much understandable comment about the drama of the situation. In the next few hours and days, however, we are liable to see even more drama and trauma when what appears to be the inevitable military conflict against Iraq begins. Let us hope, as we all agree, that the conflict can be conducted as swiftly as possible, with the minimum of casualties: first and foremost, clearly, among our forces, but equally among innocent Iraqi civilians, with whom none of us has ever had any quarrel and who have suffered terribly under the despicable regime of Saddam Hussein.

As for those of us who remain unpersuaded as to the case at this time for war, and who have questioned whether British forces should be sent into a war without a further UN mandate having been achieved, there stands no contradiction—as the former Leader of the House and former Foreign Secretary put succinctly last night—between giving voice to that legitimate anxiety and, at the same time, as and when exchange of fire commences, looking to the rest of the country, and to all of us in the House, to give full moral support to our forces. They do not take the civilian political decision in relation to what they are being asked to do, but they must carry out that task in all our names. The shadow Leader of the House expressed that well last night, but, equally, Church leaders, who earlier expressed profound opposition to war in this way at this time, are making the same point. If, later tonight, at the conclusion of this debate, under the democratic procedures that we enjoy in this House, that is to be the decision, it is important that the whole House unites in that genuine support.

Sir Patrick Cormack (South Staffordshire): Can I therefore take it that if the amendment is lost the right hon. Gentleman will vote for the substantive motion?

Mr. Kennedy: I thank the hon. Gentleman for his question, but the answer is no. I will not do so because our consistent line is that we do not believe that a case for war has been established under these procedures in the absence of a second UN Security Council resolution. That is our position—*[Interruption.]*

Mr. Speaker: Order. The hon. Member for Chesham and Amersham (Mrs. Gillan) should not make such a remark. She will withdraw it.

Mrs. Cheryl Gillan (Chesham and Amersham): I withdraw that remark.

Hon. Members: Let's hear it.

Mr. Speaker: Order. All the House has to know is that I heard the remark.

Mr. Kennedy: I will see you afterwards, Mr. Speaker—[HON. MEMBERS: " Oh."] I assure the House that a Glaswegian Speaker knows whether that is said as a threat or affectionately.

Mr. Duncan Smith: The right hon. Gentleman failed to answer my hon. Friend the Member for South

Staffordshire (Sir Patrick Cormack). Will he clear up an inconsistency? On the one hand, he said that he wanted to support the troops, while, on the other, he said that he would not support the main motion. He has a split in his party. The right hon. and learned Member for North-East Fife (Mr. Campbell) has said that

"legally, no new resolution is required for the use of force to implement resolution 687."—[*Official Report*, 24 September 2002; Vol. 390, c. 43.]

Lord Goodhart, however, has said that the existing resolutions on the Iraqi situation, particularly 1441, do not authorise armed intervention without a second resolution. Which position is that of the Liberal Democrats, and why do they travel across two separate positions?

Mr. Kennedy: First, my noble Friend Lord Goodhart spoke with great authority as an international lawyer in the House of Lords debate last night. My right hon. and learned Friend the Member for North-East Fife (Mr. Campbell) spoke on that issue in September, before resolution 1441 was passed, and 1441 has moved the position on. I want to return to the issue of legality in a moment.

The Leader of the Conservative party chose to open his contribution with one or two remarks about me and my hon. Friends, which is perfectly fair in this debate. In relation to consistency, however, let us remind ourselves about the position of the Conservative party, for instance, on weapons of mass destruction. After Saddam Hussein used such weapons in 1988, the Conservative Government continued to sell arms to Iraq. They provided him with anthrax and other chemical weapons, and they approved the construction of dual-use factories in Iraq. When it comes to humanitarian reasons—

Mr. Crispin Blunt (Reigate): On a point of order, Mr. Speaker. If the right hon. Gentleman is in the act of misleading the House, given that the Scott inquiry made it clear that the Conservative Government did not sell any chemical weapons to the Iraqi regime during the 1980s, how can one make him withdraw his remark?

Mr. Speaker: I can help the hon. Gentleman. These are matters for debate, and it may be that some hon. Member may be able to rebut the right hon. Gentleman's case.

Mr. Kennedy: Continuing—

Mr. Peter Lilley (Hitchin and Harpenden): Will the right hon. Gentleman give way?

Mr. Kennedy: No—

Hon. Members: Give way.

Mr. Speaker: Order. The right hon. Gentleman is not going to give way.

Mr. Kennedy: To be fair, I am in the process of replying to the right hon. Gentleman's party leader.

If Conservatives speak about the need for consistency on the international stage with respect to humanitarianism, as several have over many months, why did they not support the humanitarian intervention in Sierra Leone or the use of ground troops in Kosovo? Why did they veto 11 United Nations resolutions relating to apartheid South Africa when they were in government?

Mr. Lilley *rose—*

Hon. Members: Give way!

Mr. Speaker: Order.

Mr. Kennedy: We do not need moral lectures from the Conservative party—*[Interruption.]*

Mr. Speaker: Order. The right hon. Gentleman is entitled to be heard. Every other party leader has been listened to properly and he should get that courtesy too.

Mr. Kennedy: Thank you, Mr. Speaker.

My concluding remark to the leader of the Conservative party is that if I saw the names of three former Cabinet Ministers who served in the last Conservative Government listed in support of the amendment on the Order Paper, I might try to sort out my own party before I started lecturing other party leaders.

Mr. Lilley *rose—*

Hon. Members: Give way!

Mr. Kennedy: There are legitimate questions that need to be raised—

Mr. Andrew Mackay (Bracknell): On a point of order, Mr. Speaker. Is it in order for the leader of the Liberal Democrats not to give way to a right hon. Member who was Minister when the accusations were made?

Mr. Speaker: That is not a point of order. The right hon. Gentleman should know better.

Mr. Kennedy: I do not think that the Conservatives like the more extensive answer that their leader just received.

As the activity of our armed forces progresses, legitimate questions—

Mr. Lilley: Will the right hon. Gentleman give way?

Mr. Kennedy: No, I am not giving way—*[Interruption.]*

Mr. Speaker: Order. The right hon. Member for Hitchin and Harpenden (Mr. Lilley) is disrupting the speech. Take my word for it: the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) is not going to give way.

Mr. Kennedy: When it comes to the further engagement of our armed forces, it would be proper for hon. Members to raise legitimate questions, as many have in all parties, on the supply and suitability of

[Mr. Kennedy]

equipment, the eventual war aims, the participation of British forces and the bombs that might be used. It would be right to ask whether we would desist from resorting to cluster bombs or depleted uranium. It would also be right to ask about the longer term role that we hope British forces will play, if the war ensues, in the humanitarian and reconstruction roles on which they have such a distinguished track record. That is why we have supported the UN route, and it will be a source of great regret if the motion is passed because British troops will be put into action.

There are, however, two specific things on which the Government are right to expect and deserve significant credit over the course of the past six months. The first is that they were instrumental in persuading a reluctant United States to go down the UN route. Everything that I have been party to and privy to over the past six months persuades me that that is the case. The second is that the Prime Minister, the Foreign Secretary and other senior colleagues have been consistent in emphasising to the Americans and others the primary need to re-establish a meaningful middle east peace process.

Jim Knight (South Dorset): Will the right hon. Gentleman give way?

Mr. Kennedy: I shall just finish this point and then of course I shall give way.

Michael Fabricant (Lichfield): Oh! You will not give way to the person you accused. What a disgrace!

Mr. Speaker: Order. The hon. Gentleman must calm himself.

Mr. Kennedy: Thank you, Mr. Speaker.

What makes this week so sadly ironic is that the very moment when the Bush Administration at last embraced the fresh urgency over the middle east peace process was the very time when they chose to abandon the UN route. Let us face it, having taken the decision to abandon the UN route, the sudden embrace of the middle east peace process with refreshed urgency arouses the suspicion among many that the two are not unconnected and, perhaps, that if they are willing to do one, they may be willing to abandon the other or to go lukewarm at a later stage.

Jim Knight *rose—*

Mr. Robert Jackson (Wantage) *rose—*

Mr. Kennedy: I shall give way to the hon. Member for South Dorset (Jim Knight) first.

Jim Knight: I am most grateful to the right hon. Gentleman for giving way, although it is tempting to ask why he gives way to some hon. Members and not to others. He pays tribute—rightly, in my view—to the Prime Minister for engaging with the United States, but he also believes that it is right to release them into isolationism, which makes progress on the middle east settlement less likely. Why is that?

Mr. Kennedy: I do not accept that thesis, and I shall explain exactly why. It is best summed up by the words used by Kofi Annan over the past few days. In the absence of a further explicit United Nations resolution, which is obviously the position in which we find ourselves, he remarked last week:

> "The legitimacy and support for any such action will be seriously impaired. If the USA and others go outside the Council and take military action it will be not be in conformity with the Charter."

That raises very serious questions on which we should reflect. Only yesterday afternoon, the Secretary-General said:

> "If the action is to take place without the support of the Council, its legitimacy will be questioned"

and the international support will be diminished. We are right to reflect on those considerations.

Mr. Robert Jackson: The right hon. Gentleman has not answered the question asked by the hon. Member for South Dorset (Jim Knight). Having quite correctly praised the Prime Minister and the Government for the influence that they have exerted on the middle east peace process, will he please explain how his vote tonight will contribute to maximising British influence on that process?

Mr. Kennedy: I think that I have responded to that. It is best for the process to proceed through the auspices of the United Nations itself. If we undermine the legitimacy and authority of the United Nations, that cannot assist us in re-establishing the middle east peace process.

Although I have never been persuaded of a causal link between the Iraqi regime, al-Qaeda and 11 September, I believe that the impact of war in these circumstances is bound to weaken the international coalition against terrorism itself, and not least in the Muslim world. The big fear that many of us have is that the action will simply breed further generations of suicide bombers.

Mr. Mohammad Sarwar (Glasgow, Govan): Does the right hon. Gentleman agree that the reason for the failure of the United Nations and diplomacy is not the threat posed by the French, Germans, Russians, Chinese and the international community, but the American Administration of hawks and oil merchants who have no intention of finding—and no reason to find—a peaceful resolution to the crisis?

Mr. Kennedy: There is great anxiety in the country, especially about the more hawkish elements of the Bush Administration. If the people of this country were given the choice of whom they would prefer to vest their trust in, they would undoubtedly go for the present Secretary-General of the United Nations rather than the President of the United States.

Mr. Andrew Turner (Isle of Wight): Will the right hon. Gentleman give way?

Mr. Kennedy: No. I shall not give way now; I want to make progress.

Last night, the Foreign Secretary told the House that everyone knew what they were signing up to on resolution 1441. However, we should consider what the British and American ambassadors said when they secured that unanimity. The British ambassador said:

> "Let me be equally clear in response, as a co-sponsor with the USA of the text we have just adopted, there is no 'automaticity' in this resolution."

The American ambassador—his counterpart—said:

> "If there is a further Iraqi breach . . . the matter will return to the Council for discussions as required".

With China, France and Russia, as permanent members, not acknowledging that an automatic trigger has taken place, it is clear that people agreed to resolution 1441 on different bases. The historians will have to judge why that came about, but that is the position in which we find ourselves. To circumvent the continuing legitimate task of the weapons inspectors, who say, and who have been instructed unanimously in the name of the international community, our own countries included, that they should be given extra space, to cut that process short, will cause all the international disorder, tension and potential chaos that we are warning against and have been for quite some time.

Mr. Andrew Miller (Ellesmere Port and Neston): Will the right hon. Gentleman give way?

Mr. Kennedy: No, I am about to conclude.

Before launching an almighty assault upon Iraq, is it not better to pursue the course of disarmament on the ground in the presence of weapons inspectors? No matter how sophisticated modern technology, even compared with at the time of the last Gulf war, is it not more precise to have weapons dismantled in the presence of inspectors rather than so-called precision bombing trying to take them out?

There is huge public anxiety in Britain. That is the mark of a fundamentally decent society. All of us, whatever our views, whatever our parties, know that the kind of people contacting us are very different from many of those with whom we deal regularly. They are the kind of people who say, "I have never contacted a Member of Parliament before," or "I've never been politically active before." They are the kind of people who have never gone on a march or attended a vigil before. Another significant point is that, whether or not they agree with the Prime Minister, only a tiny fraction ever call into question his sincerity in this matter. I have never done so and I do not do so today. But much as they detest Saddam's brutality, they are not persuaded that the case for war has been adequately made at this point, they are worried about the new doctrine of regime change, they are wary of the Bush Administration's motives, and they do not like to see Britain separated from its natural international allies.

The cross-party amendment is the correct amendment. It is tabled at the correct time, and, if passed, would send the correct signal. It is on those grounds that the Liberal Democrats will vote for it tonight.

2.12 pm

Alan Howarth (Newport, East): Anyone who has studied the document "Unresolved Disarmament Issues" provided by Hans Blix and the inspectors to the United Nations on 6 March cannot be in any doubt that Saddam has weapons of mass destruction. It sets out the history of his deception and of his continuous and unrelenting attempts to build his arsenal. The requirement that must be placed upon him if he is to come into compliance is set out, as, glaringly, is the huge gulf between his compliance so far and what should be required. The document is scrupulous, sober and chilling. We cannot doubt that Saddam needs to disarm, but that he is failing to comply immediately, unconditionally and actively.

There is, of course, much disagreement about the tactics to bring him into compliance. The French, the Germans and the Russians have taken the view that a further series of inspections extending into the months ahead would be a satisfactory and plausible means to make the progress that is needed.

Lynne Jones: In that document, does not Hans Blix say:

> "While a precise description of the disarmament issue to be resolved is generally not too difficult, an exhaustive definition of the ways in which it may be solved is often hard."

He was asking for more time—months, not years, not days. Surely he understands his own document.

Alan Howarth: Hans Blix spells out the extraordinary complexity and difficulty of his task in 173 pages, and anyone who wants to make a judgment with any confidence needs to study that document. My hon. Friend has done so, as have I, and we disagree in our view of it.

Saddam has strung us along over many years and it is a sentimental view that says that a tyrant who has maintained his regime on the basis of violence is likely to capitulate to non-violent means. The position taken by France is unrealistic because we know for sure that Saddam Hussein is adept at spinning out the whole process, and he will never create a situation in which it will be possible for Hans Blix to come to the United Nations and say, "The process has failed; it has run into the sands." It was only on that basis that France said that it would be willing to contemplate war. It is also evasive because it is not fair or proper to require the inspectors—the officials, the technicians—to take the decision between peace and war. That decision has to be taken by politicians and in the Security Council.

Mr. Dominic Grieve (Beaconsfield): In that context, does the right hon. Gentleman agree that the suggestion made by the leader of the Liberal Democrats that the inspectors had already achieved much in the past six months, not some prospective achievement, is, on the basis of Mr. Blix's report, frankly laughable?

Alan Howarth: The progress is clearly demonstrated to have been minimal and Hans Blix signifies how much more progress would be needed. There is no reason to suppose that a perpetuation of the process that we have observed over the past six months will lead to the conclusion that is needed.

Mr. Robert Jackson: Is the right hon. Gentleman aware of any offer from France, Russia or China to

[Mr. Robert Jackson]

rotate its forces in the Gulf with the American and British forces in order to continue pressure on Saddam over the months and years ahead of further inspections?

Alan Howarth: The hon. Gentleman makes an excellent point. As my right hon. Friend the Prime Minister noted earlier in the debate, it is American and British forces that are there, not French forces or forces of other nationalities from the Security Council.

Those who raise doubts about the course of action that my right hon. Friend the Prime Minister has concluded is appropriate for us ask whether Saddam is truly a threat to us. I remind the House what was in the dossier published by the Government last October. It is not the dossier that was submitted for a PhD; it is the dossier based on the findings of the intelligence community. Among many other important findings, on page 27 we are advised that if Saddam were to be unchecked he would achieve nuclear capability in a period of not more than five years, and that were he to be supplied from the international black market with fissile material and other components that he would need for the programme it might be in as little time as one or two years.

Mr. Gordon Prentice: Will my right hon. Friend give way?

Alan Howarth: If my hon. Friend will allow me, I shall continue.

That is an extraordinarily dangerous situation and one upon which we need to act, and with urgency. I agree with the Government that the time that has elapsed since then has been ample to enable Saddam to demonstrate his compliance and it is simply too great a risk—

Mr. Prentice: Will my right hon. Friend give way on that point?

Alan Howarth: If my hon. Friend will allow me, I shall continue.

It is said that we are not seriously at threat from global terrorism; that there is not a link between Saddam and al-Qaeda. Certainly the Spanish and Czech authorities, as was significantly reported in *The Observer* at the weekend, believe that there have been operational links. The risk is too great to run, because Saddam must be tempted to recruit and equip terrorists from wherever he can find them. There may indeed be a coincidence of interests between al-Qaeda and Saddam's regime, notwithstanding the fact that they start from profoundly different ideological positions.

My right hon. Friend the Foreign Secretary noted to the House some time ago that Saddam was operating what he described as a permissive regime in Iraq in relation to al-Qaeda. Whatever the case may be about that, it will be compellingly tempting for him to equip home-grown terrorists—terrorists whom he can recruit. Saddam harboured Abu Nidal and offered rewards to suicide bombers in the middle east. He is a sponsor of terrorism and will see the opportunity that is available to him.

Objections to the Government's policy include assertions that in the past appalling mistakes were made—that the UK played some part in arming Saddam, that we failed to dispose of him in 1991, and that during the 1990s he was allowed to continue to build weapons of mass destruction. We may note that those errors were made, but they provide no justification for making further errors.

People cast doubt on the motives and character of those who urge that decisive action be taken now by asking who is on whose payroll, what old scores are being settled and what vanities are in play. I remind the House that the freedom of Europe has depended on the generosity of American intervention. It is arguable that if it were not for the Americans coming to our rescue, we would have fallen under Nazi or Stalinist rule. We should pay tribute to and be grateful for the courage of American military personnel then and now.

Mrs. Alice Mahon (Halifax): Will my right hon. Friend give way?

Alan Howarth: No, if my hon. Friend will forgive me.

North Korea might present a threat that is at least as urgent and serious as the threat presented by Iraq. Al-Qaeda and international terrorism are immensely serious threats. But that in no way invalidates the analysis that Iraq is a major threat to us.

People ask how it can be right to go to war to uphold a UN resolution by taking a course of action that risks destroying the UN. Equally, they say, NATO and the EU are damagingly split as a consequence of these events. However, it is arguable that the UN has not been the failure in every respect that some maintain it has been. In recent weeks and months, it has been the cockpit of international diplomacy, and, although it has failed to generate the international consensus that we all wanted so much, its existence provides the legal basis for the action that we need. I support the view of the legality of that action on which the Government base their claim.

Geopolitics has changed since 1945. We moved beyond the cold war, and we moved into a new period especially after 11 September. Now, we have to act with courage and realism in a world of nuclear powers, proliferation of weapons of mass destruction, failed states, genocide—*[Interruption.]*—and all the other dangers that now face us—

Madam Deputy Speaker (Sylvia Heal): Order. There is far too much conversation in the Chamber.

Alan Howarth: I am grateful to you, Madam Deputy Speaker.

In a world in which the only global superpower feels vulnerable, the development and advancement of a doctrine of pre-emption are inevitable. This action is self-defence, albeit not as traditionally defined in UN terms. We cannot wait until we are attacked.

2.23 pm

Mr. William Hague (Richmond, Yorks): I rise on this occasion to support the speech of the Prime Minister and my right hon. Friend the Leader of the Opposition, but in opening let me comment on the speech of the leader of the Liberal Democrats.

If the Iraqi army collapse under fire with the same speed, this will be a very short war—*[Laughter.]*—and I very much hope that it will be. The right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) asserted that if his view was defeated, the whole House must rally in unity, but he then informed my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack) that if the amendment was defeated he would refuse to vote for the Government's substantive motion. On the grounds that he was poleaxed by that intervention, he refused to take an intervention from my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), despite the normal convention of the House that one gives way to a Member to whom one has directly or indirectly referred. My right hon. Friend would have pointed out that he published all 90,000 export licences to Iraq during the period in question and that the only lethal weapons involved were two hunting rifles. I wish that the right hon. Gentleman had given my right hon. Friend the opportunity to do so.

There is a powerful moral case against war—there probably always is—but that was not the case put by the Liberal Democrats today. A more powerful case was put by the right hon. Member for Livingston (Mr. Cook), in what I thought was a powerful and impressive speech made in the House last night. It was an impressive resignation, for those of us who are students of resignations. On that subject, I am sorry to see that the Secretary of State for International Development is not here—I have never seen a more spectacular failure to resign than hers over the past 24 hours. Last week, after the right hon. Lady said that the Prime Minister was reckless, it was whispered in the corridors that he would take his revenge in due course. I believe that by persuading her to stay in the Cabinet even for this last 24 hours—*[Laughter.]*—he has now taken his revenge. Even setting aside any issue of honour and consistency, we should at this time have a Cabinet whose members are absolutely, 100 per cent. agreed on the course of action, especially all the Ministers involved in the course of action, which must surely involve the Department for International Development. We look forward to the Prime Minister continuing to take his revenge over the next few days.

The Prime Minister said that analogies with the 30s can be taken too far, and of course they can, yet in some of the opposition to the Government's stance there is a hint of appeasement. Last night, one hon. Member—I think it was a Liberal Democrat—said that we should not take this action because of the danger of terrorist or other retaliatory action against this country. There is a similarity to the phoney war in 1940, when the commanders in charge of the great guns of the Maginot line—we all know who was in charge—refused to fire those guns in case the Germans fired back. But of course the Germans were always going to fire back, and terrorist organisations that have the capability to hit this country will try in any event to hit this country. Our job is to deter them from doing so and remove their means of doing so.

The Prime Minister and the Leader of the Opposition stood on the right ground when advancing their policy today. Although there are moral arguments on either side, there are powerful moral arguments on the side of military action, as the hon. Member for Cynon Valley (Ann Clwyd) has so graphically demonstrated in recent days—perhaps she will have the chance to do so again in this debate, if she catches your eye, Madam Deputy Speaker. Furthermore, although there are legal arguments on either side, we are not morally obliged to take action—if we were, we would have to take action against many other countries—nor legally obliged to do so, nor legally prevented from doing so. We should take action because it is in the national interest. The Prime Minister was right to make that argument.

Our national interest is wide-ranging, given that ours is the fourth largest economy in the world, our trade extends across the world and our citizens may be found throughout the world. However, it is also part of our national interest to act in concert with the United States of America in matters of world peace and stability, and that is what the Government are seeking to do. Every serious attempt to advance peace in the middle east has been advanced under the auspices of the United States of America. Every successful attempt to clean up the Balkans has been undertaken only with the support of the United States of America. Those who will not venture out when a criminal is coming down the street should not complain when someone acts as the policeman. The reason why the USA takes on so many responsibilities in the world is that others shirk those responsibilities, as they have done in the Security Council in the past few weeks.

Mr. Jon Owen Jones: Is the right hon. Gentleman's point that the United States is inevitably correct in every action it takes? Does he think that the then UK Government should have supported America in its invasion of Grenada, and that the then Labour Government should have supported the American action in Vietnam?

Mr. Hague: No, I do not think that we should have supported the invasion of Grenada. The hon. Gentleman will remember the sharp differences between the Prime Minister, Lady Thatcher, and the US Administration. That shows that it is possible to have a firm alliance with the United States while differing with it from time to time. That is exactly the policy of the Government. Of course, there will be differences from time to time, but when major issues of the stability of the world and the future conduct of world diplomacy are at issue, it will generally be in the interests of the United Kingdom to act in concert with the United States of America.

We should remember that whenever we really need help, we turn to the United States of America, and Europe turns to the United States. Without America, France would have lived under dictatorship for decades. Without America, the Germans would not have rescued themselves from a racist ideology. Without America, Europe would have exchanged Nazi tyranny for communist tyranny in the 1940s. We turned to America, and our alliance with the United States is a fundamental attribute of the foreign policy of this nation when it is correctly conducted. For all our many differences with the Prime Minister, I believe that he has understood that from the beginning.

Lembit Öpik (Montgomeryshire): Does the right hon. Gentleman accept that those of us who now differ with American policy do so because terrorism is fuelled not

[Lembit Öpik]

by resources and equipment, but by motivation? We feel that the motivation for terrorism has been provided by the very act of attack.

Mr. Hague: Relieved of my responsibilities of a while ago, I have been lucky enough to travel a great deal in the past year. I have travelled to Saudi Arabia, Kuwait, Bahrain and the United Arab Emirates, and I have spoken to many people. I can tell the hon. Gentleman that they do not care what happens to Saddam Hussein. They have no time for Saddam Hussein. They care passionately about Palestine and Israel, which is why it is so important that the so-called road map is put forward. They will not shed a single tear for Saddam Hussein, because they know many of the things that have been done to the people of Iraq under the rule of Saddam Hussein. So if the hon. Gentleman believes that it is a recruiting sergeant for terrorism to rid the world of that despotic dictatorship, he is making a serious mistake. We would be setting a new standard of deterrence—a new type of deterrence, which is necessary in a changed world.

We all grew up in the cold war. We are familiar with the cold war and the balance of terror, when it was always necessary to be ready for action, but always necessary to take minimal action so as not to disturb the balance of power in the world. But now the world has changed. Now there is no balance of power and the dangers to world peace are not from all-out nuclear confrontation between superpowers, but from the development of new weapons by rogue states and terrorist organisations.

Deterrence therefore takes on a new character. It is not a matter of being ready for action. It is occasionally and it will occasionally be necessary to take action to make sure that those who aspire to be rogue states or sponsors of terrorism know what happens and know how the western alliance responds to such a threat. That is why it is so important in this case to take action and to set the standard for the future. Those who say that action is not necessary now must remember that we have passed so many deadlines, so many ultimatums, that not to take action now is to reduce the credibility of any action being taken. The time has come for a decision. The Prime Minister has put before the House the right decision. He deserves the support of hon. Members in all parts of the House.

2.33 pm

David Winnick (Walsall, North): I regret that my right hon. Friend the Member for Livingston (Mr. Cook) has resigned. I considered him a very good Foreign Secretary and an excellent Leader of the House, and it is regrettable that he has resigned. Although I understand the reasons, I disagree with them. We shall miss him in government.

While I am on the subject of resignations, I regret the fact that my right hon. Friend the Member for Southampton, Itchen (Mr. Denham) has also decided to resign, but I am glad that my right hon. Friend the Secretary of State for International Development will be staying on.

The present situation reminds me of the time after Kuwait was invaded in August 1990. The United Nations Security Council gave the regime four months to leave Kuwait. Saddam Hussein refused to do so. There are those present today who opposed the liberation of Kuwait, as they had every right to do, and who oppose the motion today. That does not include all the critics, by any means. Quite a number took a different line, if they were in the House, but some, including the Father of the House, argued strongly that we should not take military action to liberate Kuwait. What would have been the position had we not done so? Saddam Hussein would have been strengthened and would have realised that he could commit aggression with no response whatever.

Some of today's critics were no less opposed to action that was taken over Kosovo and Afghanistan. They argued—as I said, they had every right to do so—that we should not take such action. When we are accused of being anti-Muslim, when that vile accusation is directed at us, I would ask the House: why did we go into Kosovo? Was it to help the Christians, the Jews, the Sikhs, or the Hindus? The only reason that we intervened in Kosovo was to help the ethnic Albanians, who happen, as we all know, to be Muslims. That was the only reason and the only justification.

The way to demonstrate again our commitment in respect of the position of Muslims is for the international community, and not least the United States, to bring about a settlement in the middle east. I make no apology for the fact that I have supported the state of Israel from the very beginning, and for all the obvious reasons—what happened to Jews, not only in the holocaust but over 2,000 years—but I support an Israel within the 1967 borders. If the Jews are justified in having a state for all the reasons that I have just explained, the Palestinians are also justified in having a state of their own—not a sort of statelet, but a sovereign state, no less sovereign than Israel itself. I hope that my right hon. Friend the Prime Minister will make sure that the United States pursues that policy in practice, and does not just say certain words at this particular time.

Mr. Dalyell: My hon. Friend rebukes me for Afghanistan. Were we so wrong to have doubts? Was not the object to apprehend Osama bin Laden? That has not happened. The production of opium, which three years ago was 185 tonnes, is now 2,700 tonnes. When my hon. Friends visit Kabul, apparently they are not allowed out of the city because of the dangers of the warlords. Is that success?

David Winnick: My hon. Friend has demonstrated again that he was wrong, as he has been on virtually every military intervention, from the Falklands to Afghanistan. The Taliban, who gave room to the terrorists, were defeated, and in my view the action taken was right. I am sorry that my hon. Friend disagrees.

As I said in an intervention on my right hon. Friend the Prime Minister, the Security Council has been at fault. It should have been far tougher over the past 12 years. We have reached the present position because some Security Council members took the view that after Kuwait there should be a less tough response to Saddam Hussein, and he has played around. Such a tyrant has exploited every disunity, as he is doing now, on the eve of military action, for his own advantage. It is unfortunate that no tougher action was taken.

In previous debates, I listened to some of my hon. Friends criticising the United States. As I want my own Government to be more radical, I am hardly likely to be a fan of the United States President, but when I listened to some of that criticism made by hon. Members who said not a single word of criticism about the murderous tyrant in Baghdad, I thought that there was a lack of logic somewhere along the line. Surely our criticism should first and foremost be directed at the dictator.

I have always taken the view that if war can be avoided, it should be avoided, because of the casualties. It is no use those of us who support the Government line kidding ourselves. Innocent people will be killed. In the next few weeks, men, women and children—people who should never be killed—will be put to death, but we know that that is the result of war and military intervention. Unlike the critics, I believe that if Saddam is destroyed, it will be a significant victory not only for the international community, but first and foremost for the people of Iraq.

We have been told that there are many dictators in this world. Unfortunately, that is so and I wish it were otherwise, but I do not understand the logic of those who say, "There are many dictators, so why pick on this one?" If, as a result of the regime's refusal to get rid of weapons of mass destruction, one of the most murderous tyrannies is destroyed, surely that is a positive gain. Surely the fact that we cannot take on every dictator or many other dictators is not a reason or justification for not seeing the end of the regime in Iraq. Of course, not a single critic has, on other occasions or today, given any indication of how Saddam Hussein could be got rid of except by military action. No one here today will argue that it is up to the people of Iraq. How can it be? It is only by military action that this tyranny can be destroyed.

I make no apology for saying that the international community as such has on many occasions turned a blind eye to tyrannies. However, I was very pleased in 1979, for example, when Tanzania liberated Uganda from the Amin regime. Was that wrong? When Pol Pot was destroyed by Vietnam, also in 1979, was that wrong? Would anyone here argue along different lines?

In conclusion, I want simply to say that this crisis has been brought about not by the British or American Governments, but by the murderous dictator in Baghdad. If military action is taken, as we all know it will be, I wish the British and allied troops every possible success. I do not believe that we can be neutral in judging between a murderous tyranny and the democracies that will be engaged in fighting it. I believe that right is on our side and that the overwhelming majority of people in Iraq will take the view that the allied armies are liberators, as they will be getting rid of a tyrant that those people themselves cannot get rid of.

For all those reasons, I shall take much pride tonight in voting for the Government motion.

2.42 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): Last night, this House heard a speech of very great distinction from the right hon. Member for Livingston (Mr. Cook). What he said was dignified and of great quality, and the fact and manner of his resignation did honour to him and, in a small way, did credit to this beleaguered profession of politics. May I also say to the right hon. Member for Southampton, Itchen (Mr. Denham), who I believe has resigned, that his decision, too, is an extremely honourable one?

The Speaker has been extremely generous to me in previous debates and I know that I have had the opportunity to express my views in some detail on a number of occasions. I shall therefore confine myself today to making but three points. First, so far as the British forces are concerned, war is not inevitable. That may not be true of the United States forces, but it is true of the British ones, for this reason: the Government, very much to their credit, have tabled a motion before the deployment of forces into conflict. The House therefore has a choice. If we accept the amendment and reject the Government motion, British forces will not be deployed into action. That is a choice for each and every one of us to make. So as far as British forces are concerned, war is not inevitable. We have to decide that.

Secondly, in the course of this debate and on previous occasions, a great deal of criticism has been made of the Governments of France and Germany, and of Russia and China to a lesser degree. Of course it is true that when nations vote on policy, they bring into account their own national interests—I have no doubt that national interests were involved—but it should have surprised nobody that we did not secure a consensus in the Security Council. If we are honest with ourselves, we do not have a consensus in the House or in this country. In all probability, there is not support for war. Why? Because the case for war is not overwhelming.

I do not speak of the legalities. I have read what the Attorney-General said about that matter and I do not feel competent to express a view as to whether he is right or wrong, but I am competent to say this: many distinguished lawyers—as distinguished as the Attorney-General—will take a contrary view. In any event, if I am honest, I do not think that the legalities go to the root of the matter. The real question is whether it is right—right expressed in moral terms. Here I have to say that I think that the answer is no, because I do not think that any of the usual characteristics of a just war have been satisfied. If we were dealing with a situation in which Iraq had attacked another country or had mustered troops on the frontiers of another country, or if there were compelling evidence that Iraq was delivering to terrorists weapons of mass destruction with which they could attack another country, I would vote for war, but none of those circumstances exists.

Mike Gapes: What would the right hon. and learned Gentleman say to the Iraqi Kurds who are suffering under the repression of Saddam and being expelled from Kirkuk at this moment? Would he merely say, "Tough—you are going to have to suffer another 12 or 35 years of it"?

Mr. Hogg: No; I would not express myself in that way. We are talking about the morality of war, and I do not believe that what is going on in Iraq is a sufficient moral basis for war.

Mr. Stuart Bell (Middlesbrough): As a fellow lawyer, I am grateful to the right hon. and learned Gentleman for giving way. Can he really suggest that Saddam is not attacking his own people when 2 million have died in

[Mr. Stuart Bell]

tyranny, 7,000 have been gassed, 180,000 men, women and children in Kurdistan have been forcibly removed and the whereabouts of 650 Kuwaiti civilians is still unknown? Is that not an attack on a people?

Mr. Hogg: I was talking about the international risk that Saddam Hussein poses and saying that the normal tests for war have not been satisfied in this case.

That brings me to my last point. I accept that there is a terrible dilemma. Incidentally, it has not come about as the result of policy decisions in the past two or three weeks, but stems from the policy decision made in the latter part of last year, when the United States and United Kingdom Governments decided further to disarm Iraq using force if necessary. I regard that as a critical mistake, because the policies of containment and deterrence had worked from 1991 to 2002 and would have continued to do so. That was the critical mistake.

Now we stand in the dilemma. The Prime Minister has identified it and so has my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith): if we go to war, we affront the principles of morality to which I referred and the principles of legality, which I think are in doubt; if we do not go to war, it is true that the authority of the United Nations will have been defied and the credibility of the United States and, to a lesser extent, ourselves will be at risk.

So what is the way forward? How do hon. Members and reasonably minded people decide that dilemma? I can only offer my explanation. The right hon. Member for Livingston spoke yesterday of the consequences. If we go to war, the probability is that thousands and maybe tens of thousands of people will be killed or injured on all sides. That seems to me the principal question with which we should concern ourselves. I cannot find a sufficient moral case for condemning thousands or tens and thousands of people to death and injury. For that reason, because I think that war lacks a moral basis, I shall vote for the amendment and against the Government's motion.

2.49 pm

Mr. John Denham (Southampton, Itchen): With regret, I resigned from the Government this morning. It has been an honour and a privilege to serve the Government and the Prime Minister since 1997. Although some have at times questioned the Government's direction, I say with all honesty that not a day has passed when I have felt that I could not make some difference on the very issues that brought me into the Labour party 27 years ago. I shall certainly miss being part of the Government.

The events of 9/11 must have brought home to us all the fact that we have created a world of great danger and great insecurity. That action must be taken, that we must tackle the sources and causes of insecurity, is not in doubt. But it is not simply a question of whether we take action; how we take action is also important. The reason for that is simple. If we act in the wrong way, we will create more of the problems that we aim to tackle. For every cause of insecurity with which we try to deal, we shall create a new one.

I am not a pacifist. I am not against armed intervention. In 1992, I was one of the Labour Members of Parliament who called for much earlier intervention in Bosnia. I shall never forget the surprised and bemused expression on John Smith's face when some 20 newly elected Labour Members of Parliament went to see him to demand Labour support for a foreign war. I believe that we should have supported it, and that, had we done so, Balkan history might be different. I supported our action in Kosovo, Sierra Leone and Afghanistan.

After 9/11, however, it should have been clear that the scale and nature of the threats to global security required the world community to come together on an unprecedented scale, not only to defeat terrorism, but to tackle the conflicts that give rise to it and other threats. For a time, not least thanks to our Prime Minister, such coming together seemed possible. Today, the prospect is severely damaged, if not in disarray. That has happened not simply or primarily because of one country across the channel, unprincipled and disastrously unilateral in its way though France has been. It has happened because those who wish to take action now, and in the way in which we are considering, have failed to persuade others and thus create international consensus on the need to do so.

The question for me has never been one of narrow legality. I was in the Home Office long enough to know that lawyers are the last thing one needs when things are difficult. It is a question not of one or two votes either way in the Security Council, but of whether we can put our hands on our hearts and say that the majority of those who should support us do so. I do not believe that they do.

I do not blame the Prime Minister for that. No one could have worked harder to forge consensus. His achievements are real, not least in persuading the US Administration to take the United Nations route. However, our Prime Minister has been ill served by those whom he sought to influence. The US Administration appear at times to delight in stressing their disdain for international opinion and in asserting their right to determine not only the target but the means and the timetable, their gratuitous actions apparently designed to make a common voice impossible, not least here in Europe. That has made the international coming together that we need impossible to achieve.

In future, people will ask how one nation could have thrown away the world's sympathy in such a way. Does anyone doubt that a nation of such power, influence and, in many ways, such genuine authority could have built the support that we needed if it believed that necessary? I am not indulging in anti-Americanism, but simply recognising that unilateralism on such a scale, no matter how legitimate the target, brings danger.

The action against Iraq is, I believe, pre-emptive, and therefore demands even greater international support and consensus than other sorts of intervention. We do not have it. Such isolation entails a genuine cost and danger. It undermines the legitimacy that we must maintain to tackle the many threats to global security. It fuels the movements that are antipathetic to our values and way of life, and the view, which is probably the reality, that in an interdependent world, one nation reserves the right to determine which of the world's problems should be tackled, when, where and in what way.

Mr. David Tredinnick (Bosworth): Will the right hon. Gentleman give way?

Mr. Denham: I shall not give way. I have never made a resignation speech before, and I should like to get to the end of it.

The right hon. Member for Richmond, Yorks (Mr. Hague) set out a powerful case for support for a United States that acts in the manner I described. If I believed that that would work, I could swallow my qualms and sign up for that with the right hon. Gentleman. But I do not. I believe that the reaction to such a method of working will be as dangerous as the problems that we are trying to solve. It will turn many parts of the world against us, undermine friendly Governments, fuel terrorism and those who will join it in the future, and make it more difficult to sustain international action against common problems.

If the motion were on the honesty, integrity, commitment and sheer courage of our Prime Minister, I would not hesitate to support it. However, we are voting not for that but for the words on the Order Paper and the consequences that will follow in the weeks, months and years ahead. I cannot support it.

My final point is a difficult one. I, too, have constituents who are in our armed forces in the Gulf, and their families at home. The failures of Governments and of the international community are not their failings. Although I clearly do not believe that we should commit our troops to action now, they should not feel that they are on the wrong side, that the enemy they face is not evil or that the world would not be a better place without Saddam Hussein.

If the vote of the House commits our troops to fight, we must stand with them. We may have failed them; I doubt whether they will fail us.

2.57 pm

Sir Nicholas Winterton (Macclesfield): I am pleased to follow the right hon. Member for Southampton, Itchen (Mr. Denham). I congratulate him on the quiet and dignified way in which he made his resignation speech and personal statement. He will be remembered for the principle that he has established and I honour him for that.

At a time of crisis, the House often rises to the occasion. That happened last night when the right hon. Member for Livingston (Mr. Cook), who was Leader of the House, made his personal statement and resignation speech. He made a powerful case for his decision. He was a distinguished Minister, not only as Foreign Secretary but as Leader of the House. I admired his commitment in both high offices. I tried to work with him in a small way in his capacity as Chairman of the Modernisation Committee. He has made changes that have benefited the House. He is one of the most entertaining and articulate speakers in the House, and we shall miss him.

Today, the Prime Minister made a brilliant, articulate and powerful case for the motion. I hope that his speech will receive wide publicity. The overwhelming majority of people in this country, many of whom are worried about the Government's intentions, will be persuaded by the transparent and powerful way in which he presented the argument on behalf of the Government. My right hon. Friend the Leader of the Opposition fully supported the position in a speech that took up many of the Prime Minister's points.

I will be supporting the Government in the Lobby tonight. I have no disagreement with any part of the lengthy but substantive motion that they have tabled. I am not in favour of war. In fact, I am positively opposed to it. War is brutal, cruel and indiscriminate. Innocent people will undoubtedly die in any conflict that takes place, but there are occasions on which war is inevitable if the civilised world is to defend its civilisation against a despotic tyrant such as Saddam Hussein.

Like a number of other hon. Members, I have served in Her Majesty's forces—not as a regular officer but as a national service officer—and I understand the way in which our armed services live, and their loyalty and team spirit. Like everyone else who has spoken, I express the hope that this will be a short war and that the minimum casualties will be incurred, not only in our armed services but among civilians as well. Members of my own family have served in wars, in north Africa and Burma, at Dunkirk, in Normandy and, more recently, in the Korean war. So, to those who say that people like me who agree with the Government do not know what we are doing, I would say that we do know. Likewise, I honour and respect the position that has been expressed by the right hon. Members for Livingston and for Southampton, Itchen.

David Burnside: My hon. Friend mentioned the great service provided by the members of our armed forces who are ready to serve and to fight. Does he share the concern of my constituents who are related to servicemen and servicewomen in the middle east, who are not at all happy with the standard of equipment and supplies being provided to them? We have a Defence Minister on the Front Bench today, and we need more assurances and more support for our servicemen and servicewomen.

Sir Nicholas Winterton: May I say to the hon. Gentleman, for whom I have the very highest regard, as well as respect for the stand that he takes on matters relating to Northern Ireland, that this is not a matter that I would wish to comment on at this time? We want to ensure that the men and women among the troops of Her Majesty's forces have the best possible equipment available. I know, from my own contact with members of the armed services who are currently in Kuwait, that they are ready to go and that they believe that they have the equipment and the support to enable them to do an excellent job.

The history that was so accurately sketched by the Prime Minister is right. We have had 17 resolutions since April 1991. The first, resolution 687, required Iraq to

"make a declaration within 15 days of the location and amounts"

of its weapons of mass destruction. It is now 4,380-plus days since that resolution, and we are a further 16 resolutions on. Saddam Hussein has made a mockery of the United Nations. If we are to take the United Nations

[Sir Nicholas Winterton]

seriously, and if it is to be an instrument for peace and stability in the world, its resolutions must be implemented and enforced. I congratulate the Government, the Prime Minister, the Foreign Secretary and the Secretary of State for Defence on what they are doing, not only in the national interest but in the international interest.

I would like to raise one issue that might be controversial. I am saddened by what I perceive to be the anti-American views that are being expressed. As someone who will shortly reach his 65th birthday, I believe that the world as a whole owes an immense debt to the United States for what it has done over more than 50 years for peace and stability in the world, and for the humanitarian aid that it has advanced. It has been wrong on occasions, but, my goodness, haven't we all? Overall, I believe that the benefit that the United States and its successive Administrations have brought to the world have been immense, and they should be very proud of that.

I am delighted that the Foreign Secretary and the Prime Minister have highlighted the importance of achieving peace in the middle east, if at all possible. The road map is absolutely right. It is important that the state of Israel, within its 1967 boundaries, should be guaranteed by the international community, but it is also essential that the Palestinian people, who have suffered so greatly, should be given a meaningful, consolidated state. That would lead to stability in the middle east. If we remove Saddam Hussein in the next few days, as I hope will be the case, the chance of bringing peace to the region will be that much greater.

I have sent a petition to the Prime Minister carrying about 700 signatures from my Macclesfield constituents expressing their concern and their opposition to the war. I say to them, "On this issue, put your trust in the Prime Minister. I fervently believe, as your Member of Parliament, that he is right." We will get it right; we will bring peace to the middle east, and we will restore the credibility of the United Nations.

3.6 pm

Mr. Bruce George (Walsall, South): This is the moment that we have all been dreading—the moment at which we have, individually and collectively, to decide on which side of the line in the sand we choose to stand. War is hell, as an American civil war general once said, but, for the Iraqis, the Iraqi Kurds, the Marsh Arabs, the Kuwaitis or the Iranians who have been the victims of Saddam Hussein, the so-called peace can be hellish, too. Any agonies of conscience that I had have been resolved, and I shall vote with the Prime Minister and the official Opposition this evening on many grounds. That is not to say that I do not have uncertainties and difficulties with the problems facing our armed forces, or with the consequences of our action. Of course I do. I shall certainly not argue that no mistakes have been made by the Americans or the British—little mistakes or bigger mistakes. Perhaps the biggest mistake was to misjudge France, Russia and, possibly, the Turkish Parliament. The biggest misjudgment of all, however, was surely Saddam's, when he desperately hoped that the cavalry—or should I say the French cuirassiers, the German uhlans, hussars, lancers and dragoons, and the Russian imperial Cossacks—would ride to his assistance. It remains to be seen whether 'Smith's Fencibles'—or indefensibles—will succeed where they have failed, later this evening.

I believe that the strategy of the United States and the United Kingdom of combining military and diplomatic pressure could have worked, had it been backed up by the support of the United Nations. The combination would surely have been irresistible for Saddam Hussein, and he and his sons would have jumped on their camels and ridden off into the great unknown—probably somewhere in central Asia or even an expensive flat on the Champs Elysées. That never happened, however. It could have happened, and those who made it not happen must surely have a great deal on their conscience.

President Bush—incidentally, I am not standing for election as chair of the Walsall chapter of his fan club—has gone down the diplomatic route for a long time, and his speech last night showed that he is still prepared to do that, by giving Saddam Hussein one final chance. I support the Government because the Attorney-General said yesterday that there was a legal basis for the war. To those who have argued that UNMOVIC needed more time I say this: the inspectors' work restarted in the spring of last year; the inspections recommenced on 27 November, and Dr. Blix told the Defence Committee three weeks ago—I refer to the notes that I and the Committee Clerk took at the meeting—that:

> "The provisions of resolution 1284 could be fulfilled within a year if Iraq chose to co-operate".

A year! I do not think that that time is available. He went on to say

> "Without co-operation, the inspectors' task is endless."

Surely what the Prime Minister said today was that the task of the inspectors and also the waiting period would be endless, and that that time had run out.

I doubt that the United States and the United Kingdom would wish their troops to endure the wait for any longer than necessary for the purpose of expecting Saddam Hussein to co-operate. He will duck and dive, and use anything to thwart the United Nations. Any enthusiasm that remained after 12 months of waiting would surely be dissipated.

We keep being told that the United States and the United Kingdom stand alone. In a letter in today's *Guardian*, a lady wrote that perhaps only Spain and Portugal remained holiday venues for the Blairs. It should be said that Australia, the Netherlands, Denmark and almost all of eastern and central Europe support the Prime Minister, and provide wonderful holiday destinations. We could add North Korea, Japan, most of the Gulf—*[Interruption.]*

Mr. Paul Keetch (Hereford): North Korea?

Mr. George: South Korea. That is the first thing on which I have agreed with the Liberal Democrats today. South Korea is a possible destination, because of the fear of North Korea, as is Japan, north and south. The cities of Bokhara and Samarkand in Uzbekistan are also available. Many countries are prepared to support the United States and the United Kingdom.

Mr. Malcolm Savidge (Aberdeen, North): In which of the countries whose Governments support the action do the majority of the population support it, according to opinion polls?

Mr. George: Those who want to judge the results of opinion polls—which, up to now, have clearly shown opposition to the Prime Minister—should wait for the results of polls the day after war starts. The hon. Gentleman may have a rather different perspective then; indeed, I am sure that he will.

On Sunday, at a shop just down the road in my constituency, I met a close neighbour who told me that her son—whom I have known since he was seven—was in the Gulf. Afterwards, I wondered how I could have looked her in the eye and said, "It is true that your son is risking his life, but I want him to know that his cause is unjust, illegal and immoral, and that he may well be dragged before an international court". I could certainly not have done that.

Those who cannot commit themselves to supporting the Prime Minister's case may be persuaded by the argument used before that a military personnel in peril would need our support. A politically incorrect poet wrote this of the British Tommy:

> "But it's 'Saviour of 'is country' when the guns begin to shoot."

I suspect that when the guns begin to shoot, not just the Liberal Democrats but most people will be prepared to give their support. Similarly, I was opposed to any British involvement in the Falklands, but when all diplomatic initiatives failed I was prepared to support the Government of this country.

Bob Russell (Colchester): What, then, is the right hon. Gentleman's problem?

Mr. George: Listening to inane interventions by people like the hon. Gentleman.

I endured the 1970s and the 1980s, when disunity in my party was the norm. I supported Wilson, Callaghan, even Michael Foot, Kinnock and Smith in the Lobbies. I do not think I am prepared to dump the Prime Minister at this moment of crisis.

3.15 pm

Mr. Andrew Mackay (Bracknell): I agree with the right hon. Member for Walsall, South (Mr. George) to the extent that this is, indeed, a momentous debate. I entered Parliament 26 years ago this month, and I cannot remember a more serious debate or a time when the vote was more important.

This is also a very close call for many Members. Those of us who remember the Gulf war—I do, vividly, because I was Tom King's Parliamentary Private Secretary when he was Secretary of State for Defence—and those of us who were out of the House, "resting", during the Falklands war but watching very closely found the necessary decision very easy: a sovereign state had been invaded, and it was essential that we go to its rescue.

More recently, I found it sensible and easy to support the Prime Minister in Kosovo and Sierra Leone. It was clear that a British intervention would be in the interests of peacekeeping, and in the interests of restoring democracy to those countries. Only 18 months ago, an overwhelming majority of us strongly supported the allies' going into Afghanistan. I am sure it was the right decision to remove the Taliban regime, and to try and restore some order to that troubled country.

Mr. Andrew Lansley (South Cambridgeshire): The right hon. Gentleman recalls the Gulf war of 1991. Does he also recall that although Kuwait and its allies—among whom we were numbered—had an inherent right to self-defence and required no additional authorisation from the United Nations, the United States and the United Kingdom then sought and received specific authorisation from the UN in resolution 678?

Mr. Mackay: I shall come to that in a moment, but on that occasion we were not thwarted by a French veto.

On 16 April, I said this to the Minister:

> "But what has happened in the past two, three, six or nine months that requires military intervention to be considered that had not happened before? We are not told what weapons of mass destruction he has now that he did not have then."—[*Official Report*, 16 April 2002; Vol. 383, c. 506.]

I had great doubts, which is why, like most of my constituents, I was delighted when, along with our American allies, we took the UN route with resolution 1441, while also strongly supporting the return of the weapons inspectors.

I think I speak for everyone in the House when I say we all hoped that through UN resolutions, through diplomacy and through the work of the weapons inspectors the crisis might be ended. Sadly, that has not happened. During that period my constituents, whose concerns I share, took the critical view that both the Prime Minister and the American President were not making a proper case for war. They were not helped by the unfortunate "dodgy dossier", which I think caused huge harm to the credibility of the Government's case. They were not helped by the suggestions of the American Administration, and at times our own Ministers, that for some time there have been direct and close links between the Saddam Hussein regime and al-Qaeda terrorists. That was clearly not true. There is never any point in exaggerating one's case, because one will not be believed.

I listened carefully to what I thought was one of the Prime Minister's outstanding speeches. I was convinced and satisfied that the case had now been made. I agree with my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton), who expressed the hope that the full text of the speech would be given the widest circulation among the British public. I am confident that if it is, there will be a majority in favour of military action later this week.

It was also absolutely right for us and our American allies to send huge numbers of troops to the Gulf. I believe that only by that means—along with resolution 1441 and the presence of the weapons inspectors—could pressure be put on Saddam Hussein. At that point, however—here I return to the intervention from my hon. Friend the Member for South Cambridgeshire

[Mr. Mackay]

(Mr. Lansley)—we were sadly let down by our French colleagues: our French allies. I believe that their behaviour has been nothing short of disgraceful.

I am satisfied that many hon. Members—such as the Father of the House, the hon. Member for Halifax (Mrs. Mahon) and others—believe completely and honesty that it is wrong to go to war. However, I do not accept that President Chirac and his Government believe in the same way. They are acting for entirely false reasons.

Sir Nicholas Winterton: Selfish reasons.

Mr. Mackay: Their reasons are very selfish. They are acting for commercial gain, and for wider international and political gains. I shall take no lessons from a French President who breaks sanctions and invites the murderous Mugabe to Paris. I shall take no lessons from a French President and his defence Minister who threatened EU applicant states for merely supporting us and the Americans, and for signing a letter of support.

The behaviour of the French has been disgraceful. It ill befits a close ally and friend. I feel sorry for the French people today. I regret that the President was re-elected last year. I believe that he has done great harm to the international community.

In conclusion, every hon. Member faces a simple choice tonight. We must decide which course of action is more likely to bring peace and stability to the world and, in the short, medium and long term, ensure that fewer innocent lives, whether civilian or military, are lost.

I passionately believe that the whole international community would suffer if we and our American allies withdrew our troops from the Iraqi border without Saddam Hussein having complied with the UN resolutions that he has flouted. Every terrorist and tin-pot dictator around the world would be given a green light. The harm and damage that that would do, to us and to future generations, is incalculable. That is why I have reached the conclusion that the right thing to do tonight is to oppose the amendment and support the Government motion.

3.23 pm

Joyce Quin (Gateshead, East and Washington, West): It is a privilege to speak in a debate that in some ways seems to have started last night, when my right hon. Friend the Member for Livingston (Mr. Cook) made his personal statement. I should like to pay a brief but deeply felt tribute to my right hon. Friend. I had the opportunity to work with him, in opposition when I was deputy in his team, and in government. He can look back on hugely significant achievements in all the roles that he has fulfilled in his time in the House of Commons.

It is a privilege to speak in the debate, but somewhat daunting. I find myself in the uncomfortable position of finding it very difficult to decide how to vote at the end of the debate. The arguments on each side are compelling. My right hon. Friend the Prime Minister made a very powerful speech. I acknowledge and welcome that he said that hon. Members faced a test not of loyalty, but of whether they were convinced by the arguments, and by the rightness of what he proposes. That is a comfort to those of us who are fiercely proud of our Government, and of all their many achievements to date.

When this matter was last debated, I voted with the Government. I felt that they were very vigorously pursuing the UN route. It the culmination of that process that troubles me this evening.

I supported the Government very strongly in relation to Afghanistan and Kosovo. I certainly believe that military action can be justified in certain circumstances, but the motion before the House troubles me in a number of ways. War is a last resort, to be begun only if it is absolutely essential. Despite my keen desire to see Saddam Hussein disarmed—and to see the end of him, if at all possible—I have to ask whether war is essential this week. Is it essential now?

Saddam Hussein has behaved despicably, it is true. As many speakers have noted, he has delayed disarmament over a period of 12 years. However, some progress has been made in the past 12 weeks, perhaps more than in the past 12 years. For that reason, I should like the inspection process to given an opportunity to produce results.

My right hon. Friend the Foreign Secretary said, rightly, that dealing with Saddam Hussein was like drawing teeth. However, I think that some teeth are being drawn. For that reason, too, I believe that the inspection process should have some time in which to work—even if that time is of limited duration.

Two countries apart from our own have figured in the debate—the US and France. I want to draw a clear distinction between those countries and their peoples, for whom many will feel a huge affinity. In my case, I have ties of both family and friendship, but many people at present feel totally at odds politically with those countries' Administrations.

I believe that the President of France behaved outrageously in throwing a mega-spanner into the UN works. That follows his equally outrageous statements on EU enlargement. However, I also believe that the American policy has many faults. At times, the Americans' diplomacy has been atrocious, especially in the summer of last year. Then, they were brought back to the UN route only by the efforts of our own Government.

My right hon. Friend the Prime Minister said that if we did not support the US now, they would be tempted in future to go down the unilateral route. That worries me, as I do not want to feel intimidated into supporting action now on that basis.

I am worried by some elements of the Government's case. The links between Iraq and al-Qaeda seem tenuous in the extreme. Although the proliferation issue is serious and important, the risk of proliferation is very often to be found more in states where there is very little control. That applies especially to states that used to belong to the former Soviet Union. I consider them a real risk in terms of proliferation at present.

In conclusion, I worry about the timing of this military action, given that weapons inspectors could still pursue their work and that alliance building could still occur. That is why, so far, I remain unconvinced.

3.28 pm

Malcolm Bruce (Gordon): I wished to pick up a point made by both the Prime Minister and the Leader of the Opposition about the comparison between the situation we are now in and 1938 that seems to me utterly inappropriate. In the confrontation between the west, and other democracies, and Iraq, the similarity with 1938 has already happened. It happened when Iraq invaded Kuwait, when the House and my party supported military action to confront Saddam Hussein and secure Kuwait's liberation. For the past 12 years, there has been an inconsistent policy towards Iraq, while that country got weaker and weaker and its capacity to inflict damage in the area reduced.

The sad situation that we have reached today is that the United Nations' own agents tell us that they believe that they are making progress towards neutralising the situation. It would be possible to secure international agreement either to accept that we can secure peaceful disarmament through the operation of the weapons inspectors or to give support for military action if the weapons inspectors conclude—after they have been given the time for which they have asked—that they cannot complete the job. Most of us now believe that we are facing a premature and pre-emptive decision to embark on military action before the process [illegible] been concluded.

Many of us are also concerned about the possible consequences. We all hope that military action will be swift and clean, with minimal casualties. However, even if not a single life is lost, at the end of that venture—if it is undertaken in the way that is proposed this week—the international community will be fractured in a way that has not been witnessed since the end of the second world war. That is because the approach to dealing with the problem has been totally incoherent, partly because the US Administration decided at the outset what they would do and demonstrated no real commitment to persuading the international community of the merits of their case.

We have been confused about whether the US objective is regime change, the defeat of international terrorism or the elimination of weapons of mass destruction. Regardless of the legal advice—and I am not competent to comment on it—we can all recognise that the only legitimate reason for the United Nations to back action in the case of Iraq would be to deal with weapons of mass destruction. That position should have been sustained throughout. The President's speech about the axis of evil and rogue states has raised many concerns about what will happen after Iraq, especially as the US attitude to the UN has been inconsistent.

At first, the US saw no real role for the UN, or any need for resolution 1441. Thanks to the British Government, resolution 1441 was achieved, with the clear understanding that a further resolution would be required. Then we were told that a second resolution was not needed, because resolution 1441 stood on its own. That leaves us with the United Kingdom divided, Europe divided, NATO divided and the UN divided. Many of us share a deep anxiety—and it grieves me to say so—that those divisions may be exactly the outcome that the Bush Administration wanted.

The US Administration appear to be motivated by a fundamentalist conviction about the rightness of their cause, the absoluteness of their power and their ability to confront the world and say, "We will decide who the good guys are, who the bad guys are and what course of action will be taken. Your job is to back us or make yourself our enemies."

Mr. Blunt: The hon. Gentleman makes the point that that may be the desire of some people in the US Administration. If true, would they not have that in common with the French Government, who are seeking to push the US away from a transatlantic alliance?

Malcolm Bruce: Everybody knows that the French have had their own view on transatlanticism for many years, and there is nothing new or unexpected about the position that they have adopted. Those of us with friends and relations in the US will understand the clear anxiety among the US population that they are vulnerable to attack in a way that they have never felt before and they look to their Government to demonstrate strong action to defend them against that attack. The problem is that that anxiety has encouraged a form of US nationalism that is determined to demonstrate that they can hit back hard after the shock of the terrorist attack on mainland America. Many of us were persuaded that that was legitimate in the case of Afghanistan, because the Taliban Administration was clearly harbouring the perpetrators of 11 September, and we backed that action. There is not the same connection in the case of Iraq. In those circumstances, we are entitled to argue that the case for military action has not been made.

Even if this war is quick, effective and decisive, and even if, as the right hon. Member for Walsall, South (Mr. George) claimed, opinion polls swing behind the Government because of a short, sharp, successful action—although such polls are not a concern of mine—the problems that I have described will still be there for a considerable time. How do we rebuild the ability of the international community to work together when the American Administration have demonstrated an unwillingness to use international institutions constructively?

With a number of colleagues from this House, I was in Athens yesterday at a meeting of the Western European Union. The meeting was organised by the Greek presidency of the WEU to discuss common mechanisms for Europe and America to defeat terrorism. However, everybody questioned how we could work together without a consistent engagement of trust and purpose with the American Administration, the tactics of which were based on economic bullying and political threats—such as the indication that, if France pursues its present line, it will face significant economic boycotts.

We have to consider how to rebuild the effectiveness of transatlantic co-operation in the aftermath of this war. We have to make clear our absolute determination to work together to defeat international terrorism, which threatens all of us. We need common purpose and we need to share intelligence. However, in return for a guarantee of international support, which we want to give, we are entitled to ask the Americans to acknowledge their responsibility to offer genuine leadership to the world and to show respect towards other democratic countries that do not always share the objectives of the United States and do not see the world as being defined entirely in terms of the economic

[Malcolm Bruce]

interests of the United States. I respect the leadership role that the United States can and must give the world. However, if the United States is going to provide leadership for the world, the United States needs to provide a world leader.

3.37 pm

Clive Efford (Eltham): I want to say how much I appreciated the opening comments of the Prime Minister. I welcome his respect for the views of all those who have strong feelings on this matter. When Parliament was recalled last September, I tabled an early-day motion making my position clear. I have not moved from that position one jot. This is a challenging time for Members of Parliament and we have a heavy task in front of us in this debate. However, I have never been clearer in my mind about my position. Many people in the country feel that the inspectors have not been given time to complete their task in dealing with weapons of mass destruction in Iraq. I say to my right hon. Friends that, at this time, I fundamentally disagree with the military action that they intend to take.

Much has been made of the road map for Palestine. In the aftermath of 11 September, many people rushed to make statements on how the Palestinian issue and the middle east peace process were central to resolving the long-term problems at the heart of the cause of the tragedy that occurred, and the atrocities that were committed, that day. However, people are right to stop and take stock of what is being proposed with the road map. For me, it may not be too little, but it is certainly too late. The US may be sincere in what it says about the road map but, coming at this late stage, it smacks too much of political expediency. I have no doubt that pressure from this House has led to the road map at this late stage.

I understand something about road maps from my previous profession: the obvious route is not always the best way to get to one's destination. I do not say that to trivialise the matter. I sincerely believe that this House still has a significant role to play in ensuring that we reach the destination that we all want in terms of the middle east peace process, but it is not just a question of the views of this House, and it never has been. It is about how people in the middle east view the west and how we pursue our foreign policies and about learning the lessons of 11 September. It is about our not continuing to be, through the way in which we pursue our foreign policies, recruiting agents for Osama bin Laden and other terrorist organisations. I say to the right hon. Member for Richmond, Yorks (Mr. Hague) that it is not an attack on Saddam Hussein that will be the recruiting agent, but the double standards that have been applied in relation to the rush to deal with Saddam Hussein at this stage and the approach taken to resolution 242, which has sat on the table for 35 years and has not been dealt with.

After 11 September, many people made the case for dealing with the middle east peace process to secure the peace for the long term. We understand the importance of ending the occupation of Palestinian territories, ending the plight of Palestinian people in their own land and stopping settlements that are in direct breach of United Nations resolutions on Palestinian territory. If we are to develop a new world order, we have to address those issues in tandem with the issue of weapons of mass destruction.

Mr. Mark Francois (Rayleigh): Will the hon. Gentleman give way?

Clive Efford: Not at this stage.

Much has been made of the use of the veto at the UN, but we are not all innocent in that respect. In the past 30 years, the United States has vetoed 34 resolutions concerning Israel. The veto has been used 250 times, in more than 40 per cent. of cases in relation to issues involving the middle east. Only this week, we have seen yet another attack in Gaza, where 10 people were killed, including a four-year-old child. Even in the days after 11 September, people were attacked and killed by Israeli forces in Jenin and Jericho. I have to ask whether that is the action of a country that recognises the weight of the issues involved in the tragedy that occurred on 11 September or its role in securing long-term peace. We need to find a way forward. How do we get those people to follow the route map set out by the United States and our Government? How do we convince Arab people of our sincerity? What guarantee is there that after this conflict is over the road map will not be lost?

The USA provides $2.1 billion of aid every year to Israel. Only last October, there was a request for another $10 billion of aid because the intifada has hit its economy and almost cut it in half. Just by threatening to cross a nought off the end of that aid, we could bring Israel seriously to the negotiating table and sort out the problem once and for all. We need more time and we need to deal with the issues in parallel. If we are to convince the wider world community of our sincerity, why not give the inspectors more time to deal with Iraq in tandem with sealing, progressing and following the route map that has been set out in terms of Israel?

The stakes involved are too high for failure. The UN is right to challenge the USA. For too long, the USA has been able to say to the United Nations, "Jump", and the United Nations has said, "How high?" The UN is absolutely right in this new world order to question whether it should jump in terms of the timing of any action that should be taken. I do not support what France has done during the past week—its actions have hastened the deadline for war—nor do I support its attempt to create a European axis against the United States in a new world order.

The UN is ours, faults and all. It is the route by which we should decide that in future we will negotiate away these difficult situations without the need to resort to military action. The Prime Minister said in his opening statement that the UN should be the focus of diplomacy and of action. I agree. If we are to win the peace for my children and for future generations of children, we have to go back to the UN and give it more time.

3.44 pm

Mr. Boris Johnson (Henley): I am very pleased to be called to speak in this debate at such an early hour. I believe that I have perhaps one small advantage over other Members of this House, which is that I have personal experience of being bombed by the Pentagon while in a capital city. I was in Belgrade, and then in

Pristina, during the Kosovo campaign, when B-52s and cruise missiles were deployed in an operation conducted, after all, by the right hon. Member for Livingston (Mr. Cook), whose moving speech I listened to with great attention last night. Of course, that operation was carried out without UN endorsement. I remember writing some very angry articles while in Belgrade about the way in which that war was conducted, because I honestly hated the methods that were used. I despised the bombing from 30,000 ft, which seemed to me to be cruel and erratic. I also loathed some of the anti-Serb rhetoric, and I became, among the many unfashionable aspects of my beliefs, rather pro-Serb.

I saw lives ruined and families destroyed by bombing, and I saw civilians grieving for their loved ones, who had been killed by NATO. We all saw the results of the Pentagon's tragic mistakes: the slaughter of people in a convoy of tractors, the train that was blown up on the bridge, and the killing of the make-up girls who worked for Serbian television. I in no way retract all my criticisms of those methods, but as I look back now on that reporting, I must admit that my anger obscured a separate truth: the aim was a good one, and it was a good idea to force Milosevic to stop his persecution of the Kosovar Albanians, and to do what we could to force him from office. One would have to be rather perverse not to agree that the world is better for his going; indeed, Serbia is better and the whole of the former Yugoslavia is better. There are no more hideous pogroms whipped up by ruthless politicians, setting one ethnic group against another. There is no more torching of houses, no more rape camps, and all the rest of it.

Mrs. Mahon: Does the hon. Gentleman agree that we should be even-handed and mention the 300,000 ethnically cleansed Serbs, Roma and Ashkali who are now living in dreadful camps in Serbia?

Mr. Johnson: I accept fully what the hon. Lady says. I am not pretending that life in Serbia is perfect now, and it is of course true that there are a great many refugees, and that many injustices have been done. However, it would be rather extremist and irrational to say that life in Serbia is not better, because it is. As I drove around the former Yugoslavia after that conflict, I was surprised at how few casualties there were, and at how few casualties the Serbs claimed.

If one were to ask me now whether that mission was worth it in order to end a culture of violence, hate and savage ethnic murder, I would say yes, it probably was. That is the lesson that I learned.

Lembit Öpik: The hon. Gentleman is describing how he became sympathetic to the Serbs on account of the suffering that he saw. However, does he not accept that those are exactly the ingredients that can lead to a resurgence of terrorism, and that there are analogies between how he felt, and the paramilitary recruiting drive that took place in Northern Ireland immediately after Bloody Sunday?

Mr. Johnson: I listen to the hon. Gentleman's point with great interest, but to be frank, I wonder why his party now stands against action to help the people of Iraq, given that its previous leader, Paddy Ashdown, was so vigilant and fierce in his demands for humanitarian action on behalf of the Kosovar Albanians. I find that a very curious reflection on how times have changed for the Liberal Democrats, and I wonder whether it has anything to do with opportunism and how they see the public opinion polls moving. I do not really understand their motivation.

There is much that I admire about the former Leader of the House, the right hon. Member for Livingston. I noted with interest the acclaim with which he was greeted on the Government Back Benches last night, which may or may not be ominous for the Prime Minister. There was one striking omission from the right hon. Gentleman's speech, however. He dwelt at length on the threat that Saddam might, or might not, pose to western security—I thought that he was too optimistic about that—but he said not a word about the condition of the people of Iraq. How many people has Saddam Hussein killed? Is it 100,000, 200,000—a million? We have all met Iraqi people who yearn for that man to be removed. I am thinking in particular of an Iraqi computer technician who said, "You guys have got to get rid of Saddam Hussein because no matter how many people Bush kills it will not be as many as Saddam kills in a year".

The right hon. Member for Livingston spoke of a long-standing Anglo-American agenda to get rid of Saddam Hussein. Like many others, the right hon. Gentleman wanted to know "why now?" and "why Saddam Hussein?". Such objections are logically frail and hardly amount to an argument for doing nothing now. If anything, they are an argument for wishing that we had done something earlier and, indeed, in other places. To people who ask, "What about Mugabe?", I reply, "Indeed, why don't we do something there?"

It is possible to criticise many aspects of the way in which the Government have prepared the country for the course of action that we are about to take. I shall not delay the House further with repetition of my objections to the dodgy dossier and the UN bungling. I do not know who made the diplomatic assessment of the likelihood of French accession to a second UN resolution but he obviously blundered.

We can dilate until the cows come home about what the situation means for the so-called common European security and defence policy, which has nothing in common, nothing to do with security and barely amounts to a policy. I shall not go further into the curious hermaphroditic policy of the Liberal Democrats.

We should all like a second UN resolution but that is not going to happen. Tonight, we have to decide whether to give authorisation for British forces to engage in enforcement of UN resolution 1441 and, indeed, the 17 other UN resolutions that Saddam Hussein has continually flouted. Having learned the lessons from what I saw in Serbia, I shall vote for the motion. There are several reasons but one is paramount. It will mean the enforcement of the will of the UN and the removal of Saddam Hussein will make the world a better place, but, above all, it will make the world better for the millions of Iraqis whom he oppresses.

[Mr. Johnson]

I deeply respect the hesitations of people on both sides of the House, but, as they make up their minds, I urge them to think of those people in Iraq and to decide whether, by our votes and actions tonight, we shall be prolonging their misery or bringing it to an end.

3.53 pm

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): There are two reasons why I supported the Government and shall continue to support them tonight: one is moral and the other is political.

The moral argument has been clear to me for a long time and it is constantly reinforced. Every time that a psychopathic killer takes over a nation state, they drive people out; they commit genocide, murder and torture of a type that is hard to imagine and, because I represent a west London constituency, I see their victims in my waiting room. I have seen the victims of the Shah of Iran, the Ayatollah, Milosevic and Saddam Hussein, but only in one case—Saddam Hussein—have I seen people tremble at the mere mention of his name

The regime is gruesome in the extreme and it is dangerous. Although I can accept the moral case on either side of the argument, it has always struck me as odd that democratic, freedom-loving, tolerant politicians can get ourselves in a moral mess when we are confronted with such people and try to determine who is morally right in the argument about whether we should go to war. The only person who is morally bankrupt in that argument is Saddam Hussein. We should never have illusions about that, and it also reinforces our views about what is right and what is wrong.

I have also heard in the debate, unlike perhaps some of the others, ambivalence about the United States, varying from the right hon. Member for Richmond, Yorks (Mr. Hague), who takes the view that the United States saved us in the second world war. I do not take that view—it ignores the contributions of Britain, the fact that the Russians broke the back of the German army and a whole range of other things—nor do I take the view, which comes from various quarters of the House, that somehow everything that the United States does is bad.

Yes, the reality is that the United States is the dominant power of the day and, yes, it is true—we ought to remember this more than anyone else—that George Bush looks increasingly like Lord Palmerston in drag. I accept that the United States is doing the great power act and throwing its weight around in the world, but that does not make it wrong on such an issue.

The true criticism of the international community, the United States and all hon. Members is that we have done nothing about what has been happening in Iraq since 1991. The real criticism of all us is that we did nothing when Iraq first started to breach not just the 1991 resolutions, but the ceasefire itself, which Saddam had never put into effect. That ceasefire was signed with the UN, not the United States, and he breached it time and again with genocide, torture, human rights abuses, weapons of mass destruction and terrorism—the lot—and we did nothing, because of which many people have died and the misery continues.

Mr. Mike Wood (Batley and Spen): I am interested in the fact that my hon. Friend says that we have done nothing since 1991 in relation to Iraq. Does he count the sanctions, the over-flying of the no-fly zone, the work of the weapons inspectors who destroyed 95 per cent. of the weapons of mass destruction as nothing?

Mr. Soley: I regard that as ineffectual. *[Interruption.]* Let me say why. The one bit that was effective was the no-fly zones. It tells us an awful lot that there is no starvation, no torture and plenty of medical supplies in either of those areas, and they use the same oil-for-food programme as that available to the rest of Iraq. Of course what failed was the sanctions regime itself. Why? Because Saddam Hussein did what all psychopaths do in such situations—he used the weapons against his opponents. He starved the people who did not support him and he fed the people who did. We need only look at the television broadcasts from the time when he organised demonstrations in Baghdad against the sanctions and, lo and behold, they involved well-fed, well-dressed people—his own supporters. Those broadcasts did not show the real misery and how Saddam himself had caused it.

I tell hon. Members that we really do have a duty—this is where I come to the political bit—to face up to the UN's failure to deal with those people. We call them tyrants and dictators, but if they were the people beating up their wives or children in a house down the road, we would call them psychopaths and send for the police who would arrest them and put them inside. We only started doing that 50 years ago. Before then, we used to walk by with our fingers in our ears, saying "We cannot intervene; it is his own house, you know." That is what we do with the nation state, and it is why the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) is wrong about the morality. His morality is based on the concept of the nation state. I take the view that the UN ultimately needs to intervene more effectively when those psychopathic killers take over nation states. We need to be able to do that. We do not want to do it by force with an armed invasion straight away, but we have to find ways to deal with such things because every time we leave them, not only do we sentence those people to absolute misery, but we destabilise the area.

Many Arabs live in my constituency, and I will tell hon. Members that Arabs have no less a commitment to democracy, freedom and tolerance than anyone else. They do not like Saddam Hussein. Many of them do not support the war, but they all want rid of him. The reality is that—this is the other part of the political equation—if we want a settlement in the middle east, particularly of the Palestine-Israel situation, we also have to deal with Saddam Hussein; the two are linked in that sense. If the world wants to move forward and face up to the problems of terrorism, we must also deal with states that produce weapons of mass destruction. Instead of just reading Dr. Blix's abbreviated report to the Security Council, hon. Members should go to the House of Commons Library, get the full document, and look at the list of things that Dr. Blix says that Saddam Hussein has got, some of which I have never heard of before. Unless we find ways of dealing with that, we risk the future of this world, too.

Lynne Jones *rose*—

Mr. Soley: The dangers opening up to us are severe and real.

The United Nations is the hope, but it has failed for 12 years. We cannot let it go on failing. I deeply regret that we do not have a second resolution, but the biggest failure is the failure to act. I say this particularly to some of my hon. Friends and to the Liberal Democrats, who say that delays are the answer: the reality is that we cannot go on passing resolutions unless we are resolved to act on them. It is better not to pass them in the first place, not to take risks, to let it happen and not get involved. Let us not pass resolutions unless we are resolved to act.

4.1 pm

Sir Brian Mawhinney (North-West Cambridgeshire): I have a great deal of experience of commending my right hon. Friends the Members for Chingford and Woodford Green (Mr. Duncan Smith) and for Richmond, Yorks (Mr. Hague) on the speeches that they have made as Leaders of Her Majesty's Opposition. I have much less experience of commending the Prime Minister, but I do so today without reservation. I would use his statement as the basis for a reply to any letter that I got from a constituent, as I feel that it represented broadly my analysis of and my reaction to the events that we face today.

I will not reiterate the Prime Minister's arguments, but I want to pick out two points. First, he said that the psychology of the United States changed, without qualification, on 11 September. I was on the last British Airways flight out of Boston prior to the hijacking of the planes that were used in the attacks. I was back in the United States two weeks later and have been there on a number of occasions subsequently. That psychological change is real, lasting and important. I agree with the Prime Minister that the rest of us had better go through that psychological change, and that we better do so quickly. The fact that so many have not yet faced up to those circumstances—God forbid that they should be forced to face up to them on the back of another atrocity such as that experienced by the Americans—and that Europe has not yet been gripped by that psychological change lies partly at the heart of the difficulties that we face.

Secondly, I want to highlight the Prime Minister's comment that there is no point in willing the ends if we are not prepared to will the means. That remark was addressed to his party and to our party—it was pointless addressing it to the Liberals, as they would not understand it. It is fundamental to the whole debate. Sooner or later, we must face up to some realities. This is not a debate about how much legality is on one side, and how much morality is on the other. I am just a simple Belfast boy: to me, it is a question of whether we have the will to do what we believe and know to be right, after having prevaricated for a long time.

Most of us in this House are parents. When we went through parenting, the one thing that we were told repeatedly was, "Don't say no to the children unless you mean it and unless you will make it stick." That was because every time we said no and they ignored it, and we ignored their ignoring of it, we made it more difficult to put in place a discipline framework for the future. Internationally and nationally, we have been guilty of saying no, and then ignoring the ignoring of that instruction. It is now time to take action, and I support the Government's intention.

Having said that, the Foreign Secretary made the point in his statement last night that the second resolution

> "has never been needed legally, but we have long had a preference for it politically."

We should not run away from the fact that our failure to secure it represents a political failure with which we must deal. When that point was put to the Foreign Secretary later, he said:

> "France and Russia informally proposed that there should be a lock in resolution 1441 requiring that before any military action or any enforcement of the system of disarmament proposed—by force—there had to be a second resolution. France and Russia dropped that proposition. They never even put it forward as a formal amendment."—[*Official Report*, 17 March 2003; Vol. 401, c. 703–708.]

That was an extremely good answer in the field of diplomacy, but it was no answer in the field of politics. We are faced with the fact that there has been a political failure and a political breakdown. The Government must start to address that political failure quickly otherwise some of the more dire consequences that have been predicted may come back to haunt us, although I do not believe that they invariably follow from the Government's action.

There are two reasons why we need to reaffirm our will to act and focus on repairing the political damage. The first is that unless the damage is repaired, it will become more difficult to get new resolutions on humanitarian aid and the restructuring of Iraq through the United Nations. The situation might become more protracted, which is not to our advantage or to that of our troops, and it is certainly not to the advantage of the people of Iraq. The second reason, which my hon. Friend the Member for Henley (Mr. Johnson) mentioned, is that part of the political opposition in the country to the Government's proposals exists because they have not talked about an exit strategy. The House has no idea about how we intend to get out of the situation after the war is over. I believe that the absence of any conversation about an exit strategy is fuelling concern about, and antipathy toward, the actions that the Government must take.

In summary, I support what the Government are doing and I shall join them in the Lobby this evening. However, I urge them to take seriously the political failure at the heart of the issue and to take steps quickly to address it for the benefit of the national interest, as well as the people of Iraq.

4.9 pm

Mr. Malcolm Savidge (Aberdeen, North): There is only one issue that we must consider today: whether we should go to war at this time and set what is, to me, the terrible precedent of starting a pre-emptive war on a dubious legal basis without the support of the United Nations. Nothing else should matter. The issue should

[Mr. Malcolm Savidge]

transcend party politics. We know how the Front Benchers, Whips and others will argue that support for the war is a vital party loyalty test—whether that is support for the Conservative party or for the Labour party—but the issue is too serious for that. It should transcend our careers, whether we are Back Benchers or Front Benchers, because in this context we should regard ourselves as here today, gone tomorrow politicians. I do not remember the Prime Minister's exact words, but he summed it up when he said something to the effect that we are talking about the future safety of the world and therefore we should be concerned about the future of our children and future generations.

It is not a matter of whether or not we like France as a result of what it has done. It is not a matter of trade-offs: this will not become a just war simply because we say as a trade-off that we will do something about the middle east peace process or that we will tidy up in the aftermath in a very decent way.

Let us be clear about the position on UN support. The three original proposers had support from only one other member of the Security Council. Five other states said that they were opposed and there were six swing states. The Prime Minister made a lot of the position of Chile, but it proposed a delay of three weeks and was turned down out of hand by the United States. There are others who have been "unreasonable". Those of us who put a lot of faith in the Prime Minister's promise that war would be regarded as a last resort fear that the Bush Administration have not regarded war as a last resort.

The question put to the Prime Minister by the hon. Member for Banff and Buchan (Mr. Salmond) in respect of the unreasonable veto was not satisfactorily answered. If it was really just a question of France, why did we not put the issue to the Security Council? If the vote had been 14 to one in favour, we could have done what we did with regard to Korea and gone to the General Assembly and asked whether we had its support. We know that we would not have done that because we did not have the support of the majority of Governments in the world, and those Governments who do support us do not have the support of the majority of their population.

The UN Secretary-General, Kofi Annan, has suggested that if we go ahead in this form we will be breaching the United Nations charter. I respect the Attorney-General's view on legality, but we must respect the fact that a wide range of senior international jurists take a different view. Therefore, the only basis on which we could go ahead would be if there was an immediate threat to justify immediate war.

Reference has been made to weapons of mass destruction. Iraq does not only not have nuclear weapons, but, in answer to the point made by my right hon. Friend the Member for Newport, East (Alan Howarth), Dr. el-Baradei has said that so far he sees no evidence for the suggestion that Iraq has restarted its nuclear weapons programme. Iraq has had most of its biological and chemical weapons—if it still has them, and I suspect it has—for several years. Do we believe that there is an immediate intent to attack the United Kingdom, the United States, neighbouring states or other states?

Mr. Francois: Does the hon. Gentleman accept that Iraq had an active nuclear weapons programme in the early 1980s and that the main reason that it did not develop the nuclear bomb was that its nuclear reactor at Osirak was destroyed by military action?

Mr. Savidge: I accept that it had such a programme and I have no doubt that Saddam would like to develop a nuclear bomb, but it is important to be realistic about the nature of the threats from different countries.

Mike Gapes: My hon. Friend refers to weapons of mass destruction. Has he read page 98 of the Blix report, which makes it clear that

> "Iraq currently possesses the technology and materials, including fermenters, bacterial growth and seed stock, to enable it to produce anthrax"?

Mr. Savidge: That is very possible. The major threat that is suggested is not that Iraq intends to attack anyone with such weapons but that it would pass them to terrorist organisations. I have already quoted what George Tennet said on behalf of the CIA on that, and I repeat that it is important when talking about what connections countries have with terrorism to distinguish between unconditional terrorist organisations, which would be liable to wish to use weapons of mass destruction, and political terrorist organisations, which, however unpleasant or vile, probably would not have a purpose in doing so. I am talking about groups such as the Mujaheddin-e Khalq Organisation and Hamas, with which I accept that there is evidence that Iraq has had connections. As for al-Qaeda, my right hon. Friend the Member for Newport, East referred to evidence given by Vaclav Havel; in fact, Vaclav Havel later said that the information provided no clear evidence of a connection between al-Qaeda and Saddam Hussein.

The Prime Minister said today that the question before us is how Britain and the world face the central security threat of the 21st century. I believe that he was referring to weapons of mass destruction, which brings us to an extremely important point. The general belief in the House has been that we should deal with that problem through a regime of non-proliferation and multilateral disarmament. That has been the common view of UK parties. That does not rule out the possibility of a counter-proliferation strike against a country that is disobeying that regime. However, we have to recognise that the Bush Administration are adopting a wholly different scheme, whereby counter-proliferation, as they call it, takes absolute precedence. In a sense, they are saying, "It is okay if our friends develop nuclear weapons, but not if our enemies do," and they choose who are the friends and who are the enemies. Let us remember that Iraq was regarded as a friend and was supplied during the 1980s, but is now regarded as an enemy. I find that approach capricious and destabilising.

Even more worrying is that the policy of the Bush Administration seems to be tending towards saying, "We can develop new nuclear weapons or try to make nuclear weapons more usable, and we can decide to breach the nuclear non-proliferation treaty and the security assurance that we gave under that treaty." That is a serious aspect of the overall problem of weapons of mass destruction, especially when it is added to the doctrine of pre-emptive war.

I have heard the Prime Minister speak twice today, and I apologise for not being able to remember whether he said this at a meeting of the parliamentary Labour party or in the House, but it is not an internal party matter in any case. He made the point that war on Iraq was not on his agenda when he became Prime Minister in 1997, and he said that George W. Bush had told him that two days before 11 September it was not on his agenda. However, I fear that, long before 11 September, it was on other people's agenda—namely, that of several of the hawks whom George Bush appointed to his Administration. Some time ago, I sent hon. Members an e-mail entitled "Why Now?", which outlined some of the different things that they had said and gave original documents that one can get from various websites.

That raises another question. If war with Iraq was not on the Prime Minister's or the President's agenda in 2001, can we forget that it was not on their agenda for 10 years and say that we have been waiting for 12 years? If full-scale war was not on the agenda, why is it on the agenda now? Is it a logical response to 11 September?

The Prime Minister said that we can view the United States as a major power and seek a rival pole, as a unilateral power or as a partner. I want partnership, but I have doubts. I am not happy about partnership if it means that the United States takes the decision and the rest of us are expected to follow—that to me is not partnership—or if, as seems to be happening, the Bush Administration decide what action should be taken and what should be done immediately, and allow us to supply some of the rhetoric or some of the long-term wish list.

If we vote for a pre-emptive war against Iraq now, we should ask ourselves what precedent we will be setting, because the hawks have already said that they have plans for other pre-emptive divisive wars. We should contrast their plan of the world with the inspirational vision set out by the Prime Minister in Brighton in 2001, when he spoke of

"the moral power of a world acting as a community".

4.19 pm

Mr. Alex Salmond (Banff and Buchan): I know that the hon. Member for Aberdeen, North (Mr. Savidge) has been waiting to make that speech in a number of debates. He used his time extremely well; it was a very informed contribution. I shall continue directly from one of the points that he made about the new world order into which we are moving.

Fundamentally, the debate is not about Iraq, Saddam Hussein, weapons of mass destruction or even oil, though oil is certainly a factor. The debate is about a new world order, with an unrivalled superpower adopting a doctrine of pre-emptive strike, and how we accommodate that and come to terms with that new world order. Eighteen months ago the United States had an atrocity committed against it and it is still in a trauma. The point was made a few minutes ago, and it is undoubtedly correct: on 12 September 2001, the day after the attack on the twin towers, the United States was at its most powerful. In its moment of greatest extremity, the United States was at its zenith. In addition to its unrivalled military might, it carried total moral authority throughout the world. A hundred or more nations signed messages of sympathy, support or solidarity with the extremity that the United States had suffered.

Now, 18 months later, that enormous world coalition has been dissipated. I do not take the position that it was only a gang of four who gathered in the Azores. I accept that there are more countries—or at least countries' Governments—who are signed up, but the coalition of the willing for the campaign against Iraq is very narrowly based. Anyone who wants confirmation of that should just count the troops: 300,000 United States and British troops, and I understand that 1,000 Australians have been asked for, and 100 Poles have been offered. That is a very narrowly based coalition indeed.

The Prime Minister believes, as the hon. Member for Aberdeen, North identified, that the way to accommodate the situation is to accept that the United States will be predominant and that the rest must fall into line. They can try to restrain it, but they will have to fall into line with the views of the United States Administration. That is a wrong-headed policy, and it is taking people into ridiculous positions.

In his undoubtedly powerful speech today, the Prime Minister argued that the weapons inspection process had never worked. He came close to saying that it had all been a waste of time. I remember a speech on 2 October at the Labour conference in which another powerful speaker went into enormous detail to show how successful the weapons inspection process had been in the 1990s and how it had led to the destruction of chemical weapons, the chemicals used to make weapons, the armed warheads and the biological weapons facility. He concluded that

"the inspections were working even when he"—

Saddam Hussein—

"was trying to thwart them."

I watched that speech on television. Many hon. Members were there. The speaker was President Bill Clinton. The television was doing cutaways to Ministers, including the Prime Minister. They were all nodding vigorously last October when President Clinton said that through the 1990s that policy worked and destroyed far more weapons of mass destruction than were destroyed, for example, in the Gulf war. The Prime Minister now seems to be denying what he accepted only last October.

We are told that the majority of the Security Council would have voted for the second resolution, if it had not been for the nasty French coming in at the last minute and scuppering the whole process. Let us get real. Have we listened to what other countries were saying? The Chileans proposed an extension of three weeks, but they were told by the United States that that was not on. In the debate in the General Assembly, country after country expressed their anxieties about not letting the weapons inspectors have a chance to do their work. They were told that the nasty French—I am not sure whether the Conservative party dislikes the French

[Mr. Alex Salmond]

more than the Liberals, or vice versa—were being extremely unreasonable, but the French position, and the Chinese position—

Mr. Andrew Robathan (Blaby): The old alliance.

Mr. Salmond: The old alliance was important. Somebody should speak up for the French, because their position has been consistent, as has that of the Russians and the Chinese. The Chinese, the French and the Russians issued a declaration on the passage of resolution 1441. It sets out exactly how the British and the United States ambassadors agreed that it was not a trigger for war. The reason that those countries did not want a second resolution was not that it would be a pathway to peace—I wonder who dreamed that up in Downing street. The reason was that they saw it as a passport to war, so obviously they opposed a resolution drawn in those terms. The majority of smaller countries in the Security Council and the General Assembly countries did not want to rush to war because they saw that there remained an alternative to taking military action at this stage of the inspection process.

We are told that the Attorney-General has described the war as legal. We could go into the legalities and quote professor after professor who has said the opposite, but one thing is certain: when the Secretary-General of the United Nations doubts the authorisation of military action without a second resolution, people can say many things about that action, but they cannot say that it is being taken in the name of the United Nations.

Mr. Llwyd: I am grateful to my hon. Friend for giving way. I wish to make one brief point: the French and Russians signed up to resolution 1441 after the words "all necessary means" were specifically taken out.

Mr. Salmond: In order to become acceptable, resolution 1441 had to be amended. Everything has been consistent in the opposition of countries that are against a rush to military action.

Will the approach that is being taken work? The argument is that it will be a salutary lesson, that a dictator will be taught a lesson and that that will help us in dealing with other dictators. I suspect that the cost of the action—I do not doubt the military outcome for a second—will be so high in a number of ways that it will not provide a platform for an assault on North Korea or Iran, which form the rest of the "axis of evil". I do not think that the policy of teaching one dictator a lesson and then moving on to other dictators can work. Most of us know that it will be a breeding ground for a future generation of terrorists. That is not the case because people like Saddam Hussein. The images that will be shown throughout the Muslim world will not feature him, although, without any question, he will be more attractive as a martyr when he is dead than he has ever been while alive. The images that will be shown are those of the innocents who will undoubtedly die in a conflict that will be a breeding ground for terrorism.

Will the nation-building work? The record of the United States on nation-building has not been impressive. Let me say something about one of the other countries that is being reviled at present—Germany, which commits far more troops as a percentage of its armed forces to helping to secure the peace in the various trouble spots of the world for the United Nations.

We are told that the Prime Minister—this is the essence of his case—will try to restrain some elements in the United States Administration and make them take a multilateral approach, but that, if that does not happen, when push comes to shove he has to go along with their policy. I say that there is a broader United States of America than the United States Government. I believe that many sections of opinion in America would welcome a vote from this Parliament today that says "Not in our name", because the real America wants to see a stand for peace, not a rush for war.

4.27 pm

Mr. Barry Gardiner (Brent, North): After my right hon. Friend the Member for Livingston (Mr. Cook) made his personal statement to the House last night, I felt it necessary to drive back to my constituency and speak with a number of people whose opinions I trust and value—people who are close friends and who have been members of the Labour party for many years. Not one of them wanted war, and neither do I. My constituency chair said to me, "Barry, you have to remember that this is our party leader and I trust him. He is our Prime Minister and, even though I disagree with the war, I want to give him our support now." I will not support the Prime Minister out of loyalty. I will support him out of the conviction that what he and the Government are doing is right.

Mr. Peter Ainsworth (East Surrey): Does not the hon. Gentleman understand that a genuine problem exists? The Government have experienced great difficulty in convincing the public about the rectitude of their position because people do not trust the Prime Minister. They do not trust him on health, education or crime. Why, therefore, should they trust him on Iraq?

Mr. Gardiner: I normally have great respect for the hon. Gentleman because he usually speaks with some sense. His comments on Iraq are ill judged. The people of this country know that our Prime Minister has behaved with absolute integrity on that issue. He has campaigned solidly for an international coalition. He went to the United States and brought George Bush to the United Nations to submit the power of the United States to the bridle of the United Nations. The people of this country therefore trust the Prime Minister on Iraq.

Mr. Andrew Turner: Does the hon. Gentleman accept that the Prime Minister has experienced so much difficulty in persuading the people of this country because he did not even admit that there was a problem until September last year? He did not genuinely start to try to persuade people until six weeks ago.

Mr. Gardiner: The hon. Gentleman is wrong. The speech that the Prime Minister made on the day after 11 September 2001 states that we must revisit the position in Iraq. He has been focused on that ever since he became Prime Minister. Immediately after 11 September, he recognised a confluence. He realised that terrorists were prepared to use weapons of mass destruction to achieve their ends and that if we allowed proliferation in Iraq, the two strands would come together, with the most appalling consequences.

I respect all hon. Members who disagree in principle with using military force in Iraq. However, I do not understand how anyone who supported resolution 1441 can espouse that position. What did such people believe that "final" meant when Iraq was given a "final opportunity" to comply: "final" before tabling another resolution; "final" before a few more weeks passed; or "final" before a few more months elapsed?

Mr. Simon Thomas: I hope that I can help the hon. Gentleman. As John Negroponte, the US ambassador to the UN explained, the resolution was final before being brought back to the Security Council for negotiation. The US Government also said that in a statement of explanation.

Mr. Gardiner: The hon. Gentleman's memory is selective. Resolution 1441 provides that the matter would revert to the Security Council for consideration, and that has happened. The resolution states that the Security Council will remain "seized of the matter". The hon. Gentleman's interpretation of "final" is odd if he believes that a final opportunity is not final before force is applied, in accordance with chapter VII of the UN charter.

Other words in resolution 1441 include "immediate", "full" and "unconditional". Are any hon. Members prepared to stand up and say that Iraq has complied—

Mr. Sarwar: Will my hon. Friend give way?

Mr. Gardiner: Are any hon. Members prepared to say—[HON. MEMBERS: "Give way."] I shall. Is anyone prepared to say that Iraq has complied fully, immediately and unconditionally with its obligations to disarm?

Mr. Sarwar: Who is the final authority to judge whether Iraq is in breach of resolution 1441: United Nations weapons inspectors, UN Secretary-General Kofi Annan, the UN Security Council, Bush or our Prime Minister?

Mr. Gardiner: I would urge my hon. Friend to read the words of the chief weapons inspector, Hans Blix, because he—[HON. MEMBERS: "Answer!"] If hon. Members will listen, they will find that I am answering the question. Hans Blix is quite clear that Iraq remains in breach. Indeed, every member of the Security Council is quite clear that Saddam Hussein remains in breach, and that there has been no full, immediate or unconditional compliance. There is an option to go down the containment route, and some hon. Members have suggested that in their speeches today. It is not an option that I agree with. I believe that we have to maintain what we said at the United Nations Security Council in resolution 1441, which was that we have to disarm Iraq.

There are those who have said that they cannot now support military action because there has been no second resolution in the United Nations. That is the worst reason of all for not supporting it. If it were right to engage in military action, to kill innocent Iraqi people and to put our troops on the line to die for this country with the support of a second resolution at the United Nations, it has to be morally right to do so without one. The morality of our actions does not depend on who is prepared to carry out those actions with us; it depends on the judgment that we make about whether it is right or wrong. The Government are taking the right course of action. It is the only course of action that will achieve the disarmament of Iraq, and disarmament is the only way of ensuring that a further, far more bloody conflict does not happen in the future.

4.37 pm

Sir George Young (North-West Hampshire): I plan to reach the same destination as the hon. Member for Brent, North (Mr. Gardiner), but I propose to take a slightly different route.

We are witnessing the most spectacular failure of diplomacy in my political lifetime. Here we are with the most sophisticated, best-resourced international institutions that the world has ever seen, peopled by the most civilised, best-educated diplomats in history, assisted by every modern communication device that technology can provide, and working at a time when many of the barriers that used to divide the world have come down—yet they have failed, with the inevitable apocalyptic consequences for Iraq.

First, those close to Iraq—those who may take a different view from that of the United States and the United Kingdom—have totally failed to convince Saddam that his country and his people were going to be hit hard by American and British troops, and that he would be annihilated, unless he agreed to what was being put before him. Many thought that Saddam would give way at the last moment, obliging the American and British troops to go home and leave him in control, without a regime change. But those close to Saddam, geographically and culturally, have failed to bring home to him the fate that lies in store, and that is the first diplomatic failure.

The second failure is more important. The world's democracies have failed to get their act together to present a coherent and united front to an obnoxious regime. It is that institutional failure, rather than the underlying case against Saddam, that has led to the equivocal response from public opinion.

We will need to revisit the whole architecture of international institutional peacekeeping, and re-engineer it radically to avoid future failure. I do not give that as a reason for going to war, but I happen to believe it will be easier to make the reforms that are necessary once the Iraq crisis has been resolved, than to do so with the crisis hanging over the United Nations indefinitely.

I believe there was a need for greater clarity at the inception of the resolution process, a need for more visible and better-defined milestones as we went along, and for greater certainty about the nature of the consequences if there was no progress. The traditional skills of diplomacy involve getting people to agree to something by persuading them that it means what they want it to mean, and saying that there is no harm in "signing up" because the eventuality is remote. All that has come horribly unstuck. There has been too much ambiguity and obfuscation in the process.

[Sir George Young]

The public squabbling about what resolution 1441 actually means baffles our constituents, as do discussions on "Newsnight" and "Today" between expensive barristers about whether the war is legal. I believe that if the process had been more open and transparent—if there had been more clarity—we would be receiving a more supportive response from our constituents, because the underlying case is strong.

That, however, is for tomorrow. What should we do today? I agree with my right hon. Friend the Member for Bracknell (Mr. Mackay) that the decision is close to call. I believe that, in a nutshell, the debate concerns the credibility of the United Nations on the one hand, and its unity on the other. The Prime Minister's view is that unless firm action is taken now, the UN's credibility will be fatally undermined. The alternative view is that moving too fast will shatter the unity of the UN, thus fatally undermining it.

With the benefit of hindsight, we may think it might have been possible for the United States and the United Kingdom to go a little more slowly, not to give Saddam more time, but to give the rest of the world more time. That is not possible now, though. The unity of the UN is no longer there—which makes it more important to assert its credibility.

When we last debated this issue I had some sympathy with the amendment that had been tabled, but I did not support it, for this reason: the best prospect for peace at that time was convincing Saddam that we were prepared to go to war. It seemed to me that the more people voted for the amendment, the more Saddam would get a picture of a country that was not prepared to go to war. Voting for the amendment ran the risk of encouraging Saddam to call the bluff. Having looked at the amendment tabled today, I feel that anyone who genuinely believes that the case for war has not been established should vote against the war. The amendment seeks to square a circle that is incapable of being squared.

Whatever the doubts and reservations about the process that brought us here, here we are. My constituency, like others, has a high military profile. Many of my voters are sitting on the hot yellow sand in Kuwait, wondering whether they will see the cool green fields of Hampshire again. I believe that they and their families are entitled to know that their Member of Parliament backs the risks they run in removing an obnoxious regime, and I shall therefore support the Government tonight.

4.43 pm

Mr. Stephen McCabe (Birmingham, Hall Green): We have reached the time of day when we have already heard many speeches, and I am not sure that I can add anything dramatically new.

Like many ordinary Members of Parliament, however, I have wrestled with this issue for several months. I did not start with the view that we should necessarily take military action in Iraq. Naturally, I have spent a good deal of time listening to the criticisms of those who are worried about the prospect of war. It has occurred to me that there have been a number of recurring themes in the arguments of those who believe that we should not go to war. Obviously, nothing I say will have any impact on those who are already implacably opposed to war, but over the past few days many colleagues have told me that they are not sure about it, because they feel that the issue is very finely balanced. I wondered which matters people were not certain about. I regularly hear that the case regarding weapons of mass destruction has not been made. Some people are certain that Saddam Hussein has none at all, and others say that he has neither the capability nor the capacity to use them.

How did we end up in this position? We must assume either that my right hon. Friend the Prime Minister is misleading the House whenever he comes to the Dispatch Box to talk about his fear of those weapons of mass destruction and about the intelligence reports that he has been reviewing, or that the intelligence community is deliberately misinforming him. We must draw those conclusions if we say that the story about WMD is utterly wrong. Moreover, whenever there is a report from a respected journalist that a scientist has been assassinated or detained because he has knowledge of the weapons programme, we must believe that that journalist is seeking to mislead us.

Last week, my hon. Friend the Member for Cynon Valley (Ann Clwyd) arranged for representatives of the INDICT organisation to come to the House. They gave a graphic description of the people held in Saddam Hussein's detention centres. After those people have been subjected to every sort of torture and humiliation, they are then gassed with mustard gas. Where does all that mustard gas come from, if all that sort of stuff has been degraded or destroyed? We cannot assume that there are no WMD in Iraq. The inspectors' reports repeatedly indicate that there are.

We do not know with any certainty the extent to which WMD exist, but anyone who believes that Saddam Hussein has no such weapons, and no viable chemical or biological weapons, should not vote for the amendment tonight. I agree with the right hon. Member for North-West Hampshire (Sir George Young): anyone who honestly believes that Saddam Hussein has no weapons of that variety should vote straightforwardly against the Government motion. In those circumstances, it would be absurd to vote for the amendment.

People have been preoccupied by the question of the additional UN resolution. I have been troubled by the way in which that resolution has been regarded. For weeks, there has been a systematic effort from certain quarters to convince people that any such resolution would have been irrelevant anyway, as it would have been secured by buying people off, or by arm twisting. No hon. Members who are party to the view that the resolution would have been worthless anyway have a right to come to the House and say that they will not vote for the motion because that resolution was not secured.

I happen to be one of those who believe that the Government were right to try to secure a second resolution. I commend the efforts of my right hon. Friend the Prime Minister to go the full distance to try and achieve that, but it would be absurd to put to the vote a resolution that has effectively been blown out of the water already. There is no getting away from the fact that that was the consequence of the French President's behaviour.

We have therefore been left without a second resolution and, as a result, Saddam has been given a further advantage. We might have been able to say today that we were all at one about how to deal with the man, but we find ourselves sidetracked into dealing with the question of the resolution. The second resolution in itself is important only if we disregard everything that went before, but the reality is that there have been umpteen resolutions in the past 12 years. For a full year, the House has had virtually no other topic for debate than the question of what we should do about Saddam.

Some hon. Members say that they would have supported the Government under other circumstances, but that the lack of a second resolution—a resolution which, a couple of weeks ago, the same people were calling dubious—has made the decision for them. With all due respect to the people involved, that is an extremely hard case to believe.

The other question that I have pondered is why the situation is suddenly different now. I read the amendment with interest, but it is the "Groundhog Day" scenario. It says that, despite everything that has happened, we want to go back to the beginning and start again. The amendment is saying, "Well, we think that Saddam might have some weapons and the UN might be well advised to take some action against him, but we think that the Prime Minister should start all over again and see whether he can get another resolution. If he gets a resolution this time, however, we think it should give Saddam an unspecified period of time." The amendment calls it a "defined period", but that could mean three days, 30 days or 30 years. Those who support the amendment think that we should start again, allow everything that has already happened to happen again and then, if we are no further forward, consider military action.

I am no fan of the prospect of military action, but the time has come to draw a line if we are to justify what we have said. The talking must end and we must show that our intent is real. Any other course of action diminishes everything that has happened.

Many people have raised the legitimate point that there are two issues that we cannot walk away from. If we resort to military action—

Mr. Deputy Speaker (Sir Michael Lord): Order.

4.52 pm

Mr. John Randall (Uxbridge): It is pleasure to speak in such a full Chamber. My normal lot is to speak when the Chamber is almost empty, which is probably a good thing. I am afraid that when the gift of making good speeches was handed out I must have been somewhere else, but I shall try to explain why I intend to vote for the amendment tonight. I shall do so with a heavy heart, and the Prime Minister and my right hon. Friend the Leader of the Opposition nearly persuaded me to vote with them. Unfortunately, the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) nearly persuaded me not to vote with him.

There are many reasons for my decision and I cannot give them all. One of the principal reasons is the action in Yugoslavia, which I opposed. Although I understand the reasons given by other hon. Members—notably my hon. Friend the Member for Henley (Mr. Johnson)—I find it disturbing that that action has been portrayed recently in debate as a great victory and success. Anybody who knows the current situation in Kosovo will realise that we certainly have not finished what we started. It is one of my great worries that the same will happen in Iraq.

Enough has been said in some excellent speeches, but I have lost my faith in what happens in war because in the past the truth has been blatantly abused by our propagandists. I do not seek to make a party political point, but I thought that our Government were above that. If we want to keep the faith and trust of other countries, we must not try to hide the truth. Military considerations aside, we must try to tell the truth.

This is a difficult decision. Although I would normally say that the Whips are a fine body of men and women, and it is usually a good idea to do exactly what they say, on this occasion I suggest to all hon. Members that it is best to make up their own minds. Those who are voting with the Government are not warmongers; those of us who are voting for the amendment are not appeasers. Everyone has their own opinions and it is very difficult to come down on one side of the fence.

America is not a villain. I would like to count myself as a friend of America. However, as all good friends should, we sometimes have to speak out and tell our friends that they are doing something that they should perhaps think twice about. All I mean by that is that they should just hold back a little longer. I can understand that the military build-up is like water behind a dam. We cannot keep it there forever. That is why I think that what is going to happen is inevitable.

I was brought up to believe in serving my country. I also believe in doing my duty. My duty is first and foremost to my country, then to my constituency, and then to my party. However, one of the things that I have always been frightened of in the Whips Office is when people listen to the arguments. Listening to the arguments today has been a salutary lesson. Another expression that we have in the Whips Office is, "I'm afraid I'm all over the place."

Many of my constituents from RAF Uxbridge are already in the Gulf, and many others will soon join them. The last thing that I want is for them to feel that I am undermining them. If the amendment falls, I shall seriously consider the political and moral gymnastics of whether I can support the Government. I am not sure at this stage whether I can do that, but I can promise my constituents out there that I wish them well. Once I have said my piece, I shall shut up and let them get on with their job. I hope—I have never hoped this so much in my life—that I am wrong about some of the possible consequences. I will be the first to admit that, if I am wrong, I shall be delighted.

Hon. Members: Hear, hear.

4.57 pm

Donald Anderson (Swansea, East): There was a quiet eloquence about the hon. Gentleman in spite of his disclaimer. What I liked about his speech was his considerable respect for those on both sides of the argument and his readiness to express honest doubt. I have felt little respect for those who have total confidence in either side of the argument. There are

[Donald Anderson]

many high risks and many uncertainties, and many questions that have not been answered—indeed, there are some questions that cannot, as yet, be answered. However, we are not a university debating society and we are not a seminar of professors. We have to make decisions. People will make decisions, exercising their judgment as best they can.

We are faced with this problem as we seek to come to a decision: should we now stand down our troops, and should we fundamentally change our strategy? In theory, we could indeed fold our tents and glide away, forgetting about the fact that there are men and women representing our country on the borders of Kuwait and Iraq. We have chosen to be engaged. In my judgment, we made a correct strategic decision way back last summer. We remain engaged with our US allies. To withdraw at this stage would be unthinkable. To suggest that we could was the essential flaw in the argument of my right hon. Friend the Member for Livingston (Mr. Cook) last night. His speech was highly compelling. Moreover, he has, in a short time, made a major and positive impact on the procedures of the House and on the House generally. The fact is, however, that we cannot easily now turn back without undermining our own credibility and the authority of the United Nations. The wording of 1441 was clear. One does not need any special knowledge to know that "immediate" should mean immediate and that "unconditional" should mean unconditional. Only in an Alice in Wonderland world do words mean what I say they mean: elsewhere, the word "immediate" must surely mean immediate. After four and a half months, Dr. el-Baradei said clearly that there would have to be a dramatic change on the part of Saddam Hussein if there was to be compliance. Given Saddam Hussein's record, one would need faith in a Damascene conversion to imagine that such a dramatic change was likely to happen. It was reasonable to assume that the words meant what they said. If we backtrack now, no future Security Council resolutions will have any credibility. We can make all sorts of pious declarations but a giant leap will be required if there is not the will to enforce them.

I turn to the role of my right hon. Friend the Prime Minister. He promised in good faith to pursue the diplomatic path, and he has indeed gone the extra mile, as many of us demanded. The Prime Minister undertook to make possible a debate in this House before action. That was wholly unprecedented and wholly against all the practices and conventions of our constitution. I applaud his having done so; it is a major victory for Parliament. The Prime Minister stated clearly that he wished to act in conformity with international law—of course, there are weighty lawyers on both sides, but the opinion of the Attorney-General is very clear on this point; not one Member of this House could have tried harder than the Prime Minister to continue negotiations to avoid war; not one Member could have shown more commitment or more courage.

Ms Diane Abbott (Hackney, North and Stoke Newington): Will my right hon. Friend give way?

Donald Anderson: Yes, as long as I have injury time.

Ms Abbott: My right hon. Friend said that the opinion of the Attorney-General could not be clearer, but in fact the Attorney-General's advice rests on a 10-year-old UN resolution. It is not as clear as my right hon. Friend thinks.

Donald Anderson: Perhaps my hon. Friend should see a lawyer. I have confidence in the Attorney-General. He chaired the Bar Council, he has his reputation among his fellow lawyers to maintain, and he is a man of stout independence. I urge my hon. Friend to look carefully at the conclusions that he reached.

Our Prime Minister made a strategic decision to stand alongside the United States on the basis that it would give him influence—it certainly has given him influence in terms of the UN route and of the middle east peace process—and on the basis that Saddam Hussein, given his past conduct, only responds to pressure with the credible threat of force. I am confident that that was the correct decision at the time. We could not have foreseen that the UN route could lead to the current impasse. One or two hon. Members have spoken of a spectacular failure of diplomacy, but all the advice available to our Government—not only from our diplomats but from conversations with leading members—was that there was a likelihood that 1441 would be obeyed.

The US has many vocal critics—I have frequently raised my concerns about its unilateralist policies in other areas—but the blame for the collapse of the diplomatic process lies with the wilful obstruction of the French Government, who said in terms:

> "Quelles que soient les circonstances la France votera non".

The French is clear: whatever the circumstances, France will vote no. There is nothing clearer than that. The French ruled out negotiations on the proposals put forward by the UK Government even before the Iraqis did. That approach, which has led to a crisis in the international organisations and put at risk the transatlantic alliance, is based essentially on a Gaullist view of the world—the idea that Europe can be an effective rival or counterweight to the megapower of the United States. France has played into the hands of Saddam Hussein by blocking the UN route. Do we seriously expect Saddam Hussein to make concessions and to co-operate with the weapons inspectors now that the pressure has been taken off him—or would have been taken off him if the French had had their way? In short, France has dealt a mortal blow to any hopes of a peaceful, negotiated outcome.

I recognise the uncertainties and the high risks, and I share many of my colleagues' suspicions about the unilateralism of the US Administration. However, I am confident that the French position can only encourage that unilateralism, while our policy will help to keep the US engaged internationally, and will ensure our national influence for the good. Despite all the uncertainties and anxieties, I fully supported the Prime Minister when he lined up with the President to disarm Saddam Hussein voluntarily, or by force. That was done for the best motives, and on the basis of a correct analysis at the time, and it has had significant results. Disarmament is now impossible through the preferred route, so serious consequences are now imminent and inevitable. In my judgment, if we prevaricate, we lose credibility. To uphold the UN's credibility, we should hold our course. I shall support the Government tonight.

5.6 pm

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): We could be at war in days, if not hours, and in meeting here today, we have perhaps one last chance to reflect on that fact. The Prime Minister has set out a powerful case. We can all understand his commitment and applaud his efforts; unfortunately, we cannot support his conclusions. Many of today's contributions have reflected the passions and concerns surrounding this issue. The House will, of course, unite on one key issue: that Saddam Hussein is an evil tyrant who should not be in possession of weapons of mass destruction; he must be disarmed. The fault line in the debate is about how we do that. We take him on because he ignores international law, and in so doing we must respect the principles of international law, in whose name we act. War must be a last resort.

We believe that the military build-up was the right thing to do. Saddam and his regime have undoubtedly had their minds focused, but an important distinction surely exists between a credible threat of force, and the certain use of force. We must not go to war simply because the forces have turned up and are ready to roll. Resolution 1441 contained no automaticity. It was, of course, a significant achievement, and all the more powerful because it was unanimous. It did indeed talk about a "further material breach", a "final opportunity", and "serious consequences". We are all familiar with the litany; indeed, the Foreign Secretary can quote it unsighted, and has firm views on its meaning.

However, there is one part of resolution 1441, in paragraph 12, that often gets overlooked. It states that the Security Council

> "Decides to convene immediately upon receipt of a report in accordance with paragraphs 4 or 11 . . . in order to consider the situation and the need for full compliance".

In weighing up the best way to tackle Saddam, it is the Security Council as a whole that must judge the course of action to take. The Government's efforts in recent days to persuade Security Council members about their course of action shows that they recognise this truth; however, their arguments have not prevailed. The core of 1441 is about the weapons inspectors. Doctors Blix and el-Baradei have made progress. The US and UK Governments may not be persuaded, but that does not alter the position. Dr. Blix said recently that the time allowed "is a little short". He also said that he needed

> "not years, not weeks, but months".

The process set out in 1441 is not exhausted; alternatives to war have barely been explored. In the past few days, we have seen diplomacy laid bare, considered discussion subverted by shouting matches, and force of argument now replaced by force of arms. It has been ugly, but the downward spiral of international debate must not distract us from the underlying truths of the situation. The Governments of the USA and the UK have not won the arguments; not simply because a majority in the international community believe that the weapons inspectors should continue their work but, just as significantly, because there is disagreement about the war objectives—disarmament only, or regime change. There is also concern about the consequences of action, which could be horrific and extremely serious, whether in humanitarian terms in the middle east region or through a spur to international terrorism. All those issues weigh heavily on us and they should tip the argument towards continuing with the UN route.

We are not yet at war, but in all likelihood our armed forces will be engaged in military conflict in the next few days. Our thoughts are with them and their families. As the cross-party amendment notes, in the event that hostilities commence, we pledge total support for the British forces. We express admiration for their courage, skill and devotion to duty, and hope that their tasks will be swiftly concluded with minimal casualties on all sides.

We still have a final moment for reflection. Late last week, President Bush issued a plea. He said:

> "Let us move beyond entrenched positions and make moves for peace."

He was talking about the middle east peace process, but his words also apply to Iraq. We should still be working through the United Nations. We have not yet exhausted all the diplomatic and political alternatives.

We should not be going to war.

5.11 pm

Tony Worthington (Clydebank and Milngavie): I shall talk about only one aspect of this issue: the humanitarian consequences of the action of my Government and the United States in going to war on Iraq.

In this debate we have been obsessed, as we have been for many months, with the wickedness of Saddam Hussein. There have been countless words of vilification, but for my constituents they were hardly necessary; they are fully aware of his behaviour. What bothers my constituents—it is one of the reasons why the Prime Minister fails to persuade them of the rightness of his approach—is that little or no attention is being paid to the consequences of the action that we are about to take.

If damaging consequences are set loose by our actions, we must take the morality of that into account. If, as we are likely to do, we take action that strongly increases the probability of the use of weapons of mass destruction, we must question whether such a policy is wise or moral. If we take action that involves the use of our own weapons of mass destruction in a horrific onslaught against the people of Iraq, that, too, has to be put on the moral scales. Half the people whom we are going to kill are children. None of the people whom we are going to kill had any say in the imposition of Saddam Hussein as their tyrant. We must take that into account.

We are going to invade a country of Balkanesque complexity where occupying forces will be unable easily to withdraw. We are rapidly in danger of becoming piggy in the middle for every discontented ethnic or religious group in the area. There seems little doubt of speedy, initial victory, but it is worth remembering that the six-day war in the middle east is still going strong after 35 years. This war has similar potential.

It is currently not easy to get countries to volunteer for armed service in Afghanistan. Which countries will have troops of the right quality to assist the Americans and us? Have we faced up to being an army of occupation?

[Tony Worthington]

Above all, we are being led by an American President who is completely honest about what his Administration intend to do with the world. I have recently been reading Bob Woodward's book, "Bush at War"—on his first war in Afghanistan—which is a real love story. Bob Woodward says of Bush:

> "His vision clearly includes a radical reordering of the world through pre-emptive and, if necessary, unilateral action."

We have not just to look at the history, as we keep doing, but to think through the consequences.

I have been concerned by the lack of reporting to the House on the humanitarian consequences of an invasion. When I backed the Government in going down the UN route, the intention was certainly not that we would just debate and vote in the Security Council and then the Iraq issue would be simply handed over to General Tommy Franks. Obviously, the conduct of the war has to be done by the military, but what happens alongside and afterwards must be an UN operation.

The Government have been very remiss in reporting on what the operation will involve. The only people who have been clear about what will happen are the Americans, and they did so most clearly five to six weeks ago in a report to the Senate Foreign Relations Committee by Douglas Feith, the Under Secretary of Defence.

The Pentagon would be in control. I quote:

> "US post war responsibilities will not be easy to fulfil and the US by no means wishes to tackle them alone. We shall encourage contributions and participation from coalition partners, non-governmental organisations, the UN and other international organisations and others."

Another quote:

> "The coalition officials"—

that is us—

> "responsible for post-conflict administration of Iraq—whether military or civilian, from the various agencies of governments, will report to the President through General Tom Franks and the Secretary of Defense."

That is simply not acceptable as a way of administering a country that has been invaded. That is not conjecture; it is a statement of policy by the American Government. The expectation is that the Americans, not the UN, would have the lead role and that foreign Governments and organisations would report to the United States President. That had been planned without reference to the Secretary-General of the UN or any UN organisation.

Stories are now going around that, in fact, the Prime Minister has negotiated the lead role for the UN under a new UN resolution that will be proposed. I am puzzled by that story because it is not in the motion and it was not in the Prime Minister's speech. *[Interruption.]* It is not in the motion. If hon. Members read the motion, they will see that it does not refer to a UN-controlled mandate post-conflict. If that is there, it is very welcome. If it is true—this story is going around as well—that Kofi Annan will be in charge of the oil-for-food programme, that is a big step forward, but perhaps the Minister would tell us in his winding-up speech exactly what has been negotiated with George Bush to make the situation much more acceptable when the conflict is over, rather than what is in the motion at present. I would very much welcome that.

We have to consider the scale of the humanitarian problem. Iraq is a huge country, the size of France. We have to think about feeding 26 million people instantly. That has to be done by the UN, not by the Office of Reconstruction and Humanitarian Assistance after the election. No one has paid any attention to that very important issue, but I hope that the Minister will be able to make it absolutely clear in his winding-up speech whether the UN or the American generals will be in control after the election.

5.19 pm

Mr. John Baron (Billericay): It is my belief—I say this with a heavy heart—that war at this moment is wrong for a number of reasons. First, war should always be the measure of last resort, when all other approaches have been exhausted and are futile. Indeed, war can be justified only if there is no other possibility. As we stand today, however, that is not the case. The threat of force is yielding some results. UN inspectors want more time and are finally making some progress, slow though it may be, and no one can dispute that.

Many who advocate war point out correctly that Iraq has had 12 years to disarm but has not done so, and cite that as a reason to go to war now. However, many of those years were wasted by the international community. To resort to war now, having made some progress during the last 12 to 13 weeks of the present policy, makes little sense.

Dr. Julian Lewis (New Forest, East): Does my hon. Friend accept, however, that it is not the inspectors' job to go on doing what they have been doing over the last few weeks in acting as detectives? If they are to perform their task properly, they need to be actively shown where the forbidden weapons are, and they are not being shown where they are.

Mr. Baron: I accept my hon. Friend's point, but he must accept that the UN inspectors' reports request extra time because they believe that some progress is being made and there are tentative signs that the regime may be changing its view. An extra 45 days, or a couple of months, would determine whether that was true. Time would tell.

To wage war now makes lit[illegible]se when all the other possible approaches and measures have not been exhausted. Waging war is the ultimate act of politicians, yet such an act recognises the futility of their endeavours. Until we know that all other avenues have been exhausted, our consciences cannot be at ease. What is to be lost by giving the UN inspectors what they want: a few more months to see whether the task can be completed? Do we seriously believe that Iraq's biological and chemical weapons, in whatever state and quantity, pose such an immediate threat to the US, the UK or Iraq's neighbours that if we do not act this week or this month, we put our citizens at serious risk? I do not believe so.

Iraq's army is a shadow of its 1991 standing. Iraq is probably the most watched-over country in the world at present. It would not pose any more of an immediate threat to our citizens during this period than it has done over the past 12 years. The prize for being patient, however, could be great: we would have a much greater chance of the UN speaking with at least a moral majority, if not one voice, on this issue.

That leads me to my second concern, which is for the UN. For whatever reasons, it is clear that the UN does not believe war to be justified, and will not vote for it. Unlike the action in relation to Kosovo, we cannot even get a moral majority for this action. The UN imposed the sanctions, and, on this issue, the UN should decide whether war is a necessity. By taking unilateral action, the US and the UK have undermined the organisation, which saddens me greatly. Having served with the UN, I have seen the tremendous potential for good that it possesses. It is not perfect, and blame can be laid at its door over the last 12 years, but it is the best that we have got, and could do much more if we put our minds to it. At a time when the UN should come together as never before to fight global terrorism and other threats after 11 September, it is being undermined by this action. The credibility that the international community will require when dealing with rogue states and terrorist organisations will be that much harder to muster.

Since the second world war, the threat of force, deterrence and containment have been successful policies, during the cold war and when dealing with rogue states such as Libya. The broad unity that has made that possible is at risk of fracturing, and that could be a serious consequence of this action.

Mr. George Osborne (Tatton): Will my hon. Friend give way?

Mr. Baron: I will not. I must make progress or I will run out of time.

We have debated the broad legality of the action long and hard, and I accept that, if one puts several lawyers in a room, one will probably not receive only one answer. Resolution 1441, for which I voted, clearly implies that war is possible, but only if other means have been exhausted. I thought that it was passed in that spirit and, as we all know, the American ambassador to the UN was at pains to emphasise at the time that there were no hidden trigger points for war in the resolution. However, we have been told that the resolution is sufficient justification for war in its own right. If that is the case, certain questions must be answered.

Why did the US and UK try to secure a second resolution if not to provide legal cover for war? Why has Kofi Annan cast doubt over the legality of war without a second resolution? Why does a growing body of opinion, both at home and abroad, question whether resolution 1441 is sufficient justification for war? The countries that signed up to 1441 believed that it could justify war only if there were no alternatives. We all agree that Iraq has a revolting regime—there can be little doubt about that—but that is insufficient justification to go to war.

Insufficient thought has been given to the consequences of the action and urgent questions must again be answered. Who and what will replace Saddam Hussein? What plans exist for humanitarian relief? We know little about that. What effect will the action have on the stability of neighbouring states? My right hon. Friend the shadow Foreign Secretary has consistently asked those questions but the Government have failed to answer them, broadly speaking. Any plans have not been assisted by the fact that the USA has cited different objectives at different times: regime change, links with al-Qaeda, weapons of mass destruction and morality. We need to be clear about the objectives when taking such important decisions.

I wish to address the view expressed in some quarters that we are somehow letting our troops down by questioning our policy here and now. It is only right that we question the policy given that we are probably about to go to war. I am sure that I speak for everyone in the House when I say that we will wholeheartedly support our troops if and when they are sent to war. They deserve our fullest support and I know that they will not fail us, although we may have failed to address the issue adequately.

War now is not the right action. I have no doubt about the result of the conflict because the combined military power of the US and the UK will ensure a quick military victory. However, an easy victory does not make the war right. I am not anti-American—quite the opposite, I have great respect for America—but that is not the issue. Good friends need to point out where policy is going wrong.

The UN can only be weakened by unilateral action by certain members at a time when it clearly does not believe that action is justified, despite all the talk over the weekend in the Azores. That is why I cannot support the Government's action and I shall vote for the amendment.

5.28 pm

Mr. Brian Sedgemore (Hackney, South and Shoreditch): We have just heard a courageous speech, although I am not sure how well it will go down with warlike taxi drivers from Billericay.

It is customary on these occasions to wish our forces well when they carry out the thankless task that we ask them to do in our name. In my capacity as the civilian president of 444 Squadron, Shoreditch—I proudly wear its tie today—I hope against hope that all our airmen and women, soldiers and sailors will return home safely from the war. I also hope that men, women and children in Iraq will be safe. With apologies to Churchill, I hope that this will not signal the end, or even the beginning of the end, for our Prime Minister. However, my gut instinct tells me that he will face almost insurmountable problems because of the position that he has taken. The scale of his misjudgment on this issue is enormous.

Who would have thought that the actions of a Labour Prime Minister would have given rise to the biggest demonstration in our history against his own Government? Who would have thought that his actions would give rise to the biggest parliamentary Back-Bench rebellion in modern political history? How did he manage to poison the idea of European unity? The attempts to make France the scapegoat for the miserable failure of British diplomacy have demeaned both our Foreign Secretary—I regret to say that—and our Prime Minister. Listening to some of today's debate, one would think that there is such an anti-French feeling that people have started to read the editorials in *The Sun*. It will be a long time before the civilised citizens of our continent forgive them.

How came it that our Prime Minister allowed a road map for peace to become a road map for war, thereby sowing deep division in the United Nations? Did he really think that the United States Government could

[Mr. Brian Sedgemore]

bully and bribe all the nations of the UN to acquiesce in armed conflict? It is sad that, both as a politician and as a lawyer, the Prime Minister should have forsaken the ideal of a tolerant and liberal internationalism in favour of the frightening concept that might is right.

We are supposed to admire the Prime Minister because he is a man without doubts and one shorn of scepticism—two of the greatest qualities that the British people have. He just knows that he is right and is therefore prepared to ignore the advice of virtually all the leaders of the great religions in the world, including the Pope and our own archbishop. I find that approach rather frightening.

Worse than all that, the Prime Minister shows himself to be oblivious of and careless towards the shrewd moral judgment of the majority of the British people. No, we do not govern by opinion poll and focus groups, but in a modern democracy we need something stronger to hold on to than the slogan, "My Prime Minister, right or wrong."

In this catastrophe the Prime Minister, a self-avowed admirer of Baroness Thatcher, has ignored the principal lesson of her demise. He should know, as the rest of us do, that when arrogance turns to hubris, come-uppance is never far behind.

Geraint Davies (Croydon, Central): Will my hon. Friend give way.

Mr. Sedgemore: No, I will not give way.

The public find much of the background to this war difficult to comprehend. So do I. Shortly after Saddam Hussein did use chemical weapons of mass destruction against his own people, I sought to go to Iraq with my hon. Friend the Member for Cynon Valley (Ann Clwyd) and a chemical weapons expert to find out just what had happened. I do not remember any of us being given any support, either by the then Government or by the then Opposition. The heroic efforts of my hon. Friend, for whom I have unstinting admiration, to help the Iraqi Kurds, were met with her dismissal by the Prime Minister on the advice of the then Labour Chief Whip . I find that appalling.

More recently, my hon. Friend has been thwarted by the Attorney-General in her attempts, as an alternative to war, to indict Saddam Hussein and his henchmen for crimes against humanity. The Attorney-General's response, as my hon. Friend told the House in withering terms, was woeful. His legal opinion, which I have seen myself, was scorned by experts.

So now it is to be war on the basis of another bad legal opinion by the Attorney-General. I have it here in my pocket. I do not want to be rude to the Attorney-General, but he is a commercial lawyer who, frankly, seems to be out of his depth when trying to deal with this problem. Let us not forget too—I apologise to my learned Friends for this—that the law is a marketplace and if one shops around, one can always get some poor soul to give the opinion that one wants.

Of course there are laws, domestic and international, and they should be adhered to, but it takes people of clarity and understanding at the top to enable systems to work fairly and properly. In my view, we lack such people at the moment. History frequently tells us that tragedies are rarely as bad as they seem at the time they occur; ominously, however, it sometimes tells us that they are worse. I suspect that the latter will prove to be the case this time. In the end, politics, like most other things in life, is about trust. Sadly, I do not trust some of the people who are leading us in this issue, so they cannot rely on my support tonight.

5.35 pm

Mr. John Maples (Stratford-on-Avon): That was fairly indigestible. The hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) indulged his usual understatement, but apparently one can safely make that sort of speech from inside the Cabinet as well as outside.

I shall pick up the point about legality and spend a few minutes examining it. Seventeen United Nations Security council resolutions and the opinion of the Attorney-General are enough for me—although apparently not for some people—and I cannot see how one more resolution can make moral something that is otherwise immoral. However, to examine the issue strictly in terms of legality, the opinion of the Attorney-General seems to me powerful and well argued. No doubt, as the hon. Gentleman said, if one got a different lawyer, one would get a different opinion. I note that the Campaign for Nuclear Disarmament commissioned an opinion from a QC and got an opinion that was precisely the opposite of the Attorney-General's. How surprising. There is no point in paying one of those expensive people if they are not going to say what one wants to hear.

I wish to explore the views of many of those who are rebelling against the Government over Iraq but were perfectly content with the action that the Government took in Kosovo. We did not get even one United Nations Security Council resolution for Kosovo. We relied on a doctrine of so-called humanitarian intervention that almost certainly does not exist—certainly the point had to be stretched. The United States may be stretching the concept of pre-emptive self-defence if it uses that as an argument for intervening in Iraq, but at least that doctrine exists, unlike the doctrine of humanitarian intervention. What we did in Kosovo was illegal.

A great many Labour Members and some Conservative Members seem to have problems with what the Government are doing now, when there is a strong case that the action is legal, even if the case is not watertight. In Kosovo, the action was clearly illegal. There were three major debates in the House on that action, and no one voted against it, even though they could have forced votes on the Adjournment. There was nothing like the plethora of activity that we are seeing now. One cannot help wondering what prejudices this policy on Iraq has tickled.

The leader of the war party at the time of Kosovo, the right hon. Member for Livingston (Mr. Cook), who spoke yesterday—I told him that I would refer in this debate to what he said—is now apparently the leader of the peace party. At the time, he argued strongly for the intervention in Kosovo on what I consider were powerful and compelling moral grounds. There was indeed a strong moral case for intervening, but there was not a [illegible] case for doing so. Are we now saying that Milosevic [illegible] bigger threat to international peace and security than Saddam Hussein, or that Milosevic was committing worse breaches of human rights than Saddam Hussein? Milosevic did not have weapons of mass destruction; Saddam Hussein almost certainly did.

Those who wrap themselves in principle and say that on this occasion they are behaving out of principle, as the right hon. Gentleman does, at least owe us consistency. If people base their views on foreign policy on principle and morality and they are inconsistent, one is entitled to ask about their sincerity. Those who will oppose the Government tonight out of their principles cannot have been acting on the same principles when they supported the Government on Kosovo.

Mr. Savidge: In the Balkans, Milosevic had started a series of wars in the recent past, and Kosovo was just one more, whereas Saddam Hussein, evil though he is, has been contained for more than a decade.

Mr. Maples: I do not want get sidetracked into the history of the Balkans, as we could be there for a very long time. All I will say is that our intervention in Kosovo was an intervention in the internal affairs of a sovereign state. Kosovo was part of Serbia. The then Foreign Secretary engineered a conference at Fontainebleau at which Milosevic was presented with a wholly unacceptable set of terms and conditions, which was then used as a pretext for starting a war. We intervened in the internal affairs of another sovereign state, without any legal basis for that action. I do not argue that there was no moral basis; there certainly was, and in that respect the intervention was successful, but nobody could argue that it was legal.

Mr. Tony Banks (West Ham): Will the hon. Gentleman give way?

Mr. Maples: No, I have taken an intervention on that point and I want to pursue my own argument.

We must understand that the world has changed since 11 September. If we do not think that it has changed for us, we must understand that it has changed for the United States. Things that were previously acceptable as nuisances or pinpricks no longer are. We must also accept that only the United States will sort out the problems. We will not do it; the French will not do it. If we and the French could talk to each other, we could not do it together. We are going to rely on the United States to do it.

The idea that our foreign policy can be carried out legally and morally only if it is the subject of a United Nations Security Council resolution is a dreadful hostage to fortune. It gives any of the five permanent members of the Security Council a veto over what we decide to do.

On my second point, I turn to what will happen or not happen tonight. I have read the amendment with more than 100 signatures against it. Presumably, rather more hon. Members will vote for it. The case could have been made until two or three weeks ago, but do those hon. Members really think that it is sensible, at this late stage in the day, to try to defeat the Government on the matter? Let us consider what the consequences would be if the Government were defeated.

If, on the verge of battle, with our troops and their command structure integrated into an alliance with the United States, playing vital small parts in that military effort, they were withdrawn, that would destroy the credibility of British foreign and security policy for a generation. Just reflect what happened at Suez. It took 26 years, till the Falklands war, for the credibility of British foreign policy to be reasserted. If we withdraw—

Jeremy Corbyn: Will the hon. Gentleman give way?

Mr. Maples: No. I am in the middle of making my main point.

If we withdrew our support for the alliance at this late stage, we would destroy the credibility of our foreign policy for a generation. We would damage immensely, if not terminally, our alliance with the United States. We would damage our relations with a great many countries in Europe that support the stance that the Government have taken, and I venture to say that we would never be trusted again while most of us are in the House, and probably long beyond.

I believe that the Prime Minister's actions will be vindicated. Even if one disagrees with what he is doing, the time has come to stop criticising and undermining him and to let him get on with the job. The best that most of the rest of us can do is hope and, dare I say, pray that the conflict will be short and that very few people will be killed.

5.42 pm

Hugh Bayley (City of York): In July last year the Prime Minister took the decision to work through the United Nations. He was the first person to call for UN weapons inspectors to be readmitted to Iraq. France was not calling for that, nor was Germany, nor was the peace movement and CND, nor was the United States, so it was a major achievement to gain unanimous support in November for resolution 1441.

I deeply regret the divisions on the Security Council that have opened up since then. Those divisions, as I said earlier, have had the effect of disarming the United Nations, rather than disarming Iraq. On 24 February France, Germany and Russia submitted a memorandum to the Security Council that stated:

> "The unity of the Security Council must be preserved."

So why the talk of a veto? Why not negotiation with other members of the Security Council? Why not compromise on a defined period for disarmament to be followed by military action, as was proposed by our Government?

I wanted to see a second resolution carried in the Security Council before UK troops were committed to military action, but unfortunately the opportunity for that debate has been taken away by the French decision to wield its veto. I do not agree with the French or German view that if we give Saddam Hussein a little more time, he will change his mind and disarm, but I respect the German position when they say that they will not participate in military action. I would respect the French position if they said the same, but I cannot accept that France, Russia or China have a right to use their veto to prevent others from enforcing UN resolutions.

[Hugh Bayley]

In the absence of the second resolution that I wanted to see, I simply ask two questions. First, has Saddam complied and disarmed? The answer is no. Secondly, does it matter? As far as I am concerned, the answer is yes. Given that we, the Americans and others have built up forces in the region, we now face only two alternatives—to commit those troops in the very near future to military enforcement of the UN resolutions or to pull them out of the theatre. If we pull them out, Iraq will immediately end what limited compliance it has shown with the UN's requirements. We cannot keep those forces on stand-by in tents in the desert and bobbing up and down in ships on Indian ocean for a further 120 days, as the French proposed. Every Member of this House knows that. Indeed, France knew that when it put forward its 120-day proposal.

I detest the prospect of war every bit as much as the many constituents who have written to me opposing it, but I do not believe that we can ignore the threat that Iraq poses to neighbouring states, the gross violation of the human rights of the Iraqi people or the risk that the Iraqi regime will at some point in future supply chemical or biological agents to terrorists who might use them in this country or elsewhere in Europe.

I am deeply concerned about the humanitarian consequences of war. There is an urgent need to ensure that responsibility for distributing food under the oil-for-food programme is transferred from the Iraqi authorities to the United Nations and that there is adequate funding to ensure that that happens, because 60 per cent. of Iraq's population depends on that food aid. We need to ensure that neighbouring countries open their borders to refugees and that refugee camps have water, sanitation and health facilities. As my hon. Friend the Member for Clydebank and Milngavie (Tony Worthington) said, we need to ensure that the UN runs the post-war reconstruction of Iraq. Without UN leadership, many donor countries simply will not make the contributions that will be necessary to rebuild Iraq.

I am pleased that our Prime Minister has put Palestine on to the agenda. There cannot be peace in the middle east without the creation of a Palestinian state and security for the state of Israel. Members of this House cannot ignore the fact that security for the state of Israel will be impossible as long as Saddam in Iraq is providing funding and support to the families of suicide bombers.

Finally, and importantly, I pay tribute to the almost 600 men and women of 2 Signal Regiment from my city, York, who are currently on active service in the Gulf. We in this House do not face the dangers that they face and we in this country are fortunate to have brave and professional soldiers in the British Army, and our other servicemen and women. They are deeply respected for their professionalism throughout the world and my thoughts are with them now.

5.48 pm

Mr. Jonathan Sayeed (Mid-Bedfordshire): Securing the approval of the United Nations has become the rallying cry for some who oppose military action in Iraq. For them, no war without a second UN resolution has actually meant no war at all in any circumstances and whatever the provocation. That evasion is deliberate. However, the United Nations cannot absolve us from exercising our own critical or moral judgment. Although UN approval is useful in garnering international support, a democratic sovereign nation state has the right to defend itself from external aggression, even if the UN or its Security Council has not given its blessing.

The judgments that we must make today are whether our country is right to go to war, and, if so, whether it is necessary to go to war now. Anyone who, like me, has voluntarily joined Her Majesty's regular armed forces is unlikely to support the "no war ever" brigade. No one who believes that a major war would probably be initiated by a nation where power was concentrated in the hands of the evil, the insane or the bigoted dictator can be in any doubt that Saddam Hussein poses a potential threat.

I have no doubt that Europe owes its freedom, and that some of its people owe their very existence, to the people and Governments of the United States. We owe that great nation a debt that too many in Europe ignore. Despite all that, I believe that the case for a war now has not been made. Too little has been done to put irresistible pressure on Saddam Hussein to effect the changes that our safety demands.

Any threat has two components: the available weapons and the likelihood of their use. In the past, the Iraqi regime has manufactured chemical, biological and probably nerve agents. They are weapons not of war but of terror, of which Saddam Hussein must undoubtedly be deprived. However, the Government have not demonstrated that they are easily available for use now. Neither have they shown that, contrary to all Saddam's previous actions, Iraq intends to threaten us with their use. I asked the Prime Minister on 12 February

"what new threat, proven threat or imminent threat is there to justify war?"—[*Official Report*, 12 February 2003; Vol. 399, c. 860.]

The question remains unanswered.

We were first told that war was necessary as the Iraqi regime had a history of supporting al-Qaeda. Undoubtedly the regime has supported terrorism, and so have Syria, Iran and Libya. But al-Qaeda? Hardly. A godless, ruthless dictator with a history of oppressing his own Islamic people is inimical to such a fundamentalist terrorist organisation.

Mr. Dalyell: Of course, al-Qaeda had a connection with Saddam Hussein. On two occasions, it tried to assassinate him.

Mr. Sayeed: I thank the Father of the House for reminding hon. Members of that fact. It makes my point that Saddam Hussein is inimical to al-Qaeda.

Secondly, we were told that war was necessary because Saddam Hussein had a variety of foul weapons. When the inspectors did not find them, the Prime Minister changed his "just cause for war" again. In answer to my question on 12 February, he introduced the concept of a moral war, waged as a humanitarian intervention to save the people of Iraq.

Mr. George Osborne: Surely it was not the weapons inspectors' job to find the weapons, but Saddam Hussein's job to show them where the weapons were.

Mr. Sayeed: I agree absolutely. Saddam Hussein should have done that. I intend to show why he would never do it.

Would the people of Iraq be better off if Saddam Hussein were dead or in exile? The answer is undoubtedly yes. Does the Iraqi regime have weapons of mass destruction? It almost certainly does. They are possibly so well hidden that they would be difficult to use immediately. Has Saddam Hussein supported terrorist organisations? Again, the answer is yes, but, as far as I am aware, to a lesser extent than Syria. None of those factors justifies immediate military action.

Much more could and should have been done to bring irresistible pressure to bear on Saddam Hussein by, for example, extending the no-fly zones to cover the whole of Iraq, by requiring Iraqi military personnel and equipment to be returned to agreed positions or by demanding that the weapons inspectors had unfettered access to sites and Iraqi personnel. Such draconian measures might have received international approval, and might reluctantly have been accepted by Saddam Hussein, provided that the visible threat of war continued. They certainly would have degraded the Iraqi regime's ability to resist military action if it came. Obviously, I cannot prove that my ideas, or any others, would have worked. I believe, however, that much more could have been done, and that much more should have been done differently, so that the effect of prevarication or cheating would have been obvious. We did not do that, however. Instead, we made demands that the Iraqi regime was always unlikely to accept, and which, if it did pretend to accept them, would be easy to cheat or lie about, as its dishonesty was hard to prove.

So, we are faced with war. It is a war whose justification will not be accepted by most of the Muslim world. Too little fresh thinking has been employed in trying to avert it, and its rationale has changed as each reason has remained unproven. It is portrayed as a war of last resort, yet it appears to be born of frustration with a regime and a leader without whom the world would be better off. I will give my unswerving support to those whom we have sent to fight in our name, but I will not support a premature decision to wage war. I hope that we will not come to regret this, but I fear that we will.

5.56 pm

Mr. Wayne David (Caerphilly): I would like to begin by paying tribute to my right hon. Friend the Member for Livingston (Mr. Cook). When I was a Member of the European Parliament, I worked closely with him when he was shadow Foreign Secretary and Foreign Secretary, and I have a deep respect for his genuine internationalism.

Like many Members of the House, I have thought long and hard about this complex issue. I have great respect for everyone who has spoken in this debate and for the many people with whom I have had discussions on the issue over the last couple of weeks. I want to say clearly that I support the Government. I do so not out of any sycophancy or blind loyalty, but because I believe that the position that they have adopted is morally correct.

Equally, I would like to say that I am not naturally a great ally or fan of the United States of America. I remember going to Nicaragua on two occasions in the 1980s, and I saw at first hand the extremely negative aspects of the US foreign policy of the time for the people of that country. Furthermore, when I turn on the television and see George W. Bush, I frequently cringe when I hear the vacuous rhetoric that he often employs. That is not a reason, however, to oppose the US position on Iraq. It is incumbent on all of us carefully to study precisely what the American position is, and what it means in practice.

Like many Members of the House, I had strongly hoped that we would have had a second United Nations resolution. However, having studied carefully the transcripts of various statements by President Chirac of France, there is no doubt in my mind that the French are primarily responsible for the fact that we do not have such a resolution. They threatened to use their veto in a quite unreasonable way, and many of us who wanted a second resolution did so on the assumption that all parties on the Security Council would approach the issue in a constructive, objective and fair way. That clearly has not happened.

We have to ask ourselves why the French have adopted this position. Some people might cite French commercial and oil interests. We have to bear in mind, however, that the French are playing a longer and bigger game plan here. They are concerned, it would seem, with developing an alternative global vision to that of the United States. They see themselves as the new and natural leaders of the European Union. I find that perspective extremely worrying, and I think that we in our country must ensure that there is a bridge between the United States and Europe enabling us all to work together as far as is humanly possible.

We must also never forget that, time and again, Saddam Hussein has been given the opportunity to resolve the situation. The onus has rightly been placed on him. If he had said at any moment—not during the last few days or months, but at any time during the last 12 years—that he was prepared to comply with United Nations resolutions, we would not be in our present position. We should never, ever forget that.

A clear choice is before us today. Many have talked of the consequences of military action; let me briefly refer to some of the consequences that I envisage in the event of no military action. First, I believe that the UN's influence would be reduced still further. Our Prime Minister's approach has, I believe, been the right approach. We must ensure that once military action has been taken, the UN continues to play a major role in world affairs and, in particular, plays a leading role in the creation of the democratic Iraq that we want to see. If we abdicate our responsibilities, the chances of that will be significantly less. Secondly, I believe that if we vote against military action there will still be a war: there will be a war if the United States alone attacks Iraq. I think that that more than anything else would reinforce the inclination of many in the US Administration to go

[Mr. Wayne David]

for unbridled unilateralism, which would constitute a huge step back for the global community. I fear, too, that the much-discussed road map would be that much more difficult to fulfil.

If the United States and we do not take action, however, Saddam Hussein will have been given the all-clear to keep his weapons of mass destruction. Moreover, he will have been given the OK by us to develop them still further. Let us not forget, too, that when we talk of weapons of mass destruction we talk of some of the most appalling weapons that humankind has developed—anthrax, mustard gas, VX gas, sarin gas and so on.

Finally, let me say this. If we do not take action—if we abdicate our responsibilities—the consequences for the people of Iraq will be dire. No one can doubt the barbarities of Saddam Hussein's regime: the torture, the persecution, the intimidation, the rape, the murder, the sheer inhumanity of the Ba'athist regime. My hon. Friend the Member for Cynon Valley (Ann Clwyd) has depicted that inhumanity more graphically than anyone else I can think of. If we back down now, we will not be forgiven by thousands of ordinary people in Iraq.

Yesterday I was privileged to attend a meeting with the Prime Minister of Kurdish northern Iraq. The message was crystal clear: "Please stand by us. Please stand by the people of Iraq, the Kurds and the Shi'ites, so that we can have a better life—a life free of tyranny and free of the tyranny of Saddam Hussein".

Like all other Members, I have given this issue careful consideration. I believe that there are powerful and genuine arguments on both sides; but I also believe that at this crucial time we must stand by the people of Iraq, do what we believe is right, and support the Government's motion.

6.4 pm

Mr. David Trimble (Upper Bann): As someone remarked earlier, there is a sense that this debate is a continuation of what we discussed at some length a few weeks ago. I dare say that we will come back to the subject in the next week or two.

Many arguments have been made and points touched on, but the hon. Member for Billericay (Mr. Baron) and the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) spoke of containment and deterrence as a way of dealing with the problem. Those concepts worked well during the cold war, but the world has changed since the cold war ended. We must recognise that containment and deterrence will not work in the situation that confronts us.

In the modern world, we face danger from what are called rogue states, terrorist groups and weapons of mass destruction. As a consequence of the cold war, there is a lot of expertise and matériel floating around the world that is not as well guarded as it should be. Perhaps we did not fully appreciate the problem before 11 September, but the events of that day should have concentrated minds on the matter. In the context of this debate, the significance of 11 September is that it made people realise that a different approach was needed if we were to deal with the problems caused by WMD, terrorist movements and rogue states.

That different approach was symbolised last year by the passing of resolution 1441. The international community decided to proceed by a route different from that offered by containment and deterrence, and to go back to the weapons inspections that had taken place immediately after the Gulf war. In that way, a serious effort was made to disarm Saddam Hussein.

As I noted in the previous debate on the matter, there was a paradox in the attempt to disarm Saddam Hussein through weapons inspections. The paradox was that disarmament was not going to happen unless inspection was backed up by a credible threat of force. That was how it turned out: Saddam Hussein was not going to disarm voluntarily, and any moves made in that direction would happen only if he believed that massive force would be used against him if he did not comply.

The paradox was that the peaceful, diplomatic route was credible only if a major power was ready to use force, if necessary. However, that approach was no longer tenable after Monday of last week, when the French said that they would veto a resolution whatever the circumstances.

People have talked about the position of other countries, and about the position of Russia in particular. I shall talk about Russia again in a moment, but the French took a unique position because they said that they would veto any resolution that appeared to authorise force, whatever the circumstances. The French were not going to say, "Give it another month or couple of months." If the French position had been to give the approach a little more time, it would have been possible to maintain the credible threat of force. However, as soon as the French said that they would exercise their veto whatever the circumstances, they destroyed the credible threat of force used through the UN channel.

The UN route was therefore blocked. The Government and the US Government spent a week seeing whether they could unblock it, or find some way around the blockage. I am surprised that they spent so long coming to terms with the French position, which effectively closed down the UN route.

Why have the French done this? Their actions are different from the normal French way of operating, with which we are all familiar. In the past, yes, the French have been awkward and difficult. They have hung on until people have met the requirements of what the French regard as their national interest, or until people have recognised the French position. They do not like being taken for granted, but in the past they have usually come into line.

There were indications that the Russians were going to do the same. Whatever their public position, the Russians had a shopping list. I am very glad that the Americans were not tempted to accede to the list, as the reports that I have heard suggest that it contained some pretty gruesome items. Be that as it may, the Russians were operating in their normal way, and one expected the French to do likewise. The question is, why did the French adopt the position of saying that they would exercise the veto, whatever the circumstances?

The hon. Member for Caerphilly (Mr. David) was getting close to the answer to that question when he said that it went back to the French view of themselves in Europe. The hon. Gentleman said that the French believe that they should lead Europe, and that Europe should be another pole of power in the world—a challenge or a rival to the US. However, they discovered that that was not the view of the majority of European countries. That goes a long way to explain the French position and I hope that the Government will bear that in mind when we come to the accession of the eastern European countries to the European Union. I hope that that will not be subject to a veto. We should also remember that point when we consider the outcome of the Convention on the Future of Europe.

For present purposes, we must recognise that the UN route ended on Monday last week. What do we do now? We are not where we wanted to be and the situation is not ideal, but we must operate in the circumstances that now prevail. Are we just going to strike camp and go away? Will the United States allow itself to be humiliated by the French? No, it will not, and nor could anyone reasonably expect that. Nor would it be reasonable to think along those lines ourselves. If resolution 1441 is right, ensuring compliance with it is also right. The French action, therefore, is an unreasonable exercise of the veto.

The Prime Minister made a powerful and compelling speech. I agreed especially with the comments that he made towards the end of it. We must make a choice in the present circumstances. We must consider the consequences of that choice, some of which are unknowable and unpredictable. There is an element of risk in the choice that we make, but we must make it. The situation is imperfect—this is an imperfect world—and the issue cannot be easily compartmentalised. In the present situation, however, we do not have much of a choice and that is why my colleagues and I will support the Government in the Lobby tonight.

6.11 pm

Helen Jackson (Sheffield, Hillsborough): I am pleased to follow the right hon. Member for Upper Bann (Mr. Trimble), because, as leader of his party, alongside the other party leaders in Northern Ireland, he has shown the way in going the extra mile when the point is reached at which they are as frustrated with the peace process as any Member of Parliament is with the present international impasse. Perhaps there is a lesson to be learned from that.

The imagery of the past few weeks has included some disturbing contrasts. We have seen 1.5 million people on the streets of London—one of the biggest demonstrations ever. We have seen the images of the Iraqis sending old al-Samoud missiles off to the knacker's yard and the awesome sight of an army of modern weaponry on the border of Iraq, prepared to invade and occupy a small but strategic and historic country in the middle east. There is always something distasteful and unpleasant about overweening might being used in war against a much smaller nation. It is the imagery of David and Goliath, the bully in the playground, the Soviet invasion of Hungary or the tanks rolling into Czechoslovakia, the bombing of La Moneda palace in Chile in 1973 and, indeed, the despotic acts of Saddam Hussein in oppressing minorities in Iraq.

I disagreed with my right hon. Friend the Prime Minister today when he compared this situation with that in 1938. In that situation, we faced a country that itself was using overweening force to impose its will on other smaller countries. It was right to challenge the US Administration and go through the UN last autumn, but it became apparent that that approach could be interpreted in two ways. The danger was that the US would see the UN approach as a vindication of something that it always intended to do and would pay only lip service to resolution 1441. On the other hand, resolution 1441 could be seen as the consensus between those nations—I count Britain among them—that genuinely felt that it offered the potential of disarmament without military action.

The effectiveness of the peaceful approach was undermined every time that we saw Donald Rumsfeld or other members of the US Administration on television saying, "We will take military action to enforce our will in Iraq, but we would prefer a UN resolution." It was undermined every time that Britain failed to offer a strong rebuttal of such statements or to demand publicly that the US should declare that it was prepared not to use military force if that was the consensus reached in the UN. It was undermined whenever Members of Parliament said that the UN mandate would not prevail and that nothing would stop the US. It was undermined when the President of France, Jacques Chirac, threatened recently to veto rather than negotiate the terms of a second resolution, which we all wanted desperately to see negotiated in the Security Council.

Resolution 1441 required that the Security Council consider the outcome of the weapons inspections and it clearly left the UN in control of whether action was taken. Our Prime Minister and Foreign Secretary understood that very well, and I applaud their efforts. The collective view has not been secured, however, and that imposes constraints on everyone, whether they comply or not. As matters stand, we are no longer in compliance with the international will and Kofi Annan has not lent his authority to military action.

When I was in Africa last week I was struck by the shock and incredulity of people in the small country of Malawi at the British position. They said, "But we thought that Britain was on our side. We thought that you would support small, developing countries that have only international bodies to protect them." Only six months ago, a large group of young constituents came here on the fair trade lobby, feeling totally in tune with a Government who had a proud record of tough international action on the issue. That has been a hallmark of this Labour Government and we have been in tune with the new generation, reflecting their growing recognition that the world is now a smaller place and that we are now more dependent than ever on a collective approach not only to security, but to the joint occupation of this planet.

Two weeks ago, I supported the amendment that considered that war was not yet inevitable. The decision and judgment for MPs is more difficult today, because further efforts have been made and there is a serious question about where we should go from here. First, we are all united in supporting the troops. Secondly, we hope that the new smart bombs that are supposed to be able to destroy everything within 600 yd will try not to destroy too many people. Thirdly, we hope that the excellent section of the Government motion—if it is passed tonight—on Israel and Palestine will be realised.

[Helen Jackson]

I remain sceptical about any war that is said to end wars; I remain sceptical that this war will secure defence against international terrorism; and I remain sceptical, finally, that this will reap—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Lady has had her time.

6.20 pm

Mr. John Burnett (Torridge and West Devon): Our difficulties in this debate are as nothing to those that confront our armed forces, who deserve our unqualified support. It has been a principled decision of my party to uphold international order and institutions—in particular, the United Nations. We have consistently argued, first, that military action should not take place to enforce resolution 1441 without a mandate from the United Nations Security Council, and, secondly, that no British forces should be committed to any military action without a debate in the House and a substantive vote in favour. I personally have engrafted a further condition to my constituents—I would in no circumstances do anything that I consider would undermine our armed forces.

I am grateful to the Government for—uniquely, I believe—providing an opportunity for this debate and vote. The whole country is well aware of the lengths to which the Prime Minister, the Foreign Secretary and his team have gone to secure the further resolution from the United Nations to authorise military action. There has, however, been a failure of diplomacy. Considerable criticism has been directed at the United States Administration for adopting a bulldozer approach and displaying a cavalier insensitivity towards a number of our allies and a number of their potential, and crucial, allies. However, I support our strong links with the United States. Despite one or two hiccups, for the past century our close links with the United States have served both countries well.

The position of France has always been pivotal to the negotiations on a further resolution of the United Nations. It is deeply disappointing that France's final position was that, whatever further resolution was passed, it would veto any measure that provided authority for the use of military force in the event of failure. France's position was pivotal: if she had been prepared to vote for a resolution, not to vote at all, or not to veto a resolution, I believe that it would have caused a domino effect and that the resolution would have passed. Whatever criticisms can be directed at the allies, France does not come to this matter with clean hands. France has her own view of the world and the French have major contingent contracts and commercial interests with Saddam Hussein's Iraq.

The Prime Minister has not spared himself in endeavouring to secure a second resolution, which demonstrates the importance that he and his Government attach to that second resolution. It would have been crucial to my party's support for any military intervention. The courageous men and women of our armed forces are now about to be sent into battle. They simply cannot be kept hanging around any longer. I offer them my wholehearted support. In the terms of the main amendment, I express my

"admiration for their courage, skill and devotion to duty".

I not only hope but believe that their tasks will be swiftly concluded with minimal casualties on all sides.

I cannot vote against a motion that offers support to Her Majesty's armed forces who are now on duty in the middle east. Of course, there are matters in the Government motion with which I do not agree and which I cannot support. Nevertheless, there is much in the Government motion with which I do agree and which I can support. I shall, however, vote for the main amendment. I concede that it took the imminent threat of overwhelming force, but the weapons inspectors were having significant success. I strongly believe in world order, the reverse of which is anarchy and chaos.

Mr. Alan Duncan (Rutland and Melton): The hon. Gentleman was following impeccable logic until the last moment. If his preferred amendment is defeated, will he—given what he has just said—vote in favour of the main motion?

Mr. Burnett: I will make my position quite clear. I shall probably have to abstain. There are aspects of the Government motion that I support and aspects that I cannot support.

Pre-emptive action must be reserved to deal with the threat of an attack on a nation or its allies, or there must be compelling evidence of imminent, impending attack, or there must be the sanction of the United Nations Security Council. There has been a diplomatic failure, which I deeply regret. However, for all its flaws, I believe in the United Nations and the rule of international law.

In his speech, the right hon. Member for North-West Hampshire (Sir George Young) described the decision on this amendment as finely balanced. I very much agree with him. He went on to say that this debate was a battle for the credibility or the unity of the United Nations. I submit that the United Nations cannot be credible without unity.

6.27 pm

Mr. Robert Marshall-Andrews (Medway): There is an old and famous observation about the relationship between murder and international power politics: if someone murders one person, they go to prison for life; if someone murders 15 people, they are put in a sanatorium; and if someone murders 150,000 people, they get invited to a peace conference. Those words were much in my mind yesterday when I listened to the Foreign Secretary talking about the prospect of Saddam Hussein resigning power voluntarily. The Foreign Secretary said that Saddam Hussein would be offered and would receive amnesty and indemnity internationally for the crimes that he had committed.

In these debates in the House, there has been no shortage of people who have set out in graphic detail the crimes and the iniquities that Saddam Hussein has committed against his own and other people; the individual and collective tortures that he has visited on those people; and the gassing, the burning and the mutilations for which he has been responsible. If that indemnity is to take place, those who have suffered those injustices will have no justice.

Whether there is a greater right or greater wrong in offering such indemnity is not the reason behind my observations, but I wish to reflect on these questions. By whose authority is that indemnity offered? Whose writ runs here and whose may be abrogated? On what authority would that be done? Who decides which mass murderers should be the subject of indemnity and pardon, and which should be the subject of indictment? Who decides which mass murderers should be the subject of condemnation and which should be hanged? Who decides that Milosevic should be in The Hague, as he undoubtedly should be for his complicity in the murder of thousands in Bosnia? Who decides that Ariel Sharon should be supreme in Israel, which he undoubtedly should not be because of his complicity in the murders at Sabra and Shatila? Who decides that Hamas is a terrorist organisation, which it undoubtedly is, and that the Contras were a freedom-fighting organisation, which they undoubtedly were not? Who decides that the hundreds who are held without trial or civil rights in Zimbabwe present an affront to international justice? Who decides that it is necessary for international security to hold hundreds in Camp X-Ray in Guantanamo bay in Cuba, which undoubtedly it is not?

Who decides on the form of international justice that the Foreign Secretary talked about? The Foreign Secretary, of course, was echoing and acting as a mouthpiece for Donald Rumsfeld, who has already set it out.

I can say straight away that it is not the UN that decides such matters. When one reads resolution 1441, one finds, despite its inordinate length and impenetrable prose, absolutely nothing that speaks of any form of clemency for, or acquittal of, Saddam Hussein.

Mr. Alan Duncan: In practical terms, is not the logic of what the hon. and learned Gentleman advocates that he rejects a free Saddam and a free Iraq, and favours, by contrast, a free Saddam and a subjugated Iraq?

Mr. Marshall-Andrews: That is not the position that I advocate, as the hon. Gentleman will realise if he listens for a while. My point is this: who creates this form of international justice? I am not arguing about its merits, but pointing out that the perception that concerns this House and creates aversion outside it is that this international power is wielded not by the United Nations, nor even by the United States, but by the Bush Administration from within the United States. What concerns my constituents and those throughout the country and the world is the prospect of the uncontrolled, unbridled power now exercised by America, as America chooses and America pleases. My constituents perceive, although they would not put in these terms, that we now have a de facto international monarchy—an autocracy that rules by its own version of divine right. The genesis of that divine right can be found in its charter—the project for a new American century.

Much has been said today about America. As I have said before, America is the greatest paradox in the world. There is no greater force for peace in my lifetime than America, and I have never known a greater cause for war. No country holds a torch for freedom that burns as brightly as that of America, and in my lifetime no country has so often been vilified—on many occasions, rightly—for the perception that it denies those freedoms to others, as it has on many occasions, notably in Latin America. That is the great paradox.

What matters about America is who governs it and what is done in its name. We are now in a black period of American history, and that fact is perceived darkly by our constituents. That is why, sometimes apparently incomprehensibly, they oppose the overthrowing of a dictator because they believe that the method is unacceptable.

The American Administration wish to overthrow Saddam Hussein. That was set out in the project for a new American century even before George Bush obtained the power that he has in the White House. They will do it by whatever means that they can, and that is also known to those who observe, but they will not do it by war: it will be done by slaughter. It will be done by the means that we saw exercised on the Basra road and the Mitla ridge, when *Newsweek* reported that American soldiers, white-faced and vomiting, were standing underneath bridges ankle-deep in Iraqi blood and saying, "Jesus, did we do that?" That is the prospect that we face in the coming days. Of course it will be short: no such slaughter could be anything else.

I long—I really do—for a time when we have an international system that means that we no longer have to walk by and listen to the screams in our neighbour's house, and when the duty to intervene in Rwanda and in Bosnia will be undertaken by the international community, not taken by anybody as a capricious right. That day, which I long for both as a lawyer and as a politician, will not be brought a second, a minute or an hour closer by the exercise of arbitrary and capricious power.

6.35 pm

Sir Teddy Taylor (Rochford and Southend, East): So many hon. Members wish to speak—I have never known a previous occasion on which there have been so many at this stage—that I shall speak very briefly just to mention three points that I hope Ministers will bear in mind when they wind up.

The main point that hon. Members have addressed is the appalling weapons controlled by Saddam Hussein and the terrible damage that they could do to so many people. I hope that before we vote, the Government will help to clarify where those weapons and biological materials came from. I have tried for quite a while to get information about that. About three weeks ago, in Question Time, I asked the Secretary of State for Defence to confirm where they came from and whether they had perhaps come from America. We were told that the Americans had denied it. Earlier today, when I intervened on the speech of the Prime Minister, I asked him to help to identify where the weapons had come from and who was responsible for them. Hon. Members may recall that he said that Iraq had made most of them itself.

I would suggest that there is abundantly clear evidence that, instead of taking a high-handed and upmarket view of ourselves, we should accept a

[Sir Teddy Taylor]

considerable measure of the responsibility for what has happened. Now that our sittings finish at 7 o'clock, I am engaging in reading books, which is something that I have not done for a long time. If any hon. Member wants to know about the subject, they should buy a book called "The Death Lobby: How the West Armed Iraq", by Kenneth Timmerman. It is a rather dramatic book that gives full details of where all the materials came from, and we simply have to accept some responsibility for that.

What kinds of materials are we talking about? I have managed to get full details not only of the materials that were sent, but when they were sent—on which days—from the United States to Iraq's Atomic Energy Commission and Government. It is an astonishing list. It includes bacillus anthracis, which is just anthrax—a very substantial amount; clostridium, which is the source of a toxin; histoplasma, which causes a disease resembling tuberculosis; brucella, which damages major organs; another material that causes gas gangrene; E. coli; and seven others. Those materials were not produced by Iraq, but provided and sold by the western powers. We should show a little humility and decency, and say that part of the problem came from ourselves.

Dr. Julian Lewis: Will my hon. Friend explain whether the book and the documents that he has been reading actually say whether Governments or private companies supplied those things and, if it was the former, for what purpose they thought that they were supplying them?

Sir Teddy Taylor: It is abundantly clear that the US Department of Commerce approved every single thing that went from the United States to Iraq. It was not a question of secret firms doing nasty things; this was approved by Government. It is difficult to prove that one wants to use a material such as anthrax to help in the improvement of animals, or to achieve better forms of production.

Mr. Calum MacDonald (Western Isles): I, too, have read the book that the hon. Gentleman mentions, as well as documents issued by the House of Commons Library detailing arms exports to Iraq before the previous Gulf war. Will he confirm that 75 per cent. of all conventional weaponry exported to Iraq before the Gulf war came from two states, France and Russia; that 90 per cent. of the nuclear weapons technology given to Iraq came, of course, from France, in a deal signed personally by Jacques Chirac and Saddam Hussein; and that the overwhelming bulk of chemical technology came from Germany?

Sir Teddy Taylor: I would not question that in any way—of course Germany and France provided materials, and the Soviet Union and the United States did so as well. I am simply saying that, in arguing that here is a bad state doing evil things, we should remember that lots of other countries—including the United States, Russia and France—were involved in providing such material. It would be very wrong indeed not to accept some degree of responsibility.

My second point concerns our responsibilities in international law. The Government's biological Green Paper states that there was an "internationally legally binding instrument", and that

> "those at every level responsible for any breach of international law will be held personally accountable."

That refers to the export of biological and toxic materials. The danger is that we are throwing away a great deal, and that, to some degree, we might be responsible for such matters. It is totally wrong to say that some people in the world are good and some are bad, because we have a great deal of responsibility for them.

There is a great feeling among us that we are going to intervene, improve matters and restore democracy, freedom and liberty, but where is the evidence that such intervention has been successful in the past? For example, a great deal has been said about Afghanistan, a country that I know a little about, but can we say that things there are much better as a result of the intervention that took place? Rather, it is a pathetic country, run by a group of people who have no democratic responsibility whatever.

Mike Gapes: Will the hon. Gentleman give way?

Sir Teddy Taylor: I am sorry, but I have no time. As we well know, the production of materials that run rife in that country—drugs—has increased dramatically. There is a danger in thinking that we can solve things too easily and too quickly.

I accept that we have a responsibility towards British troops, and that Saddam Hussein would probably have made no move at all had the troops not been there. However, as I said, there is a danger in not accepting our responsibility. The United Nations has a very important role to play, but we must ask ourselves honestly whether we are using that facility in the proper way. For example, the Government of Chile—an unusual little country—proposed that three weeks be allowed before intervention. Of course, they were told that that was not even a consideration.

At the end of the day, we will regret it if we destroy the United Nations. I shall in no sense go against France, as some of my colleagues have done. They have voted to hand over most of our national sovereignty to such countries, and they seem now to regard France as a great enemy. I regard no country in that way. We need to show a little humility, and not think that we can provide the answer to everything by running the world and becoming the emperors of it. If we can show such humility, this will be a better debate, and there will be a better outcome for all concerned.

6.44 pm

Peter Bradley (The Wrekin): During the past six months, I have listened to my friends, to colleagues in my constituency party, to constituents, and to colleagues in this House today and during previous debates. Like every other Member, I have agonised over whether I could be party to a decision that will result in the death of innocent people, because that, inevitably, is what war involves. I hoped that we would not reach this day, that reason would somehow prevail, and that Saddam would come to order. However, the day has come, and we have to make a decision.

For us tonight, there is nowhere to hide. We will have to be honest with our constituents and, first of all, we have to be honest with ourselves. That is infinitely difficult if we cannot be certain that the decision that we take, individually or collectively, will be right; and it is all the more difficult when there is no unanimity on which is the right course.

I believe in just wars. I believe that they are commissioned in defence of freedom, and against oppression. I also believe that, for them to be just wars, they must be the last resort. Diplomacy must come first, but if we are ultimately to prevail in defence of what we believe to be right, there must also be a limit to diplomacy.

Mr. Barry Sheerman (Huddersfield): Is it not much easier to decide what constitutes a just war a long time after the event, and much more difficult to make that assessment at the time one decides to go to war?

Peter Bradley: My hon. Friend makes precisely the point that I was trying to make, but far more eloquently. We do not have the gift of hindsight, and we will not have it for many years. Nevertheless, tonight we must make a principled and rational decision.

Like other Members, I believe in the United Nations, for all its imperfections and deficiencies, and for all its sins and omissions. It is the best hope that we have, and it provides the best opportunity to build international consensus, and to impose and sustain a world order that believes in the same principles that we hold dear. I wish that the United Nations had been more consistent, and that we, too, had been more consistent. When we intervened in Kosovo without a UN mandate, I said that I hoped that this was the beginning of a new world order. I hoped that we would be emboldened to intervene, when required, before genocide was committed in Rwanda, rather than wringing our hands afterwards. Had we been more consistent, perhaps we would be facing less difficulty now over the legitimacy of intervening in Iraq. If we do intervene, as seems inevitable, I hope that we will in future take to heart the lessons about consistency, and that we will be prepared, together as an international community, to intervene to prevent genocide and oppression, and to deter dictators.

For the past six months, I have characterised my views on Iraq as being open-minded but sceptical: that I could be persuaded that this would be a just war, but that I had yet to be so persuaded. I was looking for the killer fact. We all acknowledge that Saddam has weapons of mass destruction, and we know that he has used them brutally against his own people and against others. However, we, too, have weapons of mass destruction. The key point is: is he prepared to use them again? If he is—if we have that intelligence—the case for war is unanswerable. However, we have not had that killer fact.

In listening to the debate that took place in this Chamber three weeks ago, I had sympathy with the amendment tabled by my right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith). He said that the case had not been made. He and his colleagues argued that we needed a second UN resolution desperately—in fact, it would have been the 18th resolution—because wars are always evil, and innocent people get killed in wars. They argued that without a second resolution, we would light the blue touch paper to a conflagration in the middle east and recruit people to terrorism, but that if we got that resolution and Saddam still failed to come to order, undertaking military intervention would be justified. However, would innocent people still not die in those circumstances? Would we still not risk a conflagration in the middle east? Would we still not recruit people to terrorist causes? Wars do that, with or without resolutions.

I say to my colleagues that convictions are not enough; we also need courage and clear-sightedness to see the world not as we would like to see it, but as it is—as Saddam has made it. For 30 years he has oppressed his people and butchered Iraqi minorities; he has invaded his neighbours and threatened us all with weapons of mass destruction and for 30 years, yes, we have tolerated it. Some western nations supplied and fuelled his ambitions and his barbarity. We should indeed be humble, as the hon. Member for Rochford and Southend, East (Sir Teddy Taylor) suggested, but that does not mean that we should do nothing.

Last November, it appeared that the United Nations had woken up to its responsibilities. There was unanimous support for resolution 1441, which spoke of final opportunities and serious consequences. Four months later, when Saddam has failed to comply with that resolution, the international community has shown that it is not serious about "serious consequences".

I was prepared to support the drive for a second resolution, not because I felt that we needed its legitimacy, but because the decision before us would have been much more straightforward if the international community had been united and also because public opinion demanded it. However, as colleagues have suggested, the French put that diplomacy beyond reach; their President foreclosed on diplomacy.

A stark choice faces us: we can walk away from our international responsibilities and our obligations to the Iraqis and cede victory to Saddam and to every fascist dictator who chooses to emulate him; we can decide not to decide; or we can take the decision that no one who loves peace chooses to make or ever thought that they would have to make—to fulfil our obligations and go to war to secure peace.

Do those who say no to war in their name want Saddam to continue his barbarity in their name? Are we to abandon his victims in their name? Just as they warn us of the consequences of the war that we may commit, it is right to warn them of the consequences of inaction. I share the misgivings expressed by right hon. and hon. Members about United States policy and about US contempt for the UN, which is in stark contrast to the commitment and consistent principles that we have adopted in pursuit of diplomacy; but if might is not always right, being strong is not always wrong either. Whether we like it or not, we have to accept that the US is the only global superpower. We can either try to influence it within the international community or abandon the world to its often cynical self-interest.

Now is decision time. If we are to set aside our prejudices and accept that doing nothing is not an option, if we accept that diplomacy is at an end and that Saddam continues to defy and threaten us, what is the alternative

[Peter Bradley]

to war? It is not the Prime Minister's war. It is not the American President's war—it is Saddam's war. We must join it and end it as soon as possible.

6.53 pm

Mr. Richard Page (South-West Hertfordshire): I am no peacenik. I supported action in the Falklands and the Gulf. I supported the Prime Minister's excursions in Kosovo. When the Serbian army withdrew, its condition was such that I was glad that Milosevic had decided not to fight. If he had, the outcome could have been much more bloody and horrific.

If there is a war, I, like everyone in the House, will give our troops full support. The Iraqi regime is rotten and the war could be short, so we shall be in the reconstruction and rebuilding phase quicker than we might anticipate. I wonder whether the Government have spent enough time looking at reconstruction, rather than knocking things down.

I made it clear that unless there was a second resolution I would not support the Government. I shall vote for the amendment, but I shall do so with reluctance and regret; in 26 years as a Member of the House, this will only be the second or third time that I have voted against my party.

There are additional reasons for my views. The proposed action will crack unity—if it has not cracked already—in NATO, the EU, the Security Council and the United Nations. I am not saying that Humpty Dumpty can never be put together again, but it will take a long, long time. I take no pride in hearing clever-clever remarks knocking other countries, because sooner or later we shall have to get together and rebuild things. We shall have to bring about international agreement on the way forward. Smart remarks against the French and remarks such as those made by the American Secretary of State are not helpful and I greatly regret that they were made.

The Government produced various arguments that were apparently the best thing to do at the time, which seems to be part of their policy. They have proposed the morality argument. I go along with that. Saddam Hussein is an evil man. I am one of the few Members who have actually met him. If he were to be found dead tomorrow, I would not lose sleep. But where do we stop? It is Saddam Hussein today because he is an evil, wicked man, but who will it be tomorrow? I would have more respect for the Prime Minister and the Foreign Secretary if they had condemned what was happening in Rwanda at the time and said that we should put forces into that country to stop the terrible genocide. The standard punishment for young girls at that time was to take off their hands at the wrist.

Where will the moral argument take us? I am concerned that the Americans will become the international peacekeepers; they will be Matt Dillon while we are Chester, limping along behind. We must think carefully when we take the path of ending tyrannical regimes.

To try to bolster their case, the Government produced documentation, rightly described as dodgy documents. To lift vast chunks of a person's work, which was already several years old, lard it with words such as "terrorism" and try to pass it off as one's own work is less than satisfactory.

Another argument is that Saddam attacked other countries. He fought Iran and Kuwait. However, as my hon. Friend the Member for Rochford and Southend, East (Sir Teddy Taylor) pointed out, several western countries do not have entirely clean hands in that matter; we seem to pick and choose our support or condemnation of various people. The world should be careful about providing equipment and weapons of mass destruction to people of the ilk of Saddam Hussein.

We are told that Saddam Hussein still has weapons of mass destruction, but what will happen if we do not find them when we go in? If I were Saddam Hussein, I would have got rid of them long ago. We could be creating justification for every extremist Islamic group in the world to declare open season on the United Kingdom and the United States.

Caroline Flint (Don Valley): Will the hon. Gentleman give way?

Mr. Page: I should rather not. The magic hour of 7 o'clock is approaching and I should like to finish my speech by then.

I want to look ahead to the rebuilding. I am greatly concerned that we have not spent enough time considering how to rebuild Iraq. Have the Government thought the process through? What exactly will we put in place? I have heard about territorial protection and the maintenance of borders, but has anyone talked to the Kurds of northern Iraq about that? [HON. MEMBERS: "Yes."] Has anyone spoken to those in the east of Turkey? Have they signed up to all this?

In conclusion, I have to say that, without world support, I fear that our well-established moral integrity and authority throughout the world will be damaged and that Islamic extremists will take advantage of that if weapons of mass destruction are not found in Iraq.

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Motion in the name of the Prime Minister relating to Iraq may be proceeded with, though opposed, until Ten o'clock.—*[Mr. Jim Murphy.]*

Question agreed to.

Iraq

Question again proposed, That the amendment be made.

7 pm

Caroline Flint (Don Valley): If the hon. Member for South-West Hertfordshire (Mr. Page) wants to believe anything, let him read the reports of the inspectors themselves and Hans Blix. I certainly know without any doubt that, whatever measures of progress the inspectors may think they have achieved since resolution 1441 was passed, their reports indicate that there are a lot of unanswered questions about weapons of mass destruction in Iraq, that weapons are unaccounted for and that they are seeking to find chemical and biological agents. There is no doubt that there is cause for concern.

Saddam Hussein's track record over the past 12 years shows that, time and again, when he has assured the UN and the world that weapons are not there, he has been found out, and the most telling time was when his own son-in-law gave information to that effect and, as we know, he lost his life as a result.

I personally have always believed that, sooner or later, we would have to come back to the issue of Iraq and the UN resolutions, having been a Parliamentary Private Secretary for two years to a Foreign Office Minister who had that as part of his brief and having sat in the Chamber listening to the debates on sanctions policy and whether the containment policy was working. Some of my colleagues who are against the Government this evening were also against the sanctions policy, as well as the containment policy. Despite the best efforts, we have seen that progress was not being made.

I well remember that the whole issue of sanctions and containment was argued and debated during Foreign and Commonwealth Office questions and in Adjournment and other debates in the House before we broke for the summer recess in 2001. Then we had the disaster of the twin towers and 11 September. That changed the world's views, and it made people look back and consider how to move forward. Of course we had the situation in Afghanistan to deal with. During all that time, my personal thoughts were that that was the immediate issue to deal with, but we would have to come back to Iraq sooner or later.

Why? We would have to come back to Iraq because 17 UN resolutions legally require Saddam Hussein and Iraq to disarm. If we are to challenge and deal with the many different factors that create the very insecure world that we live in—whether organised terrorism, or those who are tyrannical in their repression of their own people and a danger to their neighbours and who have the ability not only to procure weapons of mass destruction, but to develop them and sell them on—we have to have a fresh look at our approach to all those matters. We were therefore bound to come back to the issue of Iraq and Saddam Hussein.

People in my constituency and party members have made their representations to me about the issue. I understand that they sincerely believe that war should not be an option, but sometimes war is needed to secure the peace, and I believe that we are at that stage today. I am mindful of acknowledging those hon. Members and other people who sincerely hold views that are against the Government's strategy, but I have also received letters, e-mails and phone calls from constituents and party members who support the Government, the Prime Minister and myself in voting for the Government this evening.

Those who believe, as I do, in force as a last resort, to be used to achieve the greater good are no less principled than those who do not believe that we should vote in favour of that tonight. I certainly do not believe that I have a monopoly on truth or wisdom or necessarily the moral high ground above anyone else. All hon. Members and many people outside have to look at the information and make a judgment call on what they think is the right thing to do.

We have choices to face about Iraq. Those choices are undeniably hard, but we have to make them because the evidence of weapons of mass destruction is there, the questions are unanswered and the reality is that, if Saddam Hussein had the will to co-operate and the attitude to take part in realistic disarmament, we would have seen evidence of that by now. There is no way that we can continue to make excuses for that lack of co-operation.

I also believe very strongly that only by tackling the issue of weapons of mass destruction can we seek to tackle Saddam Hussein's repression of his own people in his country. I first came into contact with the politics of the Ba'athist party as a student in the early 1980s, when Ba'athist agents in this country were trying to hound and track down exiled Iraqi students, find their names and addresses and put at risk their families back in Iraq. I have known about that for the past 20 years. In the past week, the reality of life for people in Iraq today has been brought to my attention because of the efforts made by my hon. Friend the Member for Cynon Valley (Ann Clwyd).

When the northern Iraqi Prime Minister Barham Salih was asked about war and violence, he said that this was not an issue of war or no war. All 22 million people in Iraq live every day in fear of violence and an internal war against them, and we cannot walk away from that. We have the opportunity not only to deal with weapons of mass destructions and to make sure that resolutions that have been passed time and again are finally enforced but to do the right thing by the Kurds in the north, the Shi'a Arabs in the south and the Iraqi people who are opposed by that regime, and I say that as a democratic socialist.

Lynne Jones: I refer back to my hon. Friend's comments about Saddam Hussein's son-in-law, whose testimony has often been cited to aid the case for war, but in the transcript of the evidence that he gave, which has not been publicised, he is alleged to have said that Saddam Hussein destroyed all his stocks of chemical and biological weapons before 1993.

Caroline Flint: I know whom I would give the benefit of the doubt to—it certainly would not be Saddam Hussein. It is interesting to note from reports this week that Saddam Hussein's regime executed Khalis Muhsin al-Tikriti, an engineer who supervised the burial of chemical weapons in the days before the inspectors arrived last November. Indeed, there are now reports that members of Saddam's special security organisation who took part in hiding weapons have already been killed by the regime for fear that they may disclose their whereabouts to the UN.

We are not dealing with someone who can be trusted. We are dealing with someone who has a track record of betraying his own people and lying to the international community. Take our Prime Minister's track record of doubling international aid, fighting repression in Kosovo and supporting people in Sierra Leone. If I were in a room with Saddam Hussein or Tony Blair, it is Saddam Hussein—*[Interruption.]* It is the Prime Minister I would back.

7.9 pm

Rev. Ian Paisley (North Antrim): I was going to say, "How can I follow that?"

Underneath the debate lies the burning question of the power of the sword and where it is vested. I happen to believe that it is an ordinance of God given to

[Rev. Ian Paisley]

mankind, and we have a responsibility to exercise the same. The scriptures make it clear: it is vested in proper authority. I believe that the proper authority for this debate is this House, and I welcome the fact that this debate is taking place. Today, the House has redeemed itself before the whole nation: this is the place where the issue should be settled and decided on. It will strengthen Parliament. I welcome the fact that the Government decided to have this debate and to keep their promise that the debate would take place. It is healthy to have this debate. I prefer this House to make the decision and not the UN. This House should say to the British servicemen whether they are to go to war or not, and not someone else who does not know the ins and outs of the situation.

I trust that, tonight, when the debate ends and the votes are taken, a message will go out from us all to our servicemen, who are already prepared for battle in the Gulf, that we will be backing them all the way as they do the task that we have appointed them to do. The main town in my constituency is Ballymena, which is the headquarters of the Royal Irish Regiment. The Royal Irish Regiment is in the Gulf at present, and members of the Irish Guards are there, as well as many people from Northern Ireland who are in various other regiments of the Army. All of us tonight are thinking of them, and not only of them, but of their wives and families. We sit here and have our debate in relative comfort, but they do not know what the day will bring forth. After we have had this debate, and after the voting is over, I would like to think that there will be a clear message: no matter what opinions have been expressed, the House will back those men, as they do the task to which we have appointed them. My prayers are with them and with their families, which I am sure that all can echo.

The Prime Minister stated at the beginning of the debate that some things cannot stop a tyrant. That is very true. Diplomacy cannot stop a tyrant. We can try to buy off terrorists, but they will not be bought off. As Churchill said, if we appease them they will come back for more: it only feeds their appetite. We need to remember that. When we are dealing with a tyrant, as we are doing in this instance, we are dealing with someone who has no conscience, no law and no faith: he cares only for himself. We have seen the sorrows, troubles and calamity that he has brought to his country: the woes of the people, the cries of the people and the broken homes and families. When talking to exiles here, they tremble when they are asked to discuss Saddam and where they were brought up: the fear is on them. We should ensure that that is dealt with. It should have been dealt with long ago.

None of us in the House tonight are responsible for what previous Governments sold to Iraq. We had nothing to do with that. People cannot come back and say, "Your own Government did this." It was not done with our votes. I am sure that many of us were not even in the House when some of those things took place. We had no responsibility for what happened. It was wrong: the Government should not have had such a relationship with Saddam; we should have had nothing to do with him, but it happened. That should not tie our hands tonight, however. We need to face up to one thing only: if he is not dealt with now, he will never be dealt with. Things have gone too far. The troops are in the Gulf, and if they were withdrawn, he would have a great victory. That victory would spread, and others would be encouraged to follow in his wake. Let us not bluff ourselves about that.

The die is cast. It is imperative that this matter goes forward. It is imperative that we do our best to ensure that the bloodshed is not as grievous as it might be, but that is a very difficult task. We are going into a country where the dictator and his four generals will, it seems, fight to the end. If they are going to fight to the end, they will not mind whom they destroy. They will not mind the havoc that is left. If some country has already made an arrangement to take them in, as may be the case, of course, I totally disagree with any suggestion that any Government in the world should make a deal with them and say that they will never be brought up for the crimes that they have committed. They should all be in the dock, and they should all be tried for their crimes against the people.

I regret that the Prime Minister is not in the House to hear this, but I have said it to his face, to which I am sure that he will be glad to testify: it is a shame that the Government do not take the same view in relation to the terrorist situation in our country. I do not think that there is any difference between an IRA-Sinn Feiner who has killed, maimed and taken a screwdriver and driven it through a man's eye and the type of character that we are discussing tonight. I am sad at heart that in Northern Ireland we have reaped the dark harvest of attempting to appease terrorism. Where has it got us? With our so-called peace process and all our agreements, the Assembly has had to stop four times—

Mr. Deputy Speaker: Order. The hon. Gentleman has had his time.

7.17 pm

Mr. Ronnie Campbell (Blyth Valley): I wonder whether we would be having this debate if Iraq had no oil wells. American companies will be running the oil wells once the war is over—if it happens, and I am sure that it will—and a trust will be set up that will be given money for the Iraqi people. If we look at the evidence in America, at its companies, and at President Bush, Dick Cheney, Condoleezza Rice and Donald Rumsfeld, we see that every one of them has been a board member if not a chairman of an oil company in America. The evidence also shows clearly that the biggest contributors to President Bush's election campaign were oil companies.

If one puts all that together, one begins to wonder: is it a question of oil? We have been told by the Prime Minister and by many others that that is certainly not so. As the Prime Minister said a few weeks ago, if it were, we could cut a deal with Saddam Hussein. But I am not sure. I think that when the Chilean President suggested a resolution asking for another three weeks, and the Americans did not want it, the Americans had the war all set up. I know that I am being anti-American, but other Members have had a good bash at the French this evening, and I am going to have a go at the Americans. I wonder whether it is all for the oil. I am sure that, by this time next year, it will have been proved that oil was the issue. I honestly believe that we would not be discussing the motion and the resolutions were there no oil in Iraq.

Richard Younger-Ross (Teignbridge): Does the hon. Gentleman accept that the often heard argument that America intends to take all the oil for itself is simplistic and wrong? The real argument is that by ensuring a continuous supply from a compliant country, America can keep the price of oil down. That is where its interest lies.

Mr. Campbell: The two ideas go together and the hon. Gentleman takes us deeper into the argument, but I look at the problem from the perspective of an ordinary Member of Parliament, and that is the way I see it. The Americans never wanted a diplomatic or peaceful solution. They wanted to go ahead with their plan and did not give the inspectors enough time to find the arms and the so-called weapons of mass destruction.

Mr. George Osborne: Will the hon. Gentleman give way?

Mr. Campbell: No, I have just given way and want to get on.

What are weapons of mass destruction? They include, of course, chemical weapons because they can kill a lot of people, but so can nuclear weapons. So let us consider who has nuclear weapons in the middle east? Iran might have a nuclear capability, but we are not sure, in the same way as we are not sure that Saddam Hussein has such a capability. Pakistan, India and Israel have nuclear weapons. Pakistan is a dictatorship with a general in charge. The country is unstable and there could be an uprising at any time. That is why members of al-Qaeda hang out in Pakistan. Even bin Laden might be hiding there. Although I do not think that India could fall at any time, Pakistan might and it would become a dictatorship with a regime in the same mould as Saddam Hussein's regime. Then what? Would we send our forces there?

Let us go across the water to North Korea. Its Government have told us that they are testing and developing weapons of mass destruction. What are we going to do about that? Will we have to fight a war there? I have news for hon. Members: the North Koreans will not wave a white flag and give up. They will stand and fight, and we will have a job on our hands. Once we go down the route of taking out tin-pot dictators, wherever they might be, we have to take them all out. There might be no oil in North Korea, but I gather that there is plenty of coal. The big fear is that America is saying to the United Nations, "You're useless. You're hopeless. We're going to be the guardian—the sheriff—of the world and take these people out wherever we see them."

Mr. Sheerman: My hon. Friend is taking us on quite a tour of the world. I recall that he was against intervention in Kosovo. Is there anywhere that the international community, or the United States and the United Kingdom together, can intervene?

Mr. Campbell: Of course there is. Treaties and organisations have been set up to bring such countries on board so that they get rid of their weapons, but we cannot ignore the fact that Pakistan and North Korea are testing weapons of mass destruction. The problem is getting worse: everyone wants a weapon. With Russia in the state that it is, people can get hold of such weapons and proliferation is a danger.

I have just read a newspaper article on the new smart bombs. It even gave their prices and made me wonder, "Here are all these lovely smart bombs. They only kill so many people and leave the houses standing, all for £1 million." That newspaper article is a shop window for selling arms, and the biggest contributor to Bush's election was the arms industry. [HON. MEMBERS: "We thought it was the oil industry."] Both industries gave a lot of money.

The new bombs can do all sorts of things. They all have names—the microwave bomb, for instance—and the newspapers act as a shop window for them. It amazes me that the *Evening Standard* gives their prices.

Hon. Members talk about how Saddam Hussein kills his people, but many dictators have killed their people. That is no excuse for us to kill his people as well. Two wrongs do not make a right. What happened years ago when Pol Pot murdered and plundered half his country? The British Government at the time—it was the Tories, I believe—had diplomatic relations with Pol Pot. So what do we do about dictators? We appease them. But we have a new order now and have to go to war with everyone who might have a weapon of mass destruction.

When the war starts, and it certainly will, moderate young Muslims will be told that that is what the west does to them: it invades a Muslim country and drops thousands of bombs on its people. By doing that, we will push those youngsters towards dictators, just as we pushed youngsters towards the IRA in Northern Ireland. Such action would make it much easier for al-Qaeda to recruit young people to become human bombs in this country. That is what I fear might happen. That is the worst scenario if the war goes ahead. Once we invade a Muslim country, the consequences here could be terrible. I am told that such weapons can be carried in a little container. In fact, two scientists carried a container from the Iraqi border, through Europe and Britain, and into America without being challenged.

There are problems if we push moderate Muslims into a corner. If the young ones see nothing but a big bully—in this case, the Americans and, unfortunately, the British—who bombs them and kills their families, they will be recruited to get into Britain or America—

Mr. Deputy Speaker: Order.

7.28 pm

Mr. Michael Jack (Fylde): The hon. Member for Blyth Valley (Mr. Campbell) took us on his own unique tour of the world. Although he expressed many views, there was a grain of truth in what he said. He reminded us that if we are to embark on military action against Saddam Hussein, we must have a consistent approach to the way in which we deal with other rogue states subsequently. That was an important point.

I welcome the remarks of the hon. Member for Don Valley (Caroline Flint) and agree with much of what she said. I, too, formed the same view that if over the past 12 years Saddam Hussein had complied with his obligations, as agreed by the United Nations, we would

[Mr. Michael Jack]

not be having this debate. Equally, if he had fully co-operated with Hans Blix instead of playing for time and making it ever more difficult either for him to show his weapons of mass destruction or for us to discover them, we would not be here this evening. Indeed, we would not be here if Saddam Hussein had not developed his unique and barbarous approach towards his people and weapons of mass destruction.

One interesting theme has emerged from many speeches, and it is that we should focus for a second or two on what comes next. It is vital—I say this to those on the Front Bench—that if military action is now embarked upon, as seems likely, we should ensure that the Iraqis are left in no doubt about what they can expect. If we are looking for help and acquiescence from the Iraqis, if we are trying to persuade their military that there might be a better life by laying down their arms and not fighting, they must have a clear idea of what will replace Saddam Hussein's regime.

No hon. Member will not have wrestled with their conscience in deciding how to vote this evening, worried about how they will explain that to their constituents, and considered whether they are doing the right thing for the country. Voting for or against war and conflict is never easy, but that is what we are sent here to do. The alternative to supporting the Government's motion, which was, if I may say so, outlined with skill, determination and clarity by the Prime Minister and supported by my right hon. Friend the Leader of the Opposition, is the amendment. But the amendment appears to be a formulation for having one's cake and eating it, and that is not an option for us this evening.

The amendment talks about

"the absence of specific United Nations authorisation",

but why do we not have that authorisation? It is because the French in particular, and the Germans and Russians, have made it extremely difficult for the United Nations to authorise anything. There is no guarantee that, if we went back to the United Nations, they would, as I might say, come to the party and agree some formulation that would, at some unspecified point in the future, resolve the matter.

One of the great mysteries about the diplomatic process has been the lack of seeming efforts by the French, Germans and Russians to use their so-called relationship and good offices with Saddam Hussein to persuade him to change his course of action. There is no sign whatever that Saddam is listening to anybody. If the Russians, Germans and French had been doing their bit behind the scenes, they might have found a way of opening up something in the United Nations with which we could have all agreed. I can only assume that, acting out of their own national self-interest, they are now denying the United Nations the opportunity to exert its power. Earlier, we heard concerns about the power of the United States, but the best counterbalance to that is a strong United Nations, and that, sadly, has been denied to us, in particular by the actions of the French.

One reason why I, after much thought, will be supporting the Government in the Lobby tonight and voting against the amendment is, bluntly, a question of conscience. How long can we in the international community walk by on the other side when people such as Saddam Hussein, and potentially other states, threaten the very peace that we have worked on as a group of international nations working through the United Nations since the second world war? We have enjoyed an unparalleled period of world peace, but, particularly after 9/11, rogue states and terrorist organisations, answerable to no one—no democracy do they report back to—pose a threat to all that we hold near and dear. We have a great deal that is good to contribute to the rest of the world, but if that is put at risk by the Saddam Husseins and al-Qaedas of this world, there comes a time when we cannot walk by on the other side.

I have often regretted that we never did anything about Rwanda where 2 million of our fellow human beings perished while we sat on our hands. If we talk of a new world order, let us not have such matters on our conscience again. If going into conflict against Iraq starts a new process, that has my support.

Today's debate is being broadcast by BBC Radio 4 and, somewhere out in the desert, members of our armed forces may well be listening to our deliberations. They will want to know whether the House of Commons supports the action in which they have been invited to participate. I shall strongly support that. The very Tornados that may be in action within a few hours were made in my constituency of Fylde. I am left in no doubt about the awesome fire power of that weapon system. I am also aware of those who work for BAE Systems out in Saudi Arabia who are potentially at risk. Such matters go round in one's mind when deciding what to do, but on this I have clarity.

We must no longer allow Saddam Hussein to play for time. Leaving him the open option with the United Nations, further discussions and more time, pushes dealing with him not back a few months but possibly another year. We do not have that option. Having read again this morning the article written by the hon. Member for Cynon Valley (Ann Clwyd) about the torture and loss of life, the use of gas weapons and the way in which Saddam Hussein deals with our fellow human beings, I am left in no doubt about the correctness of my decision tonight to vote with the Government.

7.35 pm

Mr. Bill Tynan (Hamilton, South): I am grateful for the opportunity to speak on behalf of my constituents this evening. I sought to speak in the previous debate on the subject, but I was not called. It is important to make the point that on that occasion 121 Labour Back Benchers, of which I was one, decided to support the amendment. I cannot be regarded as one of the usual suspects and I had no intention of voting in order to destroy the Prime Minister, but, as a matter of conscience, I felt that the case for war had not been made.

I welcome today's debate for two reasons. We have an opportunity tonight to decide whether to support the amendment or the motion, and it is proper that the House should have the opportunity. I congratulate the Government on the decision to have that vote in the House of Commons today because it was a hard choice. If our armed forces in the desert are listening, I join all hon. Members who have said that they will support them if the decision for war is taken.

But I hope that the debate will create an opportunity to avoid war. To support the motion would be to give a green light to unleashing the weapons of mass destruction that the United States and the United Kingdom have lined up in the desert at this moment.

Sir Patrick Cormack: Does the hon. Gentleman realise that if the amendment is carried tonight, those young men and women will come back, the Prime Minister will fall and this country will be in a very great mess indeed?

Mr. Tynan: The best way to avoid war is to work through the United Nations. The amendment makes it clear that the case for war has not been established, and, especially given the absence of specific UN authorisation, we should not go in that direction. If we pass the amendment tonight, the UN will have the opportunity to continue with the inspections that have been taking place in order to disarm Saddam without bloodshed, and that would be an admirable position.

We are not talking about abandoning the troops and bringing them back. The pressure that they have put on the regime in Iraq has weakened it severely. We have the strength, without a shadow of doubt, to take Iraq at present. Iraq has no opportunity to resist that. I do not believe that it has weapons of mass destruction.

Geraint Davies: Does my hon. Friend accept that the choice tonight is not whether to prevent war? We cannot prevent war. The choice is either to go in alongside the Americans to topple Saddam Hussein, or to let the Americans go in on their own. It is important that my hon. Friend and others realise that there is no choice to stop war. There will be a war. The question is are we going to be involved in it and extend our influence in the post-conflict Iraq and in the Palestine-Israel peace process? Let's get real.

Mr. Tynan: I believe that I am getting real. If we support the amendment, we can avoid a decision for war. This is a profound matter of conscience, not a loyalty test. If it were a loyalty test, I would fail it tonight. Anyone who examines my record on voting in the House of Commons will realise that this is an issue of conscience and that I do not vote to displace a Prime Minister. I am just not convinced that war is justified now.

We have heard of terrible suffering in Iraq. It has been made clear that for the past 10 or 12 years, the regime in Iraq has created enormous suffering for its people. If we decide to invade Iraq, we will be in precisely the same position—inflicting greater suffering on those people. The best way to deal with the Iraqi regime as a force is by disarming it. If we weaken Saddam Hussein enough, there is a good chance that his own people will overthrow him. That is a far more practical proposition than the one before us now.

I accept that human rights abuses have occurred and that Saddam Hussein rules through fear, but that is true of many countries. If we decide, simply because of that, to tackle Saddam, logically we have to follow through in other countries. We have to talk about North Korea, Syria and Iran. We in this country have to decide whether to be perpetually at war. I think that the population of this country would not accept that.

Lynne Jones: Have not respected human rights organisations such as Amnesty International called for the implementation of UN General Assembly resolution 57/232, which calls for human rights monitors to be sent into Iraq? We have heard no mention of implementing that proposal.

Mr. Tynan: I am grateful to my hon. Friend.

Britain is no longer a superpower. We can no longer act in isolation and we cannot solve the problems of the world, so it is worrying to find ourselves divorced from the international community, in agreement only with the United States, Spain and Portugal. How do we bring the family that used to exist back into being? Last week, at a meeting in Luxembourg, I listened to Luxembourg's Foreign Minister discuss Iraq with a committee. She believed that Luxembourg was like a child trying to resolve a problem between two warring parents. When our family is at war, we weaken the opportunities that might be available to the international community.

If military action is needed, as it has been before, it must be taken, but I do not believe that now is the proper time. There is an opportunity to continue on the road to peace. If we can do that, we will have achieved some sort of success. I have heard comparisons made between the League of Nations and the United Nations and the claim that the UN will end as the league did if it does not support an international war now. I think that the UN would be discredited if strong pressure from the US and the UK forced it not only to accept war when it did not believe that war was justified, but to join with those forces.

It is important that we deal with the issue as it is now. Who is to decide whether Saddam is a threat? To whom is Saddam a threat? The UK? The US? His neighbours? I believe that he is currently in such a weakened state that he is not a threat. We all understand the US reaction to 9/11. The world genuinely believed that that event would galvanise the international community into action. I accept that the Prime Minister exerted a restraining influence on the President of the United States, but after he had persuaded the US to take the UN route, he could not adopt a different view.

I do not believe that we can bomb the terrorists into submission. An idea, a belief or a cause cannot be killed in that fashion. We must try to change the conditions in which terrorism arises and change the terrorists' minds. If we can do that, we will achieve some success. How can flying a plane into a building be justified logically? We speak of Iraq's weapons of mass destruction and chemical, biological and nuclear weapons. When sarin nerve gas was released in the cramped conditions of a Japanese subway, four people died and more than 100 were injured, but a cigarette end dropped in Kings Cross caused far more devastation—

Mr. Deputy Speaker: Order. Time is up.

7.47 pm

Mr. Paul Marsden (Shrewsbury and Atcham): I trust that the House appreciates that this is a special evening. As the hon. Member for North Antrim (Rev. Ian Paisley) said, tonight sees the rebirth of our democracy. We have heard many fine speeches, including those from the hon. Member for Blyth Valley (Mr. Campbell), the hon. and learned Member for Medway (Mr. Marshall-Andrews) and the hon. Member for Hamilton, South (Mr. Tynan). With great humility, the hon. Member for Uxbridge (Mr. Randall) described how he had been wrestling with his conscience about what he should do.

It is a legacy of the right hon. Member for Livingston (Mr. Cook) that we are having this debate. I trust that it will set a precedent, for there can be no doubt that we are entering a state of permanent war. After Iraq, other countries will face US might. I trust that the Government will be true to their word and that in future we will be able to debate and genuinely vote on military action before it takes place. The Liberal Democrats have been pressing such a policy throughout.

Hon. Members will not have heard it on the news tonight, but 30,000 children have died. Thirty thousand children—ten times the number of people who died in the twin towers on 9/11—die every single day because of lack of clean water, tuberculosis, cholera and lack of food. Their names will not be known. The might of the media and the internet conveyed terrible images of the terrorist attacks of 9/11, but they do not carry images of the innocent who die. That is why I take issue with the way in which the Government are conducting themselves. This is not a Government crusade against poverty, but a crusade for war. It is a great tragedy and a missed opportunity. Even though the Prime Minister has previously spoken of healing the scar of Africa, he has never been able to deliver on that. He has followed what the US President has been telling him about conducting a war against Iraq.

I want to see a strengthened and reformed United Nations. Last week I was in New York, where I met some senior UN officials. They were aghast at what was going on. They could not believe that the US would not be prepared to compromise. I listened to Hans Blix's statement. He asked not for years, but for months in which to make a true assessment of what was happening in Iraq. More time is not too much to ask for. We can find a peaceful way through. At the very moment that the United Nations is successfully forcing the evil regime of Saddam Hussein to comply, the rug is pulled from under its feet, and it is told to get out of Iraq, to stop its job and not to fulfil previous resolutions, because war must be the answer.

In the 21st century, surely we can start to find better solutions than all-out war with a quarter of a million troops to plough through. The bomb doors will open and the bombs will start dropping in the next few hours. You will have 48 hours of sustained bombing that will kill thousands of innocent people. There are sons and daughters in Basra, and mothers, fathers and grandparents in Baghdad who tonight are living in great fear. They are the innocent. They do not support Saddam Hussein. They have nothing to do with his evil regime, but they will pay the blood price because the American President says, "This is the only way to free you."

Why cannot we look at the alternatives? As the hon. Member for Birmingham, Selly Oak (Lynne Jones) said, there are other ways to achieve a peaceful outcome. That would include a no-fly zone right across Iraq, and UN humanitarian observers stationed throughout Iraq. If you had said 12 months ago that there was no chance of UN weapons inspectors being able to come back into Iraq and fulfil their job, you would not have been able to believe that Iraq agreed to that. But it did agree to that.

Mr. Andrew Tyrie (Chichester): I agree with the hon. Gentleman that the case for war has not been made; that is why I voted for the amendment a few weeks ago. Is the issue before us now whether we have more time? Is not the real issue whether the Americans act on their own or bilaterally with us? That is the only choice. The choice that we have to make tonight is whether the world is made a safer place by the United States acting on its own, or with us having some influence and being alongside it while the war is conducted? My inclination is for the latter proposition. I should like to know the hon. Gentleman's view.

Mr. Marsden: It is for every Member of the House to decide how they will vote tonight. It does not make it any better—any more right—if Britain decides to support the military operation. We should not feel that we are being bullied into that, or that we have to show our willingness to be partners in crime with the US by going into Iraq now. It is a great pity that the Prime Minister did not show more resolve earlier on in order to influence a US President to stop where we are now.

I accept what the hon. Member for Chichester (Mr. Tyrie) says. Tonight we are on the verge of war. Thousands of our troops will be putting their lives in danger. I salute their courage and professionalism, and I would not thank—*[Laughter.]* Please do not laugh. This is a serious issue. We will face dreadful consequences not just in the next few weeks, but possibly for the next 10, 20 or 30 years. We will reap what we sow.

I say to each hon. Member: think so carefully. I want you to be able to look your children in the eye in years to come and say that you did everything you possibly could to stop the war and keep your conscience clear. To answer the hon. Gentleman, I say it is up to you. It is up to each and every one of us.

Mr. Deputy Speaker (Sir Michael Lord): Order. The hon. Gentleman must use the correct parliamentary language.

Mr. Marsden: My apologies, Mr. Deputy Speaker. It is up to each and every hon. Member to decide for themselves.

In the final analysis, what kind of peace do we seek? Is it a genuine peace that we strive for? Is it peace in our time or peace for all time? Right around the globe, we all cherish our children's future. We all breathe the same air and we are all mortal. Those were the words of an American President in 1962 after the Cuban missile crisis, when the world almost came to grief. It almost destroyed itself. We have to think so carefully. I would say that hon. Members should vote against the Government tonight and vote for peace.

7.56 pm

Geraint Davies (Croydon, Central): The British people do not want war. A million people marched in London against war. None of us wants war. Nine million people signed a pledge before the second world war. We are not a war-loving nation, but war cannot now be stopped. Our choice today is not whether to prevent war—we cannot do so—but whether we join the US in toppling the regime of Saddam Hussein and have influence in the post-war settlement in Iraq and the peace process in Palestine, or stand to one side and watch the US act alone.

No one wants war, and no one has worked harder to prevent war than the Prime Minister. Early last year, the US policy was unilateral regime change through pre-emptive military strike. Saddam Hussein's position was that weapons inspectors would never be allowed back into Iraq, yet the influence of our Government, at great political cost, moved the US from a position of unilateral strike to disarmament through UN weapons inspectors. After 12 years and 16 UN resolutions that had left Iraq a threat to the world, the world united behind resolution 1441 demanding immediate disarmament, backed by the credible threat of US military action. It was only the threat of serious consequences that forced Saddam to let the inspectors back in.

Every concession that Saddam has made has been from fear of serious consequences. Without that threat, Hans Blix would not have been allowed to find weapons in Iraq, any more than we can find IRA arms in Northern Ireland. Yet, tragically, the unity of purpose of resolution 1441 that gave the inspectors their leverage has been weakened by the grandstanding of Jacques Chirac threatening the French veto, corrosively undermining the credible threat of force on which co-operation and disarmament rely.

Mr. Jon Owen Jones: I find the argument confusing. My hon. Friend says that the credible threat of force is causing Saddam Hussein to react favourably to us. How is the credible threat of force reduced by the French action when everyone, including everyone present in the Chamber, knows that war is about to be unleashed upon Saddam Hussein?

Geraint Davies: War could have been prevented. We would have had disarmament by now, had the French not been waving their veto and if there had been unity of purpose. As a result of the French corrosively undermining 1441, Saddam has spun out his concessions month after month as he knows we approach the hot Iraqi summer. That provides a safe haven from military action and a chance for further political division spun by the French.

Jeremy Corbyn: I thank my hon. Friend for giving way. It is my certain recollection that Hans Blix asked for more time to complete a very successful inspection and destruction mission, but that the United States and Britain refused that extension of time. Hence, we are going to war.

Geraint Davies: My understanding is that Hans Blix said that there had not been active co-operation and compliance. Time is useful if there is co-operation, but that co-operation is not occurring. No hon. Member who studies the cold-blooded cynicism of the calculating and murderous Saddam Hussein could doubt that he is playing for time. Of course, Jacques Chirac is playing into his hands by using up that time with all this prevarication. If the UN had stayed at one in its resolve, peace would have been possible and we might have been in a position in which disarmament would have been continuous.

Even in the last minute of the last hour, when Britain has offered benchmarks for disarmament in a fixed time frame as the basis for a second resolution to avert war if Saddam disarms, the French have said that they will veto any second resolution, whatever it says. Even if that resolution gave Iraq a year to disarm, the French would still veto it, so the prospect of disarmament that is backed by the credible threat of force—the very basis of resolution 1441—is in tatters now and in future. Saddam knows that the French can be trusted—trusted to veto the will of the UN as expressed in resolution 1441 if it means a timetable for compliance. They want no ultimatum and no threat of force, and they have said so.

We face a stark choice: we can choose war without the express consent of the UN because the French have cast their veto even before the second resolution is framed or else do nothing, accept the veto to timetabled disarmament and hope that Saddam will voluntarily hand over his anthrax and biochemical weapons to UN inspectors whose authority is no longer backed by military force. That is not a credible option.

Lynne Jones: Will my hon. Friend give way?

Geraint Davies: No, I will not.

The world has accepted through 17 UN resolutions that Saddam is an evil dictator who has slaughtered hundreds of thousands of his own people in gas attacks, torture and execution, invaded Iran and Kuwait, bombed Israel, developed a nuclear programme and holds stockpiles of biochemical weapons. If resolution 1441 is not enforced, the authority and effectiveness of the inspectors will crumble as they did in 1998, Saddam will rearm and dictators around the world will know that they can establish arsenals of biochemical death in the knowledge that the UN does not act to enforce its will.

No Member of this House wants war or wants to face the choice of taking action alongside the US without a second UN mandate or letting Saddam off the hook, but it is not enough to stand on the sidelines and watch the US act alone, lose our influence in making a post-conflict settlement in Iraq that respects all its ethnic groups, as well as its borders and mineral wealth, and lose our influence in bringing a lasting peace to Palestine. Let us be in no doubt—I say to my colleagues that if we are not there, the constitutional arrangements for Iraq will not be framed by the values that we share, but determined by the interests of the US, and the obligation to bring peace to Palestine will not be shaped by our ambition for a quality and lasting peace, but relegated by an all-powerful and all-isolated US that is suspicious of outside countries that choose to stand aside.

This is not a comfortable decision for any of us. We are all driven by what we believe to be right and forced into choices that we do not want to make. I believe that

[Geraint Davies]

we must act even though there may be consequences that we do not like, as the alternative is a world of worse consequences. Our soldiers must know tonight that this Parliament will give them our support to liberate Iraq from an evil tyrant, remove the threat of biochemical attack and show the world that we will not accept a future of fear of the mass carnage of biochemical terror. However difficult or uncomfortable, we will take action to protect our freedoms, children and people, liberate the people of Iraq and build a world of peace and security where trust can be rebuilt in a future that we all must share.

8.4 pm

Mr. Gary Streeter (South-West Devon): I am pleased to follow the hon. Member for Croydon, Central (Geraint Davies), who set out his case with passion and clarity.

Each of us must examine our consciences and determine how we will vote at 10 o'clock, for this is surely one of the most significant decisions that we will make as a House of Commons in this generation. It seems to me that the choice we have to make is not between an obvious right and an undeniable wrong. We are being asked to choose between two imperfect propositions. In my judgment, it is not obviously right to go to war now and not obviously right to seek more time for the inspectors to do their work. This is a murky and complicated choice and each of us must balance the arguments and decide where we stand.

In coming to our judgment, it is difficult not to be influenced by the certain imperfections and inconsistencies of US foreign policy over many years. It is interesting that we have had so many different objectives for this potential conflict. We must take into account some of the doubts that have been expressed in this excellent debate about the legality of the action. It is definitely true that the dodgy dossier and some exaggerated claims from the Government have not helped us in forming our judgment.

However, it is equally hard to believe that President Chirac has suddenly become the principled saviour of human rights and international legitimacy. It is hard not to see Saddam Hussein, the father of lies and master of deception, continuing to play cat and mouse with the UN inspectors, however long they are given to do the job. It is hard to imagine that this Iraqi tyrant will be disarmed other than by force. If we do not deal with him now, we will have to do so later. Who knows how many people will suffer in the meantime?

Many of us have said that we hate the prospect of war and I am no different. I hate the thought of war and all its gory consequences, but I hate even more the thought of Saddam Hussein continuing in office. I hate the thought of chemical and biological weapons falling into the hands of suicidal terrorists and of the west once again showing weakness in the face of terror and threat when we should show strength. I have made my decision and I know where I stand: I will support the Government tonight and back the motion to use "all means necessary" to disarm this tyrant. At the same time, I respect strongly those who have reached a different conclusion, but I am convinced that that is the right way forward.

I pay tribute to the leadership that the Prime Minister has given to our country in recent weeks. He first attracted my silent admiration when he said that, for him, the special relationship with America was an article of faith. I also believe that it is our current destiny as a nation that we should support this only superpower. That is the reality of modern-day global politics. The Prime Minister has done his utmost to achieve a second resolution and has articulated the need for action in a clear and compelling way. I also pay tribute to my right hon. Friend the Leader of the Opposition, whom I am glad is in his place to listen to this rare tribute from me. He has been steadfast in his position on Iraq not only for months, but for many years. That should be recognised and respected. He is also to be respected for not seeking to exploit the potential political difficulties of the Government on this issue, but focusing on doing the right thing. That is certainly what I came into politics for.

I want to make two other points. I was pleased to see that even the amendment expresses strong support for our troops who are about to go into action. Many of the armed forces now on the brink of conflict live or are based in my constituency—notably the Royal Marines of 42 Commando. They are highly professional and very brave. They will acquit themselves well and we in the south-west are all rightly proud of them.

Whenever I speak to a soldier, marine or person in the Navy or the Air Force, I am always most impressed by the fact that they are trained for action and, when the time comes, they want to undertake it on behalf of their nation. They are ready to do that despite the risks. It is vital, as they cross the desert, risking their lives in the national interest, that they know that the country is behind them. I hope that, after we vote tonight, the House will unite and send to our troops with one voice the clear message that they have our full backing.

It is also crucial that their loved ones at home know that. My family is experiencing its first taste of the personal agony of war. Our daughter married a fine young trooper in the 2nd Royal Tank Regiment only two and a half months ago. She remains by the television, constantly awaiting news of the conflict. However, she is surrounded by people in her university—we Streeters marry young—who demonstrate against what her husband is risking his life to do. That does not help. I therefore implore those outside who are planning their protests, marches and placards to think, once battle is engaged, of the thousands of troops who risk their lives and of their families at home. I ask people to show some common humanity and postpone their political protests until the conflict is over.

Several hon. Members *rose—*

Mr. Streeter: I appreciate that that was a moment of fine rhetoric, but I had not finished.

I want to speculate briefly on the future of the international community. We need a credible United Nations if we are to try to build a safer world. However, the stark reality, whether we like it or not—some colleagues have stated today that they do not like it—is that the world has only one superpower. It is not perfect, and often speaks and acts in a way that baffles many of us. We should certainly not give it a blank cheque. However, without positive American engagement, the United Nations would be a useless talking shop. The Prime Minister was therefore right to go the extra mile in persuading the US President to take the UN route. He is also right to make full use of our special relationship and be the closest ally to the only superpower.

President Chirac plays a dangerous game when he waves his veto around, reckless about the consequences. Driving the USA out of the UN would be one of the most serious things that could happen to global security. President Chirac and everyone else would rue the day.

8.12 pm

John McDonnell (Hayes and Harlington): Today is the first occasion on which I have spoken in a debate about Iraq and I am grateful for the opportunity.

It is a time to draw on one's inner beliefs and vote according to principle. I want to put my views on record for my constituents and the community where I live and which I work hard to represent so that they know and understand what I do today.

I shall vote against the war and for peace. I shall walk through the Lobby with many members of the socialist Campaign group, but one will be missing. My hon. Friend the Member for Bolsover (Mr. Skinner) will not be with us tonight, and I send him our best wishes for a speedy recovery.

Last week, in a desperate attempt to gain support for war, the Ministry of truth at No. 10 tried to portray the Campaign group's position as a challenge to the party leadership. Let us make it clear that today's vote has nothing to do with the leadership. It is a vote on principle: one is either for war or against it.

The Prime Minister said that he wants people to vote not out of loyalty but on the basis of understanding and supporting the argument. I respect him for that. I would respect him even more if he gave us a free vote instead of a three-line Whip, and if the Whips were called off from trying to persuade people in their normal manner.

I shall vote for peace tonight because the Bush war plan is immoral. It fails the test of the basic just war principles of not only last resort but right intention. I do not accept that Rumsfeld, Cheney, Perle and Bush have the right intention for the future of Iraq.

I believe that war is illegal. We cannot simply erase the US ambassador's commitment to UN Security Council partners that resolution 1441 contained no hidden triggers and "no automaticity". Many will perceive war against Iraq as an act of international vigilantism by a superpower state that increasingly appears out of control. We will reap unforeseen and incalculable consequences for the world, our citizens and constituents for generations. People will suffer and die. No matter how few die, it will be too many for me.

If we go to war, we must be clear that we have the support of our people.

Mr. George Howarth (Knowsley, North and Sefton, East): My hon. Friend has been eloquent about what he believes to be unacceptable. How would he disarm Saddam Hussein's regime?

John McDonnell: We will work through the UN. We will use weapons inspection and implement the proposal for UN human rights inspectors. We will support the Iraqi people because a tyrant falls best and hardest when he is pushed by his people. We will not bomb but support them.

Dr. Julian Lewis: I thank the hon. Gentleman for giving way with his usual courtesy. Did not we hope that the Iraqi people would get rid of Saddam Hussein in 1991 when we left it to them? They rose up and were massacred.

John McDonnell: With great respect to the hon. Gentleman, I do not believe that the Basra road is a good example of supporting the Iraqi people. We inflicted carnage on them. Many were simply conscripts who did not wish to fight.

If we go to war, we need the clear support of our people. In the past 12 months, we have been treated to a global propaganda exercise to persuade us of the need to attack Iraq. We have been subjected to a global stream of new-Labour-like publicity stunts, cynical in intent and increasingly ineffective. The lasting inheritance is the perpetrators' inability to tell the difference between truth and falsehood, even when lives are at stake.

Most people have seen through the global propaganda exercise. The great persuaders have failed to persuade. People have seen through the dodgy dossiers and the forged nuclear weapons evidence. They have been offended by the use of the memories of those who died on 11 September to justify dusting off Rumsfeld's five-year-old plan to invade Iraq. They understand that the war has no link to the war against terrorism and will exacerbate the terrorist threat for years. They have grown wary of pleas for and justification of war on humanitarian grounds by those whose humanitarian credentials are compromised by their military, economic and political support for the tyrant Hussein and who, after 20 years, have suddenly discovered the plight of the Iraqi people.

Even those who believed Bush and would have been held to the principles of the UN by the Prime Minister have been rapidly disillusioned. We now know that the Bush military regime had set a timetable for invasion of Iraq that was based not on the outcome of the UN weapons inspections but on the climatic conditions of the middle east. A second UN resolution was not an act of faith in the UN and the rule of international law. It was simply another part of the propaganda exercise to bring states, and especially the British electorate, on side. When not enough states could be bought or bullied, the UN route was cast aside.

We reached the height of cynicism last week when we were promised the Palestinian-Israeli road map. It comes from a President who was forced by world opinion to send Colin Powell to Israel when Sharon sent his tanks to demolish Jenin. To give Sharon the time to murder enough Palestinians, Powell took the longest route from Washington to Tel Aviv in the history of travel. Where was the road map then? Where was it this week when Israeli bulldozers drove backwards and forwards over the peace demonstrator, killing her outright?

[John McDonnell]

When rational argument fails, we find a scapegoat. Who better than the traditional enemy, the French? The language that has been used in the debate against the French verges on xenophobia. Yet any criticism of the Bush regime is pounced on as anti-American.

It might be impossible to prevent the Bush regime from going to war, but we can still prevent Britain from being party to this international atrocity. Our vote tonight could withdraw any moral or political authority to take this country to war. Without the overwhelming support of the House, no Prime Minister can be confident that he has the backing of the British people for war, or the right to lead our people into this unknown risk.

If the Prime Minister proceeds to take us to war in this coalition—not of the willing, but of the killing—I shall say clearly, "Not in my name. Not in the name of thousands of Labour party members up and down the country. Not in the name of the British people." To our communities, we say, "Continue the campaign for peace, to shorten this war and to prevent the next." To the British troops, we say, "Safe home." To the Iraqi people—the parents—we say, "Hide your children deep in the shelters, but we wish you safety. We will stand by you when the bombing stops." To the peoples of the world, we say very clearly, "We will not let this coalition destroy the United Nations as the arbiter of international order." We must form a new coalition to build institutions of global governance capable of safeguarding the world from the new superpower that is globally dictating its policy to the rest of the world.

8.21 pm

Richard Ottaway (Croydon, South): We conduct this debate, 18 months after the horror and tragedies of 11 September, with our institutions impotent, with no coherent solutions to the threats facing civilisation, and with the old world order split asunder, possibly irrevocably. I agree with my right hon. Friend the Member for North-West Hampshire (Sir George Young) that international diplomacy has failed. The United Nations has shown that its structure is not equipped for the challenges of the 21st century. The European Union is split, and its plans for a common foreign and defence policy are in ruins. The future of NATO is threatened as the different aims, objectives and outlooks of its members are exposed. Out of this carnage of shattered institutions, a new world order will emerge. Rebuilding those institutions must be a priority, but this is not how it should happen.

Many will ask how we got ourselves into the position in which we find ourselves tonight. I have sat here for months listening to Ministers confidently predicting that those institutions would accept the challenges before them. I have waited for Ministers to produce the killer piece of evidence that they gave the impression was there. It has not materialised. With hindsight, their optimism was misguided, misplaced and misleading. There is no smoking gun. There is no clear link between international terrorism and Saddam Hussein. The dodgy dossier and the false claims of attempts to buy uranium in Africa have undermined the argument. There is some evidence that the tyrant is disarming. These are all strong arguments for opposing involvement in this conflict, yet I pause. What would be the consequences of turning our backs on this motion tonight? In my judgment, it would simply make things worse and, if I had any doubts, I was persuaded by the speech of the Prime Minister this afternoon.

As a young politician, I was brought up to believe that democracies do not start wars. It is not for civilised nations to interfere with the internal affairs of another country, no matter how much we disapprove. But now, the tyrants hide behind that principle and terrorise their own people, believing that they are immune. We need no further evidence than the stream of refugees fleeing from cruelty and torture in Iraq. If we couple that with the new emergence of the unseen enemy who leaves no fingerprints and dies for his cause—the suicide bomber and the man who flies a plane into a building—we realise that the rules of the game have changed.

We must never forget the horror and traumas of the 11 September nightmare in New York. Since then, the American people have been marching to the sound of a different drumbeat from the rest of us. I understand the view of a President who says that he does not distinguish between terrorists and countries that support terrorism, and my gut instinct is that Iraq is one country on a short list of countries that threaten the peace and stability of a world of democracy, opportunity and prosperity. I believe that those countries possess weapons of awesome capacity and that they will give them to terrorists who are prepared to use them. Saddam poses a threat to us all, and we must not shirk from addressing it.

The cry of those who oppose this war—for whom I have huge respect—is not to leave Iraq alone, but to persuade that country to disarm by peaceful means. That is well meaning and well intentioned, but, in my judgment, it is unachievable. If we were to give Saddam Hussein an extra six months to comply, we would be back here in six months' time having the same debate. He has already flouted endless UN resolutions. That is what has brought us to this point. If France said that it would support a UN resolution, provided that certain conditions were met, I would understand—we all would. But if it continues to prevaricate, I cannot see the point of further delay. Despite serving in the Royal Navy for nine years during the cold war, I am as appalled as anybody by the threat of war. However, I believe that it is only a matter of time before 11 September repeats itself in a European capital. I ask myself, as I am sure many hon. Members do, whether I would regret not supporting the motion tonight if such a thing happened. The answer is clearly yes.

Failure to solve the Israel-Palestine conflict is at the root of the discontent in the Arab world. The announcement of a new impetus to solve that crisis once and for all is persuasive and warmly welcomed. Along with rebuilding Iraq and restoring confidence in our institutions, that must be our priority.

Jeremy Corbyn: The hon. Gentleman referred to the Palestinian crisis. Does he not think that 50 years of arming, financing and not condemning Israel, and allowing it to possess nuclear weapons, are contributory factors to the destabilisation of the whole political process in the middle east?

Richard Ottaway: The hon. Gentleman makes a powerful point, but that is not the question before us tonight. The question that we are being asked to address is about the here and now, and whether we involve ourselves in this war. Of course his point is relevant, but it is not the central point.

A successful outcome to this conflict will not end terrorism, but it will contain it. It will send a message to those who engage in or support terrorism that there will be a price to pay. In a powerful speech, the Chief Rabbi recently said that we were not looking at the difference between night and day. He said that we were in the twilight areas of dawn and dusk, and that this was not about the difference between right and wrong, but about which of the two wrongs we should choose.

This is a defining moment in world history. Our policy of being at the heart of Europe is in ruins. We are witnessing the emergence of new principles in international affairs. We must play our part in the new order that will emerge from the rubble of this conflict. It is with a heavy heart that I will support this motion tonight, but to me it is the lesser of two evils.

8.28 pm

Mr. Tony Banks (West Ham): May I say that it is with a heavy heart that I will not be supporting the Government's motion this evening? I feel it necessary to put a few things on the record about what one is not, when explaining what one intends to do.

I am certainly not anti-American. I agree very much with the points made by the right hon. Member for Richmond, Yorks (Mr. Hague) about what we owe to the United States. I am sorry that he is not in his place at the moment. As ever, he made a characteristically strong and authoritative speech. There must be many Conservative Members who wonder why he ever stood down and left them with his father as leader. I endorse his point that we owe a great debt of honour to the United States. If it had not been for the intervention of the United States in the last war, who knows, we would probably have been overrun by the Nazis, and many people in the Chamber would have been growing small moustaches and polishing their jackboots—those, that is, who had not already been eliminated.

I am not pro-Saddam Hussein. I was speaking against him in the early 1980s when the then Conservative Government, the German Government, the French Government and the Russians were all arming him, trading with him and sustaining him. I need no lectures on how evil Saddam Hussein is, but to compare him with Hitler is absurd. There is no comparison between the ramshackle state of Iraq and the military and industrial might of Germany in the 1930s. This is not the occupation of the Rhineland; it is not Czechoslovakia; it certainly is not Poland. And George Bush sure is not Winston Churchill.

I am not one of those who think that all leadership automatically leads to treachery. The Prime Minister has worked himself almost physically to a standstill to try and resolve this issue peacefully and through the United Nations, which is enormously to his credit. But, tragically, we have failed in the process, simply because the case for war has not been persuasive in the United Nations, in Europe or in this country as a whole.

It is far too convenient to blame the French. Legally, of course, we might or might not have needed a second resolution as well as resolution 1441—you get your lawyers, and you get whatever view you are prepared to pay for—but politically, securing that second resolution was crucial. If it truly was only the French who opposed it, we should have pushed for a vote in the Security Council in order to isolate them. Their veto would then have been seen as unreasonable, if they had used it. But the threat of the veto was not, in fact, what it was all about.

While we are talking about vetoes, let me say that it really is time that we proposed getting rid of the veto in the UN Security Council. It is a legacy of the old cold war. Anyway, I do not think that this was about the threat of a French veto. We did not push for a vote to see whether we could isolate the French, because we knew that we would have been in the minority in the Security Council. It is simply not credible for us to say now, having not done that, that we propose to uphold the authority of the United Nations. What is being proposed will undermine the authority of the United Nations and replace it with Pax Americana.

I accept that the Prime Minister has been a restraining influence on the US Administration, but it is becoming clearer by the day that President Bush and/or his advisers have always wanted a war with Iraq. Now he needs one; he desperately needs that war for his own domestic agenda. For the Americans, Saddam Hussein has become a symbol of everything that is wrong in the world. No one could seriously suggest that Saddam Hussein poses a direct threat to the security of the United States, but the world has changed for the United States, dramatically and traumatically, and the Americans need the war for that reason. They need a war against the symbol, Saddam Hussein. Unfortunately—if I may use that old Texan cowboy cliché—we in this country, the British Government, have been led into a box canyon.

Jeremy Corbyn: Does my hon. Friend accept that numerous people in the United States passionately oppose American military foreign policy? In the demonstrations in New York, Washington and San Francisco, many carried placards reading "41 million Americans have no health care, yet we have money to bomb Iraq".

Mr. Banks: Of course I accept that. We could equally say that we have the money to send large numbers of troops to the Gulf, but we cannot get the Central line running.

What really worries me, though, is that we in this country are now trapped between a bunch of right-wing religious bigots in the White House and Islamic terrorists in the middle east. That worries me, and it should worry all Members. We are being dictated to by the demands of United States domestic politics. Just think about it: would we be here if the Democrats were still in control of the White House? Would we still be arguing the case for the invasion of Iraq if the Labour party were in opposition? Thank God we are not, but I

[Mr. Banks]

think that if we were I would hear people saying "No, we must stand by the United Nations. We in the Labour party have always been an internationalist party, and we must do nothing that would undermine the authority of the United Nations".

I am old enough to remember Suez. I recommend a reading of Anthony Eden's memoirs, which, ironically, are entitled "Full Circle". In that book, Eden suggested that the British Government wanted to use the invasion of Suez "to secure a solution of middle eastern problems". That is exactly what we are now being promised in the context of the invasion of Iraq. We have now come up with something called the road map. Well, it is a pity that we did not have that road map 46 years ago. Where has that road map been for the last 46 years? I can only say that it must have been in the hands of Mark Thatcher.

In 1957, we were forced out of Suez by the Americans—by President Eisenhower. I believe the Americans were right then, but they are wrong now. Regrettably, we were wrong then and it looks as though we are going to be wrong now. Clearly, we in this country learn very little from history.

I am not a rebel, and I really object to being described as one because I happen to disagree with what the Government propose.

Sir Patrick Cormack: Will the hon. Gentleman give way?

Mr. Banks: No, I will not. Yes, I will: the hon. Gentleman is a lovable fellow.

Sir Patrick Cormack: I am extremely grateful to my old friend. Does he accept that the logical consequence of his vote this evening, whether or not he regards it as a rebel vote, would be the defeat of his Prime Minister?

Mr. Banks: I do not accept that at all. We have all agreed that this is a matter of conscience and judgment. I think that this is the place, in a democracy, where we can have disagreements, although I do not want them to be rancorous. I do not want the Prime Minister to get a bloody nose. I am not one of those who want to see him go. The Prime Minister has led this country and our party well, and I want to sustain him. On this occasion, I am afraid I cannot do that—but that merely underlines the strength of my loyalty, for I feel very unhappy that I will be voting against the Government tonight.

Ultimately, my decision not to support the Government is not a result of my wrestling with my conscience all night and then clinging to office. My decision to vote against the Government is based on a cold calculation of what I think is in the best interests of the country. The disadvantages of this clearly outweigh the advantages. Yes, we will get rid of Saddam Hussein, but the potential problems are enormous: a Pandora's box could be opened in front of us. We will have a divided country, a divided party, a divided Parliament, a divided UN and a divided European Union, which I think is terrible; and there will always be the chance of more terrorism in this country and around the world.

That is my analysis. If I am wrong there is no damage, but if the Government are wrong we really are in deep do-do.

8.38 pm

Mr. David Curry (Skipton and Ripon): Tonight's vote is not about whether there is war or peace. It is a vote about whether there is war with us or without us, and, by extrapolation, about whether there is reconstruction with us or without us—and, by further extrapolation, about whether there is a rebuilding of international institutions with us or, perhaps, not at all.

I will go into the Government's Lobby tonight after travelling a rocky and reluctant road, and without enthusiasm. I want to explore why so many people are concerned about the prospect of war, and why this war has commanded so little general support in comparison with previous conflicts.

When the Prime Minister put British troops into Sierra Leone, I thought that that was an act of outstanding courage. There were no votes in it, and no issues that would sway British electors; the Prime Minister saw it as a moral concern. When we participated in Kosovo and Afghanistan, it was apparent to me that that was the right thing to do. Humanitarian and security issues were at stake, and ethics and politics met.

I do not have the same conviction over Iraq. For one thing, we have been told specifically that it is not a humanitarian issue. The Foreign Secretary has said clearly that, if Saddam were to give up his weapons voluntarily and easily, he would stay in power. He would then be free to continue his activities, in power. It may be that, by accident and miscalculation, we can turn this into a humanitarian issue, but we did not embark on this venture for humanitarian purposes.

It is a pre-emptive war in its conception. However much I share the loathing for the Iraqi regime, I believe that there must be special reasons for embarking on a pre-emptive war. Of course there is a generic threat to the UK from the existence of weapons that lend themselves to terrorism. That is the reason that President Bush used in his broadcast much earlier today, but it has not been demonstrated that there is a specific threat to the UK.

The Prime Minister says that the national interest is at stake. It is, in the general sense that our national interest is to have a world that is well ordered and democratic rather than one that is unstable and run by despots. However, I and many other people cannot see how that national interest is more threatened today than it was three, five or 10 years ago. Indeed, my understanding is that over that period Iraqi capability has been degraded, and that Saddam has been debilitated and pegged down—that deterrence, in a nutshell, is working. We must remember that, in many ways, the war started a long time ago, with the constant aerial intervention over Iraq.

People say, "Well, the Prime Minister must know something we don't." We have all rather taken in refuge in the belief that the Prime Minister must have access to information that we do not have. The Government speak with such categorical certainty about Iraq's possession of weapons of mass destruction that one is inclined to believe them. But does Saddam Hussein have such weapons? Will we find the arsenals that we believe are there?

The nuclear inspectors have talked about the matter, but not with the apparentness to which public opinion responds. Moreover, the Government have made some statements that have been at odds with statements in the document that they issued in September, especially in connection with the building of nuclear capacity.

Mr. Edward Leigh (Gainsborough): I am grateful to my right hon. Friend for giving way. It is unlikely that I will be called to speak, so I am adopting all his arguments, but is not the logic of the American position regime change? Trust has broken down so much that the Americans could never be sure that Saddam would ever give up all his weapons. Ever since 11 September, they have been determined to change the regime in Iraq.

Mr. Curry: I agree with my hon. Friend, but the problem is that America's reasons for the war have changed often. The Americans have given a number of reasons for the war, and the UK has always been careful to exclude regime change from our rationale, but there is a dislocation between the logic being brought to bear in Washington and the logic here.

The Government seem to postulate a choice between the forcible disarmament of Saddam, and the inevitable rebuilding of his weaponry. Given the degree of surveillance constantly applied to Iraq, I wonder whether that really is the only choice at hand.

The Government say that they will fight to uphold the will of the UN or of the international community, but we chose the UN route knowing its rules. The Government pulled President Bush down that route, and we all applauded when they did. It is difficult now to invoke a mandate based on furthering the interests of the international community in the UN when we acknowledge that the UN would not deliver the endorsement that we sought.

The problem is that the US has given the impression that its only interest in the UN was to get its approval for war, and not to exploit the potential for progress by non-military means. Every report from the weapons inspectors has invariably been greeted by Washington as a causus belli. The US has shown a palpable distaste for the whole UN operation.

Of course I believe that the French actions would have been a great deal more plausible had President Chirac said that, if Saddam did not conform to UN requirements after a certain period, French troops would take their place alongside other troops in the Gulf. That he did not say that is a signal failure on his part. French policy has failed but, if France stands accused of wanting to veto war whatever the circumstances, many observers drew the conclusion that that was in reaction to an apparent US predetermination for war. The Americans' reasons for war kept changing, but their military build-up was remorseless.

I have real concerns about the position of the UK. I respect the depth and power of the Prime Minister's conviction that the policy is right, but there is a real danger that the UK will fail to meet US expectations, while at the same time it is burning its boats in respect of relations in Europe. I have doubts about whether the policy—if it is the Government's policy—that the UK can act as influence, harness, guide and tutor to the exercise of power by the world's only superpower is, in the long term, any more than a historical intellectual conceit.

Mr. Harry Barnes (North-East Derbyshire): Is not another problem with UK involvement in this adventure that we are the old imperial power in Iraq? People in Iraq and throughout the Arab world must understand that. Even in 1955, we had Crown territories in the area, and Iraqi military recruits had British officers. Will not that pose a serious problem for how the Arab world perceives the UK?

Mr. Curry: I suspect not, as a matter of fact. I think that that history has died. I believe what is said about the relationship of the Iraqi people to their regime.

However, the question of how we cope with the world's only hegemon, especially after 11 September, is a real issue. I hope that the Government do not believe that the right answer is to ride postillion. There is an urgent need for us to repair relations in Europe, and for Europe to rebuild transatlantic partnerships. A Europe of 25 member states will be more flexible and open to influence than one still dominated by historical and traditional axes. If 11 September brought a new world to the American continent, enlargement will certainly bring new politics to Europe.

All European states ultimately have an enormous stake in the EU, the UN and NATO. Those structures are now badly fractured, but they are still of proven resilience.

I share the bewilderment of millions of Britons as to how we got here. It is reasonable for that unease to be registered in this Chamber tonight, but one thing that we must conclude is that the UK has to think hard about its role in the world, and about how its interests are best served in that world.

The decision tonight is not about whether there should be peace or not, because that decision has passed us by. If it had not passed us by, I should have had no hesitation about going into the Lobby that stands for peace. However, I must decide what my country's legitimate role and influence are. I have to decide how best I can propel my country to be that force in world affairs that is part of our historical destiny and which, to use a Gallic word, is our vocation.

That is why, with much heart rending, I shall go into the Government Lobby tonight. We must throw open the debate to deal with what happens in the aftermath of war. We must discuss how we reconstruct and rebuild, and how we can avoid repeating the mistakes of the past. If we do that, the conflict—which we all pray will be as short and clean as conflicts ever can be—will have taught something to us, as well as to our enemies.

8.48 pm

Mr. Lindsay Hoyle (Chorley): We all face a difficult choice tonight, whichever way we decide to vote, but we will all respect the choice that each individual Member makes. When I came here today I intended, reluctantly, not to support the Government, but I have listened to

[Mr. Lindsay Hoyle]

Members on both sides and that has made my life very difficult. The expectation that we will do the right thing makes life difficult, and life is about difficult choices.

This week we have been told that the Prime Minister is reckless, but I do not believe that. No one could have done more than the Prime Minister. I must also support the Foreign Secretary for the way in which he has backed our Prime Minister. It is difficult and hard, and I wonder how we have ended up in this position. Hindsight is a great thing and we can look back and say that we would have done things differently. Unfortunately, we cannot change things now, and we all face a tough decision tonight. I am not yet sure how I will vote tonight. At first, I was fairly confident that I could not support the Government, but the conviction that I hear from both sides persuades me that I must question right up to 10 o'clock whether I am doing the right thing.

The Prime Minister deserves credit for what he has done to avoid war so far. Without doubt, we would have been at war already without our Prime Minister. What worries me—my quandary—is how we can rebuild the UN. I said that our Prime Minister has been called reckless, but the French Government and President are the reckless ones. I do not seek to blame them, but they have been reckless in this matter.

The credibility of the Government is what will count tonight. I am concerned about the credibility of the map that has been drawn for the future of the middle east. We will be united by the fact that we all fully support the British troops whose lives will be put at risk. It is not easy for me to say, "Go to war and risk your life." It will not be my life on the line, but that of an 18-year-old from my constituency and many others. Every hon. Member has constituents who will be put at risk. Two Territorial Army regiments have already been called up from Chorley, together with many full-time regulars. Their lives will be put at risk. I would like to think that we still had the opportunity not to put their lives, or the lives of civilians in Iraq, at risk.

Sir Patrick Cormack: What will those young men and women—our constituents—feel if the Government are holed below the waterline tonight, which is what would happen if the amendment were carried?

Mr. Hoyle: That would be an interesting scenario and I think we would then pull back our troops. The Government would be left with no alternative. The point is that the troops are now ready to go. We could have had an easy choice tonight if the Prime Minister had already committed the troops. We could all have got behind him and our lives would have been made easier. But tonight is not about easy choices: it is about difficult choices. We all face a difficult choice. I cannot easily face up to that choice, but I must do so later.

Many of my constituents genuinely believe that there should be an alternative to war, and I fully support that view. I wish that I could give them an answer, but we no longer have an alternative. It has now gone, and that is the difficulty. The press, the Churches, the constituency parties, other hon. Members and the general public all have their views, and we should listen to them and uphold their wishes, but sometimes we have to stand up and be counted.

Tonight we have to make a difficult choice, and hon. Members on both sides of the House will be represented in both Lobbies. The split will not be straightforward, down party lines, because this is a matter of conscience. We should have a conscience on this issue. We should consider not what will happen to us, but what will happen to our armed forces. They will risk their lives, and that is what worries me. People say that the troops signed up for the job that they do, and that is true, but we should always seek to explore any alternative to war. We should grasp any opportunity to avoid war as firmly as possible, but my worry is that it is not there for us to grasp. That is what makes our choice tonight so difficult. When I vote tonight, I will upset people whichever way I go. I hope that we can all make the right decision.

I am one of those who have wondered whether, after 12 years, a few more weeks mattered. I believed that, if the opportunity was there to allow a few more weeks, I would support that. However, during those 12 years, we have failed, along with American Governments. When we saw the Marsh Arabs and the Kurds rise up against Saddam's regime—one of the most evil regimes that we know—we failed them in their hour of need. When they wanted us, we turned our backs. Are we going to mislead them again? There is a danger that they will rise up, thinking that they have the backing of this Government and the American Government.

Mr. Tom Levitt (High Peak): My hon. Friend is struggling, as we all are, with these difficult issues. Some hon. Members have portrayed this as a simple issue—one Lobby for war and one for peace. Does he agree that it is not as simple as that and that there is no peace in Iraq to maintain? It is a country in which there is murder, barbarism, torture and oppression. Walking away from that will not help the Iraqi people one bit.

Mr. Hoyle: I agree that there is no simple answer. This is a difficult time for all of us. It will be a matter of conscience. I will not condemn anybody, no matter how they vote, because they will be voting for what they think is right. It is important that we will be voting for what we believe in and not for what we have been told to vote. People may say that we have been put under pressure. There is pressure from all sides, but I will not vote because of pressure but because I hope that what I am doing is right for my constituents.

There is no doubt that innocent civilians will be killed, because we cannot protect everyone. That is a price that I do not wish to pay. However, I am beginning to believe that we are left with little choice. The decision will be hard. I will swing between being with the Government and against the Government. As I say, this is a tough time. We have to make our minds up and do the right thing. We have to make the choice. I must make the right decision—not because of what happens to me but because of what happens to the people of Iraq and our troops on the ground. I must stand by my decision and explain it to my constituents if I let them down.

8.52 pm

Mr. David Heath (Somerton and Frome): Nobody who has listened to the Prime Minister over the past few months and, indeed, this afternoon, when he made a powerful speech, could doubt his conviction and sincerity on this matter. I agree with the Foreign Secretary when he says that no one has a moral monopoly.

I find myself in the same position as the hon. Member for West Ham (Mr. Banks). Before I start, I want to set out my reasons for taking the view that I have taken. I am certainly not anti-American. Indeed, having shared, at least in a superficial way, the events of 11 September, when I was on Capitol Hill in Washington, I believe that I have at least some understanding of the change in the psychology of the American people that occurred that day. I do not ignore the failings of Saddam Hussein and his appalling regime, which I detest with every fibre of my body. I do not naively accept the actions of some countries and their representatives, which I believe are not without motives. I am not a pacifist. I freely admit that I take a robust line on occasion—as I did on Kosovo when I spoke for my party.

Having taken all those factors into account, I still feel that, at this stage and under these circumstances, the option of war is wrong. I believe that for three reasons. First, I do not believe that the alternatives have been exhausted. That has been largely because of a gross failure of diplomacy. My criticism is not of the energy levels of the British Government and our representatives in pursuing a consensus, but because I believe that the consensus that they were pursuing was on the wrong basis. Throughout the process, there was a ticking clock, and I agree with Sir Crispin Tickell, who asked who started the clock ticking. The British Government were trying to find a consensus on a military timetable rather than on a process of disarmament.

The case for war has not yet been made, certainly not to my satisfaction, but also not to the satisfaction of the people whom I represent in my constituency. Why is that important? Because, as a democracy, we can declare war only with the consent of the people of this country, and that consent is not presently there. The reason why they are not persuaded is partly because of the Government's changing position: first, the pretext was weapons of mass destruction, then regime change, and then some humanitarian impulse. At the last Defence questions, the Secretary of State for Defence seemed to be saying that, if British troops were put into Iraq, they would be attacked by Saddam Hussein's forces, so that was a pretext for putting British troops into Iraq.

Those arguments do not ring true to the British people. We have had a superfluity of dubious evidence that has been countermanded by the inspectors themselves when they have looked at it. We heard about the yellow mud from Niger, which turned out not to have been imported at all, and the mobile biological laboratories that proved to be ordinary trucks. There probably is significant evidence available to the security services, but it has not been shared with the British people.

Any progress that the inspectors have made has been belittled and demeaned by the American Government, and sometimes by the British Government as well. That is not helpful in persuading world opinion that the British and American Governments were serious about disarmament rather than about finding a pretext for war. Any number of fallacious arguments have been put forward, whereby anyone who does not agree with the Government's position is held to hold views that are absurd. It does not do much for the body politic for such arguments to be advanced.

The third reason why I find myself in difficulty is that I believe in the United Nations. I do not believe that when the Security Council has not been able to reach a conclusion we can be said to be acting in its name. Without that agreement, action would be illegitimate and wrong. I personally have doubts about action even with that agreement, because it would then be legitimate, but folly. There are very many arguments for not taking military action in the present circumstances. I do not want to get hung up on international law, which is often a chimera that can take any shape that the strongest country chooses to adopt for it, but I do believe that the political legitimacy that the United Nations Security Council offers is a significant factor that has now been thrown away.

As regards the position from now on, I share the view of every Member of this House. I am arguing against war. I am not persuaded for one moment by the ridiculous proposition that, because our troops may be employed, it is wrong for us to argue against their being deployed. This is the only opportunity that we have to make that point. Once the troops are in the field, however, I will give them my every support, and I expect every Member so to do.

Mr. Barnes: Does the hon. Gentleman accept that those of us who will vote against war and will later, when war starts, be opposed to it, are not thereby against our troops in any way, and that we will wish to support and sustain them as well as we can, even though we think that they should have been pulled out? Indeed, it would be difficult for me to adopt any other position. When I was 18—many moons ago—I was in Iraq as a member of the forces, never having heard a shot fired in anger.

Mr. Heath: The hon. Gentleman speaks with singular personal authority on that issue. I do not doubt the sincerity of any hon. Member, and nor will I doubt their credentials. I wonder whether we have paid sufficient attention to the humanitarian consequences of war, and whether the promised regional initiatives will come to pass. However, my biggest concern is that the consequences of this war are incalculable. I hope that they will be very much less than may prove to be the case, but I fear that there will be a knock-on effect not only in the region, but across the world.

In my more despondent moments, I feel that since 11 September, we have entered into a new hundred years war—a war not between religions, but certainly based on religion. If that is the case, my fear is that conflict in Iraq under these circumstances—without the support of the United Nations—can only inflame that situation: that it can only create more opportunities for conflict; that it can only reduce the influence of the United Nations and of other international bodies. For all those reasons, I believe that I am right to support the amendment, and to vote against the Government's position.

9.6 pm

Mr. Peter Pike (Burnley): I am glad to have the opportunity to speak in this debate—it is a very difficult debate—in making a decision on which way to vote. I have been approached by many of my constituents, by party officers and by others in this House in the past 24 hours, and they have given me advice as to which way I should vote. I say that the debate is difficult because, as an officer in the Labour party for some 45 years, this is one of the most difficult decisions that I have had to take. The last thing that I want to do is to damage the Labour party and the Government, who are so ably led by our Prime Minister. They have done an excellent job since 1997, and I recognise the part that the Prime Minister and the Foreign Secretary have played in the past few weeks in trying to get a second United Nations resolution.

At the end of the day, of course, the decision has to be mine. I have decided that I will vote for the amendment, although I would have preferred one that included a timetable. I would have liked to incorporate amendment (b), which was not selected, into amendment (a), on which we will vote. I would have preferred a timetable, because a line must eventually be drawn in terms of how long we are prepared to give Saddam Hussein to disarm, and of how long the exercise can go on. I shall abstain on the main motion. I cannot support it because it contains a passage that effectively gives the power to go ahead to war now; however, I do support almost everything else in it. It refers to what will take place after the conflict, assuming that it happens, and I fully support that. It is with great regret that I will not be able to support the Government tonight.

I accept that Saddam Hussein is an evil tyrant and that he possesses weapons of mass destruction, although exactly what they are we do not know. However, I recognise that the weapons inspectors have asked for more time, and it is for that reason that I will vote for the amendment. It is wrong for Hans Blix's report to be rejected. He has clearly said that he wants more time—months, not years—and I believe that we should give him that time.

I also believe that it is very important that we do not fall into the trap that some seem to have fallen into today. They say that war is inevitable in any event, regardless of tonight's vote, and in doing so they are implying that it is essential for us to go ahead, so that we can influence the United States after the conflict has taken place, and that if we do not join them, they will totally ignore us in future. That would be an appalling tragedy for the whole world. I want us to strengthen the United Nations.

Lynne Jones: I am perplexed by my hon. Friend's speech. If the amendment falls, by voting for the Government motion, he will be voting for war.

Mr. Pike: I did not say that; I said clearly that I would abstain. We all have to make our decisions and defend them. I shall defend my decision because it is based on my personal view of the situation. It is my vote and I shall vote for the amendment and abstain on the motion.

As I was pointing out, I do not believe that if the US chose to disregard the views of this country, there would be no future for unity or for the credibility of the United Nations.

I am concerned about stability in the middle east. We must also consider countries such as Pakistan where the National Assembly was prorogued last Thursday. I am a supporter and sympathiser of President Musharraf; he should be assisted. I want the infant democracy of Pakistan to succeed. If Musharraf fell, there would be an extremist Government, which would be appalling.

Wars do not result only in death and injury; there are also massive refugee movements. On my last visit to Pakistan, I saw refugees from Kashmir and the 2 million refugees from Afghanistan. They had not fled from recent events in Afghanistan but from the Soviet invasion of 20 or 30 years ago. There are many such displaced persons all over the world.

I can remember the end of the second world war. I was living in London when the flying bombs and rockets started so I know what it is like to be bombed. Indeed, to this day, I remember my seventh birthday. Just as I picked up my present, we heard a flying bomb overhead. We panicked because the engine cut out and we thought it was coming straight at us, so I never saw my present again. After that, we moved north to Burnley, which is why I ended up as its Member of Parliament. Burnley suffered as a result of my evacuation.

My hon. Friend the Member for West Ham (Mr. Banks) referred—*[Interruption.]*

Mr. Deputy Speaker: Order. Conversations are breaking out throughout the House. I appreciate that we are coming to the end of the debate, but the House should do the hon. Member for Burnley (Mr. Pike) the courtesy of listening to what he is saying.

Mr. Pike: My hon. Friend the Member for West Ham referred to the Suez invasion. I am no pacifist and I was doing my national service at that time as a member of the Royal Marines. I was not called to Suez although I should have been if the conflict had continued.

Suez shows that some conflicts do not yield the aims that we set out with. That is why I am worried about the present situation. As my hon. Friend pointed out, the aim of Suez was to end the middle east problem and to keep the canal open: but what happened? Ships were sunk in the canal and it was blocked for years. We had to develop supertankers because we could not use the canal.

The other fiasco was that there were tragic deaths. A marksman in my squad was killed by the Egyptians as he was disembarking from a helicopter. I shall never forget that. We were only 18 or 19 years old. The consequences of war can be extremely serious.

I do not think we have reached the stage where we need to go to war. We need a few more months to allow the weapons inspections to be completed. The inspectors should be allowed to say whether disarmament is taking place. We could then make a decision.

The action that we are taking is tragic. I realise that 11 September changed the world. Wherever we were at the time, we saw what happened then. I support the Prime Minister in his fight against terrorism, especially the fight against the causes of terrorism, which we must always keep in mind. I believe that the Prime Minister has a 100 per cent. commitment to settling the problems of Palestine and Israel—unlike President Bush.

We also need to solve the problems of poverty and illiteracy throughout the world. Our Prime Minister is committed to that and I give him my full support, but I cannot vote with him tonight.

9.15 pm

Mr. Michael Ancram (Devizes): This has been a remarkable and extraordinary debate. We have heard from 55 hon. Members—too many for me to refer to them all, I am afraid, and I hope that those to whom I do not refer will forgive me. It has been a passionate and sincere debate in the best traditions of the House, and may I say what a pleasure it is to see the right hon. and learned Member for North-East Fife (Mr. Campbell) in his place this evening? We could have done with him earlier in the debate.

None of us can derive any pleasure from where we find ourselves tonight. We had all hoped that the UN would provide a route to disarming Saddam Hussein of his weapons of mass destruction. As my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) said, sadly, we were wrong in that hope. We had all hoped that a united international voice would bring Saddam Hussein to his senses. We knew that only a united and determined voice, backed by the credible threat of force, would work.

Now, sadly, we will never know whether a second resolution would have brought Saddam Hussein to disarm voluntarily. What we know is that that chance has been sunk by the ill-considered action of France, and I hope that, as the transient euphoria and popularity fade, the French will reflect on the chilling consequences of their ill-considered action. I agree with my right hon. Friend the Member for Bracknell (Mr. Mackay) and the right hon. Member for Upper Bann (Mr. Trimble) in their judgments on France; I do not believe that history will treat France kindly.

Lynne Jones: Although it is extremely unfortunate that President Chirac used the words "regardless of the circumstances", is it not time to consider a more accurate portrayal of what he actually said in the context of the assessment that the weapons inspection process was working and the acknowledgement of the role that the threat of force has played? President Chirac says:

> "My position is that, regardless of the circumstances, France will vote "No" because she considers this evening that there are no grounds for waging war in order to achieve the goal we have set ourselves—to disarm Iraq."

Mr. Ancram: I am sorry that I gave way to the hon. Lady; I had not realised that she is an apologist for the French President. The French President knew exactly what he was saying when he said it, and he knew its impact.

Serious concerns have been expressed today and, as we have said throughout, we must respect the sincerity of one another's views. I heard the views of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg); my hon. Friends the Members for Mid-Bedfordshire (Mr. Sayeed), for Uxbridge (Mr. Randall) and for Billericay (Mr. Baron); and the right hon. Member for Southampton, Itchen (Mr. Denham). I do not agree with their conclusions, but I respect their views and pay tribute to them for the way that they expressed them today.

I also tried to listen with respect to the leader of the Liberal Democrats. He knocked me off that attempt very early in his remarks. He lectured us on the need to listen to the voice of the House if it were to vote against the Government tonight. He then told us that he would not accept the judgment of the House if it voted for the Government motion tonight—some democrat. He made false accusations that the Government sold arms to Saddam Hussein after he gassed the Kurds, and then he refused to accept an intervention from my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), who would have proved him wrong—not much moral fibre in that. He talked of consistency; his only consistency is his inconsistency. He makes the Grand Old Duke of York look like a paragon of decisiveness.

The debate has revolved around a number of key questions. First, does Saddam Hussein—*[Interruption.]*

Mr. Speaker: Order. Too much conversation is going on.

Mr. Ancram: First, does Saddam Hussein really pose a risk to international peace and security? Well, the UN certainly thinks so, and it has thought so for the past 12 years because all but one of the 17 resolutions was passed under chapter VII of the UN charter, which deals with threats to international peace and security and which, under article 42, permits the use of military force if necessary to deal with them.

It was interesting that the words of resolution 1441 deliberately replicated the language of article 42. Nobody who signed up to it, including France, can be in any doubt as to what that resolution means. They knew at the time when they signed, and they still know it. Nobody denies that Saddam Hussein has failed to comply with resolution 1441. It is incomprehensible that any of the signatories did not accept the need for the action that must flow from it.

The second question is: does Saddam pose a threat to us? The Prime Minister and my right hon. Friend the Leader of the Opposition, in powerful speeches today, made a compelling case, to which I do not need to add. Hans Blix's 7 March report demonstrates the terrifying weapons of mass destruction that are missing, and that must still be assumed to be there. As my hon. Friend the Member for Croydon, South (Richard Ottaway) said, they are clearly a threat to us today, and they will be a growing threat in the future if they are not dealt with now.

Why should we act now? There is no doubt, as my hon. Friend the Member for Stratford-on-Avon (Mr. Maples) argued effectively, that if we were to withdraw from action now and withdraw our troops, we would not only destroy the credibility of ourselves and our policy but of the United Nations and international security, too. There can never be an absolutely right time, but history teaches us that action delayed or postponed is rarely action avoided. Putting off what needs to be done almost always leads to more dangerous challenges later. As my hon. Friend the Member for South-West Devon (Mr. Streeter) said, if we do not deal with it now, we will have to do so later. To me, that is the most compelling reason why we must vote for action tonight.

My right hon. Friend the Member for North-West Cambridgeshire (Sir Brian Mawhinney) said that it was not enough to know what must be done if we do not do

[Mr. Ancram]

it. We do not have the moral right to turn our backs on a threat in the certain knowledge that we will leave to those who come after us something far worse and far more dangerous. There can be no more dishonourable political act than that.

The next question is: is military action legal? I accept the Attorney-General's advice. It is not the advice of an individual lawyer or legal expert but the considered legal advice of the person who is charged with the constitutional duty of advising the Government and the House on the legality or otherwise of actions. The House should give exceptional weight to that advice.

Mr. Lansley: Does my right hon. Friend recall that, in 1991, in the Gulf war, an inherent right of self-defence enabled us to repel Iraqi aggression against Kuwait, but the British and US Governments sought and received specific approval from the United Nations? Many, such as me, feel that we should have continued down the path of seeking specific approval from the UN. In the absence of that, however, the question we must resolve tonight is: will we vote for this amendment, the only result of which would be for the American Government to go it alone, knocking away the last remaining central pillar of British foreign policy, after all the damage that has already taken place?

Mr. Ancram: I agree with my hon. Friend on his last point. On his first point, if he looks at the Attorney-General's advice, he will see that, under resolution 1441, consequent on the previous resolutions, the legal authority is there.

What we must realise tonight is that we vote but our armed forces fight. We must never forget our armed forces as we debate conflict. We must never take them for granted. They are brave, professional and courageous. They will do what is asked of them, and they will perform magnificently. They must know that they have our unequivocal and wholehearted support.

What we are doing is right in the national interest, but it must also show positive results in meeting all our objectives, and I was pleased to see that those objectives are set out in full in the motion. My hon. Friend the Member for Billericay was correct in saying that the House and the Government must address them. The first of those is the elimination of Iraq's weapons of mass destruction. We must not forget that that is the objective of the United Nations resolution: it was never regime change; it was the elimination of those weapons.We need to be sure that our military operations will specifically target Saddam's weapons of mass destruction—whether it is the nerve agents, the mustard gas, the illegal warheads or the other vile weaponry that we have heard about.

We know from the experience in South African that if a country is committed to disarmament, the United Nations can achieve it extraordinarily quickly. I remember that nuclear disarmament in South Africa was carried out in a matter of days once the Government decided to go down that route. I hope that arrangements are being made with the United Nations to ensure that once relevant areas of Iraq are secure from Saddam Hussein's regime, it will finally be able to complete its mission fully and disarm Iraq of its weapons of mass destruction.

We also want to hear the Foreign Secretary outline clearly that the Government are making adequate provision for the swift delivery of humanitarian aid. That is not only to reassure the House and the British people but, more importantly by far, to let the people of Iraq know that with the removal of Saddam Hussein, the aid that they so desperately need will be immediately forthcoming. It is important to get that message to them as early as possible. We are told that all that is in hand, but we have not yet heard what is in hand or how it will be delivered. My hon. Friend the Member for Uxbridge rightly pointed out, in a moving speech, that in Yugoslavia we started but we did not finish. This time we must finish.

We must also ensure that what replaces Saddam Hussein's brutal regime is a truly representative Government, accepted by the Iraqi people and, as Kofi Annan said and the Azores meeting agreed, under the auspices of the United Nations. The new regime should allow the fledgling, functioning democracy of Kurdish northern Iraq to continue to meet Kurdish aspirations for a degree of autonomy. It should recognise the long-ignored Shi'a majority rights and their claim to a share in the Government. It should safeguard the rights of the Sunni Arabs of central Iraq and of smaller minority groups, such as the Turkoman population in the north and the small Iraqi Christian population. If the Administration are not representative—if they are not balanced—they will fail. I hope that the Government are well appraised of that in their conversations with the United Nations. Above all, we must preserve the territorial integrity of Iraq, as the United States, the United Kingdom and the United Nations have all recognised. Coupled with representative Government, that is vital in order for that country to move forward to the domestic cohesion, stability and prosperity that it so wants and, I believe, deserves.

But we cannot look at Iraq in isolation, especially when we talk about stability in the region. We know that the focus of so much anger emanates from the continuing Israel-Palestine dispute There will never be a settled peace in the wider Arab world until there is a lasting peace between the Arabs and the Israelis. If action is to be taken in Iraq, as my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) said, there must also be immediate progress in the nearer middle east. We must urge the United States not only to publish the road map, but to promote discussion and implementation of it. We must also press both Israelis and Palestinians urgently to engage in genuine negotiations that lead to a secure Israel sitting alongside a viable Palestine.

Once that is done, further immediate challenges will face us all in rebuilding, reforming and renewing those institutions that have been the victim of the divisions in the past months. As my right hon. Friends the Members for North-West Cambridgeshire, for North-West Hampshire (Sir George Young) and for Fylde (Mr. Jack) said, the events of the past months have called into the question the ability of the United Nations to act with unanimity when international security is threatened. The events raise serious doubts about the current structures and procedures of the United Nations. When the crisis is over, we will need to generate a debate on how it can be made effective again.

We will also need to look at NATO. We cannot let a body that has assured our peace and security for 50 years to become a footnote in history, but that is what we face today. Recent events have shaken NATO to its foundations. They have sown severe doubts in the minds of the United States and many new members. We must fully embrace the vision advanced at Prague last year for NATO to develop greater capabilities and specialisations to deal with new threats, crisis management, non-proliferation and, indeed, missile defence. Above all, as my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) in a remarkable and typical speech said, we must ensure that the United States remains fully engaged in NATO and that the Atlantic partnership remains its foundation.

Recent events have also created fundamental rifts in the European Union. They have proved that a unified European foreign policy is a fantasy. I have to say that the Opposition have always said that it was. We need to repair Europe and to restore damaged relations, not within a coercive structure, but as part of a true partnership, and I hope that the lessons of the last months will be well and truly learned before the Convention on the Future of Europe resumes its work.

This debate has highlighted the evil with which we are faced, and it has made it clear why that evil now needs to be removed. It has shown clearly that Saddam Hussein with weapons of mass destruction is a threat, that the threat is current and real, that Saddam will not disarm voluntarily, and that the people of Iraq have suffered under this tyrant for long enough. As my hon. Friend the Member for Henley (Mr. Johnson) said, we can choose tonight to prolong the misery or bring it to an end.

The time for decision has come, not just for the Prime Minister, not just for the Government, but for the House. The motion asks us to authorise "all means necessary" to remove Saddam Hussein's weapons of mass destruction. We know what those words mean. Those words mean military action and military action means war. This is not easy for any of us. I say in all seriousness that voting for war is the most serious vote that can be cast in the House. Voting for war in the knowledge that we are committing our armed forces, that lives may be lost, that injuries will be sustained and damage caused, is hard. It is a grave moment for us all. But as Conservatives on these Benches we know what we must do.

Our party has always stood for the national interest. Our party has always stood for the security of its citizens. Our party has always stood for what is right. These are our principles, our instincts, our traditions, and we will remain true to them tonight. We know where the British national interest lies. This debate has confirmed that the Government are acting in that national interest and we will support the Government in doing so.

Tonight we will do what is right. We will be true to our country, to our principles and to ourselves. I urge my right hon. and hon. Friends to oppose the amendment and support the Government in the Lobby tonight.

9.32 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): This has been a fine debate on a momentous issue. There have, as we heard, been 52 speeches from the Back Benches and I commend them all. I should particularly like to welcome back the right hon. and learned Member for North-East Fife (Mr. Campbell). It is a real delight to see him in his place. The right hon. Member for Devizes (Mr. Ancram) spoke with feeling and for the House when he said that we have sorely missed him—a point to which I shall return, if tempted, in a moment.

It is invidious to pick out from those 52 speeches any for special mention, but I do pick out two—one made this afternoon by my right hon. Friend the Member for Southampton, Itchen (Mr. Denham). I greatly regret the fact that he has chosen to resign. I do not happen to share his view, but I have to say, first, that I greatly admired his record as a Minister in two Departments, and I think that the whole House was impressed by the quiet and dignified way in which he made his speech of resignation.

That gives me an opportunity to put on record my appreciation for my right hon. Friend and my friend the Member for Livingston (Mr. Cook), my predecessor as Foreign Secretary for four years, a very fine Foreign Secretary, and an excellent Leader of the House. I am sorry that after great years of collaboration in the shadow Cabinet and in government, he has left the Front Bench. That will not reduce our respect or friendship, but it will necessarily reduce our opportunities to work together. I am especially sorry that it should have happened on an issue such as this, on which there are great divisions, and it is not possible for me, and I think I can speak for the whole Government, to support his position.

The other speech I particularly wanted to mention, and I hope that in so doing I do not undermine the great prospects ahead of him, is that of the right hon. Member for Richmond, Yorks (Mr. Hague), the former leader of the Conservative party—and who knows what is in store in the future? He made a very powerful case for the need for us, not only in the UK, but in Europe and the international community, to work in partnership with the United States rather than separate ourselves from the United States. He is right, because of simple facts that none can gainsay: the United States has one quarter of the world's wealth and income, and armed forces greater than those of the next 27 countries put together. The issue is not whether we can argue that the United States is the only superpower. It is whether and how we encourage the United States to work within the multilateral system, or, by our own actions, push the United States away and force it to become unilateral.

The right hon. Gentleman's dismissal of the leader of the Liberal Democrats will be recorded as one of the great parliamentary put-downs of all time. When he spoke, the House was fairly crowded, and I am sorry that it was less crowded when the Liberal Democrat hon. Member for Torridge and West Devon (Mr. Burnett) spoke, because hon. Members missed an absolute gem.

Mr. Burnett: Will the Foreign Secretary give way?

Mr. Straw: I shall in a moment, but I wanted to do the hon. Gentleman honour and flatter him by repeating

[Mr. Straw]

precisely what he said. We were spellbound for seven minutes and 30 seconds as he made a powerful case against the amendment and in favour of the Government's motion. We were waiting to see whether the iron discipline of the Liberal Democrat party would, for once, break down and a man of conscience and principle would stand up—and of course he will in a moment. Then, in the last 25 seconds of his speech, the hon. Gentleman turned on his head, span around and explained how he would vote for the amendment.

Mr. Burnett: Will the Foreign Secretary give way? *[Laughter.]*

Mr. Straw: Of course, that is only a minor error as far as the Liberal Democrats are concerned. The hon. Member for Rutland and Melton (Mr. Duncan) asked whether, in view of the hon. Gentleman's statement that he would vote in favour of the amendment, he would, if the amendment were lost, then vote with the Government. This is what the hon. Gentleman replied—I wrote it down exactly. He said, "I shall make my position quite clear. I shall probably have to abstain." *[Laughter.]*

Mr. Burnett: We will see what *Hansard* says tomorrow. Like other hon. Members, I shall abstain on the motion. I am surprised that the Foreign Secretary plays games on such a serious occasion. I made it clear that there is much in the Government motion that I can support, but, for example, I cannot support the proposition—and there is an overwhelming weight of opinion against it—that

> "the authority to use force under Resolution 678 has revived and so continues today".

That is simply not the case.

Mr. Straw: Very good. There is nothing more to say. I will just add, before I move on to other matters, that we have seen more each-way bets placed by the Liberal Democrats this evening than ever we see on a grand national.

Before I come to the central issue of Iraq, let me say a further word about the related and very important issue of Israel and Palestine. It is as important for the future stability of the region as the disarmament of Iraq's weapons of mass destruction. Our aim remains a just and lasting settlement of the disputes between Israel and her Arab neighbours. That settlement must allow for a secure state of Israel and a viable and secure state of Palestine, consistent with United Nations Security Council resolutions and the principle of land for peace.

There are, I know, many criticisms, and many were expressed today, of the position of the United States Administration in respect of Israel and Palestine. That debate is for another time. However, I draw attention to the fact that in addition to resolutions 242 and 338, we now have Security Council resolutions 1397, 1402 and 1405. Those were put on the Security Council statute book with the support and at the instigation of President Bush of the United States. Never before had the United Nations committed itself to a two-state solution. It has done so now, and I commend the President of the United States, as well as the Security Council, for taking that bold step. It is crucial that we ensure that progress is made towards the implementation of that vision of two states, Israel and Palestine, living side by side.

Richard Burden (Birmingham, Northfield): I applaud the efforts of my right hon. Friend and those of the Prime Minister in bringing about the road map. Let us all hope that it turns out to be rather more than the basis for discussion, as President Bush said. There are three people who are likely to use the situation in Iraq for their own ends and use the Palestinians to that end. One is Saddam Hussein, who will attempt to dupe the Palestinians into thinking that he is their saviour, and he is not. The second is Osama bin Laden, who will try to use the situation to create the idea of a general war between Islam, and Christianity and Judaism. The third is likely to be Ariel Sharon, who may well use the situation in Iraq to strengthen the occupation inside the west bank. If he attempts to do that, perhaps as the price of his non-participation in the war in Iraq, can my right hon. Friend give an assurance that that will be resisted absolutely?

Mr. Straw: I understand my hon. Friend's concerns and I greatly applaud his work on behalf of the Palestinians. Whatever reservations he or others in the House may have about Prime Minister Sharon, Prime Minister Sharon is the elected head of a democratic Government. I do not happen to agree with my hon. Friend and I do not believe that it is fair or reasonable, therefore, to compare Prime Minister Sharon with the tyrant Saddam Hussein or the terrorist Osama bin Laden. Of course, if there is military action, as well there may be, it is incumbent on all Governments and states, especially democracies—that includes Israel and Turkey—to act responsibly, and I believe that they will do so.

Mr. Francois: The Foreign Secretary has just described Saddam Hussein as a tyrant, and I entirely agree. Throughout the debate, Members in all parts of the House have criticised Hussein's regime as evil. Is it not appropriate tonight, therefore, to remember Burke's famous dictum that all that is necessary for the triumph of evil is that good men do nothing? Should not hon. Members bear those words in mind as they prepare to go through the Lobby?

Mr. Straw: That is good advice, but I also say to the hon. Gentleman, as I said yesterday, that none of us should claim a monopoly of morality or a monopoly of wisdom. Each of us must respect the position of the other.

As the Prime Minister spelt out earlier today, we greatly welcome the process of Palestinian reform, which has led this evening to the passing of legislation by the Palestinian Legislative Council to create a Prime Minister with Cabinet-making powers. It has confirmed the nomination of Abu Mazen as Prime Minister. That legislation has this evening been signed and approved by the President of the Palestinian Authority, Yasser Arafat. After a few formalities, which we expect to occur today, and when the appointment of Abu Mazen is confirmed, we expect the immediate publication of the

Quartet's road map. I greatly welcome President Bush's announcement last Friday to that effect. That will be another very important step forward.

The road map charts a clear course to a resolution of the conflict of the kind that I have described within three years. The promise that I give to this House is that my right hon. Friend the Prime Minister, I and the Government as a whole will fully and actively support the Quartet and the parties in its implementation of the road map. We will hold all the parties to the promises and pledges that they have given.

During the course of this debate, a large number of questions have been asked about humanitarian relief. I should say that the House has been greatly assisted in its consideration of questions of humanitarian relief in Iraq by the fourth report of the Select Committee on International Development, which was presented just a week ago. One of the propositions in a list of recommendations made by that Select Committee was that there had to be a new United Nations Security Council resolution to provide proper authority for reconstruction and redevelopment work, and, in addition, a proper mandate for any Government who are to operate within the territory of Iraq once Saddam Hussein is removed. As the Prime Minister, President Bush and Prime Minister Aznar agreed in the Azores on Sunday, such a new resolution will be put before the Security Council. I hope very much that it will attract the fullest possible support, whatever position Security Council members have taken on the issue of military force in Iraq, and that the United Nations will be fully and actively involved in the reconstruction effort.

Mr. Salmond: If this war goes ahead, the minimum cost if it is quick war will be $100 billion, which is 30 times the annual budget of the United Nations for peacekeeping and 20 times its annual budget for development and humanitarian relief. Can the Foreign Secretary offer us any indication that there will be a change in those ratios?

Mr. Straw: The hon. Gentleman speaks with great confidence about the costs of reconstruction. I do not have his confidence in his figures. I say to him that Iraq is an astonishingly wealthy country. The oil is important to this extent: it has the second largest oil reserves in the middle east. One of the other agreements clearly reached in the Azores, which must also be endorsed by a United Nations Security Council resolution, which we shall propose, is that every single cent and penny of those oil revenues are not plundered by Saddam Hussein and his friends, but used for the benefit of the Iraqi people. I am quite clear that, when that happens, the costs of reconstruction to the rest of the world will be remarkably insignificant. I also tell the hon. Gentleman that we have already provided funds for contingency work to ensure the smooth passage of the reconstruction work. My right hon. Friend the Secretary of State for International Development is travelling to New York tomorrow to see the Secretary-General of the United Nations further to co-ordinate that work.

Mrs. Mahon: Will the Foreign Secretary tell us now exactly what the cost of this war to the British Exchequer will be? Does he agree that many pensioners and students who are in favour of free grants and do not want top-up fees would rather that that money was spent on them, including his own son?

Mr. Straw: My hon. Friend has many arguments against military action, and I respect her for them. However, we cannot reduce the value of doing right to the price of a student grant or loan. We should not indulge in that sort of calculus. Of course, I cannot say precisely what the cost of military action will be. However, I know that if we fail to take action in the face of an obvious evil and an unresolved problem, the costs not only to the international community but, over time, to this country and the rest of the world will be calculable and high.

Sir Patrick Cormack: Will the Foreign Secretary remind those who are considering voting for the amendment that, however pure their motives—I do not dispute the purity—if it is carried, Britain's influence in the world will be destroyed for a generation?

Mr. Straw: I am glad that the hon. Gentleman made that point. Those in government and those who aspire to it cannot have it both ways. Many hon. Members, not in the main parties, claimed that we would never go to the United Nations and that military action would be taken without a mandate. We cannot go to the United Nations and argue for a fresh resolution—as we did, with the House's support—get a mandate, stand up and claim that words mean what they say and subsequently resile from that at the moment of difficulty and withdraw our troops. The hon. Member for South Staffordshire (Sir Patrick Cormack) is right.

Mr. George Howarth: Does my right hon. Friend accept that those of us who fervently hoped for a second Security Council resolution had the option removed by President Chirac, not the Security Council? Does he further accept that that leaves anyone sensible who has considered the issues no option but to support the Government?

Mr. Straw: It appears as though the French Administration may be changing their position. At 5.22 pm, the BBC News website stated:

> "Later on Tuesday, Paris' US ambassador Jean-David Levitte said France would join US-led action if Iraq used biological and chemical weapons."

I say to the Liberal Democrats that they should not be behind Chirac.

Several hon. Members *rose*—

Mr. Straw: In a few minutes, we shall vote and I shall therefore not take any more interventions.

We are about to vote on the most crucial issue that has been before the House in the 24 years that I have been privileged to represent my constituency of Blackburn. I have been present when military action by British troops has been debated. However, never before, prior to military action, has the House been asked on a substantive motion for its explicit support for the use of our armed forces. The House sought that, but, more important, it is constitutionally proper in a modern democracy.

[Mr. Straw]

The substantive motion places a heavy responsibility on each of us. We will carry it for years to come. The choice is not easy for any of us. In our previous debate on 26 February on the subject, I said that the issue was the most difficult that I had ever had to tackle. That is truer today. I did not want the country, the Government or the House to be placed in our current position. Like my right hon. Friend the Prime Minister and many others, I have worked for months for a peaceful resolution of the crisis. However, I am as certain as I can that the Government's course of action is right.

We are where we are. We all wish that the world was different and that Saddam Hussein had actively, fully and immediately complied with his disarmament obligations. However, he has not done that, and, however much they may have resisted the conclusion, no one, either today or in New York in the four Security Council meetings that I attended, has had the thought in their heads, still less the words in their mouths to claim that Saddam Hussein has fulfilled the full and immediate compliance that was required of him.

So, what are the responsibilities placed on us? First, we have clear duties to our troops in the field. I do not claim this as a conclusive argument—of course not. I do say, however, that if our troops go into battle, those young men and women—constituents of every Member of this House—need to know not that this motion has scraped through, nor that some here have willed the end but not the means, but that they, our troops, have the fullest conceivable support from each one of us.

Then there are the responsibilities that lie at the very heart of this debate—namely whether we seek the exile of Saddam Hussein, and, if that fails, his disarmament by force. For me, now, there is no other alternative, and nothing that I have heard today seriously suggests otherwise. I have already dealt many times with the issue of containment, but let me repeat that containment is not the policy set out in resolution 1441. Containment failed when the inspectors had to leave in 1998. We first had to resort to Desert Fox to set back Iraqi WMD facilities. Then, in December 1999, there was Security Council resolution 1284, which represented an attempt to offer Iraq a new way to peaceful disarmament while containing the Iraqi threat. Months of negotiation followed, and a new inspection regime. But three permanent members failed to support the resolution, Saddam said no, no inspectors were allowed to return, sanctions were eroded, and containment was left weaker than ever.

The world did nothing—until last year, that is, when President Bush's speech to the United Nations General Assembly on 12 September invited the UN to reconsider its approach. The United Nations embraced that invitation, and what it agreed—which was encapsulated in 1441—was not containment but a realisation that containment and the exhortation of Saddam Hussein had run their course and had failed. In their place, there was a new strategy for the active disarmament of the regime, backed by a credible threat of force—a threat that, if it is to be credible, has to involve the actual use of force if and when the threat itself has failed to work. As Sir Jeremy Greenstock told the Security Council when resolution 1441 was passed, there was indeed "no automaticity" about the use of force: it was entirely conditional on Saddam Hussein's compliance or otherwise with the resolution.

In the debate today, some have said that we should have shown more flexibility and offered more time. We did both. We offered great flexibility and clarity about the terms of the ultimatum, as my right hon. Friend the Prime Minister spelled out. We also said—I said—to our five permanent colleagues that if the only issue between us and them over the ultimatum was more time than the 10 days that we had allowed, of course we could negotiate more time. But no country that has asked for more time has been prepared to say how much more time should be allowed before time runs out. None of them is prepared to issue an ultimatum. In reality, they are not asking for more time. They are asking for time without end.

The fact is this: Saddam will not disarm peacefully. We can take 12 more days, 12 more weeks, or 12 more years, but he will not disarm. We have no need to stare into the crystal ball for this. We know it from the book—from his record. So we are faced with a choice. Either we leave Saddam where he is, armed and emboldened, an even bigger threat to his country, his region and international peace and security, or we disarm him by force.

I impugn the motives of no one in the House. The different positions that we have taken all come from the best, not the worst, of intentions. But as elected Members of Parliament, we all know that we will be judged not only on our intentions, but on the results, the consequences of our decisions. The consequences of the amendment would be neither the containment nor the disarmament of Saddam's regime, but an undermining of the authority of the United Nations, the rearmament of Iraq, a worsening of the regime's tyranny, an end to the hopes of millions in Iraq, and a message to tyrants elsewhere that defiance pays.

Yes, of course there will be consequences if the House approves the Government's motion. Our forces will almost certainly be involved in military action. Some may be killed; so, too, will innocent Iraqi civilians, but far fewer Iraqis in the future will be maimed, tortured or killed by the Saddam regime. The Iraqi people will begin to enjoy the freedom and prosperity that should be theirs. The world will become a safer place, and, above all, the essential authority of the United Nations will have been upheld. I urge the House to vote with the Government tonight.

Question put, That the amendment be made—

The House divided: Ayes 217, Noes 396.

Division No. 117] **[10:00 pm**

AYES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Allen, Graham
Austin, John
Bacon, Richard
Baker, Norman
Baldry, Tony
Banks, Tony
Barnes, Harry
Baron, John *(Billericay)*
Barrett, John
Battle, John
Beith, rh A. J.
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blizzard, Bob
Bradley, rh Keith *(Withington)*
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.

Bruce, Malcolm
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Caton, Martin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Doughty, Sue
Drew, David *(Stroud)*
Edwards, Huw
Efford, Clive
Etherington, Bill
Ewing, Annabelle
Fisher, Mark
Flynn, Paul *(Newport W)*
Foster, Don *(Bath)*
Francis, Dr. Hywel
Galloway, George
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Godsiff, Roger
Green, Matthew *(Ludlow)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gummer, rh John
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heyes, David
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hopkins, Kelvin
Horam, John *(Orpington)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kidney, David
Kilfoyle, Peter
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Lazarowicz, Mark
Leigh, Edward
Lepper, David
Lewis, Terry *(Worsley)*
Llwyd, Elfyn
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McCafferty, Chris
McDonnell, John
McGrady, Eddie
McKechin, Ann
McNamara, Kevin
McWalter, Tony
Mahon, Mrs Alice
Malins, Humfrey
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Moore, Michael
Morgan, Julie
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Oaten, Mark *(Winchester)*
O'Hara, Edward
Öpik, Lembit
Organ, Diana
Owen, Albert
Page, Richard
Perham, Linda
Pike, Peter *(Burnley)*
Pollard, Kerry
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Ruddock, Joan
Russell, Bob *(Colchester)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sayeed, Jonathan
Sedgemore, Brian
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stevenson, George
Strang, rh Dr. Gavin
Stringer, Graham
Stunell, Andrew
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Trickett, Jon
Truswell, Paul
Turner, Andrew *(Isle of Wight)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Webb, Steve *(Northavon)*
Weir, Michael
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wishart, Pete
Wood, Mike *(Batley)*
Worthington, Tony
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Tony Lloyd and
Mr. Douglas Hogg

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Amess, David
Ancram, rh Michael
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Arbuthnot, rh James
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bailey, Adrian
Barker, Gregory
Barron, rh Kevin
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Beggs, Roy *(E Antrim)*
Bell, Stuart
Bellingham, Henry
Benn, Hilary
Bercow, John
Beresford, Sir Paul
Betts, Clive
Blackman, Liz
Blair, rh Tony
Blears, Ms Hazel
Blunkett, rh David
Blunt, Crispin
Boateng, rh Paul
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brady, Graham
Brazier, Julian
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Browning, Mrs Angela
Bryant, Chris
Burgon, Colin
Burnham, Andy
Burns, Simon
Burnside, David
Burt, Alistair
Butterfill, John
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Cameron, David
Campbell, Alan *(Tynemouth)*
Campbell, Gregory *(E Lond'y)*
Caplin, Ivor
Casale, Roger
Cash, William
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Collins, Tim
Conway, Derek
Cooper, Yvette
Cormack, Sir Patrick
Corston, Jean
Cran, James *(Beverley)*
Cranston, Ross
Cruddas, Jon
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*

Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
David, Wayne
Davies, Geraint *(Croydon C)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dean, Mrs Janet
Dismore, Andrew
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Dowd, Jim *(Lewisham W)*
Drown, Ms Julia
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flight, Howard
Flint, Caroline
Flook, Adrian
Follett, Barbara
Forth, rh Eric
Foster, rh Derek
Foster, Michael *(Worcester)*
Foulkes, rh George
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Garnier, Edward
George, rh Bruce *(Walsall S)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Gilroy, Linda
Goggins, Paul
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Hague, rh William
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hammond, Philip
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Healey, John
Heathcoat-Amory, rh David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hendry, Charles
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hoban, Mark *(Fareham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howard, rh Michael
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howarth, Gerald *(Aldershot)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hunter, Andrew
Hurst, Alan *(Braintree)*
Hutton, rh John
Ingram, rh Adam
Irranca-Davies, Huw
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Boris *(Henley)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Key, Robert *(Salisbury)*
Khabra, Piara S.
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Leslie, Christopher
Letwin, rh Oliver
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Dr. Julian *(New Forest E)*
Liddell, rh Mrs Helen
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Linton, Martin
Loughton, Tim
Love, Andrew
Luff, Peter *(M-Worcs)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
Mackay, rh Andrew
McKenna, Rosemary
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Meacher, rh Michael
Mercer, Patrick
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Andrew *(Sutton Coldfield)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Moss, Malcolm
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norman, Archie
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Brien, Stephen *(Eddisbury)*
Olner, Bill
O'Neill, Martin
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Paisley, Rev. Ian
Palmer, Dr. Nick
Paterson, Owen
Pearson, Ian
Picking, Anne
Pickles, Eric
Pickthall, Colin
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Portillo, rh Michael
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Primarolo, rh Dawn
Prisk, Mark *(Hertford)*
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Redwood, rh John
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Roe, Mrs Marion
Rooney, Terry
Rosindell, Andrew
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruffley, David
Russell, Ms Christine *(City of Chester)*
Selous, Andrew
Shaw, Jonathan
Sheerman, Barry
Shephard, rh Mrs Gillian
Shepherd, Richard
Sheridan, Jim
Short, rh Clare
Simmonds, Mark
Simon, Siôn *(B'ham Erdington)*
Simpson, Keith *(M-Norfolk)*
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Soley, Clive
Southworth, Helen
Spellar, rh John
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Squire, Rachel
Stanley, rh Sir John
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Straw, rh Jack
Streeter, Gary
Stuart, Ms Gisela
Sutcliffe, Gerry
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, John *(Solihull)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*

Vaz, Keith *(Leicester E)*
Viggers, Peter
Ward, Claire
Waterson, Nigel
Watkinson, Angela
Watson, Tom *(W Bromwich E)*
Watts, David
Whittingdale, John
Wicks, Malcolm
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Joan Ryan and
Dan Norris

Question accordingly negatived.

Main Question put:—

The House divided: Ayes 412, Noes 149.

Division No. 118] **[10:14 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Ainsworth, Peter *(E Surrey)*
Alexander, Douglas
Amess, David
Ancram, rh Michael
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Arbuthnot, rh James
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bailey, Adrian
Barker, Gregory
Barron, rh Kevin
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Beggs, Roy *(E Antrim)*
Bell, Stuart
Bellingham, Henry
Benn, Hilary
Bercow, John
Beresford, Sir Paul
Betts, Clive
Blackman, Liz
Blair, rh Tony
Blears, Ms Hazel
Blunkett, rh David
Blunt, Crispin
Boateng, rh Paul
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brady, Graham
Brazier, Julian
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bryant, Chris
Burgon, Colin
Burnham, Andy
Burns, Simon
Burnside, David
Burt, Alistair
Butterfill, John
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Cameron, David
Campbell, Alan *(Tynemouth)*
Campbell, Gregory *(E Lond'y)*
Caplin, Ivor
Casale, Roger
Cash, William
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clelland, David
Clifton-Brown, Geoffrey
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Collins, Tim
Conway, Derek
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cormack, Sir Patrick
Corston, Jean
Cran, James *(Beverley)*
Cranston, Ross
Cruddas, Jon
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
David, Wayne
Davies, Geraint *(Croydon C)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dean, Mrs Janet
Dismore, Andrew
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Dorrell, rh Stephen
Dowd, Jim *(Lewisham W)*
Drown, Ms Julia
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flight, Howard
Flint, Caroline
Flook, Adrian
Follett, Barbara
Forth, rh Eric
Foster, rh Derek
Foster, Michael *(Worcester)*
Foulkes, rh George
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Garnier, Edward
George, rh Bruce *(Walsall S)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Gummer, rh John
Hague, rh William
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hammond, Philip
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Healey, John
Heathcoat-Amory, rh David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hendry, Charles
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hoban, Mark *(Fareham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howarth, Gerald *(Aldershot)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hunter, Andrew
Hurst, Alan *(Braintree)*
Hutton, rh John
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Boris *(Henley)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Key, Robert *(Salisbury)*
Khabra, Piara S.
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Leslie, Christopher
Letwin, rh Oliver
[illegible]tt, Tom *(High Peak)*
[illegible]wis, Ivan *(Bury S)*
Lewis, Dr. Julian *(New Forest E)*
Liddell, rh Mrs Helen
Liddell-Gr[illegible]er, Ian
Lidingt[illegible]avid
Lilley, [illegible]Peter
Linton, Martin
Loughton, Tim
Love, Andrew
Luff, Peter *(M-Worcs)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
Mackay, rh Andrew

McKenna, Rosemary
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Maples, John
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marlew, Eric
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Meacher, rh Michael
Mercer, Patrick
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Andrew *(Sutton Coldfield)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Moss, Malcolm
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norman, Archie
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Brien, Stephen *(Eddisbury)*
Olner, Bill
O'Neill, Martin
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Paisley, Rev. Ian
Palmer, Dr. Nick
Paterson, Owen
Pearson, Ian
Picking, Anne
Pickles, Eric
Pickthall, Colin
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Portillo, rh Michael
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Primarolo, rh Dawn
Prisk, Mark *(Hertford)*
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Redwood, rh John
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Coventry NW)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Roe, Mrs Marion
Rooney, Terry
Rosindell, Andrew
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruffley, David
Russell, Ms Christine *(City of Chester)*
Selous, Andrew
Shaw, Jonathan
Sheerman, Barry
Shephard, rh Mrs Gillian
Shepherd, Richard
Sheridan, Jim
Short, rh Clare
Simmonds, Mark
Simon, Siôn *(B'ham Erdington)*
Simpson, Keith *(M-Norfolk)*
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Soley, Clive
Southworth, Helen
Spellar, rh John
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Squire, Rachel
Stanley, rh Sir John
Starkey, Dr. Phyllis
Steen, Anthony
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Straw, rh Jack
Streeter, Gary
Stuart, Ms Gisela
Sutcliffe, Gerry
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tami, Mark *(Alyn)*
Tapsell, Sir Peter
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyrie, Andrew
Vaz, Keith *(Leicester E)*
Viggers, Peter
Ward, Claire
Waterson, Nigel
Watkinson, Angela
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whittingdale, John
Wicks, Malcolm
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Dan Norris and
Joan Ryan

NOES

Abbott, Ms Diane
Allan, Richard
Allen, Graham
Austin, John
Bacon, Richard
Baker, Norman
Banks, Tony
Barnes, Harry
Barrett, John
Battle, John
Begg, Miss Anne
Beith, rh A. J.
Bennett, Andrew
Berry, Roger
Best, Harold
Blizzard, Bob
Bradley, rh Keith *(Withington)*
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Caton, Martin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clarke, Tony *(Northampton S)*
Cohen, Harry
Connarty, Michael
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Crausby, David
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Dalyell, Tam
Davey, Edward *(Kingston)*
Davidson, Ian
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, rh John
Dobbin, Jim *(Heywood)*
Doughty, Sue
Efford, Clive
Ewing, Annabelle
Fisher, Mark
Flynn, Paul *(Newport W)*
Foster, Don *(Bath)*
Galloway, George
George, Andrew *(St. Ives)*
Gerrard, Neil
Gidley, Sandra
Green, Matthew *(Ludlow)*
Grogan, John
Hamilton, David *(Midlothian)*
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Heath, David
Henderson, Doug *(Newcastle N)*
Heyes, David
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hopkins, Kelvin
Hughes, Simon *(Southwark N)*
Jackson, Glenda *(Hampstead & Highgate)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kilfoyle, Peter
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Lazarowicz, Mark
Lewis, Terry *(Worsley)*
Llwyd, Elfyn
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McCafferty, Chris
McDonnell, John
McGrady, Eddie
McKechin, Ann
McNamara, Kevin
Mahon, Mrs Alice
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Moore, Michael
Morgan, Julie
Oaten, Mark *(Winchester)*
Öpik, Lembit
Perham, Linda
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Prosser, Gwyn
Pugh, Dr. John
Randall, John
Reid, Alan *(Argyll & Bute)*

Rendel, David
Robertson, Angus *(Moray)*
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stevenson, George
Strang, rh Dr. Gavin
Stringer, Graham
Stunell, Andrew
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Trickett, Jon
Turner, Dr. Desmond *(Brighton Kemptown)*
Tyler, Paul *(N Cornwall)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wishart, Pete
Wood, Mike *(Batley)*
Worthington, Tony
Younger-Ross, Richard

Tellers for the Noes:
Mr. Tony Lloyd and
Mr. Douglas Hogg

Question accordingly agreed to.

Resolved,

That this House notes its decisions of 25th November 2002 and 26th February 2003 to endorse UN Security Council Resolution 1441; recognises that Iraq's weapons of mass destruction and long range missiles, and its continuing non-compliance with Security Council Resolutions, pose a threat to international peace and security; notes that in the 130 days since Resolution 1441 was adopted Iraq has not co-operated actively, unconditionally and immediately with the weapons inspectors, and has rejected the final opportunity to comply and is in further material breach of its obligations under successive mandatory UN Security Council Resolutions; regrets that despite sustained diplomatic effort by Her Majesty's Government it has not proved possible to secure a second Resolution in the UN because one Permanent Member of the Security Council made plain in public its intention to use its veto whatever the circumstances; notes the opinion of the Attorney General that, Iraq having failed to comply and Iraq being at the time of Resolution 1441 and continuing to be in material breach, the authority to use force under Resolution 678 has revived and so continues today; believes that the United Kingdom must uphold the authority of the United Nations as set out in Resolution 1441 and many Resolutions preceding it, and therefore supports the decision of Her Majesty's Government that the United Kingdom should use all means necessary to ensure the disarmament of Iraq's weapons of mass destruction; offers wholehearted support to the men and women of Her Majesty's Armed Forces now on duty in the Middle East; in the event of military operations requires that, on an urgent basis, the United Kingdom should seek a new Security Council Resolution that would affirm Iraq's territorial integrity, ensure rapid delivery of humanitarian relief, allow for the earliest possible lifting of UN sanctions, an international reconstruction programme, and the use of all oil revenues for the benefit of the Iraqi people and endorse an appropriate post-conflict administration for Iraq, leading to a representative government which upholds human rights and the rule of law for all Iraqis; and also welcomes the imminent publication of the Quartet's roadmap as a significant step to bringing a just and lasting peace settlement between Israelis and Palestinians and for the wider Middle East region, and endorses the role of Her Majesty's Government in actively working for peace between Israel and Palestine.

Immigration Statistics

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Sutcliffe.]*

10.29 pm

Mr. Nicholas Soames (Mid-Sussex) *rose—*

Hon. Members: Speak for England!

Mr. Soames: I shall try.

I am extremely grateful for the opportunity to return to a matter of great domestic importance. I want to start by making three points absolutely clear. First, I have nothing whatever against genuine refugees and immigrants, many of whom have greatly enriched and enhanced our national life. They deserve to be welcomed and given shelter. Unfortunately, our ability to welcome them is hampered by large numbers of applicants whose cases do not succeed—to put it mildly. Last year, nearly 100,000 people were refused both asylum and exceptional leave to remain, yet there were only 11,500 removals, or so-called voluntary returns. I shall go back to that point later on.

Secondly, I want to make it clear that the debate is, above all, not a question of race but of realism. The number of immigrants to Britain is now so great as to have a profoundly major impact on our society, especially in the south-east. Schools, housing and hospitals are coming under intense pressure. Indeed, that is acknowledged by the Government.

Thirdly, I want to make it plain to the Minister for Citizenship and Immigration, that I have no history or form on this matter. Indeed, I consider myself to be a largely tolerant, compassionate, old-fashioned, one-nation Tory. I always have been and I always will be. However, like many others, I am truly concerned about the lack of proper information on an issue of the first importance. The conspiracy of silence about immigration, which has lasted for a generation, must end. It is my ambition that immigration should become as respectable a subject for debate as any other.

I make no apology for focusing on numbers. This is in no sense a game; it is deadly serious and we need proper, accurate and truthful figures. The sheer scale of immigration, which has more than doubled under the Labour Government, causes widespread and understandable concern throughout the country. Of course, numbers are not everything. Each statistic is a human story—sometimes a tragic one. We constantly ask the British people to be both tolerant and inclusive, but it is high time that we told them what they are being asked to tolerate and include.

I want to consider first the overall picture on immigration and then the related question of asylum seekers, who may make up half the total. My starting point is a letter to me from the official statistician dated 27 January 2003, which gives net non-European Union immigration for the past 10 years, revised in the light of the recent census. The number given for 2001 is 178,000. The rate of increase is alarming. Net non-EU immigration has more than doubled under the Government; it has gone up by no less than five times in the past 10 years.

[Mr. Soames]

If present trends continue, the number will be at least 2 million over the next 10 years. Furthermore, there is no end in sight, as the existing immigrant community brings in wives and relatives from overseas. If that number is wrong, the Government need to tell us why.

Will the number fall or could it even rise? Three decisions taken by the Government suggest that it will rise substantially. First, the abolition of the primary purpose rule has already resulted in a significant increase in the acceptance for settlement of husbands and wives. In 2001, that amounted to 46 per cent. of all settlement. There is also an important matter of longer-term significance. The abolition of that apparently obscure rule means that we face the prospect of unlimited secondary immigration.

Secondly, the Government have announced a massive increase in work permits, from about 30,000 a year in the 1980s and early '90s to a target of 200,000 in the coming year. That will add substantially to the immigration total, as workers coming to the end of their permit apply for settlement. A recent study by Migration Watch UK suggests that the increase in work permits alone could lead to additional settlement of up to 70,000 workers a year in four years' time.

Thirdly, the Government's decision—alone among the major EU states—to open our labour market to workers from eastern Europe immediately on their accession to the EU is bound to lead to a significant additional flow.

I want to turn now to one of the major components of immigration—asylum seekers. Only rough estimates are possible. If the Home Office had proper statistics, we could be more accurate, but the order of magnitude is as clear as a bell. That makes nonsense of our border controls and is, of course, a major pull factor in drawing yet more asylum seekers to Britain. It is therefore no surprise that they are arriving in record numbers—110,700 last year, up 20 per cent. on the previous year. In the same year, Holland achieved a 42 per cent. reduction and Denmark 51 per cent.

Lastly, I want to turn to illegal immigration, which, as the Home Secretary recognises, is additional to the totals that I have mentioned so far. One significant source is students and visitors who overstay. Of course most of them go back, but the numbers involved are very large indeed. Roughly 3.5 million students and visitors come to this country every year just from eastern Europe and the third world. If only 1 per cent. of them were to stay behind, it would amount to 35,000 a year. The evidence is only anecdotal, but it is certainly abundant. If that number is too high, let the Government make their own estimate and let us know.

One major loophole, regrettably created by our Government, is the absence of embarkation controls for non-EU citizens leaving the country. That is an invitation for all comers to overstay. I understand that the Minister is considering reinstating the recording of departures of non-EU citizens. That is now a matter of urgency. The Government must press ahead and get that matter dealt with.

A further source of illegal immigrants is clandestine arrival, often by truck and sometimes with the most tragic and often very regrettable results. They immediately claim asylum and, as I have described, have every chance of remaining in Britain, legally or otherwise. Again, what is the Government's estimate for clandestine arrivals? Without such an estimate, we cannot even guess at the total figures. It follows from what I have said that the best estimate of total non-EU foreign immigration over the next decade is of the order of 2 million, and probably more in subsequent decades.

Mr. David Cameron (Witney): My hon. Friend may not have noticed, but the Minister just shook her head. Does he not agree that it is absolutely vital that we have accurate statistics? If the Government cannot provide us with estimates of the numbers of overstayers and illegal entrants, it will be impossible to get to that accurate number, without which it is difficult to have a debate. Will he join me in asking the Minister not to shake her head, but perhaps to promise to provide some estimates, so that we can have some figures on which to have a reasonable debate?

Mr. Soames: I will indeed, and I wholly endorse the point that my hon. Friend makes. I congratulate the work that he and others who serve on the Select Committee on Home Affairs have done on this matter.

Mr. Dominic Grieve (Beaconsfield): I can assure my hon. Friend that, at a seminar that I attended in Oxford addressed by Baroness Scotland, the figure of 2 million for settlement over the next 10 years was the one that she herself proposed on behalf of the Government.

Mr. Soames: That is very helpful, but as my hon. Friend the Member for Witney (Mr. Cameron) said, we require confirmation and firm figures to be able to have a proper and sensible debate about this sensitive but very important matter. There may be some argument about the detail, but there is hardly any scope to deny that we face massive immigration on a scale never before seen in this country.

The pressure on public services, schools, housing, transport and the health service is already intense, particularly in the south-east, where the infrastructure is already dangerously overstretched. In my view, that pressure cannot be allowed to continue without a full and serious debate about the consequences for our society. The decisions to be taken may well be difficult, but doing nothing is simply not an option. Public confidence in the asylum and immigration system is at an all-time low. That is a matter that I, and the Minister, will deeply regret. It is therefore essential that we have clear and accurate information on which we can base a sensible debate.

Specifically, I invite the Minister—I know that she will write to me, as I do not expect her to be able to answer these questions immediately—to answer the following points. What is the Government's latest estimate of net non-EU foreign immigration in each of the last 10 years? What are her predictions for the future? What is the Government's estimate of the size of the illegal work force in Britain? What is their estimate of the scale of illegal immigration into Britain every year? What is their most recent estimate of the population of the UK in 2020 and 2050, and on what level of immigration is that based?

A Home Office research paper, RDS No. 82, has recently admitted that 1.5 million migrants arrived in Britain over the last decade. The nature of our society is clearly changing before our eyes. In a recent MORI poll, 57 per cent. expressed concern that Britain is losing its culture. I do not believe that those concerns can be tossed aside lightly. The British people have a right to be told how many more immigrants are expected to arrive over the next 10 years, and how the Government propose to deal with them.

For my part, I call on the Government to take serious measures to bring the situation under control. For a start, they should redouble their present feeble efforts to remove failed asylum seekers. Secondly, they should reintroduce embarkation controls for non-EU citizens. Thirdly, they should cut back on the huge number of work permits now being issued with only the flimsiest of controls. Fourthly, they should review the controls concerning marriage and immigration, which are now wide open to abuse. Fifthly, they should conduct a fundamental review of the legal framework that is preventing us from dealing with asylum seekers swiftly, and, therefore, humanely.

Above all, the Government need a policy: a policy that can be explained to the British people. They are seeking simultaneously to halve asylum seekers and to more than quadruple work permits. They are spending millions to keep economic migrants out while opening our labour market immediately on accession to the east Europeans. The Home Office apparently claims that it has no view on the desirable level of immigration. It is time that they took such a view. Will the Minister say how many people the Government want in this country overall?

To conclude, importantly, I want to emphasise that I am not anti-immigration. Every modern economy will have quite high levels of both immigration and emigration. My concern is that a pattern seems to be developing of a significant net migration into this country. We do not seem to be able to have accurate and proper figures, however, and public anxiety continues to mount. My message to the Government is simple: give us the real figures, let us have an honourable and frank debate, let us discuss the matter with our constituents in an open, frank and sensible way, and then let us try to come to a settled view of what should be the right level of immigration. That is not an unreasonable request, and I look forward to a considered reply from the Minister.

10.43 pm

The Minister for Citizenship and Immigration (Beverley Hughes): I hope that the hon. Member for Mid-Sussex (Mr. Soames) will agree—I think that his basic premise accepts this—that any responsible Government positioning their country for economic growth and prosperity must consider their policy on migration with a view to maximising the considerable benefits that migration offers, while, at the same time, minimising the challenges that that presents. We are trying to implement a fair and balanced immigration policy that aims first—I make no apologies for this—to open up routes for regulated migration to support our economic needs; secondly, to do more both domestically and internationally to help refugees; and thirdly, to tackle abuse in the asylum system and illegal immigration.

The hon. Gentleman spoke to me briefly before the debate and said that his main concern was to get accurate figures, but having heard his comments I find it hard to accept that that is his basic premise. He seemed to say that immigration is a bad thing. *[Interruption.]* If hon. Members read the *Official Report* tomorrow, they will see that his speech was almost wholly concerned with his view that the scale of immigration is too high. He criticised the extension of work permits, a method of entry that is determined not by the Government, but by employers who apply for them when they cannot employ people from the indigenous population. He also criticised our decision to allow people from accession countries to come here to work even though they are not dependent on the state. Indeed, he criticised anyone who might come here to support our economy.

The Government recognise that migration is part and parcel of the modern world. We need to welcome its considerable benefits but, at the same time, be determined to manage it effectively, and to safeguard national security and the economic and social well-being of this country. *[Interruption.]* With respect to the hon. Member for South-East Cambridgeshire (Mr. Paice), I disagree with him about the main message delivered by the hon. Member for Mid-Sussex. He may dress it up another way, but that is not what his hon. Friend said.

Migrants contribute to our culture and society. They bring a range of backgrounds, cultures and faiths, which is one of the positive hallmarks of life in Britain in the 21st century. We are determined to pursue a balanced immigration policy. Part of that is about having sensible, appropriate ways for people to come here to work legally in ways that boost our economy. That is not an alternative to developing the skills and employment opportunities of our existing population, but rather a complement to ongoing work to achieve that.

International migration is likely to continue now and in the longer term. It will have important social and economic impacts—I recognise what the hon. Gentleman said about that—including on work force size and composition, the demand for housing and education, and the provision of social services. I agree that statistics on international migration are important. It is important that they are as accurate as possible. He knows that the statistics on international migration are produced by the Office for National Statistics, and statistics on the control of immigration and asylum produced by the Home Office need to be as accurate and comprehensible as possible both to inform policy and decision making, and the general public and the debate that needs to take place.

The hon. Gentleman obliquely criticised the accuracy of the statistics and their availability. International migration contributes significantly to total population growth in the UK, but I hope that he accepts that it is the most difficult component of population change to estimate because it has to rely on data sources that cannot match the accuracy and completeness of birth and death registrations.

Since the early 1960s, the main source of statistics on migration flows in and out of the UK has been the international passenger survey, supplemented by administrative data from the research department of the Home Office. The ONS and the Home Office continue to

[Beverley Hughes]

work together to try to ensure that the best use is made of all available data in the compilation of estimates of international migration.

The hon. Gentleman will know that the Office for National Statistics is undertaking a national statistics quality review on international migration, the main aim of which is to make recommendations on how far the existing process should continue or how far changes to current data methods and outputs of UK international migration statistics need to change. A number of options are being considered, including the uses of other sources of information on international migration. It is anticipated that that report, including its recommendations, will go to the national statistician in April and be made public soon after.

This is an important issue. The statistics need to be as accurate as possible, but I hope that the hon. Gentleman will agree that there has been no attempt on the part of the ONS or the research department of the Home Office not to proceed with that endeavour as fast and as well as we can. We want those statistics for ourselves, as well as for public debate.

The ONS, in consultation with the Home Office, is undertaking further work on a number of international migration issues in the light of the results of the 2001 census, and in due course the findings of that review will be published.

The statistics on migration produced by the ONS and the research and statistics directorate of the Home Office are part of national statistics, and their compilation and publication are covered by the national statistics code of practice. That means that they are free from political interference and are produced to high professional principles and standards. The ONS operates completely independently in producing the figures on international migration. It receives statistics and advice from other Government Departments, including the Home Office, but decides independently on how to produce those international migration statistics.

One problem with the figures, which the hon. Member for Witney (Mr. Cameron) will recollect I raised recently at a meeting of the Select Committee on Home Affairs, is the way in which information was traditionally collected during the course of the Conservative Government's 18 years in office, which I should like to see changed. At the moment, the figures describe the number of claims, outcomes of initial decisions and appeals, and the number of removals. We do not yet have a comprehensive picture of the way in which those populations move through the system—in other words, a cohort-based analysis of the statistics, so that we can say how many of any given cohort of people applying for asylum at a particular point in time receive an acceptance, go to appeal, are refused and then removed. That is something that we need, but it is complicated. New technology is now coming on line as a result of this Government's investment, and I hope that we shall shortly move to that position.

The asylum statistics are an important part of the debate on immigration and asylum and they are an integral part of managing the end-to-end asylum process. During the past year and a half, we have consistently improved the way in which the asylum statistics are presented and published to try to ensure that the messages provided by those statistics are accurate, informative and comprehensive. They are more accurate because they are now produced more slowly, allowing late reported cases to be included, and they are more informative because the quarterly figures are a better guide to trends than the monthly ones, and because the bulletin gives more detailed data about the asylum system. They are also more comprehensive because the statistics now include information on the removal of asylum seekers; supported asylum seekers, by location—local authority—and type of support; asylum seekers in detention; an estimate, shortly to be an accurate figure, of the number of dependents of principal asylum claimants; international comparisons, and progress against the public service agreement targets, for example on the speed of decision making. We want to develop those statistics about the control of immigration and asylum further, to reflect improvements in administrative data sources and the implementation of the policy changes.

The work required to assess the number of illegal migrants in the UK is important and it is being done. The hon. Member for Mid-Sussex will appreciate that it is a difficult task to estimate their number and claim significant reliability and validity for the number that one produces; obviously it is difficult to estimate the number of people who are here illegally. As I mentioned, the Home Office has its own sources of information on immigration, which comes from the administration of the immigration and asylum process, but that information is collected for the purpose of monitoring the process, not migration.

As the hon. Gentleman acknowledged, only the flow of people into the UK is currently recorded, and that only of those who enter lawfully or who are discovered to have entered illegally. There is no corresponding record of those leaving the country. I told the Home Affairs Committee recently that the Home Secretary has asked for work to be done to examine both the feasibility and the cost of reinstating embarkation control, which, as I think the hon. Gentleman will acknowledge, the Conservative Administration abolished some years ago. Without both an embarkation control and a robust and secure mechanism to identify people in this country, and with only a record of those coming into the country, it is extremely difficult to estimate accurately the number of illegal migrants present at any one time. However, we have commissioned research into the methods used by other countries to estimate illegal migration, and based on that information and the likely sources of UK information, we will consider how to develop that estimate.

Mr Cameron: Given that the Government are still trying to work out the exact level of immigration and get the statistics right, can the Minister explain why they have already decided to increase massively the number of work permits? When will she publish estimates on illegal over-stayers and illegal entrants? Without those two figures, a total is not possible.

Beverley Hughes: As I explained, the number of work permits is determined largely by demand. There is a rigorous process in which an employer has to establish that he or she has not been able to employ a member of the indigenous population; only then can they apply for a work permit to employ someone from abroad. In that sense, the system is established to fulfil the needs of employers in our economy, subject to their being able to show that they have not been able to employ someone who is already in the country. I will address the other questions raised about figures in a moment.

Mr. Anthony Steen (Totnes): Has the Minister considered a system similar to the German Gastarbeiter system, whereby guest workers enter the country to do a job, and leave when the job is finished? Has she done any research into the implications for housing of 100,000 new immigrants every year?

Beverley Hughes: Work is ongoing within government to estimate the impact on a range of public services, including housing, health and education, of increasing people's ability to come here and work. That is an important question and it would irresponsible of us not to consider it.

The hon. Member for Mid-Sussex mentioned the estimate produced by Migration Watch UK that a net inflow of at least 2 million non-EU citizens will come to this country per decade. I find slightly puzzling the constant emphasis on non-EU citizens of Migration Watch UK and some Opposition Members, but I leave that for them to ponder. We do not accept Migration Watch UK's immigration projections as accurate—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at one minute to Eleven o'clock.

House of Commons

Wednesday 19 March 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

TRANSAS GROUP BILL (BY ORDER)

Order for Second Reading read.

To be read a Second time on Wednesday 26 March.

Oral Answers to Questions

WALES

The Secretary of State was asked—

Drugs

1. **Mr. Chris Bryant** (Rhondda): What recent assessment he has made of measures to create effective local anti-drugs partnerships in Wales. [102968]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): Tackling the problem that drug misuse causes is an issue that is extremely important to me and to the Government. I am aware that the drug and alcohol action teams currently working in Wales will be integrated into the 22 Welsh community safety partnerships. We believe that that is a progressive way forward.

Mr. Bryant: I am grateful to my hon. Friend for that answer. I am sure that he will be aware that it is no exaggeration to say that drugs are systematically undermining the social fabric of many valleys communities, especially former mining communities. I am sure that my hon. Friend will also agree that the answer to the problem must lie in establishing strong local partnerships between all the agencies involved. In my constituency, however, Rhondda Cynon Taff—which is meant to take the lead in establishing the new anti-drugs partnership—has played no part in making sure that we have a strong approach to deal with the issue. Is that because of political failure, and will my hon. Friend make sure that RCT gets its act together soon?

Mr. Touhig: I am aware that there have been problems with the operation of crime and disorder partnerships in Wales. Indeed, my hon. Friend the Member for Vale of Clwyd (Chris Ruane) raised the matter in a Westminster Hall debate a little while ago. I can tell my hon. Friend that £5 million has been provided since 2001 to the communities against drugs initiatives to support projects across Wales to tackle drug-related crime, and to disrupt the drug markets. I will, of course, ensure that my hon. Friend's comments about his local partnership are brought to the attention of my right hon. Friend the Home Secretary.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): The Home Office initiative Operation Tarian is proving a great success in the south Wales valleys. However, will the Minister have a word with the Secretary of State and perhaps liaise with the Home Office about the fact that the Home Office is contributing only £50,000 to that very important initiative? Unfortunately, that means that £3.2 million must be drawn down from other National Assembly budgets, including rehabilitation budgets. We already know that there is a huge waiting list in Wales for those resources. In some south Wales valleys, the typical waiting time is 18 months. With the best will in the world, I ask the Minister to liaise with the Home Office about bringing in some more money. Otherwise, it seems to me to be almost self-defeating.

Mr. Touhig: I note what the hon. Gentleman said about Operation Tarian. It is an important initiative. It was started by police authorities in south Wales, and it is supported by colleagues in the Assembly, and by funding from the Home Office. Indeed, I was involved in discussions with colleagues when the operation was set up. The House may not be aware that South Wales police were involved in a large operation last week. Heroin, crack cocaine, cannabis and ecstasy were seized, and 83 people were arrested. Operation Tarian is making an important contribution to the intelligence gathering that is needed to combat the problem. However, I take note of what the hon. Gentleman has said, and I shall make sure that the appropriate Departments are made aware of it.

Ian Lucas (Wrexham): I recently held talks with Wrexham magistrates, at which I learned that there has been a very positive response to the imposition of drug treatment and testing orders. Does my hon. Friend agree that it is essential for people to understand that substantial funding is necessary to safeguard the orders and make them effective? Will not any suggestion that funding might be reduced undermine one of the ways that we are beginning to get to grips with the scourge of drugs in our community?

Mr. Touhig: I agree with my hon. Friend. Substance abuse is not a simple problem. We must do everything that we can to break the cycle of drug misuse and criminal activity, but we must concentrate on three other initiatives—education, to prevent drug and substance misuse; treatment, including treatment for people who commit crime; and rehabilitation, to break the cycle. This year, £3 million has been allocated to drug and alcohol initiatives in Wales to enable 1,000 more people to access community detox facilities. We will need to expand that initiative, and I believe that my colleagues in the Assembly are working with the Home Office with that objective in mind.

Mr. Nigel Evans (Ribble Valley): Drugs are a bigger menace in Wales today than they were just five years ago. More people are hooked and dying, and the treatment for those who need it is totally inadequate. So what did the Government do? They demoted the drugs tsar, and then abolished the post. They removed all targets for reducing the number of people taking hard and soft drugs, and then reclassified cannabis from a class B drug to a class C drug. They have left the police and public confused about the law on the use of drugs. Even the annual drugs report has not been published since 2001. Is not the problem the fact that the Government do not have a strategy for dealing with drug abuse? Until they get one, more young people are going to get hooked, and to die. Is not it time that the Government got a proper strategy for drug abuse?

Mr. Touhig: The hon. Gentleman may be aware that the Government have provided £27 million of support for local initiatives across Wales. My colleagues in the Assembly provided a further £18 million over the next three years for initiatives, and the new community partnerships will work along those lines.

It is a bit rich for the hon. Gentleman to make further demands when his party is committed to a 20 per cent. cut in public expenditure. What would that do for tackling the drug problem in Wales? His colleagues will have to give that answer to the people of Wales on 1 May, when once again they will be rejected.

Severnside Airport

2. **Mr. Huw Edwards** (Monmouth): What recent representations he has received concerning a proposed Severnside Airport. [102969]

The Secretary of State for Wales (Peter Hain): I have met representatives of the Severnside consortium, who briefed me on their proposals.

Mr. Edwards: Does my right hon. Friend recall receiving from me representations that show that there is considerable opposition to the current proposals for Severnside airport on a man-made island in the Severn estuary? There is opposition from Monmouthshire county council and no support from the 18 airlines, including British Airways, that I have contacted, and I found majority opposition from the residents of Portskewett and Sudbrook in my constituency when I undertook a full household survey. Will my right hon. Friend study those representations and recommend to the Department of Transport that the proposal be rejected?

Peter Hain: I will certainly study those views. I am well aware of the concerns of residents in his local area, not least because he brought them to my attention a few weeks ago. In the consultation exercise that is being carried out by the Department of Transport—a White Paper will follow later this year—full account will be taken of environmental, safety and economic issues, as well as of the views of local residents. The Severnside consortium has an ambitious plan to relocate traffic from the south-east of England to that area, but the views of local residents must of course be taken into account.

Mr. Roger Williams (Brecon and Radnorshire): Does the Secretary of State still support the concept of a regional air service with Cardiff as its hub?

Peter Hain: Yes, I do. Regional airports already play a vital role in Wales and should play an even more vital role right across Wales, from north to south and from east to west. There is great potential for increasing air traffic in that way.

Paul Flynn (Newport, West): Does my right hon. Friend agree that international airports are good servants but atrocious neighbours? Would it not be right to use the Severn estuary, with its almost unique quality of having the second highest rise and fall of tide in the world, to generate electricity in a clean, benign and non-polluting way?

Peter Hain: As my hon. Friend knows, I am a keen enthusiast for renewable energy. The Severn estuary barrage was one of the issues that we examined during our consideration of the energy White Paper. It is hugely expensive, but there are opportunities for utilising tidal and wave power, and the Welsh coast and the Severn estuary may represent such an opportunity.

Local Government Finance

3. **Simon Hughes** (Southwark, North and Bermondsey): What discussions he has had in March on the effects of proposed council tax increases in Wales in April 2003. [102970]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): My right hon. Friend and I have discussions with many people and organisations about matters affecting Wales.

Simon Hughes: Will the Minister give us the latest information on the likely average increase in council tax in Wales in the current year? Does he agree that people in Wales particularly resent high increases if they feel that decisions are largely taken in Whitehall and the Wales Office, not by their local councils? Would he be willing to allow the Welsh Assembly to have power over the way in which local government finance is raised in Wales, and will he consider local income tax as a much fairer alternative?

Mr. Touhig: That is a very interesting proposition. I understand that the hon. Gentleman is hoping to stand for the office of Mayor of London. As he campaigns on this issue, he will no doubt explain to the people of London why the Lib Dem council in Southwark, supported by the Tories, has hiked the council tax by 9 per cent. He should compare that with an average council tax rise in Wales of 8 per cent. The message is simple—Lib Dem and Tory councils cost more: vote Labour on 1 May.

Mr. Jon Owen Jones (Cardiff, Central): Has the Welsh Assembly had time to reflect on its decision to delay council elections for one year? In future, might it decide to allow council elections to concur with Assembly elections, as in Scotland? That might have a beneficial effect on council tax rises.

Mr. Touhig: I am not sure that I want to be led down that road. When the Assembly decided to delay the next council elections, there were extensive discussions among all parties. A decision was taken and I do not believe that the Assembly has any intention of changing the decision at this time.

Mr. Nigel Evans (Ribble Valley): In 1997, people living in a band D house in Merthyr Tydfil paid £569 in council tax. When they receive their council tax bills in just a couple of weeks' time, they will be paying £1,003. Does the Minister think that a reasonable increase?

Mr. Touhig: Some of us have longer memories than others. In the last two years of the Tory Government, council tax band D in Wales went up by 32 per cent. This year—thanks to the support of this Labour Government, working in partnership with the Labour Assembly—councils have received an extra 9 per cent. in support for public services. As I said earlier, the average council tax rise in Wales is 8 per cent. this year. One council, of course, has imposed a rise of well above that: Conservative-run Vale of Glamorgan, backed and kept in power by the nationalists, is putting up its council tax by 10 per cent. That is a clear message to the people of the Vale of Glamorgan come 1 May.

Mr. Evans: I asked whether it was a reasonable increase; I infer from his answer that the Minister thinks it is. In Blaenau Gwent, for instance, council tax has gone up by 78 per cent. since 1997. This year, people there face an 11 per cent. increase in their council tax, which will go up to £975. In Neath, the constituency of the Secretary of State for Wales, the increase since 1997 has been 56 per cent. In Cardiff, people face a rise of 12 per cent. this year, which is four times the rate of inflation. How are people on fixed incomes supposed to pay those huge rises? Do they cut down on food, stop going out or turn the heating off? Those are real questions for people. What advice would the Minister give them when they open their council tax bills in just a few weeks' time?

Mr. Touhig: The hon. Gentleman could at least do us the courtesy of getting his figures right. The figures are 9 per cent. and 11 per cent. for Blaenau Gwent and Cardiff.

What would public services in Wales be like if they were subject to a 20 per cent. cut? Let me tell the House what they would be like. We would have one in five nurses taken out; one in five hospital wards closed; one in five teachers got rid of; one in five police officers got rid of; £155 million worth of cuts in every—*[Interruption.]*

Mr. Speaker: Order. Perhaps the Minister will not mention the election in Wales any more. He has used up his ration.

Rail Services

4. **Mrs. Jackie Lawrence** (Preseli Pembrokeshire): What recent discussions he has had with National Assembly Secretaries concerning rail services in Wales. [102971]

The Secretary of State for Wales (Peter Hain): Regular ones, to ensure improvements are made.

Mrs. Lawrence: I welcome the £2.5 million that the Assembly has allocated to improve railway stations in Wales, but does the Secretary of State accept that if we want to improve rail services we will have to attack the Reading blockage, the signalling problems at Slough and the flooding in the Chipping Sodbury tunnel? Those factors are the cause of many of the delays. Will the Secretary of State discuss this issue with his Westminster colleagues and press for improvements? What we need is partnership, and not the drawbridge mentality of the nationalists.

Peter Hain: I could not agree more. These issues are being addressed through the record investment that is going into improving our railways. That includes investment in the Paddington to south-west Wales line. We are doubling our investment in rail infrastructure and rail services over the coming two years. If we got a Conservative Government back, they would cut rail investment by 20 per cent.

Hywel Williams (Caernarfon): The very active and positive Cambrian coast railway liaison conference is made up of members from all parties and from none. They have been working hard but are continually disappointed that the small amount of investment needed to improve services on the Cambrian coast is withheld. Will the Secretary of State assure us that those services will be improved, as the cross-party Cambrian line support group has requested so often?

Peter Hain: We are certainly anxious to see further support and investment to improve rail services right across Wales, including the Cambrian service. We shall look at that. However, if nationalist policies were pursued and Wales was made independent, Wales would be bankrupt and—

Mr. Speaker: Order.

Albert Owen (Ynys Môn): The Secretary of State will be aware of the fact that Virgin Trains reneged on its proposal to run seven through trains from Holyhead to London from September of next year. Will he agree to meet a delegation of business men and stakeholders from my constituency so that we can put pressure on Virgin Trains to reconsider that decision, which will have a serious impact on tourism and the economy of my area?

Peter Hain: I shall be happy to meet that delegation, because I know of my hon. Friend's concern to improve rail services. Indeed, the people of Holyhead and people throughout Anglesey deserve improved rail services, which is what they will get under the Labour Government. I shall be happy to take up my hon. Friend's request.

Lembit Öpik (Montgomeryshire): While the Minister is being generous, and given the unsatisfactory service north to south and east to west in mid-Wales, will he be willing to accept representations from rail user groups about what might be done to improve the frequency and reliability of the service? Will he also give us an assurance that the Government have no plans for a real-terms cut to the subsidy for rail services in that area?

Peter Hain: We are increasing rail investment by record amounts. I know of the hon. Gentleman's concern about rail services in that area, and the Strategic Rail Authority is proposing additional services for the heart of Wales line, which will improve services in mid-Wales. I do not know how many other requests to meet delegations on rail services I shall get, but I shall be happy to receive the hon. Gentleman's.

Mr. Win Griffiths (Bridgend): Given that sometimes it is a wonder that we get to London—*[Interruption.]*

Mr. Speaker: Order. There is far too much conversation.

Mr. Griffiths: Sometimes it is a wonder that regular rail users get to London on a Monday or get home on a Thursday. Will my right hon. Friend the Secretary of State call in the SRA, Railtrack and all the train operators to thrash out a strategy to get rid of all the problems that my hon. Friend the Member for Preseli Pembrokeshire (Mrs. Lawrence) referred to earlier?

Peter Hain: As a regular user of that service, I am well aware of the difficulties and how often delays occur. However, we are dealing with record under-investment over nearly 20 years of Conservative rule, which will take time to turn around. Investment in our rail services is being doubled over the next few years. That will continue for the rest of the decade and we shall see improvements on the London to south-west Wales line that will benefit my hon. Friend and me.

Terrorism

5. **Mr. David Heath** (Somerton and Frome): What discussions he has had with (a) the National Assembly for Wales and (b) local authorities in Wales on contingency planning for a terrorist attack on nuclear installations in the Bristol channel. [102972]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): The lead responsibility for counteracting terrorism lies with my right hon. Friend the Home Secretary. However, security at civil nuclear facilities is a matter for the Department of Trade and Industry. The UK's civil nuclear sites apply stringent security measures, regulated by the DTI's Office for Civil Nuclear Security.

Both the Wales Office and the Assembly are involved in national arrangements for dealing with the effects of any civil emergency. Within Wales the Assembly works jointly with local authorities to maintain a state of preparedness.

Mr. Heath: I am grateful to the Minister for that reply. Is he aware that 15 years ago, when we were fighting proposals for the Hinkley C pressurised water reactor, we were told that the chances of an aircraft hitting a nuclear installation were so negligible as to be irrelevant? Few people would take that view now, so is the Minister satisfied with the contingency arrangements for nuclear installations, which, on Severnside, are the most concentrated in the country? Is he satisfied with the resources for the National Radiological Protection Board and is he sure that the emergency services on both sides of the Bristol channel are able to cope with a catastrophic emergency?

Mr. Touhig: The companies operating civil nuclear installations have always been required to have in place robust, detailed and well-rehearsed plans to respond to any radiological release. The plans involve emergency services and local authorities in the surrounding area and are regulated by the nuclear industry's inspectors, as the hon. Gentleman is probably aware. The arrangements were significantly enhanced following the Chernobyl disaster in 1986. Contingency plans were tested against the threat posed by a major incident in a live exercise at Bradwell on 10 May last year. The hon. Gentleman is right to say that we must always continue to maintain very high vigilance and a very high regard for those installations and ensure that they are properly cared for and properly protected, and I believe that we are doing the right thing in that respect.

Llew Smith (Blaenau Gwent): Does the Minister accept that the best long-term defence against terrorist attacks on nuclear installations is to rid Britain of its civil and military nuclear roles? What can we learn from the disaster at Chernobyl, as a result of which not only that community but even farms throughout Wales were devastated?

Mr. Touhig: No, I do not agree with the points that my hon. Friend makes.

Mr. James Gray (North Wiltshire): Until yesterday, the right hon. Member for Southampton, Itchen (Mr. Denham) was responsible for homeland defence. Who is now in charge of that?

Mr. Touhig: Those matters are, of course, ultimately the responsibility of the Home Secretary.

Climate Change Levy

6. **Andrew Selous** (South-West Bedfordshire): What recent representations he has received about the effects of the climate change levy on manufacturing industry in Wales.

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): My right hon. Friend the Secretary of State has received a number of representations from individual companies and groups representing business, including the CBI.

Andrew Selous: Will the Minister confirm that, on its introduction, the Treasury said that the climate change levy would be broadly neutral for business, that manufacturing has, in fact, suffered a £90 million net tax hit, that Wales is particularly hard hit with 28 per cent. of its gross domestic product dependent on manufacturing and, furthermore, that the Engineering Employers Federation's counter-proposals would lead to greater reductions in energy use and a lower cost to business in Wales and elsewhere? *[Interruption.]*

Mr. Speaker: Order. The House is far too noisy.

Mr. Touhig: The Government are committed to making Britain one of the most competitive business environments in the world. That has been demonstrated by the fact that our tax burden on business and industry is the lowest of all our major competitors, but we recognise, too, that business and industry must make a contribution to improve and protect our environment. I mentioned in my initial answer to the hon. Gentleman that my right hon. Friend the Secretary of State recently met representatives of the CBI. The director of the CBI in Wales fully understands the Government's position; nevertheless, my right hon. Friend took on board the points made by the director with regard to the climate change levy and, as a result, he is in discussion with my right hon. Friend the Chancellor of the Exchequer.

Alan Howarth (Newport, East): Does my hon. Friend accept that the climate change levy has been a problem for Corus? He will be acutely conscious, as I am, of the difficulties currently facing Corus. Will he join me in praising the achievements and spirit of the whole work force at Llanwern? Will he undertake to examine urgently, with colleagues in Wales and Whitehall, whether any aspect of public policy unnecessarily disadvantages Corus in doing its business? If he identifies one, will he act swiftly to deal with it?

Mr. Touhig: My right hon. Friend the Secretary of State for Wales has been involved in detailed discussions with the management of Corus and other Ministers about the company's concerns. He carried on that job of work from the former Secretary of State for Wales, who also played an important part in helping to secure a package when Corus announced its job losses. The Government will work in partnership with colleagues in the Assembly and with Corus in every way possible to avoid any further job losses at Llanwern.

Adam Price (East Carmarthen and Dinefwr): Will the Minister specifically consider offering further concessions to the steel industry in relation to the climate change levy and take into account the industry's concerns about the effect of the landfill tax? Can he confirm that the UK Government have sought approval from the Commission for emergency state aid on a contingency basis, which the Dutch Government have already done?

Mr. Touhig: I can tell the hon. Gentleman that the Government have made available £30 million a year in incentives for organisations that volunteer to take part in the UK emissions trading scheme. We are working with the industry and colleagues in the European Union to ensure that we are doing the right thing and that that does not impact adversely on business and industry in Wales. I think that we are doing a good job in that respect.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [103487] **Mr. David Rendel** (Newbury): If he will list his official engagements for Wednesday 19 March.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Mr. Rendel: Now that it seems inevitable that, sadly, there will be immense destruction in Iraq over the next few weeks, and given that the Select Committee on International Development reported earlier this year that less than half the necessary funds for the reconstruction of Afghanistan had been contributed, can the Prime Minister assure the House that he, the Chancellor of the Exchequer and the Secretary of State for International Development will ensure that sufficient funds for the reconstruction of Iraq are provided swiftly?

The Prime Minister: First, I should say to the hon. Gentleman that the purpose of the reconstruction programme post conflict in Iraq is not, in fact, primarily to do with the consequences of any military conflict, but is actually to do with reconstructing the country after the years of Saddam Hussein and his rule. Secondly, I would say to him that, yes, we will ensure that the funds are available—indeed, funds have already been earmarked for the purpose—and the Secretary of State for International Development, the Ministry of Defence and the Treasury are doing all that they can to make sure that we co-ordinate with American allies and also with other UN partners to ensure that the funds are available and also that the programme is available, so that in the post-conflict situation in Iraq the people of Iraq are given the future that they need.

Mr. Stuart Bell (Middlesbrough): Will the Prime Minister note that, at the present time in the Gulf, we have 37 Army chaplains, 12 RAF chaplains and 19 to 20 Royal Navy chaplains? Does that not reflect the great support of the churches for our armed services at this time? Should that not be reflected not only in this House, but in the country?

The Prime Minister: I know that my hon. Friend, because of his special responsibilities and interests in this matter, is deeply knowledgeable about the armed forces chaplains. They do an excellent job for our armed forces. At this moment in particular, the thoughts of the

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whole House, no matter what position we take on Iraq and the conflict, will be with our armed forces wishing them well and wishing them safety.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Following last night's vote, does the Prime Minister agree that British forces serving in the Gulf should know that, irrespective of how individual MPs or even parties voted, the whole House of Commons backs them and wishes them Godspeed and a safe return?

The Prime Minister: I am sure that the whole House will endorse those sentiments. Whatever positions people have taken—and we understand the reasons for that—I know that everyone in this House wishes our armed forces well, wishes that, if there is conflict, it will be over as quickly and as successfully as possible and would like to pay tribute to their dedication and commitment on behalf of this country.

Mr. Duncan Smith: As Saddam Hussein has rejected every single offer to disarm or leave the country, is it now a reality that the removal of Saddam Hussein has become an explicit war aim?

The Prime Minister: It is the case that if the only means of achieving the disarmament of Iraq of weapons of mass destruction is the removal of the regime, then the removal of the regime of course has to be our objective. It is important that we realise that we have come to this position because we have given every opportunity for Saddam voluntarily to disarm, but the will not only of this country but of the United Nations now has to be upheld.

Mr. Duncan Smith: Given the Prime Minister's answer, the whole House also will have heard the statement by President Bush that any Iraqi commander who commits a war crime will be prosecuted. Will he confirm that that dictum goes right to the top and, despite some reports of immunity, includes Saddam Hussein himself?

The Prime Minister: There was a possibility, if Saddam Hussein was prepared to leave voluntarily, quit Iraq and spare his people the conflict, that we could have ensured that that happened. The circumstances in relation to any immunity might then have been different, but it is reasonably clear, I think, that that will not happen. I think that it is very important that those in senior positions of responsibility in Saddam Hussein's regime realise that they will be held accountable for what they have done.

Mr. Duncan Smith: When I asked the Prime Minister in the past about his plans for post-conflict Iraq, he was, quite legitimately and understandably, reluctant to give full answers because he would not have wanted to give the impression that conflict was inevitable. Now that war is looming and Saddam Hussein's days are clearly numbered, will he tell us what plans there are to put in place a civilian representative Government in Iraq?

The Prime Minister: We are in discussion now with not just the United States, but other allies and the United Nations. We want to ensure that any post-conflict authority in Iraq is endorsed and authorised by a new United Nations resolution, and I think that that will be an important part of bringing the international community back together again.

We have set out a vision statement for Iraq and the Iraqi people, and it might help if I highlight one or two of its aspects. First, we will support the Iraqi people in their desire for

"a unified Iraq within its current borders",

and we will protect their territorial integrity. Secondly, we will protect their wealth, and I repeat again that any money from Iraqi oil will go into a UN-administered trust fund for the benefit of the Iraqi people. There should be freedom in

"an Iraq which respects fundamental human rights, including freedom of thought, conscience and religion and the dignity of family life",

and there should be freedom from the fear of arbitrary arrest. There should also be an

"Iraq respecting the rule of law, whose government reflects the diversity and choice of its population",

and who help to rebuild Iraq, for the Iraqi people, on the basis of unifying the Iraqi people. Those principles of peace, prosperity, freedom and good government will go some way toward showing that if there is a conflict and Saddam Hussein is removed, the future for the Iraqi people will be brighter and better as a result.

Mr. Marsha Singh (Bradford, West): Now that the Prime Minister has received a mandate for war, will he take this opportunity to reassure the world that it is a war against Saddam Hussein, and not the Iraqi people and Muslims? Will he also reassure our Muslim communities that he will not allow them to be scapegoats for anything that might happen in the Gulf?

The Prime Minister: I thank my hon. Friend for what he said because I know that it will be heard and considered closely by people in this country and abroad. Let me make it quite clear that our quarrel is not with the Iraqi people because the Iraqi people are the principal victims of Saddam Hussein. Our quarrel is with Saddam. He is the person who has been responsible for killing thousands—indeed, hundreds of thousands—of Muslim people both in his wars and through his internal repression. I know that the vast majority of the Muslim community in this country are good, law-abiding people who contribute an immense amount to our country, and we are proud of our country as a multicultural and multiracial society.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): As, of course, the whole House will associate itself with the expressions of support for our armed forces and their families at home, may I ask the Prime Minister about the related issue arising from the past few days: the middle east road map? What is the status of that in the eyes of the British Government, given that the Israelis seem to feel that it can be altered as it progresses?

The Prime Minister: Our commitment is total to the middle east peace process and to the road map being published. That is the clear commitment that has been given not only on our behalf, but on behalf of the President of the United States. Of course, both the Palestinian Authority and the Israeli Government can make their comments, but the road map is not simply a set of principles, but a detailed process for reaching the point of establishing a viable Palestinian state and an Israel that is confident of its security and recognised by all its neighbours. We are totally committed to ensuring that the road map is fulfilled.

Mr. Kennedy: Will the Prime Minister also reassure the House that he will maintain pressure, as he has already, on the American Administration to ensure that they continue to back the momentum for that process?

The Prime Minister: It is worth quoting what the President of the United States said last Friday on that subject because it indicates the degree of commitment that he has given. He said:

> "The government of Israel, as the terror threat is removed and security improves, must take concrete steps to support the emergence of a viable and credible Palestinian state, and to work as quickly as possible toward a final status agreement."

He went on to say:

> "We expect . . . a Palestinian Prime Minister will be confirmed soon. Immediately upon confirmation, the road map for peace will be given to the Palestinians and the Israelis."

He then said:

> "America is committed, and I am personally committed, to implementing our road map toward peace."

That is his commitment and my commitment, and we will work hard to ensure that it is delivered.

Mrs. Alice Mahon (Halifax): It is widely reported in today's newspapers that the United States intends to use a new bomb that will melt the Iraqi communications systems. Will this bomb also melt the equipment that is used in hospitals and that runs the water and electricity supplies in Baghdad? Will the Prime Minister assure us that it does not melt people?

The Prime Minister: In any military conflict, we will operate in accordance with international law. Any weapons or munitions that are used will be in accordance with international law. I assure my hon. Friend that we will do everything that we can to minimise civilian casualties and, indeed, to maximise the possibilities of a swift and successful conclusion to any conflict.

Q2. [103488] **Mr. Andrew Rosindell** (Romford): While our thoughts and prayers are with our brave servicemen in the Gulf, will the Prime Minister reflect on one thing? Given the disgraceful and spineless attitude of the French Government, is it not highly dangerous and irresponsible to contemplate tying British defences into a European common defence and security policy?

The Prime Minister: If that was a bid for the Foreign Office badge of diplomacy, it somewhat failed. I simply say to the hon. Gentleman that it is important that we make sure that we participate fully in any debates about European defence. The purpose of our participation is to make sure that European defence is fully compatible with our membership of NATO. I appreciate that there is a disagreement between us and the Opposition, but I genuinely believe that the worst thing that we could do in any debate about European defence would be to leave the chair empty. If I can put it more diplomatically than the hon. Gentleman, those who might oppose our vision of how European defence matures over years would then be strengthened.

Q3. [103489] **Mr. Martin Caton** (Gower): International humanitarian law prohibits military attack that fails to discriminate between combatants and non-combatants or that disproportionately impacts on civilians. Can my right hon. Friend assure me that, in the war on Iraq that the House sanctioned last night, we will not be employing cluster bombs and that electricity, transport and water infrastructure will not be targeted?

The Prime Minister: I simply say in relation to any weapons or munitions that we use that we will use only those that are in accordance with international law and with the Geneva convention. That is the responsibility of the Government and is the commitment of this Government and has been of other British Governments in the past. We will do everything that we can to minimise civilian casualties. The reason why, in respect of any military action that we take, we get legal advice not merely on the military action itself but on the targeting is to make sure that that happens. Of course, I understand that, if there is conflict, there will be civilian casualties. That, I am afraid, is in the nature of any conflict, but we will do our best to minimise them. However, I point out to my hon. Friend that civilian casualties in Iraq are occurring every day as a result of the rule of Saddam Hussein. He will be responsible for many, many more deaths even in one year than we will be in any conflict.

Mr. Peter Robinson (Belfast, East): Can the Prime Minister tell the House anything of his plans in terms of the state of readiness for homeland defence? What state of a war footing is the United Kingdom on in the now more likely event of international terrorism?

The Prime Minister: We have made detailed preparations for the possibility of any terrorist attack, as I am sure the hon. Gentleman knows. We have also spent several hundred million pounds ensuring that we have both the equipment and the planning in place. I will not go into the details of each part of that, but I assure him that we are well aware of the risk that this country—indeed, all countries—suffers and faces at the moment. We are doing everything that we can to prepare against it.

Q4. [103490] **Chris Ruane** (Vale of Clwyd): The UK, along with dozens of other nations, stood shoulder to shoulder with the US over Afghanistan and now Iraq. That loyalty has been rewarded by the Bush Administration with the imposition of steel tariffs, the withdrawal from test ban treaties, the introduction of farm subsidies in America, and contempt for the International Criminal Court. The President rubbished and reneged on the Kyoto and Johannesburg treaties, and scuppered my right hon. Friend's attempts to open dialogue with the Palestinians in January. Can my right hon. Friend use his now legendary powers of persuasion to convince President Bush to develop a world vision worthy of his great nation?

The Prime Minister: I gather from my hon. Friend's remarks that he is not a total fan of President Bush. There are important things that President Bush has agreed to, and it is as well to balance my hon. Friend's remarks with those. First, President Bush took the case of Iraq to the United Nations. He was asked to do so and did so, and he agreed resolution 1441. I say and say again that it was not he who walked away from that deal.

Secondly, in respect of the middle east peace process, my hon. Friend will have heard the words that I spoke a moment or two ago, quoting President Bush and his commitment to that. He is the first American President to commit himself to the two-state solution of a state of Israel and a viable Palestinian state.

We are working closely on a new UN resolution in relation to reconstruction.

There are disagreements about trade, but those are familiar disagreements, not merely with the present American Administration, but with previous American Administrations. A couple of years ago, under the previous Administration of a Democrat President, I spent a large part of my time dealing with the issue of cashmere sweaters. Those things happen, and America is not the only country with which we have the odd trade disagreement. I understand what my hon. Friend is saying. It is important that we use our influence to develop that global agenda, and I believe that we can do so.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Does the defeat of the Government's asylum legislation in the Court of Appeal yesterday make the achievement of the Prime Minister's target of halving asylum applications by September more or less likely?

The Prime Minister: I am pleased to say that because we won on the legal principle, that is not affected.

Mr. Duncan Smith: The Prime Minister is the only person who can claim defeat in the Court of Appeal as a triumph. The asylum organisations have all said that the policy is now in tatters. Surely this is the latest setback for a Government who introduced vouchers, then scrapped them; scrapped the white list, then re-introduced it; and have been forced by the courts almost weekly to change their policy. Small wonder that last Friday the United Nations High Commissioner for Refugees published a report that shows that for the second year running Britain has the worst record of all the industrialised nations. Is it not true that under the present Prime Minister we have become the asylum capital of the world?

The Prime Minister: First, the right hon. Gentleman is wrong about the judgment. The judgment supported the principle that if people do not claim in time, they do not get their benefit. There are changes to the procedures in individual cases that we can make without disturbing that basic principle. Of course, the right hon. Gentleman will hold me to account on the pledge and commitment that we have given. If he looks carefully at the asylum figures for the end of last year, once the new asylum legislation came into effect, he will see that there was already a 25 per cent. drop in asylum claims. I am pleased to say that, as will become apparent in due course, that progress has continued well.

Q5. [103491] **Lynne Jones** (Birmingham, Selly Oak): Saddam Hussein has been offered immunity from prosecution if he leaves Iraq. On what authority was that offer made, what message does it send to other corrupt regimes, and what is my right hon. Friend's strategy for a return to a world order in which decisions are taken lawfully through the UN, rather than by the world's superpower? Or is it too late? With his help, has the foundation stone for the pax Americana already been laid?

The Prime Minister: First, the reason why we were prepared to offer such a possibility was to avoid war, which is, after all, what I thought my hon. Friend wanted. If she was saying that President Bush had been too soft and should have said that we would remove Saddam Hussein in any event, I could understand that. We wanted to try to avoid conflict by having him voluntarily disarm. Then, if he refused to do so, we were prepared to give a further chance to resolve the matter peacefully by getting him to leave the country. Now we are faced with the prospect of leaving him in place without disarming him, or making sure that we remove him from power. I earnestly ask my hon. Friend to consider this.

If we remove Saddam from power, as I believe we will have to because it is the only way of disarming Iraq of weapons of mass destruction, the people who will rejoice most will be the Iraqi people who will be free of a murderous tyrant who has done nothing but damage to his country. If she wants to know what Iraq could be like, she should talk to the people in northern Iraq who, because of British and American pilots in the no-fly zone, have been able to build something of their country, and she will see that the true impulse of the Iraqi people is for greater freedom, democracy, prosperity and the rule of law.

Q6. [103492] **Mr. John Randall** (Uxbridge): What lessons does the Prime Minister think could be learnt for a post-war Iraq from the current situation in Kosovo?

The Prime Minister: First, I would say that people in Kosovo, as people in Afghanistan, whatever the difficulties, are infinitely better for being removed from the rule of brutal dictators, whether Milosovic or the Taliban. Secondly, we must stay in for the long term. It will be easier over time, but in Kosovo, as in Afghanistan, we cannot make a short-term commitment. We must make a long-term commitment to reconstruction and rebuilding those countries. But for all the difficulties in the Balkans at the moment, most obviously after the appalling assassination of the Serbian Prime Minister recently, the Balkans is at a point where it has a better prospect for peace and prosperity than probably at any time in the past 100 years. That is because we were prepared to take military action in order to remove the regime that was preventing that prosperity from coming about.

Phil Hope (Corby): The Prime Minister will be aware that it was this Government who introduced the historic national minimum wage in the teeth of fierce opposition from the Conservative party. On behalf of temporary workers, particularly in my Corby constituency, may I thank the Government for the announcement today that the national minimum wage is to rise by three times the rate of inflation? But will my right hon. Friend consider lowering the adult rate so that 18-year-olds can qualify for the higher rate and applying a youth rate to 16 and 17-year-olds to prevent exploitation of young people in the workplace?

The Prime Minister: The point that my hon. Friend makes about young people is one that is often made. Our concern has always been to ensure that we do nothing to disturb the employment prospects of young people, but we keep the matter under review. I am pleased to say that we have published the fourth report from the independent Low Pay Commission and, as he rightly says, it will mean that the minimum wage for adults rises from the present £4.20 to £4.50 in October, and then to £4.85 in October 2004. More than 1 million people are now benefiting from the minimum wage, many of them low-paid women workers, and, combined with the working families tax credit, literally thousands of families throughout the country in every constituency are benefiting from this Labour Government's drive towards greater equality.

Q7. [103493] **Chris Grayling** (Epsom and Ewell): During the next few weeks our humanitarian response to the Iraqi crisis will be as important as our military one. Given the monumental mess that the Secretary of State for International Development has made this week of her own position, what confidence can we have that she is now the right person to do that job?

The Prime Minister: We can have the confidence of the experience over many years in which that Department has gained a reputation throughout the world for the humanitarian assistance that it has given. That is as a result of the co-operation that has taken place not just between that Department and other Departments, but with the United Nations and with the American Government. I can assure the hon. Gentleman that we will put every effort into the humanitarian assistance that is required, and we will make sure, in particular, that as military action develops we are able to take care of the Iraqi people in a way that Saddam Hussein has not been able to do.

Q8. [103494] **Mr. Gordon Marsden** (Blackpool, South): The Prime Minister, in his powerful speech yesterday and again in his response to the Leader of the Opposition this lunchtime, has confirmed that it is crucial that any post-war settlement for Saddam Hussein's Iraq involves the UN in the administration and control of the oil revenues. We all know that during the next few weeks the logistical pressures on the Government, particularly on the Prime Minister, will be enormous, so can he reassure the House that he will talk to the Foreign Secretary to insist that the detail of that arrangement is pursued with the utmost vigour with the Americans and involving the EU partners, both prospective from the enlargement countries and those that we have at the moment, including those who did not agree with the Government at the Security Council?

The Prime Minister: There are two aspects. The first is the humanitarian relief that is necessary as military action gets under way, on which the Department for International Development, the Foreign Office and the Ministry of Defence are working closely, obviously, with our military allies, particularly the US. Indeed, I took a meeting on that issue this morning. The second aspect will be humanitarian assistance in the post-conflict situation, which should be done under a UN resolution, as in relation to the administration, and of course we want to involve as many countries as possible.

Q9. [103495] **Mr. Mark Oaten** (Winchester): Does the Prime Minister believe that the United Nations needs to reform? If so, in what way should it reform, and what role will he have in that?

The Prime Minister: There are issues, obviously, in relation to the UN Security Council and reform of it, which we will have to discuss with others, but the issue is not really institutional; it is whether we can construct a sufficiently strong partnership between Europe and America and a global agenda around which people can unite. If they cannot unite politically, no amount of institutional tinkering will help us resolve those problems. That is why, at the end of this, we need a period of reflection to see how we put that partnership back together, and how we construct the global agenda that would bring in a lot more people to our way of thinking. That, whatever the institutional arguments in the UN, is what is essential.

Mr. Frank Cook (Stockton, North): Now that military units are moving into what was previously the demilitarised zone in Kuwait and Iraq, will my right hon. Friend offer the House an assurance today that correct records and registers of inoculations, medication administered and weapons used in different sectors will be kept so that the parents of serving men and women can be assured that the right kind of inquiries can be made in the event of any condition arising akin to that which is called Gulf war syndrome?

The Prime Minister: I am sure that my hon. Friend's point is justified. I know that procedures are already in place to do that, and, if he will allow me, I will write to him setting those out in detail. His point, however, is obviously important for the security and safety of our armed forces personnel.

Q10. [103496] **Mr. James Gray** (North Wiltshire): Despite what the Prime Minister said to my hon. Friend the Member for Romford (Mr. Rosindell) a moment ago, the fact is that a common European defence policy is central to the new draft constitution for Europe. Why

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will he not allow the people of Britain the right to have a referendum so that they can have their say on the matter?

The Prime Minister: Probably for the same reason that the Conservatives did not have one on Maastricht—*[Interruption.]* I know that they have changed a little bit in the meantime—[HON. MEMBERS: "Oh."] May I ask Conservative Members to please sort this matter out among themselves, and come back later? The purpose of European defence is in relation to circumstances in which NATO does not want to undertake an operation but European defence has the capability of doing so.

Mr. Gray *indicated dissent.*

The Prime Minister: The hon. Gentleman shakes his head, but that is true. The best example of that is Bosnia in the early 1990s. Because, at that point, America did not want to become engaged, we did not have the capability of protecting people in Bosnia. As a result of that, thousands of people died, and we are still in Bosnia more than 10 years later.

Mr. Tam Dalyell (Linlithgow): Were cathedrals such as Durham, Lincoln or Wells to be damaged, what would we feel? What precautions are being taken about Kerbala, Najaf, Ur, Hatra and the other great sites? That will be difficult, given that, as at Samarra last time, Saddam may place military objects near the ancient sites.

The Prime Minister: I am glad that my hon. Friend recognises the propensity towards total irresponsibility of Saddam. I assure him that we are fully committed to the protection of cultural property. That is not merely the Government's position: we are also committed to that under the Geneva conventions. I understand that the Foreign Secretary has talked to him about that, and we will do everything that we can to make sure that sites of cultural or religious significance are properly and fully protected.

Q11. [103497] **Lembit Öpik** (Montgomeryshire): On a domestic matter, does the Prime Minister support in principle the devolution of student funding arrangements to the Welsh Assembly, given that the Labour-Liberal Democrat partnership has requested that?

The Prime Minister: The Secretary of State for Wales informs me that discussions about the issue are under way.

Iraq (Humanitarian Aid)

12.30 pm

Mrs. Caroline Spelman (Meriden) (*urgent question*): To ask the Secretary of State for International Development if she will make a statement in response to the Select Committee on International Development's report on humanitarian contingency planning for Iraq.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mike O'Brien) *rose—*

Hon. Members: Where is she?

Mr. Speaker: Order. The hon. Member for Meriden (Mrs. Spelman) asked for an urgent question, which I have granted. I am not responsible for the identity of the Minister who comes to the Dispatch Box. *[Interruption.]* Order. He is a very good Minister.

Mr. O'Brien: I apologise on behalf of my right hon. Friend the Secretary of State for International Development, who is doing her job in New York today discussing—*[Interruption.]*

Mr. Speaker: Order. Mr. Fabricant, you get very excited at times. We are considering a serious matter. I have granted the urgent question and I can stop it if such behaviour continues in the Chamber. The hon. Member for Meriden asked for the urgent question and she is happy with the Minister.

Mr. O'Brien: Thank you, Mr. Speaker. As you say, the matter is serious and my right hon. Friend the Secretary of State for International Development has asked me to reply to this important question about the way in which we tackle the crisis in Iraq.

The Government strongly welcome the Select Committee on International Development's fourth report, which was presented to the House a week ago. We will give a detailed response to its various recommendations in due course. However, one of the crucial matters that it raises is the way in which the Government would move forward in the immediate post-conflict situation to try to resolve some of the humanitarian issues, and especially whether we would seek a United Nations resolution—or, indeed, more than one—to take the process forward.

I confirm that we shall seek a further resolution to deal with the humanitarian issues. We shall try to transfer the oil-for-food programme to the United Nations Secretary-General to enable him to keep the process functioning and use UN facilities to do that. We will also seek a new UN resolution to provide authority for reconstruction and development work, and a proper mandate for any interim authority that is likely to operate in the territory of Iraq when Saddam Hussein is removed. We will also try to ensure the rapid delivery of humanitarian aid, to affirm Iraq's territorial integrity and to allow UN sanctions to be lifted, thus enabling food and other necessary items to arrive.

We shall also enable an international reconstruction programme to facilitate the use of oil revenues for the benefit of the Iraqi people and to endorse a post-conflict administration in Iraq, which will lead to a representative Government who would uphold human rights and rule of law for all Iraqis.

Mrs. Spelman: Thank you, Mr. Speaker, for granting this urgent question on a serious and pressing matter. We appreciate that the Secretary of State for International Development is on her way to the United Nations in New York, as the Foreign Secretary announced, to seek a fresh Security Council resolution. That was contained in the text of the motion that we debated yesterday. We wish her success. But we are surprised that the answers to our question are to be given by a Foreign Office Minister, given that the Select Committee report calls for an immediate statement from the Department for International Development. Given that the Under-Secretary for that Department is present, it appears to us that there has been some dispute about who should answer the question.

The Secretary of State issued a written statement last Thursday, but it fell far short of responding to the 23 recommendations and conclusions in the Select Committee report. As it says on page 2 of the report, in the first stages of any conflict it is the military forces that will have primary responsibility for the initial delivery of humanitarian assistance. Is the Minister aware, however, of the concern of the non-governmental organisations—some of which are already in Iraq and the surrounding countries, ready to help—about the blurring of responsibility between military action and humanitarian relief?

The report is highly critical of the lack of consultation with the NGOs; indeed, we understand that such consultation has commenced only in the last two weeks. What is being done to improve information sharing with NGOs and to co-ordinate the UK and US aid agencies? Who is co-ordinating work with the military? Is it the Department for International Development, the Ministry of Defence, USAID, or the US Department of Defence? We need to know who is co-ordinating this work.

It is reported that the oil-for-food programme, which has been providing 60 per cent. of the Iraqi population with food aid at a cost of $250 million a month, has been suspended. What assessment has the Department for International Development made of how to substitute food relief on such a large scale? In a written answer to the Chairman of the Select Committee on International Development, it was stated that DFID had no more contingency funds available for 2002–03, although the Secretary of State has said that the Chancellor has allocated an additional £10 million. We understand, however, that the Ministry of Defence has been granted an additional £50 million for humanitarian relief purposes. Does this mean that the Ministry of Defence will take the lead on the humanitarian side in the early stages?

What estimate have the Government made of the total sum that will be required to finance a meaningful post-war reconstruction of Iraq, and for how many years do they estimate that such a programme will

[Mrs. Spelman]

continue? The International Development Committee concluded that it was as yet not convinced that there was, to use the Prime Minister's words,

> "a humanitarian plan that is every bit as viable and well worked out as a military plan".

We wholeheartedly agree with that conclusion. When will the Secretary of State herself make a statement to the House to prove us wrong?

Mr. O'Brien: May I first deal with why a Foreign Office Minister is dealing with this matter? I was in Washington last week, talking to USAID about precisely this issue, and discussing with the US Administration some of the terms of the resolutions that we will seek to put to the United Nations. It is currently envisaged that we will be putting at least two such resolutions to the UN. The first will deal with the immediate issues relating to the oil-for-food programme and humanitarian assistance. A further resolution will deal with some of the more complex issues relating to the humanitarian issues that will arise in the months to come. Both resolutions follow from the recommendations made in the report.

I hope that I have dealt at least to some extent with why I am answering rather than my hon. Friend the Under-Secretary of State for International Development, although no doubt I have not done so to the hon. Lady's satisfaction.

The 23 recommendations are being examined, and a full and detailed response will be made in due course.

The non-governmental organisations want to ensure that they are fully apprised of the developing situation. Through DFID, we have been holding weekly meetings with the NGOs. One of their complaints is that they do not know all the details of precisely what will happen at various stages. There has of course been concern about the revealing of some military operations, but I think that we can now be much more open with the NGOs about what is likely to happen, and deal with many of the questions that they have been asking. I hope that the meetings will enable them to feel that they are receiving the information that they want.

The hon. Lady asked who was co-ordinating the aid with the military. A number of steps are being taken. DFID has two advisers on humanitarian issues, who have been posted with 1 Division and will work with the military. They are experts on not just human rights but humanitarian issues applying to the military. The military will be the first in there, and are responsible for ensuring that they operate in a proper humanitarian context. There is also a humanitarian expert from DFID with the Office of Reconstruction and Humanitarian Assistance—ORHA—the American organisation that expects to administer the post-conflict situation.

The key problem is that 60 per cent. of Iraqis depend on the oil-for-food programme because of the way in which Saddam Hussein has run the country. It is crucial for the programme to go on functioning. The UN resolution under discussion is intended to ensure that it does so, and we shall be transferring responsibilities for the administration of the system to the UN Secretary-General.

As for resources, £100 million of bilateral humanitarian aid has been allocated since 1991. There is £10 million of new money for the contingency plans of the UN agencies. The Department has secured £70 million from the contingency reserve, and the military have a further £30 million for humanitarian and human rights purposes. The military will have responsibility at the beginning for ensuring the early delivery of humanitarian aid, which is why they have that £30 million. While the military operations are in progress they will also do humanitarian work, which will be followed up by the NGOs as security is established. The UN will then be brought in to ensure that the whole process is administered properly. There will, therefore, be proper and effective co-ordination.

It was clear from my discussions with USAID that—along with DFID, for which it has nothing but praise—it has a detailed humanitarian plan to ensure that the various possible post-conflict scenarios can be dealt with. The Committee was worried that there might have been no detailed planning, but according to what I see and have been able to establish from discussions between DFID and USAID, the planning has been done and the humanitarian effort will be conducted properly.

Dr. Jenny Tonge (Richmond Park): I congratulate the hon. Member for Meriden (Mrs. Spelman) on tabling this urgent question, and I pay tribute to the work that she has done on this issue over many weeks in the run-up to this crisis. In the light of this morning's somewhat cobbled together response, I am quite relieved that the Secretary of State is staying in her post for the next few weeks—even if she will be incarcerated in the Tower of London come July.

The humanitarian situation is going to be dire, and we demand to know, and should have known long before this, exactly what the Department's contingency plans are. I want to move the Minister on to post-conflict reconstruction. It seems to us that the USA already has very advanced plans, even to the extent of awarding contracts to American companies. What part is Britain playing in post-conflict reconstruction, and what British companies will play a part in it? Exactly how much money are the British Government going to spend on post-conflict humanitarian aid or reconstruction? Can we have an assurance that that money will not come out of DFID's budget, which is meant for the very poorest people in the world? Finally, can we also have an assurance that the oil revenues that we are told will be put in trust for the people of Iraq will not be used to repair the damage done by American bombers in the next few weeks?

Mr. O'Brien: I confirm that, as part of the UN resolutions, we want to make it very clear that every single penny of the oil money that has not been plundered by Saddam Hussein already should go to the people of Iraq. It is very clear that the discussions that my right hon. Friend the Secretary of State is having in New York and in Washington are in order to ensure that the resources are available to deal with the post-conflict situation, and that the oil money that will be put in trust for the people of Iraq will be deployed exclusively for their benefit. We want to ensure, and to be quite unequivocal, that that is our intention.

On British companies, USAID has at this stage used primarily American resources to let a number of contracts to American companies. We have received reassurance from the US Administration that many of those companies will subcontract up to 50 per cent. of the work that they will do as part of the humanitarian response, and that will be available to other countries to bid for. USAID assured me that the country that it works with most effectively is Britain, and that the Department that it works with most effectively is DFID. So British companies currently operating with DFID and other Government Departments will be able to undertake, and to bid for, contracts through the American companies. We are very conscious of this issue, and my right hon. Friend the Secretary of State will discuss the detail of how this will be done in Washington.

The hon. Lady asked exactly how much money will be spent, and she is rightly concerned about the idea that resources intended for the very poorest might be diverted elsewhere. It is our intention that that should not happen, and, as I have said there is provision in the contingency reserve. We want to protect the money that is already being applied for the very poorest, and to ensure that those resources are maintained and allocated properly. However, we also want to ensure that we deal with our responsibilities to the people of Iraq, and we will do so.

Joan Ruddock (Lewisham, Deptford): My hon. Friend will be aware of the consequences of the use of cluster bombs and depleted uranium weapons in the Gulf war. Nearly 2,000 Kuwaitis have been killed or injured since that war by exploding bombs, and there are many birth defects and cancers in Iraq. Ministers have failed to deny that such weapons will be used in the coming conflict. Assuming that they are used, what special arrangements will be made to deal with their humanitarian consequences?

Mr. O'Brien: I have seen in Afghanistan some of the damage that can be done by the weapons deployed in conflict situations. It is important that we support the good work being done by various NGOs in trying to ensure that there is a proper clean-up of the results of conflict. As my hon. Friend will know, the Ottawa agreement does not make the use of cluster bombs unlawful. At this stage, I cannot say what the intentions are in respect of those weapons. However, when it comes to targeting, we are determined that the coalition forces will do everything possible to ensure that they avoid civilian casualties, and to avoid creating circumstances that will cause civilian casualties in the aftermath of a conflict. We are very conscious of the matter, and we will seek to deal with it.

Tony Baldry (Banbury): I have two straightforward questions for the Minister, about food security and internally displaced people. It is estimated that, between now and the end of March, 460,000 tonnes of food aid will be needed in Iraq. Only a third of that amount is immediately available. How is the rest to be funded and delivered?

On IDPs, practically no provision has yet been made to provide refuges for people internally displaced as a result of the conflict in Iraq. Who is getting a grip on providing and funding such refuges?

Mr. O'Brien: A lot of planning has been done on food security. We have talked to the various NGOs that may have to deal with some of the IDPs, and to the countries that may be affected as people try to move towards their borders. We have been seeking agreements with other countries about how they will respond to the refugees coming towards their borders. We have also been talking to the military, who will obviously come across IDPs very quickly. We have discussed how they will ensure that those people's safety is guaranteed and how they will ensure that IDPs get the humanitarian aid that they need as quickly as possible. There are plans in place, therefore, to deal with both the issues that the hon. Gentleman raised, but I shall ask my right hon. Friend the Secretary of State to give him a more detailed response.

Ann Clwyd (Cynon Valley): As my hon. Friend knows, thousands of Kurds died unnecessarily in 1991 because neighbouring countries shut their borders. That underlines the point made by the Chairman of the Select Committee on International Development, the hon. Member for Banbury (Tony Baldry). Turkey and Syria shut their borders, but Iran was the exception. That has been known for some time. I understand that my hon. Friend the Minister is standing in, so I shall not press him too hard on the matter, but I am sure that somebody will have had talks with the neighbouring countries by now. I am sure that the House is keen to know what the response has been.

Secondly, the Kurds are already moving out of the area, heading towards the mountains and the villages where their relatives are. The UN forces have gone, leaving the Kurds with the keys to the doors of the buildings where there are food supplies, blankets and tents. However, they have not left any way to transport those items. This is an urgent matter, and I hope that the Minister will look into it very soon.

Mr. O'Brien: Obviously, the situation in the north, where the Kurds are, is somewhat better than elsewhere in Iraq. There at least we can make some provision to deal with some of the humanitarian issues involved. We are in discussion with representatives of the Kurds in the north about how to go about that, and how best to ensure that they can deal with any refugees who come their way.

We do not anticipate that large numbers of people will seek to cross the Turkish border. I spoke to Syria's President Bashar al-Assad a couple of weeks ago, about the circumstances in relation to that country. At the moment, although they are not anxious to have large numbers of people cross their border, the Syrians are making some provision to assist the ones who may come in Syria's direction.

We anticipate that most people will head towards Iran. I have also talked to the Iranian Foreign Minister and others about how Iran will deal with that

[Mr. O'Brien]

eventuality. The Iranians are working with us to minimise the problems that refugees who go towards Iran may face.

There is a lot of discussion going on, with Syria and Iran, and, obviously, with Kuwait. We are also talking to the people who are in control in the Kurdish area of northern Iraq.

Mrs. Cheryl Gillan (Chesham and Amersham): The Minister will realise that his handling of the urgent question today is not inspiring confidence. His reply to my hon. Friend the Member for Banbury (Tony Baldry) on IDPs was not good. In the previous Gulf conflict, the western relief programme was hampered by the absence of UN High Commissioner for Refugees personnel. The UNHCR did not play its usual co-ordination role—which we are all concerned about this time—because its mandate did not cover IDPs. Will the Minister say whether that is still true, or will the UNCHR be able to play its full role in any relief programme, irrespective of the status of those people?

Mr. O'Brien: The International Committee of the Red Cross will obviously have an important role in the whole process, as will the UNHCR. Those organisations clearly have a responsibility, and there is no question but that they will accept it. Obviously, some of the organisations were reluctant to enter into discussions at too early a stage, as they needed to cover their international positions. However, we are now in a position to enter into detailed discussions with them. We have started preliminary discussions already. We will follow up on those, and ensure that these matters are dealt with.

The hon. Lady began her question with some rather curmudgeonly remarks, and I am sorry to disappoint her. However, we are trying to ensure that we deal with these matters seriously. If she wants to make points that are rather silly and pathetic, that is a matter for her.

Mr. Shaun Woodward (St. Helens, South): We have been told that Saddam Hussein has put in place a military plan to divide his country into quarters. There is no doubt that that will make it extremely difficult for people to move around inside Iraq. Given what my hon. Friend the Member for Cynon Valley (Ann Clwyd) said about the movement of people to the borders, does my hon. Friend the Minister think that there is a really urgent need to revisit the negotiations with neighbouring states about the acceptance of refugees? Is there not an urgent need that food, medicine and shelter be provided for the people who arrive at those borders?

Mr. O'Brien: Substantial negotiations have already been held with each of the Governments involved about matters of food and shelter. My hon. Friend is right to say that Saddam Hussein's apparent proposals for deployment of his military forces may make it difficult for some refugees to flee. We do not know yet how he will try to manage that deployment, but we will certainly guarantee to talk to the adjoining countries to ensure that they are aware of the support that we can provide. We will also ensure that the UN agencies and the other NGOs are engaged, and we will do everything that we can to protect the humanitarian needs of all those who have to flee from any conflict.

Rev. Martin Smyth (Belfast, South): Some people are worried about what our troops might be doing when they go into the territories that the House is discussing but, as in the past, so in the future, they will be working to help the people who need their help. I am sure that the Minister will agree about that. Does he share my concern that Oxfam representatives, speaking for the NGOs, told the "Newsnight" programme the other evening that they would not seek finance from the UK or the US? Where will they get their finance? On Monday evening, I asked the Foreign Secretary about the fact that the $130 million appeal for UN humanitarian aid had realised only $30 million. Who has supplied that $30 million?

Mr. O'Brien: The NGOs will have to decide how they want to deal with any particular request for money. Some may feel that they want to make requests, and in those circumstances we will discuss such requests with them. Some may decide that they do not want to do so. There is nothing that we can do about that, but we hope that they will become engaged in the relief process.

On the availability of resources, DFID has made a call on its contingency reserve. We want to ensure that sufficient resources are available to enable humanitarian efforts to be carried out.

Chris McCafferty (Calder Valley): Can the Minister clarify the time scale for the necessary resolution at the UN Security Council to restart the oil-for-food programme, given the comments of the UN co-ordinator to the Select Committee that that could take up to four weeks?

Mr. O'Brien: As regards the time scale for the initial humanitarian resolution, the objective is that it should be done almost straight away. Provided that we can complete the discussions with the UN, we would hope to be able to do it within a matter of days or a week or so. The wider humanitarian effort may require a little more discussion in the Security Council; we have draft proposals that we hope to discuss with other members of it. That may take a week or two.

On the oil-for-food programme, we have already worked on plans to ensure that it keeps operating. The basic structure exists for its broad administration, but we will have to ensure that when the coalition forces are in Iraq, and the NGOs follow them up, the necessary administrative structure is in place to ensure that everyone gets the food and other resources that they urgently need.

Mr. Peter Lilley (Hitchin and Harpenden): The Minister won the respect of the House when he was sacked for revealing the communications between his old Department and others. He seems to have been reappointed on the condition that he does not repeat the offence or gives the impression that no communication is taking place. Will he now tell the House which Department is co-ordinating this very important humanitarian operation? If it is DFID, why is not the excellent Under-Secretary of State for International

Development giving us much more informative answers, as I am sure that she could? If it is not DFID, does that reflect the uncertain status of the Secretary of State for that Department?

Mr. O'Brien: The right hon. Gentleman is a former Secretary of State, and I expect something more from him than cheap comments like that. We are dealing with issues of conflict, refugees and ensuring that lives are protected. The cheap comments that he comes out with make his questions barely worth answering, but let me try to do so in any event.

He asked which Department is co-ordinating the operation. Obviously, DFID is co-ordinating it through other Departments and committees. Cabinet Committees are also dealing with the issue, and DFID is co-ordinating some of the operations between the UN and the various other NGOs that will deal with the post-conflict situation.

The reason I am answering questions is that I have just come back from Washington, where I discussed the terms of the UN resolutions and the detail of how the post-conflict humanitarian circumstances will be dealt with by the United States and by this country.

Mr. Simon Thomas (Ceredigion): Does the Minister share the concerns of the civilian NGOs who want to follow any conflict as soon as possible with civilian aid in Iraq? Is he aware that the cost of militarily delivered humanitarian assistance in Afghanistan was $7 for a certain item that could be delivered by civilian humanitarian aid at a cost of 30 cents per item, and that it is therefore important to get the civilian NGOs into Iraq as soon as possible? Does he agree that conflict reconstruction in Iraq will arise from three sources—the previous Gulf war, the neglect of Iraq by Saddam Hussein and any destruction that occurs in this conflict—and that it would therefore be wrong for the entire revenues of the oil programme in Iraq to be used for that? Can he say a little more about the extra resources that his Government will make available directly to DFID for humanitarian efforts in Iraq not only now, but in future?

Mr. O'Brien: We have been clear that the oil money will be put into a trust and will be used for the benefit of the people of Iraq. There is also substantial further American money that is being deployed for humanitarian and aid purposes, as well as the resources I mentioned earlier that will be deployed by the British Government, and we anticipate that other countries will wish to make substantial contributions, as will the United Nations.

As for the cost, it is true that military costs will be higher than those of NGOs. The problem with Iraq, however, is that although some NGOs have operated there in the past, there are very few of them and they do not operate freely. Furthermore, many of them will withdraw in the next few weeks. Post conflict, therefore, the military will be there first. It is best that they are in a position quickly to deliver the aid that is needed, so they have been resourced to do that. However, as soon as we are able to do so, we will bring in other NGOs—the UN and other organisations—to ensure that aid is deployed, as the hon. Gentleman says, more cheaply, but, more importantly, more effectively.

Hugh Bayley (City of York): Will my hon. Friend look at paragraph 25 of the report, which records the UN's estimate that during the Gulf war between 15,000 and 30,000 refugees died from infectious diseases such as measles, diarrhoea, cholera and typhoid? Will the Government ensure that refugee camps have not only sanitation and clean water, but immunisation for refugees as they arrive and health care for those who are ill?

Mr. O'Brien: I assure my hon. Friend that there are provisions to deal with the availability of water supplies in any refugee camps that may need to be set up and to ensure, in terms of the military operations that are conducted, that there is as little disruption as possible to proper water supplies so as to minimise the problems that we may face post conflict.

On immunisation, it is enormously important that if any refugee camps are set up there are effective immunisation programmes to ensure that infectious diseases are not spread within them. We shall certainly put in place the medical and other facilities to ensure that effective immunisation programmes are set up.

Sir Patrick Cormack (South Staffordshire): Is the hon. Gentleman aware that those of us who gladly gave support to the Prime Minister yesterday, and who admire enormously the national leadership that he is giving, nevertheless attach almost equal importance to the subject that we are discussing? Does he accept that it is absolutely incredible that he should be answering these questions? We are sorry that the Under-Secretary appears to have lost her voice, but it is important that whoever is in charge of these matters—the Minister said that it is the Secretary of State—should enjoy the confidence of this House. One Minister has lost her voice; the other should lose her job.

Mr. O'Brien: I have passed on to my hon. Friend the Under-Secretary the hon. Gentleman's sympathy for the loss of her voice. I assure him that it will come back and will be as strong and effective as ever. I am fully aware that the House attaches enormous importance—as do my right hon. Friend the Secretary of State for International Development and I—to the issue of humanitarian aid, and we will make sure that the Government treat it as a very high priority so as to ensure that that aid, and the human rights back-up that is also required, is in place.

Several hon. Members *rose*—

Mr. Speaker: Order. We must move on.

Points of Order

1.8 pm

Mrs. Caroline Spelman (Meriden): On a point of order, Mr. Speaker. I want to stress that in asking for the urgent question today we knew that the Secretary of State was on her way elsewhere. I hope that I made that clear. Is it in order, however, for the Department that is the focus of the urgent question to pass on the responsibility for answering to another Department? I have to say that I found all the answers profoundly unsatisfactory. I repeat my request for an urgent statement from the Secretary of State, and I will keep on asking for it until we get it.

Mr. Mark Francois (Rayleigh): Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. I am going to answer the point of order. It may be, once I have answered it, that the hon. Gentleman will not have to raise anything further.

It is up to the Government which Minister comes to the Dispatch Box to respond on such matters.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Mr. Speaker. You will have observed, as I have, that the Minister from the Department for International Development, who is in her place, spent almost the entire time briefing the Minister from the Foreign and Commonwealth Office. What puzzles me, no doubt the House, and perhaps even you, Mr. Speaker, is that, if the Minister who obviously knows about this matter is sitting silent, and the Minister who does not seem to know very much about it is attempting to answer questions but is being briefed by the Minister who does, what sort of attitude on the part of the Government does that display to the House and to you, Mr. Speaker? Why do we have to have this musical chairs act when we are engaged in discussing a very serious matter and should be getting proper answers from the proper Department—the Secretary of State having apparently fled the country?

Mr. Speaker: I say to the shadow Leader of the House that we must move on to the protected business. The matters that have been raised have nothing to do with the Chair.

Are there further points of order? I want to move on from the urgent question, as it has run for long enough.

Ann Clwyd (Cynon Valley): On a point of order, Mr. Speaker. We have heard reports, as yet unconfirmed, that Tariq Aziz has defected to northern Iraq, to territory held by the Kurdistan Democratic Party. If that report is confirmed, it would be useful to have a statement.

Mr. Speaker: I am sure that the appropriate Minister will have heard.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mike O'Brien): Further to that point of order, Mr. Speaker. We too have heard these rumours. At this point, they have not been confirmed. We are seeking confirmation.

Glenda Jackson (Hampstead and Highgate): On a point of order, Mr. Speaker.

Mr. Speaker: Is it on another matter?

Glenda Jackson: It is, Mr. Speaker. The Government are advising the citizens of this country to lay in stores including tinned food, bottled water, a torch and blankets, yet there is no further detail as to why they should be laying in such stores. If no Minister has asked to come to make a statement on this matter, I would like your advice, Mr. Speaker, on how best to prise from the Government rather more detail on what is a somewhat bizarre piece of advice.

Mr. Speaker: The hon. Lady is a very experienced Member of Parliament and I would have thought that her first move would be to phone the Minister concerned and ask him.

Glenda Jackson: Which Minister?

Mr. Speaker: I am not inviting her to do so, but she might start at the top and then work her way down.

Sir Patrick Cormack (South Staffordshire): Further to the point of order that was raised by the hon. Member for Cynon Valley (Ann Clwyd), Mr. Speaker, to which the Minister responded a moment or two ago. May I suggest through you that, if the rumour is confirmed, the Minister be invited to make a definitive statement later today?

Mr. Speaker: The Minister will have heard.

Mr. Mike O'Brien *indicated assent.*

David Maclean (Penrith and The Border): Further to the point of order that was raised by the hon. Member for Cynon Valley, Mr. Speaker, and further to the Minister's intervention during that point of order. May I suggest to the Minister that, throughout the coming conflict over the next few days, if he does have information that may be of benefit to the House, this side of the House, through the usual channels, will be very willing to facilitate the interruption of business at any sensible and convenient hour, or to stay later than the normal hours, so that the House can be kept fully informed, where appropriate, of information that is not militarily sensitive?

Mr. O'Brien: We will try to keep the House informed. We need to be careful about rumours, because rumours often sweep through. The rumour—and I want to emphasise that it is no more than a rumour at this stage—is from a Bulgarian source. [*Interruption.*] It is no more than a rumour, but it is that Tariq Aziz may have been killed. There are rumours at the moment but we do not know whether they are true. We will seek to clarify the situation. Once we have clarified the situation, I will be sure to keep hon. Members on the Opposition Benches informed.

Registration of Private Foster Carers and Child Protection

1.14 pm

Tim Loughton (East Worthing and Shoreham): I beg to move,

That leave be given to bring in a Bill to require the registration of private foster carers; to institute procedures for identifying and monitoring children arriving in the United Kingdom unaccompanied by adults with parental responsibility and make provision for their welfare; and to amend the law with regard to joint enterprise when prosecuting carers responsible for the death of children in their care; and for connected purposes.

My Bill is wide ranging. It deals with three main aspects of child protection, all of which are very topical after a string of child abuse and child murder cases—most prominently, the tragic murder of Victoria Climbié at the hands of her private foster carers, following which there was the comprehensive report by Lord Lamming on the whole horrific series of blunders that led up to the murder. The horrendous circumstances of Victoria Climbié's death should not, however, lead us to overlook the many other tragic murders of children at the hands of their parents or carers.

It is difficult to comprehend, but, in this country, an average of 79 child homicides happen every year—mostly involving children under the age of five and mostly at the hands of the child's parents or carers. More incredible still is how few murder convictions are subsequently secured. Out of 366 such cases that were investigated by the National Society for the Prevention of Cruelty to Children, only 99 resulted in a conviction, and no further action was taken in a staggering 225 cases. Of the convictions, few were actually for murder if they involved a couple jointly, because of the difficulties of providing joint enterprise evidence and of proving who struck the fatal blow. Consequently, many people escape with the lesser charge of cruelty, as happened in the case of four-year-old John Smith in my constituency. He died from brain injuries after a catalogue of abuse by his foster parents, Simon and Michelle McWilliam. They received a maximum eight-year sentence for cruelty, not murder, as each blamed the other.

I know that the Government and the Law Commission are sympathetic to changes in the law, although attempts to amend the Criminal Justice Bill in Committee earlier this month were not taken up. My Bill offers a second chance and would place a duty of care on parents if a child was suffering and establish a charge of joint enterprise on parents equally if, when charged with the death of a child, they gave similar accounts of the circumstances leading up to the death that later turned out to be false. In the meantime, the situation could be helped by better guidance from judges to juries on the complicated matter of joint enterprise.

My second and main subject is the absence of a legal requirement for the registration of commercial private foster carers. Child protection legislation can be traced back to the Infant Life Protection Act 1872, which was produced in the wake of a Select Committee report on private fostering—or baby farming, as it was then known. That report was the response to the case of a Mrs. Walters, who, in 1870, was tried and executed for the murder of several children. That legislation was the

[Tim Loughton]

first recognition of a public duty in this area. Much more legislation has followed. The Nurseries and Childminding Regulation Act 1948 provided a set of checks on child minders. Registration followed with a 1968 Act. Those Acts have promoted a strong professional culture with training and support benefits for child minders. There were extensive improvements to recognise the paramouncy of children's welfare in the Children Act 1989. In 1993, an inspection of private fostering by the social services inspectorate raised some real concerns about the welfare of children who are cared for in this way. In 1997, the Utting report, which was commissioned by the Government, came down strongly in favour of a system of private foster care registration. The report stated that children in private foster care are

"extremely vulnerable and at very considerable risk of abuse".

However, Utting's recommendation was not subsequently taken up.

In 1999, a joint working party on foster care revealed the high potential for abuse and neglect. It urged the regulation of private fostering and a public awareness campaign. Most recently, Lord Lamming has recommended a review of the situation. Through all of this time, we have seen extensive regulations for child minding; care standards for the inspection of care homes and foster agencies; new adoption rights and requirements; hundreds of thousands of people dealing with young people being subjected to checks by the Criminal Records Bureau; and even legislation to clamp down on puppy farming. However, incredibly, people who offer their services as private foster carers—often as complete strangers—have no legal compunction to register their services, although local authority registers do exist. For those people, unknown to local social services departments, there can be no guarantee of the quality of care, no guarantee that the foster carer is accessing appropriate training support and benefit, and no control over the number of different placements that the child will experience—which, under "Quality Protects" guidelines, should be no more than three.

I am sure that the great majority of private foster carers do a good job and pose no threat to their charges. However, we simply do not know. In any case, the Climbié inquiry was the first inquiry into the case of a privately fostered child by any central Government or local government board. We have no idea of the extent of the problem. After all, the Department of Health stopped collecting data on private fostering in 1991 because its figures were so inaccurate.

It has been estimated that there are between 8,000 and 10,000 private foster carers in this country, mostly for under-five-year-olds from west Africa. However, that is probably only the tip of the iceberg. Since the 1991 regulations, there have been local registers of foster carers but there is no legal penalty for not registering, and many people are ignorant of the requirements. Similarly, local authorities have a duty of care for the general welfare of privately fostered children; but they have to find those children first and even then they have few powers to dismiss poor foster carers. Added to that, surveys and inspections show that the monitoring of private foster arrangements has low priority with many local authorities and, in some cases, it is non-existent.

It is thus time to make it a legal requirement for private foster carers to notify their activities to a register of private foster carers, with penalties if they fail to do so. It would also be an offence for people to entrust their children to a private foster carer who is not so registered. It is time to expose an underground activity to the reasonable scrutiny of the light of day. There is no guarantee that all private foster carers would register, but the measure should act as a significant incentive, accompanied by local awareness campaigns.

The definition of private foster care is:

"When a child up to the age of 16 (or 18 if disabled) is placed for more than 28 days in the care of someone who is not a close relative, guardian or someone with parental responsibilities".

Close relatives are parents, step-parents, siblings, brothers or sisters of a parent, or grandparents.

The register would not be easy to police; no system can be foolproof. I do not want to play the nanny state and interfere with arrangements for children who are legitimately attending boarding schools or language schools or who are on holiday exchanges and so on. In most cases, there are existing checks on those educational establishments and the families with whom they may place children. It should be possible to establish regulations to exclude what are technically different types of fostering.

My Bill would set up a national register of private foster carers of children aged under 11, with penalties for non-registration that are similar to those for child-minding registration. The register would be simple and could be run for relatively little cost by an agency, using arrangements similar to those for the adoption register. The registration requirements would be minimal.

There would be many advantages. The register would be available to birth parents who still wanted to pursue a private foster arrangement. It would enable local authorities to ensure that standards of care were suitable and that appropriate help was offered. A national register would deter private foster carers who had fallen foul of local authority inspections or authorised foster agencies, but who had not committed offences sufficient to be put on the Department of Health 99 list and had simply moved to another area and set up business there. The register would be welcomed by all those involved with children in care in this country, and would provide an added degree of protection for children placed in private foster care, both domestically and from overseas, with minimal intrusion.

My third and final consideration concerns children who arrive at ports or airports, unaccompanied by adults who are their parents or who have parental responsibility. That is how Victoria Climbié arrived on our shores. That is how many Nigerian girls arrive at Gatwick airport claiming asylum, only for many of them to end up in prostitution at the hands of pimps in northern Italy. That is how many children are being trafficked by unscrupulous individuals and destined for a grim existence; let alone all the many children who are sent by their parents to the UK in the hope of a better future, but largely in ignorance of the care they will receive or the circumstances in which they will be placed.

My Bill would make provision for better checks on children arriving in the UK unaccompanied by parents, close relatives or those with parental responsibility. Such unaccompanied children would be required to have special written and logged permission from their parents or those with parental responsibility, with information about the length of their stay and who will be responsible for them while they are resident in the UK. Arrangements with schools, language schools and so on would require no further checking but, under the new register, checks would need to be made for children destined to live in commercial private foster care or under other arrangements. Local agencies, such as social services, would be alerted so that the necessary monitoring provisions could be instituted as appropriate.

Failure to produce permission to travel would warrant investigation by the authorities before the child is able to leave the port of entry, either to be returned home or to live in the UK. Such arrangements would go a long way towards clamping down on child trafficking, the abuse of unaccompanied child asylum seekers and the commercial exploitation of children.

My Bill is intended to institute only minimal interference and regulation, but the primary purpose of any such changes should be not the benefit of carers but the protection of children. It is to them that we all have a duty of care.

Question put and agreed to.

Bill ordered to be brought in by Tim Loughton, Mr. Andrew Lansley, Ms Meg Munn, Kevin Brennan, Miss Julie Kirkbride, Jonathan Shaw, Mr. Julian Brazier, Miss Anne McIntosh, Mr. Jonathan Djanogly, Mr. Robert Walter, Mr. Robert Syms and Mrs. Eleanor Laing.

Registration of Private Foster Carers and Child Protection

Tim Loughton accordingly presented a Bill to require the registration of private foster carers; to institute procedures for identifying and monitoring children arriving in the United Kingdom unaccompanied by adults with parental responsibility and make provision for their welfare; and to amend the law with regard to joint enterprise when prosecuting carers responsible for the death of children in their care; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 4 July, and to be printed [Bill 80].

COMMUNITY CARE (DELAYED DISCHARGES ETC.) BILL (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following provisions shall apply to the Community Care (Delayed Discharges Etc.) Bill for the purpose of supplementing the Order of 28th November 2002—

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall be completed at the moment of interruption on the day on which they commence.
2. Those proceedings shall be taken in the order shown in the first column of the following Table, and each part of those proceedings shall (so far as not previously concluded) be brought to a conclusion at the time shown in the second column.

TABLE

Lords Amendments	*Time for conclusion of proceedings*
Nos. 1 to 3, 5, 47, 4, 10 to 13, 21, 7, 8 and 39.	Three and a half hours before the moment of interruption.
Nos. 6, 9, 14 to 16, 18, 23, 17, 19, 40, 42 and 44 to 46.	Two hours before the moment of interruption.
Nos. 24, 25, 22, 26 to 28, 33, 43, 34, 35, 41, 20, 32, 29 to 31 and 36 to 38.	The moment of interruption.

Subsequent Stages

3. Any further Message from the Lords may be considered forthwith without any Question put.
4. Proceedings on any further Message shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Mr. Woolas.]*

Question agreed to.

Orders of the Day

Community Care (Delayed Discharges Etc.) Bill

Lords amendments considered.

Clause 1

MEANING OF "NHS BODY" AND "QUALIFYING HOSPITAL PATIENT"

Lords amendment: No. 1.

1.26 pm

The Minister of State, Department of Health (Jacqui Smith): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Speaker: With this we may discuss Lords amendment No. 2 and the Government motion to disagree thereto and Lords amendment No. 3.

Jacqui Smith: In welcoming the Bill back from the other place, I take this opportunity to express my appreciation of the work of my noble Friend Lord Hunt in taking the Bill through the Lords. He was a good and able colleague, who will be missed by me and by many people who are interested in this sector.

Lords amendments Nos. 1 and 3 are technical amendments, which are necessary to provide clarification that the Bill does not apply to any person who is ordinarily resident outside England and Wales. They do not affect the substance of the Bill in any way, but simply serve to avoid any misunderstanding in the future about the patients to whom the Bill is intended to apply. I therefore hope that hon. Members will join me in supporting them.

We disagree with the Lords in their amendment No. 2. The amendment would specifically exclude patients with a mental health condition from the Bill's provisions. The intention of the Bill is that payment responsibility should rest with the body that has responsibility for providing for the needs of a patient, to ensure that the patient receives the right care, in the right place and at the right time. It would establish a system of incentives to ensure the appropriate delivery of care.

The Government's intention is to use the regulations to exclude mental health care from the scope of the Bill, and later to extend the provisions of the Bill to other types of care where there are delays. We have chosen to take a pragmatic approach, as we do not want to overload local partnerships with preparing for implementation across the system.

It is not justified, however, to prevent the possibility of those provisions being extended to cover mental health. Indeed, the Joint Committee on Human Rights was concerned that the provisions of the Bill should not exclude patients with mental health problems, as that could be seen as discrimination because the nature of the patient's condition was mental rather than physical. However, we will make the decision to extend the scope of the Bill after a full and proper examination of the needs of mental health patients and of incentives in the mental health sector as a whole.

The Department has received representations from many mental health professionals who are concerned that their patients should be included in these provisions as soon as possible, to benefit from the more timely provision of services that should result. For example, an e-mail from a consultant psychiatrist for older people puts it clearly:

> "Many of my patients are waiting months for placement in appropriate long term care; waiting on an acute ward with acutely ill, depressed or confused patients is very detrimental to their health. They are just as disadvantaged as any other older patient which this Bill seeks to benefit".

I recognise that concern. Surely patients with mental health problems deserve the opportunity to ensure, as the Bill will for other patients, that they receive that care when they need it.

1.30 pm

If the Bill is successful—I am confident that it will be—in continuing to reduce patient waits for community care services so that patients can be safely discharged from hospital, I cannot understand how excluding mental health patients from the system can be justified. The right course of action is to monitor the effect of reimbursement on the acute sector and then, if appropriate, make a decision to include the mental health sector in the light of evidence. If we were to exclude that sector now, we would fail to recognise the very important benefits that the Bill could bring, and that could be discriminatory; so I hope that my colleagues and other hon. Members will disagree with the Lords in the said amendment.

Mr. Simon Burns (West Chelmsford): I wish to speak to Lords amendment No. 2. I hope that my right hon. and hon. Friends and others will not share the Government's view that they should disagree with the other place in that amendment, because its purpose is to exclude mental health patients from these provisions. Notwithstanding what the Minister has just said, we believe that there is a separate problem with mental health patients, as opposed to acute patients, partly because of the historic situation in the national health service until about a decade ago.

I believe that—this is becoming a bit of a cliché—mental health was a Cinderella service until about a decade ago, regardless of which Government were in power. If a Government—again, regardless of their political complexion—needed to make savings or had financial constraints on health spending for other reasons, it was too easy to sweep a range of services under the carpet, and mental health services suffered most. In addition, there was—sadly, there still is—a problem with the general attitude of this country's population.

Some people think that there is something odd or unacceptable about mental health problems, so people suffering from such problems do not receive the same consideration and concern from friends and even family as other patients. That prejudice has continued despite, to be fair, the efforts of this Government and those of John Major's Government to reduce the stigma attached to mental illness and to bolster the health service provision for those with mental illness with genuine increases in funding and focusing attention on improving and enhancing mental health care. There is still, however, a fundamental difference—whether it is right or wrong is another matter—between mental health patients and acute patients, and the Bill should reflect that fact of life, whether one likes it or not.

Of course, over-extended stays in psychiatric wards are a problem. For example, a recent survey in acute psychiatric wards, conducted by the Sainsbury Centre for Mental Health, concluded that hospital care was non-therapeutic, but there are times when hospital admissions cannot be avoided. For example, when patients are so ill that they are incapable of looking after themselves, hospitals provide the only appropriate care for them. However, mental health care is in many ways very different from acute care, so different approaches are needed.

Given those unique mental health considerations, if legal duties are imposed under the Bill to compel one part of the sector, in effect, to penalise the others, that could put at risk especially vulnerable patients suffering from mental health problems. In addition, there is a shortage of capacity in hospitals, other supported accommodation, rehabilitation services and 24-hour staffed beds in inner cities. As a result, to require local authorities to provide care quickly in those circumstances is unrealistic and unfair, and it could be dangerous in certain conditions.

Mr. Hilton Dawson (Lancaster and Wyre): Instead of trying to introduce some, frankly spurious, distinctions between mental health and other aspects of the health service, will the hon. Gentleman direct his remarks to the question of the right patients? Do not people with mental health problems have exactly the same right as anyone else to live in the community and receive provision there?

Mr. Burns: I find the hon. Gentleman's intervention slightly contradictory and complex, but I agree with the last part of what he says. No one wants people to be kept in hospital when they do not need to be there, and all of us want each patient to receive the most appropriate care—whether, in the case of the elderly, in their own homes with a domiciliary care package, or in residential care homes. We would agree on that. With respect to the hon. Gentleman, particularly given some of his statements in recent days, I resent his use of the word "spurious" because the argument is not spurious, and I hope that the hon. Member for Wakefield (Mr. Hinchliffe), who is the Chairman of the Select Committee on Health, will back me up.

Mr. David Hinchliffe (Wakefield): It is not exactly a secret that I am not the Bill's biggest fan, but I am trying to understand how Lords amendment No. 2 would work in practice, and I have not been assisted so far by the contribution of the hon. Gentleman who speaks from the Opposition Front Bench. What is meant by the phrase "a person receiving mental health services"? That seems to be such a wide-ranging definition, and it could include huge numbers of people who are on antidepressants from a general practitioner. Is the hon. Gentleman specifically focusing on individuals in psychiatric beds in acute hospitals? Is that the purpose of his argument?

Mr. Burns: I am grateful to the hon. Gentleman for that intervention. I apologise if I am being obscure in certain areas, but, yes, the fundamental basis of my argument is that I believe—this is the intention of Lords amendment No. 2—that those people who are, in effect, defined as receiving treatment in hospital psychiatric beds should be exempt from the Bill. The bottom line is that I do not want the pressure that the Bill will put on hospital discharges to be put on those patients because of the nature of their illness and treatment, and the Bill should recognise the difference between mental health treatment and acute treatment. I know what the hon. Gentleman said, but it is interesting that the Minister in the other place, the late Lord Hunt—

Jim Fitzpatrick (Poplar and Canning Town): He is not dead.

Mr. Burns: The Whip is absolutely right. Lord Hunt is not dead, but he is politically dead to such an extent that the Deputy Prime Minister did not recognise that he was a human being or that he had been a member of the Administration, despite the fact that he had been for almost six years. He is politically dead, so the word "late" was probably justified in that context.

Glenda Jackson (Hampstead and Highgate): My confusion about the hon. Gentleman's proposal arises because he talks in a broad and categorical way about patients who are in beds in psychiatric hospitals, but even that does not bring the definition down to a level that I find comprehensible. People who suffer from mental illnesses may need a bed in a secure psychiatric hospital for a comparatively short time, but others will need such a bed for much longer. There are as many variations among the extreme episodes endured by people who suffer from mental illnesses as there are in any other field of medicine. The proposal is simply not clear.

Mr. Burns: The hon. Lady is entitled to her view. Her point that the time spent in a hospital bed by an individual suffering from mental health or acute health problems will vary depending on individual circumstances is right. The point that I am trying to make is that the situation is different for mental health, and we do not want to impede the treatment and future appropriate care of individuals suffering from mental health by putting them under the umbrella of the Bill and placing additional pressures on them.

Andy Burnham (Leigh): Will the hon. Gentleman give way?

Mr. Burns: I shall not, because I want to make progress.

The answer is to exclude mental health patients from the Bill in the same way as other groups of people will be excluded from its ambit, although the Government have the power to include them if they are so minded. Excluding mental health patients is the right way to proceed because of the nature of mental illness and its

[Mr. Burns]

historic position in the NHS until about a decade ago. The group could be included in the future, but it should not be included at the moment. That is why I hope that the House will agree with the Lords amendment and disagree with the Government's motion.

Mr. Hinchliffe: I shall simply respond to the hon. Gentleman's comments. I listened carefully as he supported the Lords amendment, but his arguments do not seem to relate to its wording. His comments were very specific. He clearly implied that he was focusing on the circumstances of individuals who are in acute psychiatric beds and—to use his words—suffering from mental health. We all have mental health, although we do not necessarily suffer from it. The phrase is "suffering from mental illness".

The amendment is more wide ranging than the specific matter on which the hon. Gentleman focused. Despite my personal opposition to the Bill, I cannot understand how the Government could honestly accept the amendment, because it is badly drafted and so wide ranging that it could cover any number of individuals, which I do not believe is the hon. Gentleman's intention.

1.45 pm

Other Lords amendments would improve the Bill, although I am not necessarily convinced that they would be a positive step toward addressing delayed discharges. Indeed, the Government might concede that on occasions. The hon. Gentleman's arguments are extremely thin and the Government could not genuinely accept such a wide-ranging amendment.

Mr. Dawson: I shall be much more generous to the hon. Member for West Chelmsford (Mr. Burns) than my esteemed and hon. Friend the Member for Wakefield (Mr. Hinchliffe), because the hon. Gentleman made a good attempt at proposing something that is basically unacceptable. I do not believe that his remarks showed a total commitment to the amendment.

The Lords amendment is appalling and should be dismissed out of hand. We should question what the other place was doing when it was tabled. It would be quite wrong specifically to exclude mental health services from the range of services that will be included—before very long, I hope—in the provisions of this first-class Bill. I recently visited Ridge Lea hospital, which is my local hospital in Lancaster, and I met people who had been living on the locked Lonsdale ward for many years. The patients and the people who care for them expressed enormous concerns about the difficulties entailed in assisting patients to move on to appropriate community services. Difficulties are encountered when liaising with social security services. It is extraordinarily difficult to ensure that the patients have appropriate places to live in the community and that appropriate support services are available.

Some of those people lived in locked circumstances with restricted liberty. It is outrageous, and a matter of enormous worry, that people live in such circumstances for longer than their acute mental health needs require. If appropriate provisions were available in the community, they could move there with their liberties assured. That is a fundamental human rights issue. I have no doubt that the Bill is not a universal panacea. We need considerable investment in, and new legislation for, mental health services. However, the provisions will be an enormous help for such people by ensuring that agencies are made well aware of the need to work closely together to ensure that services are available.

I am slightly disappointed that mental health will not be one of the services to which the provisions will apply immediately. I urge hon. Members to reject the amendment, but I also urge my hon. Friend the Minister to assure me that the Government will move quickly to ensure that mental health services are included.

Glenda Jackson: I also have concerns about the amendment. The Opposition say that mental illness services are a Cinderella service and that they are anxious that they are improved. I am perfectly prepared to accept that that is an honourable and justifiable position to take. The Government have done much to bring services for mentally ill patients out of the shadows and into the light, but I am sure that they would not want anyone to believe that the services are in full sunshine as yet. However, great improvements have been made.

I am sure that, with the best will in the world, the Opposition want to ensure that mentally ill people receive treatment but, as my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) pointed out, their amendment would lead to seemingly permanent incarceration behind locked doors. Such a provision would act as an active deterrent to improving mental health services for everyone.

I have some questions for my hon. Friend the Minister. I have concerns about the definition of services that will be provided only to someone who is normally—if that is the correct word—resident in England and Wales. My concerns stem from a case in my constituency in which the mother of a family in my constituency was resident in Northern Ireland. She visited the family in my constituency, but was taken ill. She received excellent treatment from the national health service, but the family then decided that, because she lived alone in Northern Ireland, she should come to live with them. Does the provision mean that my constituents' mother will be excluded from a proper care package that is put in place by my local authority? What does "resident" mean in that context?

When my constituents raised this case, I was concerned because people from all over the world reside in my constituency. They have the right to live in this country and they have lived here for a considerable time. They pay their taxes and are not a drain on the state. If one of their elderly relatives should visit and the same situation were replicated, would that mean that the citizens of the United Kingdom whose parents come from a country other than England or Wales would not receive proper care or would not be able to patch into the national health services that are open to the rest of the United Kingdom's citizens? Will my hon. Friend clarify the position?

Mrs. Patsy Calton (Cheadle): I wish to support amendment No. 2, and I shall argue that it deserves particular consideration.

I accept the Minister's argument that no one in the House wishes to stigmatise mental health patients or to treat them as a completely separate group. However, we are considering an imperfect Bill that deals with particularly vulnerable groups of people, such as mental health patients, who, on occasions, are not able to articulate their own needs. Therefore, particular care should be taken when they are discharged from hospital.

I hope that the amendment will remain in the Bill. Mentally ill people and other vulnerable groups should not be among the patients for whom a charge is made.

Ms Meg Munn (Sheffield, Heeley): Surely the point about the process is that the patient is deemed able to be discharged at the appropriate time. Therefore, the decision that it is right for the patient to move on to more appropriate care is taken by the health care professionals who are charged with taking care of the patient's mental health. By agreeing to the amendment, we would be going against the advice of the professionals who have that responsibility.

Mrs. Calton: I thank the hon. Lady for that intervention. I am interested to hear that she perceives this to be a very much one-sided decision process. The reason Opposition Members are concerned about the Bill and its references to vulnerable patients is that it will speed up the process by which particularly vulnerable people are removed to the exclusion of assistance from other carers and expert advocates.

Mr. Burns: Does the hon. Lady agree that the flaw in the logic of the intervention of the hon. Member for Sheffield, Heeley (Ms Munn) is that, at the moment, the Government have exempted other groups from the Bill even though they may bring those groups within the Bill's ambit at a later stage?

Mrs. Calton: A further flaw results from the fact that, as the Minister said, the Government have taken a pragmatic approach to mental health patients. For the time being anyway, they have exempted them. If the charge of stigmatisation applies, it applies to that pragmatic approach.

I am concerned that because of the different procedures for mental health and acute discharges and because of the differences in working across health and social services, the onward journey of services users will not be facilitated by the Bill. Under the draft regulations, the local authority would not be made liable if the patient was waiting for an NHS or another community service, such as psychiatric or mental health care provision, after the care assessment, but found that service unavailable because of the lack of social care provision. The Minister and the Government cannot have it all ways. If it is now right to exempt mental health patients, it must be right at a later date unless we can be absolutely sure that all the necessary provision is available.

Mr. Hinchliffe: My worry is that these debates increasingly tend to consider segments of care. We put people into compartments, and that is where they remain. I intervened on the hon. Member for West Chelmsford (Mr. Burns) because I believe the Lords amendment to be flawed. For example, an elderly patient could be initially admitted to a psychiatric bed before being put into an elderly care bed in an acute hospital as they get ready for discharge. Is that person a mental health patient or not?

Ms Munn: They might have Alzheimer's.

Mr. Hinchliffe: As my hon. Friend suggests, Alzheimer's and a whole range of conditions lead to people being moved from an acute psychiatric environment in a general hospital to a psychogeriatric situation or to an acute ward. At what stage is someone a mental health patient? It is inconceivable that anyone could genuinely operate the Bill if it contained this amendment.

Mrs. Calton: I thank the hon. Gentleman for that point, but the Minister has accepted that there is a problem. She has decided that there will be an exemption for mental health services and I presume that she, like the rest of us, has read the relevant section of the amendment. The arguments that have been made could be given credibility, but it would not take much more precision for the amendment to make it clear in line 10 of clause 1 that those receiving mental health services are those

"accommodated at—

(a) a health service hospital; or

(b) an independent hospital in pursuance of arrangements made by an NHS body".

The definitions already exist, and it would not need much further clarification to specify which group of particularly vulnerable patients would be affected. Again, I would add other groups of vulnerable patients—those who are not able to articulate their needs and who would require additional support in the arrangements for their discharge.

2 pm

The Government's national services framework for mental health identifies the lack of capacity in community mental health services, not inefficiencies in social services departments, as the key cause of delayed discharges for psychiatric patients. That will not disappear just because the Bill causes fines to be levied. There will be a tendency to rush assessments of psychiatric patients' fitness for discharge, which entails a complex package of considerations. Patients must be assessed in terms of whether they will self-harm, whether they are a risk to others, and whether they will have appropriate accommodation. It is rare that that can be worked through in a three-day period, even if all the various services are in place.

There is no provision in the Bill for specialist advocates and for carers to take part in the discharge planning process. There is a risk that pressure to reduce prolonged hospital admissions will concentrate resources on the acute sector at the expense of community care provision. Hard-pressed councils will tend to divert resources into services that avoid penalties, instead of the longer-term preventive work

[Mrs. Calton]

that would reduce the need for acute admissions. There is a further danger that patients discharged earlier than they should be will be given inappropriate medication to control symptoms, rather than a range of therapeutic interventions, because of inappropriate accommodation and a lack of essential support services.

There is a basic flaw in the Government's argument that they need to make interim provision now, but are not prepared to write that into the Bill for the longer term for particularly vulnerable groups of patients.

Mr. Nigel Waterson (Eastbourne): I shall contribute briefly, as some of the related issues will arise more naturally later in the Bill's consideration today. There were two major errors in the approach adopted by Members on the Government Benches. One was a gross caricature of what their lordships were trying to achieve by the amendment. The other was the notion that the Bill would be of unalloyed benefit to the average patient. It is precisely because the Bill still is not patient centred that the issue arises.

The most powerful argument to be deployed in favour of the exclusion, as the hon. Member for Cheadle (Mrs. Calton) said, is the extent to which the concerns of patients and their carers are taken into account. Perhaps it is a matter of first thoughts are best, which is clearly the Government's view at present. At an earlier stage of the Bill's progress, we had some very good briefing from organisations such as the Alzheimer's Society about patients suffering from dementia and more specifically Alzheimer's, and so on. Surely patients with mental health problems, particularly severe mental health problems, will be the most vulnerable category.

Even if there are proper arrangements for the discharge of such patients and proper consultation—we shall deal with that in more detail later—will they be able to express a view, let alone an informed view? Will the views of their carers be taken into account on their behalf? For that central reason, the official Opposition have always opposed the Bill. There are many reasons for opposing it—not least, the fact that it will not work—but the most human reason for opposing it is that it ignores the needs and wishes of individual patients. That is true in spades in respect of those with mental health problems. That is the overwhelming argument for the amendment.

I shall not dwell on the point as we have a great deal of progress to make. I commend my hon. Friend the Member for West Chelmsford (Mr. Burns), who was right to argue that we should support the Lords amendment.

Jacqui Smith: I shall begin by responding to the question from my hon. Friend the Member for Hampstead and Highgate (Glenda Jackson) with respect to amendments Nos. 1 and 3 and the case that she described. Obviously, I do not know the details of the case, but the principle of defining ordinary residence is intended to make it clear which authorities are responsible for the necessary community care provision. The case does not have to come within the ambit of the Bill for social services to have that responsibility. Anybody who establishes ordinary residence will be within the provisions of the Bill. That is established on the facts of the case, and can sometimes be established virtually immediately. Although that is not very clear, the answer probably is that it depends. There would not be an automatic bar against somebody who had come from abroad.

The main point of contention was Lords amendment No. 2. Let us be clear what the Lords are proposing. It is not that there might be particular issues that make the way in which we respond to patients with mental health problems different from the way in which we respond to other patients in acute care. It is that in perpetuity we should exclude from any benefits that might come from the Bill those people with mental health problems.

I agree with the hon. Member for West Chelmsford (Mr. Burns) that during the 1980s and 1990s our mental health services were underfunded and poor.

Mr. Burns: I am saddened that the Minister is taking that tack. Given of the importance of the issue of mental health, I deliberately tried not to make my comments party political. I said, and it is a recognised fact, that over the past decade, under the last Conservative Government and under this Government, there has been a greater concentration of attention on mental health and inputting of resources for it. It saddens me if the Minister is trying to make political points, saying that the Conservatives did nothing and the present Government have done everything.

Jacqui Smith: The hon. Gentleman can stand or fall on the record of the Government of which he was a member. The first national service framework introduced by the Labour Government tackled the issue of mental health services, in particular linking considerable new investment to attempts to find new ways of addressing some of the problems identified by the hon. Member for Cheadle (Mrs. Calton) in relation to capacity, and to ensuring that services are available in the community to address the needs of people with mental health problems who would be better cared for in the community.

With the development of assertive outreach teams, crisis resolution teams and early intervention teams, we see that they have an impact on the number of people who need to be admitted or to stay for longer periods in inpatient provision. It is right that we need to expand capacity and reform the way in which we offer mental health services, to make sure that provision in the community is available. Despite improved investment—£40 million worth of capital over this year and last year—and guidance leading to improved acute inpatient mental health services, there are people for whom inpatient mental health care is not appropriate and who do not want it.

I find it hard to understand why the Lords and the Opposition, in their support for the amendment, believe that we should for ever exclude mental health patients from the benefits of the legislation. Although I was shocked to hear that my hon. Friend the Member for Wakefield (Mr. Hinchliffe) is not the biggest fan of the Bill in the House, both he and my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson), who, as a fan of the Bill, pressed me to bring mental health within the ambit of the Bill more quickly, recognise the illogicality of for ever putting mental health outside the legislation.

The hon. Member for West Chelmsford also made the point that those with mental health problems have suffered in the past from stigma, which has affected services. I agree, but I fail to see how ensuring that it would never be possible for those with mental health problems to come within the Bill's ambit helps to tackle that stigma. It does not.

I do not dispute that different circumstances will apply to people with mental health problems. Of course they will, which is why we have taken the decision that the first group that we should address through the legislation are those in acute hospital care. Different considerations will apply to how we bring in those with mental health problems. As I suggested earlier, we will decide whether to extend the Bill's scope after a full and proper examination of the needs of mental health patients and the incentives in the mental health sector.

For example, we would want to consider whether, as happens in Sweden, the level of reimbursement or the minimum compliance period should be altered to reflect any additional difficulties that might arise when assessing mental health patients or putting services in place. We would want to recognise that quite often—for example, housing services are important to those with mental health problems.

It is not beyond the wit of the House to ensure that we would be able to recognise those specific circumstances in the future and to design the system to take those on board, and to ensure that those with mental health problems have the opportunity, when it is successful, to benefit from the Bill.

Lord's amendment No. 2 would ensure that that was never possible and I hope that, on that basis, hon. Members will disagree with it.

Lords amendment agreed to.

Lords amendment: No. 2.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Jacqui Smith.]*

The House divided: Ayes 320, Noes 178.

Division No. 119] **[2:12 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Beckett, rh Margaret
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin

Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Charlotte Atkins and
Joan Ryan

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David *(Yeovil)*
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Murrison, Dr. Andrew
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian

Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Tredinnick, David
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Robert Syms and
Hugh Robertson

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment No. 3 agreed to.

Clause 2

NOTICE OF PATIENT'S POSSIBLE NEED FOR COMMUNITY CARE SERVICES

Lords amendment: No. 5, in page 2, line 5, after "hospital" insert "after 1st April 2004".

Jacqui Smith: I beg to move, That this House disagrees with the Lords in the said amendment.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss Lords amendment No. 47 and the Government motion to disagree.

Jacqui Smith: Lords amendment No. 5 would delay for a year until April 2004 the implementation of the policy outlined in the Bill. When we announced the policy in April 2002, we were keen to implement it by April this year so that older people could benefit as quickly as possible from the improvements in services and procedures that we firmly believe the Bill will bring. They include: focus on the individual, and ensuring that people get the right care at the right time and in the right place; the introduction of incentives to invest in alternatives in the community so that older people are not trapped in hospital when they would be better treated outside; and a clear framework for partnership between health and social care locally.

2.30 pm

We know from the implementation team that we have established that many areas have made significant achievements since we announced the policies. The Bill has led to an unprecedented wave of activity around delayed discharge with local authority and NHS partners discussing shared problems and finding common solutions. Several areas have initiated reviews of whole systems to consider discharge processes and community service capacity so that they are well prepared for reimbursement.

Other areas have planned staff increases or co-location to speed up assessment and improve discharge planning. The Bill can therefore be considered a success already because people know that if they do not make efforts to improve discharge procedures and put services in place, they cannot benefit from the extra funding that we are transferring from the NHS. They will have to reimburse the NHS.

Mr. Burns: Before the Minister embarks on a spinning fantasy, will she clarify the reason for her use in Committee and now of words such as "incentives", "bonuses" and "improvements", when the Secretary of State describes the penalties under the Bill as "fines"? Indeed, that is what they are.

Jacqui Smith: Despite having been involved with the Bill for a long time, the hon. Gentleman fails to understand the principle that payment follows responsibility. His failure to understand is not my fault. When responsibility for providing services based on the individual's needs shifts from the NHS to social care, so should responsibility for payment.

The Bill can already be considered a success and we are worried that amendment No. 5 in particular puts that at risk. One social services manager stated that in the past five years he had never witnessed so much commitment to reducing delays in the NHS and social care. That is not an isolated remark. People who attended a recent conference, which our change agents team ran, stated that, far from wrecking partnership—Conservative Members have sometimes alleged that—the pressure to improve discharge that the Bill generates led staff from the NHS and social services to discuss together, sometimes for the first time, plans to reduce delays in their local hospitals.

There is a genuine risk that the benefits of that concentrated effort will be lost.

Mr. John Bercow (Buckingham): I fear that the Minister risks creating a pervasive cynicism about the Bill—even more pervasive than that that has existed hitherto—unless she responds properly to the point of my hon. Friend the Member for West Chelmsford (Mr. Burns). If people incur a financial cost for doing something that they should not, or for failing to do something that they should, can the Minister think of a shorter or more accurate term for what they face than "fine"?

Jacqui Smith: A fine implies that someone is not supposed to be doing something. It is strange that the hon. Gentleman does not realise that we are considering putting right a position in which all the incentives in the system are for leaving people in hospital over a longer period because the NHS effectively pays for the needs of largely older people, responsibility for which should rest with social services departments.

If the hon. Gentleman wants to argue for cost-shunting and shifting responsibility, he should do so. The Bill aims to put matters right.

Mr. Bercow: If the Minister will allow me, I will exercise my discretion over the language that I deploy. I would not settle for the rather down-market lexicon that

[Mr. Bercow]

she has in mind for me. If she will not use the word "fine", why does the Secretary of State continue to do that regularly?

Jacqui Smith: Perhaps the hon. Gentleman should ask the Secretary of State. My right hon. Friend and I share an understanding that at present—*[Laughter.]* We can laugh and banter about words, but Conservative Members should be ashamed of the underlying reason for the measure. In 1997, 6,800 people were inappropriately delayed in hospital. Our investment and reforms have reduced that number.

Mr. Burns: It went up.

Jacqui Smith: I should be interested to know when that happened. There is a significant reduction in the number of delayed discharges that we inherited from the previous Government. Investment and some top-down management have brought that about. We have argued that such a system is not sustainable. We need to ensure that the system includes incentives for the considerable extra investment in local authorities to be spent on alternatives that provide that older people can get out of hospital when necessary. The Bill will achieve that. As I said earlier, to some extent it already ensures that that happens. It gives an impetus to the joint working that we need and the focus on the needs of individuals when they are ready to be discharged from hospital.

Accepting the amendments will convey the message that the work can be put on hold for a year. The impetus that has built up will be wasted and a continued and sustained reduction in waiting times for discharge will be delayed.

We have listened to the anxieties of the NHS, local government, the voluntary sector and responsible hon. Members about the speed of implementation and the need for time for new investment in services to bear fruit. The Government have therefore proposed delaying implementation for six months until October 2003. As Lord Morris said in another place:

> "The benefits of this Bill are urgently needed and I believe it is not too late to avoid delaying their delivery . . . There is still time for consensus to be reached on this Bill and those it seeks to help deserve no less."—*[Official Report, House of Lords,* 17 March 2003; Vol. 646, c. 19.]

Mr. Waterson: Will the Minister explain to a simple soul like me why it makes things better for the people who have to implement the measure in the real world to introduce it half way through a financial year? Is that sensible? What sort of chaos will that produce in the system?

Jacqui Smith: We would have preferred to introduce the measure in April but we listened to what people in the real world said about their worries. [HON. MEMBERS: "Lords."] Whether hon. Members in another place are the people in the real world is questionable, but we listened to people who operate in the real world and we shall ensure, through the delay in implementation, that the considerable extra investment from April 2003–04 makes the necessary impact without delaying, to the detriment of largely older people, the incentives that the Bill establishes and the action that it has prompted. Those older people will benefit from the provisions and already benefit from the reduction in delayed discharge that the prospect of action has brought about. I do not understand what can be gained from delaying implementation for a year. There is something to lose from that.

Mr. Paul Burstow (Sutton and Cheam): The Minister has been telling us that the Government have been listening to real people outside this place. Will she comment on why the Government chose to ignore their own consultation results, which showed that primary care trusts, social services departments and voluntary organisations of all sorts told the Government that they wanted a delay of at least a year, and to see implementation no earlier than 1 April 2004?

Jacqui Smith: As I was explaining, we listen not only to those who provide the services, but to the people who need them. They are the older people who, in too large numbers, are being trapped in hospital when they would be better off being treated outside. We believe that the Bill will make a difference to those older people, and that is why we are keen to ensure that it is implemented as soon as possible. Of course we need to listen to the people who provide the services, but those—largely older people—who are being delayed in hospital when it would be more appropriate to treat them outside are at the heart of the Bill and of our concerns.

Sir George Young (North-West Hampshire): If it really is the view of elderly people that the Government should proceed as she has just outlined, why has Age Concern written to every Member of Parliament totally disagreeing with her?

Jacqui Smith: Various groups have taken various positions on this, but I reiterate my view that the Bill is about ensuring that those older people who are currently not getting the deal that they deserve can get a better deal. That is why I do not believe that we have anything to gain from delaying implementation for a whole year. Indeed, as I was saying, we have something to lose. The Secretary of State announced on Second Reading, having listened to the concerns of people—particularly those in local authorities who had the responsibility of providing those alternatives in relation to community care—that, in addition to the doubling of the real rate of increase of social services funding, we would also make a transfer from the NHS to social services budgets. If implementation were delayed for a full year, councils would not receive any additional funding in 2003–04. If it were delayed for six months, and councils received £50 million for that period, they could invest that money during the first part of the year and be able to invest in the staff or services that they needed, in order to avoid reimbursement charges when the scheme is implemented.

Mr. Burstow: Will the Minister share with the House the conclusions that the Government had reached about how they would have distributed the £100 million? Would it have been targeted at those authorities that were doing least well in facilitating discharges from hospital, or those that were being the most effective? What decisions had the Government taken on that?

Jacqui Smith: Depending on the progress of the Bill, we hope to be able to issue for consultation our decisions on how that would happen. The whole point of the investment is that it should facilitate the necessities contained in the legislation. The hon. Gentleman makes an important point about one of the disadvantages of the considerable investment—in the form of the building care capacity grant—that has been distributed to local authorities during 2001–02 and 2002–03. We took the decision—rightly, I believe—to focus that investment on particular hot-spot authorities. That was characterised by some local authorities—wrongly, in my view—as rewarding failure, or rewarding those authorities that had not properly tackled the problems of delayed discharge. That bears heavily on our consideration of how—given the successful passage of the Bill—we should distribute the money that is being transferred from the NHS. That will be part of our consideration.

Mr. Bercow: I am extremely grateful to the hon. Lady for giving way. She knows the high esteem in which I hold her, but I am bound to say that she has not persuaded me, she has clearly not persuaded the House and it seems uncertain whether she has yet managed to persuade herself of this argument. How many individuals or organisations have written to her to express their opposition to the idea of an implementation date of April 2004? She said that there was a miscellany of different opinions: how many, and who?

2.45 pm

Jacqui Smith: Nobody has written to us to oppose an implementation date of April 2004. Having said that, nobody—so far as I am aware—has written to us to oppose an implementation date of October 2003 either. People recognise that the Government have proposed a sensible delay of six months, which would maintain progress rather than stymieing it and kicking it into the long grass—as Conservative Members want to do—to the detriment of the older people who will benefit from this legislation. We must maintain the momentum, so as to build on the good progress that has been made. If we do not, the older people who are trapped in acute beds will continue to suffer.

Conservative Members have attempted to introduce a variety of ways of wrecking this legislation, aided by their colleagues in another place. The first was to delay the implementation. The second is represented by amendment No. 47, on which I also urge my colleagues to disagree with the Lords. It is effectively a sunset clause, under which the part of the Bill that puts in place the necessary incentives would cease to have effect after five years. This is an entirely inappropriate use of a sunset clause. They are generally used only in Acts that are passed because of national emergencies or are restrictive of civil liberties. Clearly this is not such a Bill. It is, however, a Bill that the Opposition are trying to limit in every way that they can, by delaying the start and limiting its life.

The argument for this amendment in the other place appeared to be that, because the provisions in the Bill would make a difference, it was necessary to limit their life. Certainly under this Government, the majority of Bills—in fact, all the Bills that we introduce—contain elements of policy that are new, because they are intended to bring improvement and changes. Of course, all policies should be evaluated and monitored—how else can the Government ensure that they are successful, and improve them if necessary? However, we already have reliable and well-established procedures and monitoring systems in place to monitor the impact of particular policies.

In the unlikely event that the Bill does not work in the way that we want it to, we would want to act well before the end of five years. If, on the other hand, as I expect, it drives action on delayed discharges to the point at which hardly any charges will be changing hands at the end of the five-year period, why do we need a sunset clause? Although I suspect that the good practice around planning and assessment underpinned by the Bill would continue, with or without legislation, there would be little additional activity moving funding around. However, one would not want to repeal the Act, since the possibility of charging would remain to ensure that performance on delays did not drift again. As we have heard in the interventions that have been made today, the two amendments are clearly about wrecking and limiting the effects of the Bill. On that basis, I hope that hon. Members will disagree with the Lords.

Mr. Burns: May I say from the outset that the Conservatives would like two separate votes on Lords amendments Nos. 5 and 47 at the appropriate time?

However loveable the Minister might be, one has to admire her sense of humour and her nerve in trying to convince the House about certain issues today. I want to deal briefly with two of them. One is the ongoing battle over the question of fines. To her credit, the Minister has found every word in the thesaurus to try to describe the main thrust of the Bill, except the one word that describes it completely. That word is "fines". It is to the Minister's lasting annoyance that her Secretary of State—

Mr. Dawson: Will the hon. Gentleman give way?

Mr. Burns: No, I will not.

It is to the Minister's lasting annoyance that her Secretary of State caught her out in his statement after the Budget, when he described his own legislation as "fines". Finally, on Report, the Minister herself had the honesty to use the F-word.

Mr. Dawson: Will the hon. Gentleman give way?

Mr. Burns: I will, although I am slightly surprised that the hon. Gentleman has spoken as he has. I, too, read Ceefax a few days ago, when he announced to the world in bold terms that because of the Government's policy on Iraq he would not support the Government—his Government—in any Divisions on any matter.

Mr. Dawson: That just goes to show that you should not believe all you read in the press. I am proud to support the Government on this, and on many other aspects of their legislative programme.

[Mr. Dawson]

As the hon. Gentleman may recall, we have been around the block before. Will he put himself in the position of a nursing home owner looking after a person who need not remain in the home because his or her needs have changed, who is faced with all the costs of having to care for that person? Is not the use of the word "fines" entirely misplaced? We are talking about a charge for services. When the hon. Gentleman next goes to a hotel, will he expect to pay, or will he complain to the proprietor that he has been fined?

Mr. Burns: I know that there will be a reshuffle shortly because of losses on the Government Front Bench, but I must tell the hon. Gentleman that regardless of whether I believe what I read in the press, the press know what he said. I do not want to disappoint him, but I think that as a result of what he said he will not be considered by the Whip who is currently on duty, or by her colleagues, in the forthcoming reshuffle. As for his narrow point on fines, "fines" is his own Secretary of State's terminology for what the Government are doing. By all means let the hon. Gentleman be a help to the Government from the Back Benches, but let him at least be consistent with his Secretary of State.

Let me deal briefly with a point of fact. The Minister challenged my hon. Friend the Member for Woodspring (Dr. Fox) about the number of detailed discharges, saying that when my Government left power in May 1997 the figure was just over 6,000 and that since her Government came to power the figure had always been lower and falling. I remind the Minister—for I too have the facts—that in 2001–02, four years almost to the day after this Government came to power, the figure was 6,361, and that in the second quarter it had risen to 7,065. She really must not try to confuse the House with spin that is not based on factual reality.

Jacqui Smith: Does the hon. Gentleman accept that the number of people aged 75 and over whose discharges have been delayed was 3,502 in December 2002? Is that figure not less than half the 6,985 that the Government inherited?

Mr. Burns: On the basis of parliamentary written answers I have received from the Minister, I accept that the figures have dropped. There is no secret about that. It is, however, bogus codswallop for the Minister to claim, as she did in her speech, that the result was achieved through the success of a Bill that has not even become law—although we are now used to new Labour, new spin.

The Lords amendments are at the nub of why my colleagues and I, along with many others, oppose this nasty piece of legislation. As I am sure you know, Madam Deputy Speaker, success has many fathers and failure is an orphan. One could list the examples, but as was pointed out by my hon. Friend the Member for Buckingham (Mr. Bercow) and my right hon. Friend the Member for North-West Hampshire (Sir George Young), in the real world in which people look after the elderly in hospital, care homes or their own homes on a daily basis there are no friends for the Bill: it is very much an orphan. Its only supporters are the Minister, her boss and her Back Benchers—with notable exceptions. The wise Chairman of the Select Committee does not support it, along with many other Labour Members.

Those Members do not support the Bill because it is wrong in its intent to introduce a system of fines that will do incalculable damage to the tremendous progress that has been made over the past decade or so in getting the NHS and local authorities to work together in the whole area of care for the elderly and discharge from hospital. As has been said by many local authorities and by the Local Government Association—led by Sir Jeremy Beecham, a Labour councillor I believe—it will damage, perhaps destroy, those working relationships. It will also set the NHS against social services departments. There are better ways of legislating. Moreover, the proposals are unfair. As we all know—except, of course, the Minister, who is in constant denial because this is not good news for the Government—more than 60,000 care home beds have been lost over the past six years.

Mr. Hinchliffe: The hon. Gentleman knows only too well that that figure, which he keeps parroting, is completely wrong. He knows that the Health Committee, of which he is a member, came up with a figure that, although it did not accord with the Government's figure, certainly did not accord with the Tories' 50,000 figure, which has now risen to 60,000. I respect the hon. Gentleman, who does a good job on the Committee, but he must accept that sometimes we come up with the facts rather than the fiction that he has just presented.

Mr. Burns: I respect the hon. Gentleman too. We have a mutual admiration society. If he returns to the relevant papers, however, he will be reminded that we asked the Select Committee to look into the matter and try to find a solution. The Committee said that both figures were right: my figure and the figure of about 19,000 that the Government gave about 18 months ago. The papers go on to say, though, that the Government's figure excludes the number of beds lost in the local authority sector. If the local authority figures are added to the private sector figures, we reach the figure that I have given.

Mr. Dawson: Will the hon. Gentleman give way?

Mr. Burns: No, because this is a timed debate and I want to make progress. Along with Lang and Buisson, an independent body, I believe that my figure is correct.

The fines will put pressure on social services departments to bring about inappropriate and premature discharge of patients from hospitals. Already—although, interestingly, the Minister did not mention this—the rate of readmission of over-75s has increased dramatically in the last few years. Let me give the Minister the figures. There were 12,165 readmissions within seven days of discharge in the second quarter of 2001–02; the number had risen to 13,813 by the third quarter of 2002–03. That is an increase from 2.9 to 3.3 per cent. Similarly, emergency readmission rates for up to 28 days have risen from 2.9 to 4.9 per cent. By putting unfair financial penalties on the system, patients will be discharged from hospital prematurely, and will perhaps not receive the most appropriate care. As the figures suggest, the result will be unacceptable and unfair readmittance for those patients.

3 pm

I believe that we must seek to bring down the level of delayed discharges. Everyone in this House accepts that having people in hospital who should not be there, and at a considerably greater expense than if they were out of hospital, is an utter waste of money; where we disagree is on the solution to the problem. To bring in a simplistic policy that sets local authority against the health service and vice versa, and which can lead to inappropriate and hasty discharges from hospital, and to readmissions, is the wrong way to proceed. I hope that many Members will join me in voting for amendment No. 5, which would postpone the introduction of this legislation by a year, to 1 April 2004.

As a sop to Back-Bench Labour MPs who were in revolt on Second Reading, the Secretary of State announced that health service money would be made available to social services to help them pay the fines that they will incur if they fail to comply with this law. However, postponing enactment of the legislation beyond the six months proposed by Lord Hunt following the introduction of this amendment would provide a year during which the money made available by the Department of Health could be invested to improve the situation, and to minimise the problems of delayed discharge. *[Interruption.]* The Minister nods in a negative way. Does that suggest—*[Interruption.]* Nodding in a negative way may be a contradiction in terms, but that is what she was doing. Is she suggesting that if this amendment were successful and the law's introduction were to be delayed by a year, the Government would not make that money available for the financial year 2003–04? If so, that differs from what the Government have been saying so far. If not—if the money will be paid out this April—it would be better to invest the money for a year in the health service, and in local authorities and social service departments, to seek to minimise the problem of delayed discharge. Then, if we have to, we could introduce the system of fines next year, after a year of investing the money to seek to minimise the problem.

If this legislation is as wonderful as the Minister claims, there should be a sunset clause—amendment No. 45—so that it is removed from law within five years of coming into force. The Minister asked what would happen if the problem were solved before then, but the answer is very easy for the Government. All that they would have to do is to repeal the law immediately; they need not wait for the sunset clause to take effect.

For those reasons, we should agree with the Lords. The Government may find it difficult to believe this now, but they will believe in time that the other place has in fact done them a favour by passing these amendments. In doing so, they have provided a semblance of improvement to what, in essence, is nasty legislation.

Glenda Jackson: As my hon. Friend the Minister knows, I share some of the disquiet evinced by my hon. Friend the Member for Wakefield (Mr. Hinchliffe), who chairs the Select Committee that has dealt with this Bill. In this instance, it seems somewhat less than fair to impute blame—essentially, that is what we are doing—in respect of an elderly or frail person who is kept in hospital for an unnecessarily long time because social services have not been able to create the proper care environment past their recovery.

I shall not rehearse the arguments that I made on Second Reading, and I am grateful to the Government for listening to the concerns that have been expressed by my own local authority and by voluntary organisations throughout London. However, in a sense, a period of six months is neither fish nor fowl, nor good red herring. There are specific difficulties, of which my hon. Friend the Minister will be aware, that impact particularly on authorities such as mine, which represent inner-London boroughs. No one could argue that the borough of Camden has been lax on this issue, and I know that the Government would not attempt to do so. It is a beacon authority, and it has made extremely good use of the additional funding provided by the Government. It is assiduous in attempting to incorporate a properly constructed care package, with proper input from individuals or their carers. However, there are real difficulties in central London relating to the availability and cost of properties, and, on the most simplistic of levels, to the availability of a work force who are capable of adapting, say, an individual's private home for the necessary bathroom, shower and fitments, so that they can live within their own property. There are also grave difficulties in ensuring security of domiciliary care, when that is included in the package.

I raise these issues—I have no doubt that the Minister is aware of them—simply to ask the Government to consider, even at this late stage, delaying the Bill's introduction. As I said on Second Reading, I know that their heart is in the right place. No one wishes to see the elderly or frail kept in hospital if an alternative location would not only probably make them infinitely happier, but ensure their future health. There are real difficulties, but there is no difficulty as far as my local authority social services are concerned in attempting to create partnerships. Indeed, they have created extremely effective partnerships not only with the national health service and the voluntary sector, but with the private sector, which they deal with in many instances, to ensure the creation of a proper care package for individuals. However, there are difficulties in ensuring that internal office systems are the same—an issue that is not exclusively the responsibility of local authorities or of the NHS.

Solving such practical difficulties takes time, and I should point out to the Minister that it also takes money. I have my doubts about how beneficial it is to move £100 million from one aspect of the provision of care to another. However, it would be a shame if the money that the Government are investing were to be spent somewhat hastily not only because of the pressure resulting from the Bill's introduction, but because of the time pressure on the introduction of these requirements. As we know, more haste means less speed, but it also often means spending unnecessary amounts of money.

I ask the Government to consider the points that I have made and perhaps to delay the Bill's introduction. That would address many of the anxieties experienced not only by my local authority social services department and the NHS, but, most importantly—I stress this point to the Minister—by those who care for

[Glenda Jackson]

the elderly. They are looking for a properly structured care package, and they are anxious about the time pressure resulting not only from the Bill itself, but from its introduction. If it were possible to extend the period before its introduction, many of my constituents would be very grateful.

Mr. Burstow: I agree with many of the points that have just been made by the hon. Member for Hampstead and Highgate (Glenda Jackson), and she probably speaks for all Members when she says that we do not want people to be stuck in hospital unnecessarily. That is absolutely the case, and we would support any measures that facilitate appropriate discharges. Our fear and our belief is that the Bill does not facilitate appropriate discharges. Some of the Minister's comments gave me the strong impression that the anxiety of the Government is not so much to secure the appropriate discharge of an elderly person as to free up a bed so as to facilitate other NHS objectives.

Andy Burnham: What is wrong with that?

Mr. Burstow: It is wrong if someone is discharged prematurely. That is why we have seen a massive increase—

Andy Burnham: Will the hon. Gentleman give way?

Mr. Burstow: In a moment, when I have finished answering the hon. Gentleman's sedentary intervention. We have seen a massive increase in emergency readmissions. Indeed, the National Audit Office, in its report on delayed discharges, identified that as a serious risk. A focus on discharges may increase the number of emergency readmissions.

Andy Burnham: Neither the hon. Gentleman nor the Conservative Front-Bench spokesman appears to understand that the decision to discharge is a clinical decision, and nothing in the Bill will affect the clinical decision about when a patient may be safely discharged.

Mr. Burstow: The hon. Gentleman is a member of the Health Committee and took part in the evidence sessions. He will have heard the officials from the Department talk the Committee through the definition, and they made it clear that it was not just a clinical decision. They said that the decision to discharge was a multi-disciplinary one.

When the National Audit Office published its report in February, after we had finished our initial consideration of the Bill, it included some interesting findings that we must consider when deciding whether we should retain the Lords amendments. Those findings make a strong case for delay so that matters may be properly considered.

The first is the finding of the NAO about the accuracy of the measurement of delayed discharges. According to the report, the NHS finds it difficult to provide accurate and reliable figures. Indeed, a survey found that only 27 per cent. of NHS trusts provided figures based entirely on the definition issued by the Department. Some 22 per cent. of trusts used only a vague approximation of the definition and 44 per cent. did not follow the definition at all and were, therefore, supplying incorrect and unreliable data to the Department. Those are the data being used by Ministers to frame their policy and to demonstrate a reduction in the number of delayed discharges. From the work of the NAO, we know that we cannot place confidence in those figures.

The NAO report states:

> "Continued inaccuracies in this data could affect the effective implementation of the Community Care (Delayed Discharges etc.) Bill, if it becomes law from April 2003, as the data will form the basis for calculating reimbursements payable by Councils to acute hospitals as part of the new arrangements".

I hope that the Minister will be able to explain why she has such confidence in the figures, given the findings of the NAO.

The other issue that I hope the Minister will consider is the Coughlan judgment and continuing NHS care. In the light of the health service ombudsman's report last month, real anxiety still exists that the guidance issued by the Department of Health in 2001 is misleading, inaccurate and does not comply with the Coughlan judgment and is, therefore, not in accordance with the law. As a consequence, people are being passed from the NHS to social services departments, where they are means-tested for their care, when they should have continued to be the responsibility of the NHS.

I hope that the Minister will tell us more about what steps the Department will take to ensure that it issues proper guidance on delayed discharge and discharge planning to clinicians who take initial decisions about the appropriateness of discharge, so that they can make a proper assessment of any continuing health care needs. Clinicians judge not only whether the need is still acute but also whether the need is continuing. If it is, the NHS clearly has a responsibility to continue funding care whatever the patient's location after discharge. That is not clear in the present guidance or in the majority of the rules used by local health authorities to guide those who make the decisions.

3.15 pm

My final concern, which is picked up in the NAO report several times, relates to capacity, which has been a running theme since Second Reading. The report finds that many parts of the country—especially London and the south-east—now have occupancy rates of more than 90 per cent. in care homes. The lack of capacity means that the NHS cannot discharge patients. If the Bill were to be implemented from 1 April this year, the extra resources for social services—for which I voted—would not be available in time to bring extra capacity on stream. The issue is not only care home capacity, but home care capacity, as the NAO report confirms. There is a shortage of care home workers and new ones cannot be recruited overnight.

For those reasons, the Liberal Democrats believe that the Lords amendments should continue to stand part of the Bill. The Lords were right and wise to say that the sun should not rise over the Bill until we have got the detailed answers to the points made by the NAO, which we have raised time and again with Ministers without receiving proper answers. I hope that the Minister will be able to reassure us, but I will encourage my colleagues to support the retention of the sunset and sunrise clauses in the Lobby this afternoon.

Mr. Hinchliffe: When the Bill was introduced, several Labour Members wished to consider whether it would be possible to improve it fundamentally. We had grave doubts that the mechanism in the Bill was the right one to adopt in the circumstances. The only common ground we could reach on what amendment could be made is reflected in Lords amendment No. 5, so I support it as all that could be done to improve what is not good legislation. I regret having to say that, but I made my views clear on Second and Third Reading.

The Government have taken many steps to address is a major problem in the NHS and they have done much to improve the working relationship between the NHS and social services. The Government have produced a definition of a delayed discharge—on that point, I disagree with the hon. Member for West Chelmsford (Mr. Burns), because I recall asking the previous Government about delayed discharges, but they did not even have a definition for them. It is commendable to try to establish what we mean by delayed discharge, because it is useful to know exactly what the problem is before addressing it. However, I take the point—picked up in the Health Committee's inquiry into delayed discharges—that several different approaches have been taken to the definition, which will cause problems when trying to apply a common system such as that in the Bill.

I agreed with some of what the hon. Member for Sutton and Cheam (Mr. Burstow) said a moment ago, and with virtually everything that my hon. Friend the Member for Hampstead and Highgate (Glenda Jackson) said a little earlier. I object to the common thread that appears in debates such as this—that our problems in this country could be solved by making more institutional care available. The lack of care home capacity is mentioned time and again. It saddens me that that is repeated as though it is factually correct. In this country, the problem is that far too often we have gone down the road of providing institutional care for elderly people. We have not examined how we could take concrete steps to develop alternatives.

To be fair to the Government, they accept that. It frustrates me that other European countries not very far away provide no care homes or nursing homes at all. People in their old age are afforded much more in the way of independence and rights than elderly people in this country are offered. It is about time that we kicked into touch the nonsensical proposition that we should have more and more institutional care for old people. It is simply untrue.

Mr. Dawson: Does my hon. Friend agree that a good example of what he describes can be found much closer to home than Denmark? The hon. Member for West Chelmsford (Mr. Burns) completely undermined his argument about care home places when he told us how successful the Government have been in introducing partnerships and in forging partnerships between health and social care services. The public, private and voluntary sectors work really well together.

Mr. Hinchliffe: Yes. It is also about time we recognised that a reduction in the number of care home places is a success, providing that we are assured that the alternatives to that form of care are being developed. Far too often, colleagues in other parties assume that the way to make progress on these matters is to provide more and more institutional care in the private sector. I profoundly disagree with that.

My hon. Friend the Minister said that there were 6,000 inappropriately delayed people in NHS beds. The Health Committee did some costings on the matter, which were very worrying. Money is being wasted that could be invested in treating the people in those beds who need treatment.

However, as I and one or two others noted on Second Reading, it is worrying that so much emphasis is being given to delayed discharges. As I know from my own local hospital, inappropriate admissions are another significant problem. If we are applying one approach to delayed discharges, it would be inconsistent not to apply a similar approach to inappropriate admissions. I would be more convinced that the proposed mechanism was going to work if it was being applied in an even-handed way, and if it was proposed to establish a mechanism that would push costs back to the people who are making the inappropriate admissions in the first place. Why are they doing that? We need to find out.

I want to refer to what the Health Committee has said in connection with the amendment. I hope that, on the many issues that we investigate, the Committee's comments are seen to be constructive and helpful. They are made on the basis of the evidence that we take, and on the basis of the cross-party consideration of matters. Committee members belong to different parties, and those that belong to the same party often have different views. Even so, we came to some clear conclusions on the matter, and I should like to refer to a couple of them now.

At paragraph 162, the Select Committee states:

> "While there was some cautious support for the model"—

that is, the model being adopted by the Government now—

> "the predominant reaction was that the proposals constituted a blunt instrument that, rather than improving partnership, would be likely to reinforce a negative blame culture. We are especially concerned that the underlying assumptions behind the charging proposals is that most delays in the system are the fault of social services. As we have emphasised throughout this report, the causes of delay are complex and multi-factoral. It is far from clear that the issue can be resolved by such a crude solution."

The Government's approach is a crude solution. The Committee also went on to say that it agreed

> "that appropriate incentives have a role to play, but we would also urge the development of positive incentives that reward good practice, rather than any precipitate and over-zealous emphasis on penalties. We recommend that any new schemes should be subject to piloting."

I am sorry that the Government have not picked up on that point. The amendment that proposes a delay of a year is the nearest sensible suggestion to what the Health Committee proposed in the report.

Finally, these problems come up time and again, in all sorts of bits of legislation. We have a go at them around the edges, but we never address the fundamental problem—the organisational division between health and social services. In the previous Parliament, the Committee, which had a completely different

[Mr. Hinchliffe]

membership, came to the key conclusion that the only real solution is to integrate our health and social care systems. That requires common budgets. The Health Committee's most important conclusion in respect of delayed discharges is that we should integrate health and social services.

I shall say no more this afternoon. I shall go and lie down now that I have made my contribution. I hope that, at some point, the Government will adopt what is increasingly the consensual opinion among people in the voluntary sector and in pressure groups—that there is a need to examine the matter radically. Once and for all, we must end the nonsensical division between these two key areas of policy.

Sir George Young: It is a pleasure to follow the hon. Gentleman, who has been brave and consistent in his hostility to the Bill. I agree with what he said about the need to take an even-handed approach rather than just singling out social services for fines.

I spent yesterday speaking and voting in favour of the Government, but my generosity is curtailed on reaching this Bill, which, as I said on Second Reading, is one of the worst Bills that I have ever seen. The Minister is pushing her luck. As it stands, the Bill comes into effect in April next year. Had there been a vote on Second Reading in the upper House, it would have been lost. There was only one speech in its support and there was nearly a vote, so the Government are lucky that it still exists.

The Minister tells us that she has listened and that as a result she is delaying the Bill for six months, but when we propose a 12-month delay we are told that we are trying to wreck it. This is not a wrecking amendment. It is supported by Age Concern, the Local Government Association and several peers in another place who support the Minister's party, not mine. She says that the Bill is in the interests of older people, but I wonder whether she is the best advocate for their interests, given that we have received clear advice from Age Concern that it, too, would prefer the delay. The Bill remains fundamentally unpopular. The NHS Confederation, the organisation that it is proposed to assist, is resistant, as are the Local Government Association, the British Medical Association, the nurses and the voluntary organisations. The Bill is without friends.

Mr. Waterson: Is my right hon. Friend aware that in Sweden, whose position is cited in support of the Bill—the Government clearly have to go as far as Sweden to find anyone who might speak out in its favour—it took some two years to implement similar legislation, but in a much simpler system?

Sir George Young: My hon. Friend is right. That is why several organisations have argued for piloting. Of course, if the measure were delayed for 12 months there would be an opportunity to pilot it.

The Minister kept talking about the real world, but in reality the only world in which the Bill has any support at all is her world of Health Ministers. If one talks to anyone else, one finds that they are fundamentally opposed to the Bill. She has produced no new arguments. The protests against the Bill are undiminished. It remains fundamentally misconceived. It puts tension where we need partnership and focuses on just one part of what should be a holistic process.

Mr. Dawson: Will the right hon. Gentleman give way?

Sir George Young: I will not, because the Minister should in fairness be allowed two or three minutes in which to reply. I hope that the hon. Gentleman did not support the guillotine that imposed this time scale on our consideration of the Bill.

If the Minister is well advised, she will save the House one Division, leave Lords amendment No. 5 as it is, and thank her lucky stars that the Bill was not completely demolished in another place.

Jacqui Smith: First, I shall respond to my hon. Friend the Member for Hampstead and Highgate (Glenda Jackson), who identified the pressures on community care services as an argument for a longer delay than I would be happy with—I shall come back to the reasons for that later. She is right that we need to build up alternatives to hospital. We need to ensure, as has the £300 million which has been made available over a period of 18 months in preparation for the Bill, that that process allows us to build capacity in the care homes sector and to develop domiciliary care. All our evidence is that that money is already having that effect. We also base the Bill on the fact that from April we will increase investment into social services departments by 6 per cent. in real terms and that we will introduce access and systems capacity grant of £170 million—

Mr. Bercow: Will the Minister give way?

Jacqui Smith: No, I will not, because I am winding up. The hon. Gentleman should have stayed for the debate if he was that interested.

The argument therefore is that we need longer in order to ensure that that money has an effect. Part of our justification for the Bill is that, in order to ensure that the extra investment is going into those community alternatives, we need to focus both on the individual and the incentives. That is what the Bill allows us to do. I repeat to hon. Members—and this was a new argument—that we now have experience from the field about the momentum that has resulted from this legislation. I hope that I will have the opportunity later of responding to some of the points that were raised by the hon. Member for Sutton and Cheam (Mr. Burstow) on continuing care.

We have to put in place the incentives necessary to focus—

It being three and a half hours before the moment of interruption, MADAM DEPUTY SPEAKER *put the Question already proposed from the Chair, pursuant to Orders [28 June 2001 and 29 October 2002].*

The House divided: Ayes 330, Noes 205.

Division No. 120] **[3:30 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive

Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. Phil Woolas

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hinchliffe, David
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Angela Watkinson and
Mr. Mark Francois

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment: No. 47.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Jacqui Smith.]*

The House divided: Ayes 333, Noes 203.

Division No. 121] **[3.44 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*

Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. Phil Woolas

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Mark Francois and
Angela Watkinson

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendments Nos. 4, 10 to 13, 21 and 7, 8 and 39 agreed to.

Clause 2

NOTICE OF PATIENT'S POSSIBLE NEED FOR COMMUNITY CARE SERVICES

Lords amendment: No. 6.

Jacqui Smith: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Michael Lord): With this we may discuss Lords amendment No. 9.

Jacqui Smith: These amendments raise the crucial issue of involving and informing patients and carers during the notification under clause 2. I am sure that those hon. Members who have taken a close interest in the Bill as it has gone through its stages will be aware that I am referring to the notification from the hospital to social services that starts the process of assessment that identifies to a social services department that the hospital believes that an individual may need community care services so that it is safe to discharge him from hospital. It is an important new responsibility on hospitals to ensure that they improve communication with social services departments.

The current position is that, in exercising their functions, the NHS and social services must give all proper information to a person so that he can make an informed decision about whether to accept care or services. Those are fundamental duties that stem from the fact that they are public bodies exercising public functions. However, we noted the concerns of both Houses that there is no duty for the NHS to consult the patient prior to referring him to social services.

Government amendment No. 9, with which I hope the House will agree, will place a duty upon the NHS to consult the patient and, where appropriate, his carer before issuing a notice to the local authority of the patient's likely need for community care services on discharge under what will be section 2. That avoids wasting the time of the NHS and social services by initiating assessments that are not required, and ensures that patients are not involved in an assessment without their prior knowledge and that of their carers.

4 pm

The Government amendment reinforces the existing good practice that has been built through experience and emphasised in guidance for section 47 assessments, the single assessment process and the recently published discharge workbook. All those processes are built on the premise that the patient should be kept informed and will be consulted at all stages of the assessment process. Even in the context of the Bill, how could the NHS body decide whether the patient is likely to need community care services in order to be safely discharged without consulting the patient? Lords amendment No. 9 puts the matter beyond doubt by writing the requirement into primary legislation.

The same applies to involving carers, although the requirement to consult the carer is slightly circumscribed in that the NHS body must consult the carer only if it knows who the carer is, and if it is reasonably practicable to do so. That is to avoid placing a blanket duty on the NHS body that it cannot meet without incurring further delay. The Government have concerns about amendment No. 6 because it is quite a different matter for the NHS to require consent before informing social services. That would be a new right that does not exist elsewhere in the NHS.

Although to us, discussing the matter in the Chamber, consent may seem a simple, straightforward matter, it may not seem so when presented to older people. They may be confused and fearful, possibly having just had a fall and having come into hospital by ambulance. They may not have any experience of social services or know what an assessment entails, and may not feel able to give consent. The amendment would mean that that had to happen before social services could be involved.

In situations where older people are not able formally to give or withhold consent, it is important that health and social care professionals can begin talking to the patient, explaining options, understanding their home situation and forming a view about what services they may need for a safe discharge. None of that could happen if the NHS could not notify social services without clear and informed consent to notification. A week or more could go by and the patient might nearly be ready for discharge before they felt ready to give a definite yes, which by that time would probably be a yes to social services providing services.

Many people have rightly argued for faster and more timely assessment. The difficulty with amendment No. 6 is that it could work against that. The Bill does not prevent a patient from refusing to co-operate with the NHS or social services in assessment; that is their human right. But it would be deeply counterproductive to give a person the right to prevent the NHS from taking the first step to inform local authorities that, for their own well-being and safety, there may be a need for social services. Most importantly, it would do nothing to ensure that people receive the appropriate care and support when they need it and in the right setting. To add the need for consent would require extra and unnecessary bureaucracy, requiring the NHS to gain, record and pass on the record of that consent to social services.

Ms Munn: Is my hon. Friend aware that since the National Health Service and Community Care Act 1990 came into force, many social services and health authorities have had in place systems whereby, as soon as a person is admitted to hospital, the relevant social services authority is notified that an assessment will be needed, so that the procedures can quickly be put in place? Does my hon. Friend agree that the amendment would cause considerable difficulties for authorities that already have sound, quick procedures that operate effectively?

Jacqui Smith: As we have seen from previous debates, my hon. Friend understands the real world in this matter and she has put her finger on the difficulty. We recognise the need to ensure that patients are consulted about a notification of their needs going to social services. That seems reasonable, and the Government amendment will ensure that that happens. However, we fear that the Lords amendment could put a spoke in the wheel of the sensible arrangements to which my hon. Friend refers, and that would not achieve what all of us want to see, which is a more timely and appropriate assessment for

[Jacqui Smith]

people in hospital in order to provide them with the necessary support. As I emphasised earlier, people will still have the right not to participate in that assessment and to refuse the services, but to place individuals and organisations in a position where they have to obtain full consent before a notification could even take place would not deliver the sort of improvements that we want.

Mr. Burstow: I want to persuade the House that it should not agree with the Minister but instead should agree with Lords amendment No. 6, and I shall explain why.

First, I welcome Lords amendment No. 9 because it provides a movement in the direction that I think hon. Members on both sides of the House wish to see, recognising the need for a process that ensures that carers and patients are consulted.

The crux of the debate is about whether consent puts a spoke in the wheel, or whether it should be a legitimate part of the Bill. Many hon. Members, and many people outside the House, are concerned that, by not referring at all to patients' rights in terms of being consulted or being able to exercise their right to informed consent, the Bill is not patient centred. In many ways, the Bill could be described, uncharitably perhaps, as regarding patients as passive recipients of a process of care, establishing a process and set of mechanisms whereby they are merely passed from one authority to another. I do not think that that is what it should be about.

In Lords amendment No. 6, my noble Friends in the other place sought, I think succinctly, to include in the Bill the much-needed right of carers to be consulted, which is important, not least in the light of research by Carers UK, which found, when it surveyed carers on their experiences of delayed discharge and the management of a person's discharge, that their views were taken into account less in 2002 than they had been in 1998. It is on that basis that I and my noble Friends came to the conclusion that simply relying on the hospital's discharge workbook would not be enough. It may well contain excellent practice or good practice, but we want clear law, not just guidance, to NHS and other practitioners.

The amendment seeks to place a proactive duty on the NHS and social services to offer assessments of care to carers, not just to wait for the carer to ask. That was an important concern that we had when the Bill left this place.

The other point that the amendment seeks to raise, which the Minister did not really address, concerns mental capacity. The Minister referred to that at least in passing by suggesting that professionals would be hamstrung if they were unable to obtain informed consent. Yet the reality is that the amendment would include in the Bill a requirement that, where a person lacks the mental capacity to give such consent, a record should be placed on the file of the steps taken to ensure the patient's best interests. That places on record within the NHS the process by which the clinicians came to a decision that it was in the person's best interest for social services to be involved and for other decisions to be made.

As we do not have in our law a recognition of mental incapacity in respect of a person's right to advocacy or surrogate decision making in terms of health care, this is a way of encouraging the Government to consider the matter now, because it is an integral part of making the Bill effective and patient centred. That is why we make the proposal.

To conclude, I want to touch on one other issue. I hope that, even at this late stage, the Government will be prepared to consider finding a way by which further amendments can be made to address this concern. That is what my noble Friends were seeking to achieve, and that was the opportunity that they presented. I regret that that opportunity has not been taken. There is a serious issue in relation to how we ensure that those who do not have capacity can have their wishes reflected on, acted on and properly documented, and how those who do have capacity can have a say on whether they wish social services to intervene and make an assessment of their needs. Surely that is their right, although, currently, the Bill does not reflect that. I hope that hon. Members will establish that right clearly in the Bill today, and not accept the Government's dissent from the amendment.

Glenda Jackson: I have listened to the arguments of my hon. Friend the Minister. Although I am not necessarily especially moved by the Lords amendments, I would like to mention some issues that have been raised with me by constituents in relation to health professionals and social services listening to carers, as well as the issue of mental capacity, which has been touched on.

I know that the Government have made major moves in relation to incorporating the opinions of carers when creating a truly effective care package for an individual. I hope, however, that they will consider a problem, which, although not massive, is real for the individuals and families concerned, and which has caused difficulties in my constituency. The problem is that, on some occasions, health service professionals and, in other instances, social services suddenly get very exercised about issues of confidentiality, which seems to me to be absolutely unacceptable.

In the case of someone who has a mental incapacity, it is very unusual in my borough of Camden for there not to be an extremely efficient, caring advocate, whether that is an official or someone who has simply taken it on themselves to become a carer for an elderly person without a family. If the issue of confidentiality is raised, however, and that involves the input of the individual carer—whether a family member or an advocate for someone with a mental incapacity—it slows the system down. Under the Bill, there can be fines—*[Interruption.]* I know that my hon. Friend the Minister does not like that word. None the less, financial penalties can be incurred if there is what is deemed to be a delay in the discharge. It may be that the issue of confidentiality is being exercised because people believe that that is in the best interests. Indeed, sometimes, they may erroneously believe that they will be infringing some kind of ethical, if not legal, embargo.

I understand the Government's arguments against the Lords amendment, but I ask them to consider this issue. I am happy to furnish my hon. Friend the Minister with anecdotal evidence from my constituency, as the

Government should be aware of it. As I have said, not only can the process be delayed but real difficulties can be caused for families, for the individual for whom they are caring, and, most particularly, for those who suffer from a mental incapacity, in relation to their advocate. It is not unusual, in the first instance, for attempts to be made to sideline their contribution. Importantly, too, those people who are closely engaged with an individual can offer good ideas as to what would be the best possible care package for that person.

Although I will not vote for the Lords amendment, I hope that my hon. Friend will take on board the points that I have made, and I am happy to provide her with even more details if they can be of help.

4.15 pm

Mr. Waterson: I shall be brief because we have much ground to cover. The basic challenge to any Opposition is the extent to which they should strive to improve a measure that is fundamentally unimprovable. However, the central objection has always been that the Bill is not patient centred. Almost everybody in the world, except Health Ministers, takes that view. It is a tribute to the sustained opposition from all quarters, not only parliamentary, that the Government have been dragged kicking and screaming towards at least nodding in the direction of patients.

The Minister claims that the amendment would grant a new right that does not exist in the NHS. She may be right. However, the Government are taking some draconian new powers, which do not yet exist, over the NHS and social services. It is only fair that those powers, which are misconceived and bound to trigger the law of unintended consequences, are counterbalanced by stronger rights for patients.

In an ideal world, consultation would mean an unhurried attempt to sit down with the patient, carer or both, discuss the options, ensure that the patient has all the available information, and reach a consensus. However, how can we guarantee that in the real world? The only way is to include the word "consent" in the Bill. There would thus be an absolute requirement to obtain the consent—hopefully informed—of a patient or carer before the shift to some other form of care.

In the majority of cases, obtaining consent should not present a problem. All too often, the patient clamours to get out of hospital into more appropriate care. However, in a small minority of cases, there will be a clash of views between the patient, the family, the carers and the aims of the health professionals. Those aims will be driven by the financial penalties—incentives, as the Minister calls them, fines as everybody else, including the Secretary of State refers to them—that the Bill imposes.

It would be churlish not to welcome the Government's deathbed conversion to the patient having some role. Until now, the patient has been regarded as a commodity, to be shunted back and forth in the system as rapidly as possible in a bizarre game of pass the parcel to ensure that whoever has the patient when the music stops pays a fine. For once, the Government are beginning to acknowledge that a patient plays a genuine role in the process.

It is only fair to record that Age Concern has welcomed the Government's comments about consultation, guidance and so on. However, Age Concern is not alone in the view that it expressed in its latest briefing, which states:

> "Age Concern believes that it is essential that older people have the right to agree to their care package and that this requirement is explicitly spelt out on the face of the Bill."

That does not mean setting out a requirement in regulations or guidance.

Ms Munn: Community care legislation has been in place for nearly 10 years. Expectations about agreement to care packages have also existed for that time. We are not discussing anything that is new or relates specifically to the issues that the Bill tackles.

Mr. Waterson: If that is a point in favour of patient consent and agreement between everyone, who am I to disagree? Of course, there should be agreement, and I said that the problem will affect only a minority of cases.

Age Concern's briefing, reflecting the point that the hon. Member for Hampstead and Highgate (Glenda Jackson) made, continues:

> "This is especially important with this Bill which will allow information to be passed from one authority to another (NHS to local authorities)."

The hon. Lady was right. Problems with confidentiality may slow down the process. That is not a matter for us; it is for Ministers and civil servants to tackle so that there is no extra cause of delay. Age Concern concludes:

> "We strongly urge MPs to keep this requirement on the face of the Bill."

I think that Age Concern is absolutely right.

The combined opposition to the Bill from within and outside Parliament has persuaded the Government to look at the rights of patients. They have not gone far enough down that road, however. They should go the whole hog and withdraw their opposition to this eminently sensible and fair Lords amendment.

Jacqui Smith: With the leave of the House, I should like to respond to the hon. Member for Eastbourne (Mr. Waterson) first. Most of his contribution was about consenting to a care package. He has, therefore, misunderstood the section of the Bill that we are discussing. The two amendments in question relate to the process whereby the NHS body, the hospital, notifies social services that someone might need community care services, thereby starting the process of assessment. We have not yet reached the question of the care package, although I hope that we shall do so when we discuss the next two groups of amendments. It would, therefore, have been better if the hon. Gentleman had saved some of his arguments for later.

I reiterate the point that I raised earlier about amendment No. 9, which is that it ensures that, even before that notification happens, the patient and carer will need to be consulted about the fact that the assessment process has started. That is an important step forward.

Mr. Burstow: I want to seek clarity on amendment No. 9, in which paragraph (b) refers to the

[Mr. Burstow]

circumstances in which carers should be consulted if it is "reasonably practicable" to do so. Will the Minister amplify what would be meant by "reasonably" in those circumstances, so that we can help those outside who will have to live with this amendment in future?

Jacqui Smith: As I started to outline in my introduction, this provision is intended to avoid a situation in which an inability to find a carer—perhaps because a patient was not clear about who their carer was, for example, or because the carer was away or uncontactable at the relevant time—would put a brake on the ability to notify social services and start the assessment. In such circumstances, we would not want the notification of the assessment to stop.

The point of difference between us is whether we should make it a requirement for the patient to consent to the notification of social services to start the assessment. My hon. Friend the Member for Hampstead and Highgate (Glenda Jackson) raised some important issues about capacity—as did the hon. Member for Sutton and Cheam (Mr. Burstow)—and confidentiality, which seemed to go to the heart of the need to have in place a better way for those without capacity to have determined in advance who might take these decisions on their behalf. I am pleased that the Parliamentary Secretary, Lord Chancellor's Department, my hon. Friend the Member for Doncaster, Central (Ms Winterton) is on the Front Bench today to hear these concerns. Hon. Members will be aware that the Lord Chancellor's Department is currently working on draft legislation on incapacity, and I understand that my hon. Friend has also set up a mental incapacity forum to deal with some of these issues. The Government are, therefore, considering them in detail.

To return to the crux of the matter of obtaining consent, I would ask hon. Members to imagine the position in which we might place a hospital if, for example, someone had come in following an accident in which they had fallen over and were confused, and it was clear that they would almost certainly need community care services in order to be able to be discharged from hospital. Under amendment No. 6, the patient would have to give their informed consent before the social services could even be notified to start the process. My concern is that, for a variety of reasons, they might not be able to do that. In addition, all the bureaucracy involved in obtaining consent would, in such a case, increase the period of time between the patient being admitted and social services being informed of the possible need for care. That could reduce the time available to social services departments to plan and arrange a care package.

Nothing changes the fact that patients need not co-operate with assessments. They can refuse the package offered to them. Nevertheless, professionals must be involved at every stage to ensure that patients understand the consequences of refusing care, rather than a box being ticked for "consent given" or "consent not given".

While it is unlikely to add to the process of consulting patients, what is proposed in the amendment might add to both the problems involved and the time taken before health and social care professionals can start working together to assess people's needs and to ensure that the necessary services are available. I hope that Members will disagree with Lords amendment No. 6, and agree with Lords amendment No. 9.

Question put, That this House disagrees with the Lords in the said amendment:—

The House divided: Ayes 328, Noes 198.

Division No. 122] **[4:25 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Banks, Tony
Barnes, Harry
Beckett, rh Margaret
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cassle, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*

Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Speller, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Fraser Kemp and
Mr. Ivor Caplin

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul

Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Mr. Alan Reid and
Richard Younger-Ross

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment No. 9 agreed to.

Lords amendment: No. 14.

Jacqui Smith: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to take Lords amendment No. 15 and Government motion to disagree thereto, Lords amendment No. 16 and Government motion to disagree thereto and Lords amendment No. 18 and Government motion to disagree thereto.

Jacqui Smith: Although I am proposing that we disagree with the Lords in these amendments on the important issue of informing and involving patients and carers in the performance of the social services assessment and decisions about which services are to be provided, I hope that I can give hon. Members some reassurance that the Government have gone even further than the aspirations expressed in the Lords amendments in what we propose to do.

Amendments Nos. 14 and 15 propose that local authorities should consult patients and carers during the assessment of community care needs and obtain their consent to the care plan. Amendment No. 16 would further require the local authority to inform patients of the costs of this care.

It is clear in clause 3(11) that this assessment and care planning process is part of the section 47 assessment process and that it is therefore one stage, or part, of the single assessment process. By singling out this assessment and care planning process from all other section 47 assessments and care planning, we would differentiate the process under this Bill from all other processes of assessment and care planning. That would include processes outside the hospital and those applying to other patients in the hospital who do not happen to be "qualifying patients" according to the terms of the Bill.

We are very clear that there should be no difference in the type or standard of assessment to which a person is entitled, whether they are assessed in hospital or in their own home. I do not believe that that is what the amendments are designed to achieve. I would have thought that if it was necessary to reiterate these steps here—although they are set out already in statutory guidance for both section 47 assessments and the single assessment process—then it must be necessary for all assessments, not just for those in this Bill. We have always been clear that the Bill should not affect the underlying substantive law, and we would not want to agree an amendment that did just that.

Similarly, it has always been the case that care plans prepared as a result of a section 47 assessment should be agreed by the user. That point was made earlier by my hon. Friend the Member for Sheffield, Heeley (Ms Munn). Providing information about costs of care services is covered specifically in the section 7 guidance to local authorities on the single assessment process. Furthermore, it was covered in the statutory guidance on section 47 assessment that was issued to accompany the National Health Service and Community Care Act 1990.

With respect to assessments carried out under section 47, case law is already clear that the local authority must make reasonable efforts to provide patients with their chosen options, as long as there are no resource implications to prevent that. In reality, it would not be possible for the local authority to do that without having first consulted the patient to ascertain how he or she feels about the various choices available.

The Bill makes no difference to a patient's rights with respect to consent. Patients have an existing right not to consent to receiving the services that social services has assessed them as needing. Clearly, neither the NHS nor social services has a right to force services upon a patient who does not want to receive them.

Of course, good practice will dictate that patients should be kept informed and that they should be consulted at all stages of the discharge process. The revised hospital discharge workbook has a chapter specifically on patient and carer involvement. We will expect both NHS and social services staff to follow it. The statutory guidance for the Bill will also make it plain that patients and their carers and family are to be kept fully informed and consulted throughout the discharge process.

It is a slightly different case in terms of a carer's assessment, which is actually triggered by a request from the individual carer. There can therefore be no question of consent to the assessment, since it is implicit in the request for an assessment that the person involved has consented. In terms of agreeing the carer's plan, the statutory guidance is clear—the plan must focus on what the carer wants to happen, and agreement, or any differences between carer and assessor, are recorded and a copy provided to the carer. Moving away from this arrangement, as suggested in the amendment, would differentiate carers' plans from others. The amendment would make these plans less responsive to the carer's wishes than other carers' assessments carried out under section 2 of the Carers and Disabled Children Act 2000.

However, as I suggested earlier, I understand that the first three amendments in this group are trying to strengthen the arrangements around assessment and care planning. I hope that I made it clear that, if that is needed, it should be all section 47 assessments, regardless of where or when they take place.

Section 47(4) of the National Health Service and Community Care Act 1990 contains a power for the Secretary of State to issue directions as to the manner in which assessment is carried out. I can confirm, therefore, that we will issue a direction under this power to make it clear that the local authority, having assessed the needs of the patient, should consult the patient before deciding which services to provide. Where possible, it should gain agreement to the care plan, and provide information about the costs of that care plan.

That direction would apply to all section 47 assessments. It would not create the divergence that these amendments would create, but I hope that it offers some reassurance to the House that these important issues are being addressed.

Mr. Burstow: Some of the issues that we are debating under this group of amendments are a re-run of those that we debated a few moments ago, so many of my previous arguments also apply. We are now talking about the care planning process, as opposed to whether consent should be passed on social services in the first place.

4.45 pm

I listened with interest to the Minister's comments to the effect that the amendments that were tabled by my noble Friends and other noble Lords cover only one particular stage of the assessment process, and I welcome her suggestion that the Government will issue section 7 guidance to apply these matters to all stages of the assessment process under section 47. However, if the Government are now minded to do that, would it not have been easier to table an amendment to the Bill to place it beyond doubt that it was part of the law of the land and a requirement on parties to assessment processes, whether they be NHS bodies, social services departments or any others? Although I find the measure a helpful step forward, it does not sufficiently answer my concern, or that of my noble Friends, that the provisions that we should like to be included in the Bill are not yet there. The amendments are intended to ensure that the issues of consent and mental incapacity are addressed fully and clearly in the Bill. For that reason, we particularly want to press amendments Nos. 14 and 18 to a vote so as to test the opinion of this House before the Lords considers the matter again.

My other question relates to the section 7 guidance that is to be issued. In the other place, Lord Hunt said that it was intended that a clear guidance or direction should be issued to the national health service in respect of continuing care assessments, that it would be put in writing as part of the process and that it would have to take place before a section 2 notice could be issued. Can the Minister confirm that that is the case, and can she explain why the provision is not included in the Bill, where it would be much clearer to all of us?

I shall certainly wish for votes on amendment Nos. 14 and 18, and I hope that the Minister can respond to my queries.

Glenda Jackson: The two issues that I should like to raise with my hon. Friend the Minister have essentially to do with consent. In my experience from my constituency, a carer will often find the health professional's definition to be simply incomprehensible. There is far too little movement in terms of the ability of health professionals to translate clinical assessments into the kind of English that most people would understand. That is particularly pertinent when the carer is also elderly.

The other issue concerns consent. It is not unusual for an elderly person who has been in hospital to be absolutely desperate to go home and absolutely to refuse any kind of alternative. That can often place an enormous burden on their carer, who, as I said, may be of an equal age. The individual concerned may be going back to a home that is completely inappropriate to their new needs. It is therefore not unusual for the idea of a temporary convalescent home—I still call them that, although I know that the situation has changed—to be presented so that the necessary adaptations to the family home can be undertaken. However, such homes can be a long way from where people live. Often, for the best of reasons to do with consent, the individual may place a terrible burden on their carer. Indeed, it is not unusual for the carer to end up in hospital.

[Glenda Jackson]

I am not being quite as precise as I would like to be, but I hope that my hon. Friend the Minister has picked up what I mean. There can be a fine line. Without wanting there to be a kind of prison state, I would like, when consent is given by the social services and the NHS to what the patient wants, better explanations to be given to the individual and their carer of the possible repercussions if the only proposal that is acceptable to the individual is to go immediately from hospital to home.

Mr. Burns: I do not wish to detain the House for long, but I wish to speak to Lords amendment No. 16, which was successfully passed in the other place. It deals with clauses 2 and 3, which are to do with the determination of need for community care services on discharge. I am sure that hon. Members would agree that that is the nuts and bolts of this legislation. As you will be aware, Mr. Deputy Speaker, clause 2, under the heading of

"Notice of patient's possible need for community care services",

gives the background rules, regulations and legislation. Clause 3, to which Lords amendment No. 16 refers, goes into greater detail on what has to be done during the process. The amendment seeks simply to add to the duties that the responsible authority must carry out. Clause 3(3)(a) says that the responsible authority must

"carry out an assessment of the patient's needs with a view to identifying any community care services that need to be made available".

Clause 3(3)(b) says that the authority must,

"after consulting the responsible NHS body, decide which of those services . . . the authority will make available for the patient."

This amendment specifies that, before making a decision under clause 3(3), the responsible authority should have certain duties to carry out to give more power and involvement to the patient and carer. There are straightforward common-sense things that I would assume that no one would disagree with—although I may be proved wrong. For example, there is the duty to

"consult the patient and his carer, if he has one";

the duty to

"inform them of the cost of the proposed care plans";

and the duty to

"obtain the consent of the patient".

Those duties are an important improvement to the legislation and I hope that the Minister, having had time to reflect since the amendment was passed in the other place, will come round to the logic and advantages of accepting it. If she is not prepared to accept it, I will ask, Mr. Deputy Speaker, whether I may press it to a Division. I hope that it will not come to that. Even at this late stage, I hope that common sense will prevail and that the Minister will think again.

Jacqui Smith: I have a slight feeling that hon. Members are looking a gift horse in the mouth. Most of what the hon. Member for West Chelmsford (Mr. Burns) was arguing for represented good practice that would be desirable in the assessment of the provision of services. However, if the duties that he spoke about were put into the Bill, they would apply only to assessments that came under this legislation—in other words, to assessments relating to the services necessary for people to be safely discharged from hospital.

The argument that I obviously failed to get over in my introduction was that, if those things are important in relation to one part of a section 47 assessment, they are important in relation to all section 47 assessments. That is why I said that we would issue legally binding directions which would make it clear that the local authority, having assessed the patient's needs, should consult the patient before deciding which services to provide, gain agreement to the care plan where possible and provide information about the cost of the care plan. That would apply to all section 47 assessments and would also cover the point made by my hon. Friend the Member for Hampstead and Highgate (Glenda Jackson), who was rightly concerned about the extent to which both carers and patients could engage in and understand the assessment process and the services provided.

The directions will make much more explicit what is expected and the process that should be undertaken.

Mr. Burstow: The Minister seems to be arguing that it would not be possible to apply those important consent and consultation changes to all aspects of the assessment process. Surely the long title of the Bill has been drafted so widely that it would allow the Government to make precisely the amendments that the Minister intends to introduce under a section 7 direction. Would not it be better to include such provisions in the Bill?

Jacqui Smith: I was talking not about section 7, but about legally binding directions. We have already argued about whether our proposals would make the procedure more flexible—I think that they would. For example, they would enable us to introduce other changes in the future; but if the provisions were in the Bill such changes would necessarily be more difficult to make, due to the times at which we can change primary legislation.

Mr. Burns *rose—*

Jacqui Smith: I shall give way in a moment, but I want to deal with the point made by the hon. Member for Sutton and Cheam (Mr. Burstow) about continuing care criteria, in case I do not have the chance to do so later.

I can confirm that we shall issue a direction requiring a continuing care assessment before the section 2 notice is issued and that regulations will require that to be confirmed in a section 2 notice. That direction will be legally binding and will have the same force as if it was a provision under the Bill, but it will be easier to change in the light of experience. It will place an important legal responsibility on the NHS to carry out continuing care assessments before the local authority is notified. I know that the hon. Gentleman has been concerned about that point.

Mr. Burns: Will the Minister give us some clarification about Lords amendment No. 16 so that there are no mistakes or misunderstandings? Did she say that the legally binding direction for the guidance would categorically and comprehensively include all the elements of Lords amendment No. 16? Will the amendment thus be irrelevant, because the Minister is dealing with the matter under legally binding guidance? Yes or no?

Jacqui Smith: I spelt out what the guidance would cover. If the hon. Gentleman is actually pushing me on the issue of consent, I also said that the Bill makes no difference to patients' rights in respect of consent. Patients already have the right not to consent to services that social services departments have assessed them as needing. Neither the NHS nor social services departments has the right to force services on a patient who does not want them.

Our proposals for continuing care would strengthen responsibility during the whole assessment process, before social services were even involved. I hope, therefore, that hon. Members will agree to reject the amendment.

Question put, That this House disagrees with the Lords in the said amendment:—

The House divided: Ayes 321, Noes 202.

Division No. 123] **[4.59 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward

Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ivor Caplin and
Charlotte Atkins

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*

Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Richard Younger-Ross and
Mr. Alan Reid

Question accordingly agreed to.

Lords amendment disagreed to.

It being less than two hours before the moment of interruption, MR. DEPUTY SPEAKER *put the remaining Questions necessary to dispose of business at that hour, pursuant to Orders [28 June 2001 and 29 October 2002].*

Lords amendment No. 15 disagreed to.

Lords amendment: No. 16.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Jacqui Smith.]*

The House divided: Ayes 321, Noes 203.

Division No. 124] **[5.15 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mole, Chris
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*

O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*

Soley, Clive
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Phil Woolas and
Gillian Merron

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*

Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*

Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew

Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*

Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. David Wilshire and
Mr. Mark Francois

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment: No. 18.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Jacqui Smith.]*

The House divided: Ayes 320, Noes 203.

Division No. 125] **[5:26 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julie
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mole, Chris
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James

Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Phil Woolas and
Gillian Merron

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John

Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Mr. Alan Reid and
Richard Younger-Ross

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment: No. 23.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Jacqui Smith.]*

The House divided: Ayes 322, Noes 206.

Division No. 126] **[5:38 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool.Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mole, Chris
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*

Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham

Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Phil Woolas and
Gillian Merron

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy

Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*

Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick

Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil

W[illegible]ton, Ann *(Congleton)*
Winter[illegible] Sir Nicholas
(Maccles[illegible]
Yeo, Tim *(S Suffol[illegible]*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. David Wilshire and
Mr. Mark Hoban

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendments Nos. 17, 19, 40, 42, and 44 to 46 agreed to.

Clause 3

DUTIES ARISING WHERE A NOTICE UNDER SECTION 2 IS GIVEN

Lords amendment: No. 24.

Jacqui Smith: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss Lords amendment No. 25 and Government motion to disagree thereto.

Jacqui Smith: The amendments would impose a permanent statutory duty on inspection bodies to monitor the impact of the Bill on patients and carers, and a permanent statutory duty on the Secretary of State to report annually to Parliament. The implication seems to be that health and social care professionals will irresponsibly discharge patients with inappropriate care packages, but we do not believe that this will be the case. Of course, they will also duplicate safeguards and inspection mechanisms already in place, and will jeopardise the independence of those that are planned.

NHS and local authorities should, of course, already monitor the quality and effectiveness of their discharge arrangements, which are subject to the normal performance management, performance assessment and monitoring and inspection arrangements. Current inspection bodies already monitor the quality of discharge arrangements and the effect on patients and carers as part of their normal inspection and monitoring activities. For example, the social services inspectorate monitors the quality of services to older people. This will include the achievement of national priorities and targets—including the proportion of those helped to live at home, compared with residential care—as well as local improvement plans. As part of that, it will of course look at the quality of community support following discharge from hospital. It will also question the balance between investment in services and the amount spent on reimbursement charges.

In a similar way, when the Commission for Health Improvement reviews clinical governance arrangements within a hospital, it covers planning of patients' entire hospital stay and their discharge. That is an important part of its review methodology. Of course, where a combination of performance indicators and inspection points to particular problems in a given area, the inspection bodies and, ultimately, the Secretary of State have an escalating power to intervene, and to ensure that action is taken to improve outcomes and performance.

As hon. Members know, we have introduced legislation to establish two new health and social care inspectorates: the Commission for Health Care Audit and Inspection and the Commission for Social Care Inspection. We have already stressed that those bodies will strengthen the accountability of those responsible for the commissioning and delivery of health and social services, and an important part of this role will be for both inspectorates to report annually to Parliament on the provision of NHS and social care. However, we have also stressed their independence from the Department, so although they will agree priorities with the Department, it would not be appropriate for detailed instructions such as those proposed in the amendments to pass from the Secretary of State to the inspectorate concerning the details and the frequency with which they need to inspect particular elements of older people's services.

We do not believe, therefore, that it is necessary or appropriate to impose that permanent and specific statutory duty on the inspection bodies to monitor the effects of this Bill, or to impose a duty on the Secretary of State to report every year to Parliament specifically on the Bill's effect.

Mr. Burns: I should say at the outset that I am very disappointed with the Minister's assessment of, and views on, two very valuable and important amendments for the raising and maintaining of standards. This Government have rightly—I am not criticising them—always maintained that patients, the NHS itself and the professionals who work in it should attain the highest possible standards, and that the quality of care should be of the highest level. I can assure the Minister that I do not disagree with her one iota on that important issue. As constituency MPs, we owe that to those of our constituents who may use the national health service, and to the NHS itself because of the professionals who work within it. What surprises me is that the Minister, by rejecting the amendments, does not seem to share our enthusiasm for ensuring the highest quality and standards in all areas of the NHS.

For example, Lords amendment No. 24, notwithstanding the Minister's comments, seems eminently reasonable. It asks that

> "The Secretary of State shall specify to the bodies charged with inspection of health and social services that they should monitor, at regular intervals, the impact of this Act on patients and their carers."

On the face of it, that seems to be a welcome added benefit to health and social care. So that the Minister fully appreciates the intention behind the specification that the Secretary of State would be expected to make, I confirm that the bodies that would be charged with the responsibility would be the Audit Commission, CHI—and its successor, if and when other legislation is introduced—and the social services inspectorate.

The Government have been in power for six years now, during which time they have taken a perverse pleasure in examining every nook and cranny of our national life. They have not been averse to increasing bureaucracy, but when the other place makes an eminently sensible suggestion to ensure that standards are maintained, they—somewhat churlishly on this occasion—reject it. Under the Bill, the patient should be the most important part of the equation of the provision of health care, but the pressures that will be placed on social services by the fines system will mean that the

[Mr. Burns]

patient will be the piggy in the middle, caught between the NHS and local authority social services departments.

Mr. Greg Knight (East Yorkshire): My hon. Friend is making an effective case and demolishing the Minister's arguments. Is not the Minister wrong when she says that the amendments imply that some sort of wrongdoing is likely to take place? The words added by the other place refer to monitoring and to reporting back to Parliament and, in a democracy, that is eminently sensible and desirable.

Mr. Burns: I am indebted to my right hon. Friend. Perspicacious as ever, he has anticipated a point that I was about to make. In all candour, I was surprised and shocked by that comment from the Minister, because it was unfair. Nothing in any amendment to health legislation that I have supported has ever criticised or cast doubt on the huge professionalism of the staff at all levels of the NHS. It perplexed me, listening to the Minister, and I carefully read the words again in case the other place had—uncharacteristically—slipped up. I could not see that it had, and I am sure that the Minister will wish to rectify her comments later.

Mr. Waterson: I shall try to be charitable to the Minister and suggest that she and my hon. Friend are simply and genuinely at cross-purposes. When the Minister talks about the existing inspection and audit regime, that is fine, but we are talking about a Bill that may have all sorts of unintended consequences. If those consequences are undesirable—because, in the real world, it is just possible that the Minister could be wrong about the Bill—the sooner that we identify by specific audit any national trend that suggests that, the better for all of us.

Mr. Burns: My hon. Friend has made an important point, and he is right. We must ensure that we get the legislation right at this stage. I must say that I took umbrage at one point in my hon. Friend's intervention when he suggested—unless I misheard him—that the Minister was at cross-purposes with me because she wanted the best in this legislation. I find that difficult to reconcile in one respect. How can the Minister want the best for the Bill when she is bringing in a rather nasty system of fines on local authorities? That does not equal wanting the very best from the Bill. The Bill will do exactly the opposite of providing the very best.

Before those helpful interventions, I was saying that the Bill will mean that patients become caught, like piggy in the middle, between the NHS and local authorities. That will happen because the Bill will pressure authorities to discharge patients to avoid a fine. I am sure that the Minister does not want patients to suffer in any way. She is talking to her silent Whip at the moment; if she were listening to me, she would be able to hear what I want to tell her in all sincerity. However, she is clearly not listening and will therefore have to read *Hansard*.

Jacqui Smith: I have heard it all before.

Mr. Burns: The Minister says that she has heard it all before, which is odd, as I have not presented this amendment before. It has come from another place, where common sense has prevailed and caused the Government to suffer a defeat. The Opposition in this House are trying to save the Government from making another mistake in overturning the amendment.

Before that rather cruel intervention—the Minister cannot have heard my speech before—I was saying that it is important that patients do not suffer. I am sure that the Minister agrees with that. However, the Bill could cause them to suffer as a result of the possible early discharge from hospital to residential care or to domiciliary care in their own homes. That discharge could happen because local authorities want to avoid fines. The result could be emergency readmissions, or an unacceptable level of readmissions to hospital, within a seven to 28-day time scale.

In an earlier debate, I set out the rising incidence of emergency readmissions to hospital among people aged over 75. The statistics show that there is a problem, and I argued that it could be exacerbated by the Bill. Amendment No. 24 would help to minimise that potential problem.

6 pm

Similarly, in the rush to avoid a fine, patients could be discharged into inappropriate care, or into the least appropriate care. No one wants that to happen, but it may be an unfortunate consequence of the possibility that local authorities could be fined. Alternatively, patients could be discharged to their own homes without adequate support services from either the NHS or the local authority social services department. Carers could suffer because undue burdens are placed on them when patients are discharged—by local authorities wishing to avoid being fined—without the support of a proper and comprehensive care package.

Amendment No. 24 would alleviate those potential problems. It would allow the situation to be monitored, as reports would be made to local authorities and the NHS. In that way, the problems that could arise would be minimised. For that reason, the Minister got it wrong when she criticised the amendment in her opening comments. She should think again.

Amendment No. 25 is eminently sensible. It would straightforwardly require the Secretary of State to report annually to Parliament on the outcomes of patients affected by the provisions in the Bill. I should have thought that the Government would warmly welcome that. Certainly, in opposition, they were strong proponents of open government. We have heard the rhetoric—they have talked the talk, but they do not often walk the walk—that people should be empowered with information and knowledge. The amendment represents a classic example of that. It is justifiable that Parliament—which will, if the Government get their way, pass this unpleasant Bill—should be made aware of the outcome of the legislation that it passes. That is not an unreasonable requirement, and I should have thought that the Government, in the spirit of open government and empowering people with information, would be prepared to accept it.

There may be an overriding reason why the Government do not want the Secretary of State to be required to report annually to Parliament on the outcomes of patients affected by the legislation.

Perhaps, in their heart of hearts, they accept the arguments that my right hon. and hon. Friends and I, as well as the Liberal Democrats, have been making for many months—that the Bill is counterproductive and highly damaging, that it will destroy partnership working between the health service and local authorities, and that it will have an adverse impact on patients because it will increase pressures on the early discharge of patients, especially elderly patients over the age of 75. As is shown by the statistics that the Government have produced in recent months, those pressures have led to a rising level of emergency readmissions. In fact, it is probably the case that the Government do not oppose the principle of amendment No. 25, but fear its consequences, in that it would annually reveal to Parliament the failings of the legislation. Moreover, it would show how right the Opposition have been to oppose the Bill root and branch and how misguided Ministers and their followers on the Back Benches have been to press ahead with it in defiance of all the evidence that it is not a good piece of legislation.

Mr. Greg Knight: Is not there another argument that the Minister might find more attractive—that is, that if the legislation works well, members of the Government would have an annual opportunity to come to this House to say so?

Mr. Burns: My right hon. Friend makes an interesting point. He knows as well as I do that some members of the Government are not as keen on coming to this place as others. In some cases, the amendment could represent an opportunity to ensure that they are here, and it could become an annual visit, so it has that extra potential benefit.

I hope that the Minister will, in the spirit of maintaining the highest possible standards and of open government, be minded to think again. I am not confident about that, but perhaps I can encourage her by saying that I will ask at the appropriate moment to divide the House on amendments Nos. 24 and 25.

Mr. Burstow: I support the amendments because it is appropriate to ask the various inspection agencies covering health and social care now and in future to monitor the implementation of the legislation, and, not least, because the Minister has been unable to answer several questions in the course of the debate, and by monitoring the situation closely we might begin to get some of those answers. Earlier, I referred to the National Audit Office report—and specifically to the accuracy of data that were being supplied on the numbers of people who are suffering delays in their discharge. I was a little disappointed that the Minister was unable to cast any light on Government actions in response to the NAO's findings and was unable to say whether the Government accepted the NAO's conclusion that there were difficulties that would impact on the Government's ability to implement the system of fines that the Bill would introduce. More than four out of every 10 NHS bodies that are responsible for submitting data on the numbers of people who are experiencing delays appear not to be following the Government's definitions. That is a problem.

However, it is not only what the NAO is saying that causes concern. Not surprisingly, local authorities, in partnership with their local NHS, are trying to test how the system would work. A colleague of mine from a metropolitan authority in the midlands told me:

> "There is also a problem over definitions (there almost always has been but local work had, we thought, given ... agreed definitions). A recent batch of 9 discharges from a local hospital went through a trial run to see what the results of the delayed discharge scheme would be, and the social services department thought they had agreement that only one of the discharges would count"

for the purposes of the fine system. However, when the department went back to the NHS trust, the trust declared that nine would be counted as delayed under the legislation. That was clearly a trial exercise to see what would happen, but it bears on the issue of clarity of definition. That clarity is still not in the Bill. The NAO has raised concerns about that.

Another issue that I hope will be contained in an annual report to Parliament, and that certainly ought to be subject to monitoring by the Commission for Health Improvement and the Commission for Social Care Inspection, is the interface between health and housing and social care. From 1 April, the supporting people programme will be rolled out across the country. Large amounts of money will be reorganised and distributed by local authorities to pay for supporting people in their own homes and in settings such as sheltered accommodation. However, I was surprised to learn recently that guidance on how the supporting people programme fits with the single assessment process—guidance that one would have thought should have been provided by now to local authorities—has not even begun to be written. The group that will do that work has not even been called together. It would therefore seem appropriate to have in the Bill a measure to enable agencies such as the Commission for Social Care Inspection to consider how the intersection between the single assessment process and the supporting people programme works.

One cause of dispute in the Chamber and in Committee, relating to whether this Bill can be implemented effectively, can be examined. It is the shortage of specialist staff. The NAO report found that two groups in particular—social workers and therapists—are in short supply. It was not only social services departments that foresaw a problem; it was the overwhelming view of primary care trusts that such shortages would continue to hamper dealing with issues of delayed discharge.

I have one final question for the Minister, and I feel that this amendment could allow this issue to be monitored. It concerns the dividing line between what is NHS-funded continuing long-term care and what are NHS part-funded registered nursing care contributions—also called free nursing care. I have raised a concern with the Minister and others on a number of occasions. The criteria for the highest band of registered nurse contributions are setting a threshold that requires a higher and more complex level of need than the eligibility criteria for fully funded NHS continuing care. It would be useful for that to be looked at.

[Mr. Burstow]

The nursing care practice guide and workbook states:

> "People with high needs for registered nursing care will have complex needs that require frequent medical, technical and/or therapeutic intervention. They will need frequent intervention and re-assessment by a registered nurse throughout a 24 hour period and their physical/mental health state will be unpredictable."

That is the definition used to enable a nurse to determine whether someone is in the top band and will receive a contribution of £110 towards their nursing care in a nursing home.

6.15 pm

The case studies in the workbook are examples that help nurses to apply the guidance meaningfully. However, it is interesting to compare them with the health ombudsman's report, which deals with real cases. The workbook stated that a woman who had suffered a cerebrovascular accident—CVA—would be placed in the highest band of nursing because she had suffered

> "loss of speech and was unable to swallow; partial paralysis and poor balance and co-ordination, doubly incontinent, pressure sore and tearful and distressed. She requires peg feeding and enemas to maintain bowel function, the use of a hoist to ensure safe transfer, and monitoring of the pressure sore, teaching to improve sitting balance, review of need for anti-depressant therapy and work to maintain social interaction."

The amendment should include provision for the inspectorate to examine such cases because the health service ombudsman found that peg feeding was a criterion for continuing NHS care in one authority but not in another. In one case, the ombudsman's report helpfully listed Mrs. N's needs. They were

> "a hoist to help with transfers, a . . . catheter in place to deal with her incontinence of urine and assistance with her bowel function every three to four days; changing position to maintain skin viability, help with washing and oral care, and peg feeding. She did not appear to be depressed but smiled in response to other people."

Those cases are similar, yet in one, used as an example, the person was entitled only to a contribution of £110 towards their nursing while in the other—a real case cited in the health service ombudsman's report—the person was entitled to have all their care met and paid for by the national health service. The Department's case study guidance is issued to nurses whose job is to make those systems work and it ought to lead to the conclusion that people are entitled to continuing NHS care funding.

Will the Minister comment on that? More important, I hope that we do not have to rely only on the health service ombudsman to resolve, on a case-by-case basis, the problem of the dividing line between free continuing NHS care and nursing contributions. The Government should take the opportunity provided by the health service ombudsman's report to clarify the situation so that we stop the injustice that is undoubtedly being done to thousands of people who are being denied their rights.

Mr. Waterson: I am extremely puzzled by the attitude of the Minister and the Government to these perfectly sensible and appropriate amendments. Lords amendment No. 24 would specify bodies that will monitor the impact of the measure at regular intervals and Lords amendment No. 25 provides for an annual report to Parliament. As my right hon. Friend the Member for East Yorkshire (Mr. Knight) pointed out, such a report might give the Government the chance to trumpet the success of the legislation. I seem to recall that the Government used to issue an annual report to trumpet their achievements, but that practice seemed to fall into disuse two or three years ago—presumably because there was not much to trumpet.

I urge the Minister to think again about the amendment. I appreciate why she might be feeling defensive about the measure; as we have already established, the Bill does not have a friend in the world. Even some of the Government's Back Benchers, including the Chairman of the Select Committee on Health, are not willing to support it. It has caused a storm of protest throughout the country, expressed through the Local Government Association, the Association of Directors of Social Services and so on.

The Minister seems to think that the amendment will wreak a huge sea change in the position. Indeed, her thesis, which seems to go further away from reality, is that the mere threat of the Bill has enormously improved the bed-blocking position and that it will make a vast difference and improve the lives of many hundreds of thousands of patients throughout the country. She may be right. If she is, fine, but I do not think that she is. Equally, the Opposition and various bodies may well be right, and the law of unintended consequences will kick in and set at odds with one another some of the agencies that, certainly in my constituency, are now working in much closer partnership than they ever did before.

I pay tribute to East Sussex county council for its work in the past year or two, since it has been run by the Conservatives, who have got to grips with the issue and worked closely with the health organisations. Although there are occasional blips, the result is a steady decline in the number of beds blocked or delayed discharges.

I concede that the truth may turn out to be somewhere between those two views. However, on any assessment, this is a brand new regime with some pretty draconian powers, and it could all go horribly wrong or, at the very least, not produce the results that the Minister wants, so I fail to understand why she does not think that monitoring its progress is a good idea. There may be some scope for discussing whether that duty should arise only in the initial stages of its implementation. I can understand the Minister's argument that that should not happen every year, for ever, if the legislation has settled down or, even more likely, the problem has gone away of its own accord.

In the debate in the other place, Baroness Noakes said that, under the current arrangements, the bodies involved would be the Audit Commission, the Commission for Health Improvement and the social services inspectorate, and she put it extremely well. Of course we have heard that, yet again, some of those bodies are in a state of flux, and we will end up with something called the Commission for Health Care Audit and Inspection. Whatever label is attached to those bodies, if legitimate concerns are felt not just by the official Opposition or the Liberal Democrats, but by lots of people at the coalface throughout the country who deal with such problems daily, it is surely important that we should get an idea early on whether the provisions are having the effect that the Minister thinks that they should. Surely, she, more than anyone else, would wish to know whether that was the case.

If I may give the Minister a bit of friendly advice, I do not think that she should associate herself too closely with the Bill or she may turn into another Minister who never was, like Lord Hunt who used to deal with such matters in the other place.

The Bill's effects will need careful examination in the real world. We have heard about some of the problems. Baroness Noakes referred to some of them in the other place, and my hon. Friend the Member for West Chelmsford (Mr. Burns) has dealt with the problem of readmission, so I need not do so. It is possible that people will be discharged home without adequate support services, and there is a whole series of possible knock-on effects, simply because of this ill-thought-out, hurried Bill.

It is worth quoting what the Right Rev. Bishop of Hereford said in the other place. He referred to what he called

"the widespread feeling that patients are treated . . . as commodities."—[*Official Report, House of Lords*, 17 February 2003; Vol. 644, c. 975.]

Other hon. Members and I have expressed that view in earlier debates on the Bill. That is the nub of the problem. The Opposition and many other people are worried that patients and their needs are not central to the Bill and that they will be pushed aside in the interests of what I have already called this bizarre game of pass the parcel. Let us stop using the words "fines" and "incentives". I shall say that the Bill has financial repercussions—that may make the Minister happy—if people are holding the parcel when the music stops.

There will be some serious, hard cases in the real world, affecting our constituents, as well as those of the Minister and other hon. Members, so why on earth does not the Minister want to reassure people? Of course she takes the view that the rest of the world is out of step and that she is the only one in step, but if she is so utterly convinced of her rectitude, why not put it to the test? As my right hon. Friend the Member for East Yorkshire has already said, if there is good news to tell, let her blazon it in the House with an annual report and let it be reported on and authenticated by those audit bodies.

I could not agree more with the comment that Baroness Noakes made in last month's debate:

"the Bill . . . tends to marginalise the individuals who are at the heart of the processes."—[*Official Report, House of Lords*, 18 February 2003; Vol. 644, c. 1029.]

That has been and will continue to be our fear about the Bill. We are happy and willing to be proved wrong. Surely, the way to ensure that that happens is to use one or more of the sort of bodies that are so beloved of the Government to audit progress, see whether the legislation is working and report annually to Parliament. I cannot see the Minister's problem, as by accepting the amendments—if she will only leave them alone, they are already part of the Bill—she can at a stroke prove us all wrong and prove that hers is the lonely voice that has been right all along.

I hope that the House will support the Lords in their amendments and maintain them in the Bill.

Mr. Greg Knight: We have just heard three very powerful speeches explaining why the Minister is wrong on the issue with which the amendments deal but not one voice raised in support from the Labour Benches.

The Minister's opening remarks sounded rather half-hearted and certainly showed a paucity of reason. We are disappointed by her attitude to the amendments because we had a debate yesterday in which the Opposition were prepared to take a non-partisan approach on a very important issue and say that, where we thought that the Government and the Prime Minister in particular were right, they had our support. All that we are asking her to do is listen to our arguments and reflect on what she will say in advising the House about how to treat the proposed additions to the Bill. What are we seeking to do? We are seeking to say that proposals that are moderate, modest and reasonable should remain in the Bill.

Amendment No. 24 states:

"The Secretary of State shall specify to the bodies charged with inspection of health and social services that they should monitor".

The word "monitor" was put into the Bill by the other place, and it does not carry with it any of the implications to which the Minister referred in relation to a presumption of wrongdoing. The monitoring process would occur "at regular intervals". If the Minister were willing to reflect on the matter again, I would be happy to accept that regular intervals do not need to involve continual monitoring, but could entail annual monitoring or even a biannual process. Surely, however, it is right to see that best practice is being followed and that it is consistent throughout the United Kingdom.

I cannot understand why the Minister is not willing to accept Lords amendment No. 25. As you will be well aware, Mr. Deputy Speaker, it used to be said in the days of the previous Conservative Government that there was terrible pressure on parliamentary time and that it was not possible always to accommodate debates on every single issue that hon. Members felt was important. However, there has been a change in our procedures since that time—the addition of Westminster Hall. Although the former Leader of the House, who has just resigned his position, and his predecessor both gave an undertaking to the official Opposition that Westminster Hall would not be used for introducing legislation, there is consensus in all parts of the House that it could and should be used for debates on annual reports such as the one in question. In the light of the fact that we now have that other Chamber a stone's throw away from this place, I am at a loss to understand why the Minister will not accept the amendment.

Mr. Burns: My right hon. Friend touches on an extremely important point. He is as aware as I am that Westminster Hall is already used to debate Select Committee reports, so the precedent exists and the powerful suggestion that he is making would dovetail with what already happens in our proceedings.

6.30 pm

Mr. Knight: I agree wholeheartedly with my hon. Friend. An annual report does not have to be debated every year. If an annual report was good but was deemed to contain nothing exciting or worthy of criticism, then the usual channels could produce a system in which a debate did not have to occur every year. Clearly, cost is not an issue because the Minister did not mention it. I was apprehensive that she might argue that she did not want the amendments because of the cost to the Exchequer, but that does not seem to be a problem. I hope that she will think again. I say to her: be bold, be reckless and, in the light of the powerful arguments adduced in the debate, allow the amendments to stand.

Jacqui Smith: With the leave of the House, I shall respond to the debate.

Hon. Members suggested that a monitoring and reporting system is not in place to ensure that the good outcomes produced by the Bill will be clearly monitored. However, I outlined a variety of ways—I do not intend to repeat them—in which that will be ensured. I think that the amendments are otiose and that it can be argued that they will have a detrimental effect on the inspection bodies that will be established.

Having feigned indignation when I suggested that the amendments were proposed on the assumption that the health and social care services might not operate in the best interests of patients, the hon. Member for West Chelmsford (Mr. Burns) then gave a string of ways in which the system might indeed not operate in the best interests of patients. I reassure him that monitoring is in place to ensure that that does not happen. The NHS and social care performance indicators, introduced by the Government to ensure greater accountability of the performance of the NHS and social care services, already include delayed discharges, emergency readmissions and home care to help people live at home. We are also introducing indicators on the speed of service provision. Those will show when substantial problems arise.

Hon. Members also asked about debating annual reports that are made to Parliament. Under the previous system—with the exception of the Commission for Health Improvement, largely inherited from the Conservative Government—annual reports were published, but not to Parliament. Under the new system, the Commission for Social Care Inspection and the Commission for Health Care Audit and Inspection will make annual reports to Parliament. We amply cover the concerns of hon. Members that both the successes and the challenges are reported to Parliament on an annual basis.

When we debate the legislation to establish the new inspection bodies, I shall be interested to hear whether Opposition Members raise concerns about the need to ensure that they are able to make an independent determination of quality in the health service and social care service. That would be different from the approach taken by the hon. Member for West Chelmsford, who believes that we should instruct the bodies in the minutiae of their considerations.

Mr. Burns: I did not say that.

Jacqui Smith: That is the implication of the Lords amendment. The other place claims to believe in the independence of the inspection bodies, but that claim lies rather uncomfortably with the proposals in the amendment.

I want to spend some time responding to the points raised by the hon. Member for Sutton and Cheam (Mr. Burstow) about, among other things, his specialist subject of continuing care. On the points made by the National Audit Office about the definition of good practice, one of the important features of the Bill is that it will put in place a clear process and decision points for determining a delayed discharge and, therefore, the point at which reimbursement should kick in. I heard what the hon. Gentleman said about his colleagues on the metropolitan authority in the west midlands, but perhaps that authority would welcome a visit from the Department's implementation team to ensure that some of the concerns can be ironed out before the Bill comes into force.

The hon. Gentleman asked about the broader definition of delayed discharge. Sir Nigel Crisp, the chief executive of the NHS, has written to those trusts that told the National Audit Office that they were not using the definition. All of them have confirmed that they are now using the correct definition.

The hon. Gentleman also asked about continuing care and its relationship with free nursing care. When nurses undertake a determination of NHS-funded nursing care, we have made it clear that all nurses should consider eligibility under continuing NHS health care criteria as the first step in assessing people's needs for care in a care home providing nursing. Furthermore, in the guidance on NHS-funded nursing care, we have consistently maintained the distinction between NHS-funded nursing care and continuing NHS health care, making it clear that NHS-funded nursing care is part of a spectrum of care that falls short of what one would expect to see when the primary need is for health care. As I have suggested, we have made it clear that, regardless of the eventual setting in which someone is likely to be cared for, we expect the first consideration in a joint assessment of someone's need to be always the extent to which that person meets or does not meet the criteria for NHS continuing health care.

Mr. Burstow: The Minister is making some helpful clarifications. However, will she also undertake to take away the workbook that is currently used for guiding nurses in applying the tool for assessing the entitlement to free nursing care contributions? The workbook contains a case that is exactly the same as a real case considered by the ombudsman, and that must provide incorrect information and the incorrect basis for making decisions.

Jacqui Smith: I was just coming to that point. I have pointed out that the first task is to assess whether someone has a need for NHS continuing care and emphasised that we must consider that on a case-by-case basis. The fictitious case that the hon. Gentleman mentioned would be considered in the assessment of nursing care only if the continuing care criteria were not met. A consideration of that would previously have been carried out. The hon. Gentleman's points about the workbook are not justified.

We are considering inspection and monitoring, and the hon. Gentleman asked whether we could consider the monitoring of the continuing care criteria. Although not solely in response to his concerns, we have asked CHI to consider local policies and criteria as part of a review of the older people's national service framework.

In conclusion, I believe I have provided the reassurance that right hon. and hon. Members wanted. The amendments are unnecessary and challenge the current arrangements and the independence of the inspectorates that we want to develop. For that reason, I hope the House will disagree with the Lords.

Question put, That this House disagrees with the Lords in the said amendment:—

The House divided: Ayes 308, Noes 198.

Division No. 127] **[6:40 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*

Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammed
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Speller, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. John Heppell and
Mr. Fraser Kemp

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hermon, Lady
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. David Wilshire and
Mr. Mark Francois

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment: No. 25

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Jacqui Smith.]*

The House divided: Ayes 318, Noes 198.

Division No. 128] **[6:53 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*

Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Speller, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Fraser Kemp and
Mr. John Heppell

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McGrady, Eddie
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. David Wilshire and
Mr. Mark Francois

Question accordingly agreed to.

Lords amendment disagreed to.

It being after Seven o' clock, MR. SPEAKER *then proceeded to the Questions necessary to conclude proceedings, pursuant to Orders [28 June 2001 and 29 October 2002.]*

After Clause 3

Lords amendment: No. 26.

Motion made and Question put, That Government amendment (a) to the said amendment be made:—

The House divided: Ayes 315, Noes 197.

Division No. 129] [7:04 pm

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beckett, rh Margaret
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm

Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Speller, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Fraser Kemp and
Mr. John Heppell

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Sir Robert Smith and
Mr. Alan Reid

Question accordingly agreed to.

Amendment (a) to Lords amendment No. 26 agreed to.

After Clause 4

Lords amendment: No. 35

Motion made, and Question put, That amendment (a) to the said amendment be made.—*[Jacqui Smith.]*

The House divided: Ayes 314, Noes 193.

Division No. 130] **[7:17 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beckett, rh Margaret
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*

Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Fraser Kemp and
Mr. John Heppell

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. David Wilshire and
Mr. Mark Francois

Question accordingly agreed to.

Amendment (a) to Lords amendment No. 35 agreed to.

Remaining Lords amendments agreed to.

Committee appointed to draw up Reasons to be assigned to the Lords for disagreeing to certain of their amendments to the Bill; Mr. Simon Burns, Mr. Paul Burstow, Jim Fitzpatrick, Mr. Andrew Love and Jacqui Smith; Jacqui Smith to be the Chairman of the Committee; Three to be the quorum of the Committee.—*[Mr. Woolas.]*

To withdraw immediately.

Reasons for disagreeing to certain Lords amendments reported, and agreed to; to be communicated to the Lords.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6)(Standing Committees on Delegated Legislation),

INTERNATIONAL DEVELOPMENT

That the draft African Development Fund (Ninth Replenishment) Order 2003, which was laid before this House on 24th February, be approved.—*[Mr. Woolas.]*

Question agreed to.

Mr. Speaker: With the leave of the House, I shall put together the Questions on motions 5, 6, 7, 8 and 9.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6)(Standing Committees on Delegated Legislation),

INTERNATIONAL DEVELOPMENT

That the draft International Fund for Agricultural Development (Fifth Replenishment) Order 2003, which was laid before this House on 24th February, be approved.

AGRICULTURE (MISCELLANEOUS PROVISIONS)

That the draft Code of Recommendations for the Welfare of Livestock: Cattle, which was laid before this House on 26th February, be approved.

LOCAL GOVERNMENT

That the draft Local Authorities (Charges for Specified Welfare Services) (England) Regulations 2003, which were laid before this House on 4th March, be approved.

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft Paternity and Adoption Leave (Adoption from Overseas) Regulations 2003, which were laid before this House on 24th February, be approved.

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft Employment Rights Act 1996 (Application of Section 80B to Adoptions from Overseas) Regulations 2003, which were laid before this House on 24th February, be approved.—*[Mr. Woolas.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 18(1)(a)(Consideration of draft regulatory reform orders),

HOUSING

That the draft Regulatory Reform (Housing Management Agreements) Order 2003, which was laid before this House on 24th February, be approved.—*[Mr. Woolas.]*

Question agreed to.

Panxhi Family

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Woolas.]*

7.32 pm

Ann McKechin (Glasgow, Maryhill): I am grateful for the opportunity to raise in the House this evening the case of the Panxhi family and their application for asylum in this country. As you are aware, Mr. Speaker, the family currently reside in your constituency of Springburn; I know that you are very familiar with the circumstances of their case and have taken a close interest.

The family consist of Mrs. Valentina Panxhi and her children—Brikena, aged 12, Enea, aged 9 and Grace, who was born in 2001 when the family had arrived in Scotland. Mrs. Panxhi's husband, Edmond, was a prominent member of the minority Albanian Monarchist party and had suffered a period of harassment, including a number of violent beatings and death threats. In January 2000, their daughter Brikena was harassed at school by the secret services. On another occasion, Mrs. Panxhi was stopped in the street by some men and threatened. As the threats intensified, the family went into hiding. Mr. Panxhi was arrested in September that year, but after his release the family decided that their safety was not secure in their home country and they made plans to escape. Mrs. Panxhi, then pregnant with Grace, together with the two older children, left Albania in November, with the intention that her husband would join them at a later date when he was able to get enough money. There is no doubt in the Panxhi family's mind, and in the minds of all the many people who have taken an interest in their case, that they were in genuine fear of persecution and the threat of violence if they remained in Albania at that time.

Sadly, a short time after Mrs. Panxhi and her children had arrived in the United Kingdom, they were advised that Edmond Panxhi had been killed. It is difficult to imagine how the family must have felt: strangers in an unfamiliar country, their initial application for asylum refused, terrified of returning to their home and grief-stricken at the sudden, violent death of a beloved husband and father. However, it was their resilience and courage in facing up to that tragic news that so impressed the many, many people in Scotland who support their request to remain in this country. I very much hope that, even at this late stage, the Minister for Citizenship and Immigration, my hon. Friend the hon. Member for Stretford and Urmston (Beverley Hughes), will agree to reconsider her Department's earlier decision.

Such was the tremendous response to the family's plight that a small number of local Glasgow people went to Albania on a fact-finding mission in June last year. They were led by the Rev. Bryan Owen, a Church of Scotland minister who has just retired after more than 30 years as minister of St. Rollox church. As you know, Mr. Speaker, he is a well-respected figure in the local Springburn community.

The group interviewed a large number of people in Elbasan and Tiranë and received a great deal of corroboration of Mrs. Panxhi's story of the problems

[Ann McKechin]

faced by the family before their escape to the UK. However, as I hope that my hon. Friend the Minister will appreciate, it is difficult to discover hard evidence that can be put to a UK tribunal or court system. Although members of the fact-finding group could not prove that Edmond Panxhi was killed for political reasons, they were convinced that he was dead.

All the people who knew Edmond Panxhi told the group that he was a somewhat secretive person who did not tell others about his business, but that he was loving and caring to his family and could not have remained out of touch with them if he was alive. Members of the group were also told by all their Albanian contacts, including the Elbasan police, that he had absolutely no contact with crime and thus no reason to fake his own death.

Rev. Owen and and his colleagues spoke to a number of local people in the small village at Gjinar where the family had hidden in 2000. They confirmed that the Panxhi family had stayed with them and that during that time Mrs. Panxhi had been terrified of suffering further violence. In particular, she had been afraid of Colonel Koseni, the now discredited chief of police in Elbasan. I hope that the Minister will accept that the family's motives for leaving Albania were genuine and not economically motivated.

The Minister will be aware that, although there have been improvements in Albania, widespread corruption and violence are still common. Mrs. Panxhi fears greatly for the safety of her son, Enea. Albania is still blighted by a blood feud culture; when a son comes of age he is expected to avenge the death of his father. Commenting on the case, Jim Wallace MSP, Minister for Justice in the Scottish Executive, said that there was

"a very real danger that Enea will himself be murdered by his father's murderers before he comes of age, to pre-empt any revenge he may seek".

As I have already mentioned, despite the many harsh problems faced by the family over the last few years, their courage and dignity have impressed many. There has been widespread media interest in Brikena's musical talents. When she arrived in this country she spoke no English but she is now bilingual and has an exemplary record at her local school, St. Roch's secondary. She also studies violin at the junior academy of the Royal Scottish Academy of Music and Drama, where she was awarded a Wolfson scholarship last year. She was also among the three finalists for *The Scotsman* young achiever of the year award in November 2001, as the hon. Member for Banff and Buchan (Mr. Salmond) will be aware, since I understand that he was one of the judges.

Brikena's violin teacher, Mr. Hugh MacGilp, who has taught young musicians for more than 40 years, has written personally to the Home Office on her behalf. He strongly believes that she has the potential to be a professional musician provided that she receives the level of support from which she currently benefits. Specifically, he pointed to considerable gaps in her knowledge when she arrived from Albania. The head of the junior academy has also written to the Home Office to confirm that despite the enormous pressures and uncertainties that she faces, she is making excellent progress and is developing a musical ability that will enable her to make a positive and constructive contribution to society in her later life.

If the family were to return to Albania they would meet extreme hardship. They could not expect accommodation or financial help from Mrs. Panxhi's family, as they are already living under straitened circumstances. Mrs. Panxhi would have difficulty in finding work while looking after a young baby and, in all likelihood, Brikena would have to leave school at the earliest opportunity to earn money, and her musical education would not continue.

A musical talent such as Brikena's is a rare gift. I played a musical instrument—not terribly well—at school but I watched one of my school colleagues develop her skills at the Royal Scottish Academy and go on to become a professional musician. Playing music well is a genuine joy, but that talent, especially for those who want to be classical players, needs a huge amount of work and practice from an early age.

The UN convention on the rights of the child speaks about the need to

"ensure that children will be able to develop talents and abilities to their fullest potential".

Of course, many children in today's world unfortunately never get the opportunity to develop their true talents, but to have been given that opportunity and then have it taken away is just as cruel.

Mrs. Panxhi and her family have made a real and positive contribution to the local community in Springburn and, if they had an opportunity to stay, would seek to be economically independent at the earliest opportunity. They have suffered great trauma in the past few years and wish only to live peacefully and quietly in our city. In Springburn, they have experienced some feeling of security, but they genuinely remain very afraid for their safety and future if they must return to Albania at this time.

I thank the Minister for taking further time to consider this case, and I ask her to consider the very strong compassionate reasons for allowing the family to remain in the United Kingdom. The people of Springburn and Glasgow have welcomed them and ask the Minister now to allow them to stay with us.

7.41 pm

Mr. Alex Salmond (Banff and Buchan): It is a very great pleasure to follow the hon. Member for Glasgow, Maryhill (Ann McKechin) in this debate, and I endorse everything that she has said about the case history of the Panxhi family. She was right to say that I had the pleasure of meeting them for the first time slightly more than 14 months ago, at *The Scotsman* young achiever of the year award in November 2001, when Brikena was one of the finalists. I therefore took an interest in their case. The hon. Lady has spelled out extremely well the circumstances that the family face.

I want to try to underline in some very brief remarks the compassionate grounds for ministerial intervention. Although I certainly agree with the hon. Lady that Valentina Panxhi has shown exemplary courage and fortitude, given the circumstances in which she has found herself, I want to speak about the three children in the case, because therein lies the strongest argument for intervening on compassionate grounds.

First, Grace will be two years old this June. She was born, obviously posthumously, in Scotland. I know full well that being born in a country does not confer a legal right of citizenship, but I make the case that that young lady has no other circumstances or home but Springburn in Glasgow and, morally, she is as much a Glaswegian as you are, Mr. Speaker, and as much a Scot as I am. That is a consideration, because the world has moved on and that young child has been born in Glasgow, where she is being nourished and is growing up.

Secondly, Enea, who is nine years old, was mentioned by the hon. Lady, and I want to draw attention to the point that she made because it is fundamental. There is a good deal of evidence to suggest—it cannot be proven—that Mr. Panxhi was murdered for political reasons. Even if he was murdered for another reason, the Home Office case has rested on the argument at various times that, because Mr. Panxhi is dead, the rest of the family are no longer in danger. That is fundamentally mistaken, and I shall repeat the quote that the hon. Lady read out. No less a person than the Scottish Justice Minister, Mr. Jim Wallace, said that there is

> "a very real danger that Enea will himself be murdered by his father's murderers before he comes of age, to pre-empt any revenge he might seek."

That culture of the blood feud is a very important consideration in this case, and I shall illustrate that by quoting a brief extract from an Albanian news service. It is dated 2 April 2002 and reads:

> "Murder in Bajram: on Tuesday April 2nd the sister of the four Haklaj brothers, who have been murdered in blood feuds, killed two and wounded two others. One of the wounded was a passer-by . . . a teacher . . . has stated that she will not marry nor will she die until she has taken revenge on the deaths of her brothers. This killing occurred at 12.00 midday in the middle of Bajram".

That illustration of the culture of blood feud must surely be a consideration in intervening on compassionate grounds. It is not the case, just because the father is dead, that the rest of the family are not in danger if they return to Albania.

Thirdly and finally, Brikena has been awarded a Wolfson scholarship to attend the Royal Scottish Academy of Music and Drama. Such scholarships are not easily won or awarded. Obviously, I was hugely impressed not only by Brikena's talent, but by her having overcome considerable difficulties to gain that scholarship and reach the final of the young achiever of the year award. I cannot believe that Scotland is so overflowing with young talent that we can afford lightly to send back to Albania a young woman of such potential.

The underlying point that arises in respect of all three children and shines out in the family's story is the amount of support and succour that they have been given by the local community in Sighthill and Springburn. The hon. Lady mentioned the church connections. I have had the pleasure of visiting St. Rollox church and meeting the various people who have surrounded the family and given them such support.

It is not that long since we all thought—I know that you, Mr. Speaker, were deeply concerned about this matter—that we faced in Sighthill a particular problem that has been seen in many areas with regard to the influx of asylum seekers. That situation has largely been turned around in the past year by the strength, support and infrastructure of the local community. Indeed, only a few weeks ago, BBC Scotland broadcast a programme called "Rabbie's Bairns" that focused on the Springburn area of Glasgow. One of the children who achieved a high accolade in that programme was a young asylum seeker. The programme was so inspirational in showing the integration into local schools and the local community of asylum seeker children that it managed to win an award in celebration of the works of Scotland's greatest poet.

That is an illustration of how the community is supporting this and other families. I ask the Minister to consider whether the achievements of Springburn, which have been supported by so many good-minded and good-willed people, would be put at risk if we were to return this family to Albania, when there are so many arguments to suggest that an intervention on compassionate grounds would be not only appropriate, but undoubtedly the right thing to do.

7.47 pm

The Minister for Citizenship and Immigration (Beverley Hughes): I am very grateful to my hon. Friend the Member for Glasgow, Maryhill (Ann McKechin) and, indeed, to the hon. Member for Banff and Buchan (Mr. Salmond) for the opportunity to debate this case, which is a very difficult one. Sadly, it is not by any means the only difficult case to have come across my desk. I know that it has gathered considerable support from the local community in Glasgow.

I shall begin by providing a brief background to the family's case. As my hon. Friend said, Mrs. Panxhi and her children arrived in the United Kingdom clandestinely on 9 November and made an asylum application the following day. As has been said, that claim was based on her husband's political activities. Mrs. Panxhi claimed that her husband was a candidate for the vice-presidency of his political party. She was interviewed a month later and a decision was taken to refuse her application on 15 December 2000. She appealed against that decision and gave oral evidence at her appeal in April 2001.

An independent adjudicator carefully considered Mrs. Panxhi's asylum claim, but did not feel that there was any merit in it. The adjudicator rejected her claim that her husband was a candidate for the vice-presidency of the party, further noted that she and her children had never been harmed in Albania, and also considered the family's rights under the European convention on human rights. He concluded that there was no evidence to suggest that the Panxhi family could not lead a normal life on return to Albania, so he dismissed the appeal in May 2001. Mrs. Panxhi appealed to the immigration appeal tribunal, which upheld the adjudicator's decision in October 2001. She then applied for leave to appeal to the Court of Session, but that request was dismissed in January last year.

Mrs. Panxhi has had several opportunities to state her case to be allowed to remain in the United Kingdom. She applied for asylum in November 2000 and completed the appeals process in January 2002. During that 15-month period, she has been interviewed and has had two substantive appeals, which were both conducted by independent judicial adjudicators. She gave oral evidence and was given the opportunity to

[Beverley Hughes]

raise additional reasons why she should be allowed to remain in the UK. In fact, Mrs. Panxhi's case was dealt with under the one-stop appeals process, which required her to outline all the reasons why she should be allowed to remain. Furthermore, during the course of that process, and following representations by the Speaker and the hon. Member for Banff and Buchan, Mrs. Panxhi was invited to provide evidence that her husband was, as she claims, dead, but no evidence has been forthcoming.

I do not believe that Mrs. Panxhi or her children would suffer any ill-treatment should they be returned to Albania and I want to outline why I have come to that conclusion. The immigration appeal tribunal concluded that there appears to be

> "negligible, or minimal, risk of ill-treatment of the appellant or family, either at the hands of the authorities in Albania, or at the hands of parties against whom the Albanian authorities would be unwilling or unable to provide effective protection."

Hon. Members know that the Government believe that Albania is safe. The objective country assessments indicate that the Albanian Government respect the rights of their citizens, and our statistics on asylum claims confirm that. In the past two years, 139 families have been returned to Tirana, and Albania has taken the first steps towards EU accession.

In terms of quality of life, I understand that the Albanian authorities provide at least eight years' free education. The main focus of support within Glasgow has been on Brikena's considerable talents as a violinist. I am aware that she has been awarded a music scholarship. However, I am told that opportunities exist within Albania for Brikena to develop her musical talents and that she gave up a place at a specialist music school before coming to the UK.

In summary, it is clear that the Panxhi's case has been carefully considered and that the decisions are right.

Mr. Salmond: Will the Minister concede that it might be difficult for Mrs. Panxhi to establish that her husband has been murdered? The murderers would be unlikely to advertise themselves to people who make inquiries. Does she accept the concerns outlined by the Scottish Justice Minister that if Mr. Panxhi has been murdered, his son might be at risk in Albania? Does she accept that there is a culture of blood feud in that country?

Beverley Hughes: If it is accepted that Mr. Panxhi was murdered, our approach would depend on whether that was as a result of persecution or a criminal matter that the authorities in Albania would be expected to respond to appropriately. Someone being murdered does not of itself engage the terms of the European convention on human rights. Whether a death constitutes persecution under the convention depends on the circumstances and the reasons why someone has been killed.

Mr. Salmond: Regardless of the circumstances of the murder, a blood feud is a blood feud. The example that I gave from an Albanian news agency was not of a political murder, but of a murder that was the result of a blood feud that had developed. The Minister is right about the convention, but the safety of the child returning to Albania would still be in question if it could be established that Mr. Panxhi was murdered. Does the Minister accept that that could be a danger?

Beverley Hughes: I have two points to make on that. It would depend on the ability of the authorities, and the judged ability of the authorities, to provide adequate protection and a proper system of criminal justice to deal with a risk that engages if not the convention, but a human rights issue in terms of a need for protection.

As I said earlier, I understand that the hon. Gentleman and my hon. Friend the Member for Glasgow, Maryhill are conveying the probably very sincerely held views of the family. However, the case has been examined thoroughly by a judicial adjudicator in an independent appellate hearing. The leave to appeal has also been examined by another tier of authority at the tribunal. I simply say to the hon. Gentleman that it is not for me or for him to judge the facts of the case. It has been through a proper process, and I have described the judgment that emerged.

I now turn to a point that is important in how we deal with such cases. On top of the process that I have described, there has been ministerial involvement since July 2001, when Mr. Speaker wrote to my predecessor and the hon. Member for Banff and Buchan took up the case. The ministerial involvement continued when I took up my post and I met Mr. Speaker in January this year. At that meeting, I undertook to review the case again, and I did that. I went through it chapter and verse. I considered it very carefully, and that took me a long time. I went through all the evidence and all the determinations and gave it very careful scrutiny before deciding, at that time, to uphold the decision. I wrote to Mr. Speaker outlining why.

I understand absolutely the compassion and the good intentions that are motivating Members of Parliament and the local community, because I have been in the same position with similar cases with families in my constituency. I have seen many similar families in many similar circumstances who report similar experiences. The problem for me is that, although I can and do exercise discretion—that is allowed within the law—I have to do so on the basis of very exceptional circumstances. Such circumstances involve cases that have been through a proper judicial process in which a person is able to cross-examine, hear the cross-examinations of both sides—neither the hon. Gentleman nor I are able to do that—and come to a decision.

Mr. Salmond: The Minister will accept that any process is limited by the time available to interview and cross-examine. For example, the appeal tribunal of 19 September noted in its evidence:

> "For all that was known"—

about Mr Panxhi—

> "he might have died, for example, in a road accident."

That strikes me as a particularly crass way to comment on a case involving such emotions.

Any tribunal can interview people only over a period of time. The local community in Sighthill has known the family for a number of years. Does the Minister really think that, unless the family had impressed the community with the total veracity of their case, the community would campaign so hard and show such absolute determination in this case? Does that not weigh in her judgment if there is a balance of doubt?

With due respect to the Albanian schooling system, Brikena's scholarship to the Royal Scottish Academy of Music and Drama is exceptional. It is an indication of the exceptional talent that the academy wishes to keep in Scotland. Does that weigh with the Minister in terms of compassionate grounds even for the length of the child's schooling and exercise of the scholarship?

Beverley Hughes: On the hon. Gentleman's first point, I do not think that the extent to which a community takes to its heart a particular family can be a substitute for a proper judicial examination of the claimed facts of the case. The fact that a community does that is understandable. It means that they are a good family, that they are worthy people, that the children are talented and that the family have made connections and relationships in the community. Those are all very good things in their own terms. But that does not differentiate the family from many others, and it does not substitute for a fair and transparent process.

We must have a system that is open and fair, with decisions based on rational, defendable principles, so that people in similar circumstances can expect that they will be treated similarly. It would not be right, would it, to allow to stay those people who happened to have gained the support, for all the right reasons perhaps, of their MPs and local people, but to continue to return those who do not get such support or who do not have a campaign developed for them in the community?

As I said, there is discretion, and I exercise discretion, but very rarely. It must be on the basis of truly exceptional circumstances. When people have been through a judicial process, there must be exceptional circumstances to justify my intervention. The circumstances of this case, as worthy, as delightful and as talented as the family are—I have read all the press reports and seen the pictures; I am not trying to make the decision easy for myself by not getting to know something about the family—are similar to those of many other families who have already been returned to their home country or who will be returned in the future.

In conclusion, I have come, more or less, to a final decision. So that it is clear that I have completely exhausted the process, there is one particular piece of evidence that I will ask to see before finally making that decision—that is, the second piece of evidence to which the hon. Member for Banff and Buchan referred concerning the commentary on blood feud and the potential risk to the son. I will look at that further evidence. I do not want to raise hopes, but I want to be able to say that I have taken every opportunity to consider anything that might be relevant.

Question put and agreed to.

Adjourned accordingly at one minute past Eight o'clock.

House of Commons

Thursday 20 March 2003

The House met at half-past Eleven o'clock

PRAYERS

[Mr. Speaker *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Mr. Speaker: Order. Questions to the Secretary of State for Trade and Industry. I call Lynne Jones.

Lynne Jones (Birmingham, Selly Oak): Now we know that Bush is lying to the American people—

Mr. Speaker: Order. Why does the hon. Lady not say "Question 1"?

Lynne Jones: I will ask my question, but—

Mr. Speaker: Order. The Minister must reply. The hon. Lady has been here long enough to know that she should call Question 1.

Lynne Jones: I do believe that this House should be suspended—

Mr. Speaker: Order. I call Valerie Davey.

Postal Services Commission

2. **Valerie Davey** (Bristol, West): Whether the appointment of the chairman of the Postal Services Commission will be renewed; and if she will make a statement. [103881]

The Minister for E-Commerce and Competitiveness (Mr. Stephen Timms): The term of the current chairman of Postcomm, Graham Corbett, formally ends on 31 March. I am glad to be able to tell the House that he has agreed to an extension of his term of up to a year, to complete the current phase of Postcomm's work and allow time for the appointment of his successor. Having consulted Mr. Corbett on the future composition of Postcomm, my right hon. Friend the Secretary of State has agreed to begin the process now to recruit a new chairman. She has also agreed to reappoint Janet Lewis-Jones for a further three-year term.

Valerie Davey: I thank the Minister for that reply. I am concerned to know how his Department will ensure that the successor, the new chair and, indeed, members of the commission will be appointed with some relevant experience of the postal service. How can he ensure that?

Mr. Timms: The current commissioners have been successful in establishing Postcomm as a postal regulator with a strong, independent voice. That was no mean feat and I congratulate them on it. There is a case for the commission reflecting direct experience of postal markets. We have agreed with Graham Corbett on a balance of continuity and change as the work of Postcomm goes forward. We will seek to appoint a new commissioner with specific experience of postal markets to reflect my hon. Friend's point. We also need to reflect on the overall balance of Postcomm in considering candidates for the new chair.

Mr. Nick Hawkins (Surrey Heath): Will the chairman of the Postal Services Commission look specifically at the Government's broken promises and ensure that elderly people can continue to collect benefits in the way that they have always wished to—from post offices? Postmasters and customers in my constituency are complaining bitterly that the Government have not kept their promise and that they are under huge pressure and influence to open new bank accounts. The Government made clear promises, but they have broken them. Will the new chairman look into that?

Mr. Timms: Those promises have been maintained and will be maintained as the new arrangements roll out from next month. In particular, it will be possible for anybody who so wishes to continue to receive their benefit in cash weekly at the post office without charge either through a basic bank account, an ordinary current account, where the bank has a contract with the post office, or through a Post Office card account. That requirement, which was set out three years ago, is fundamental to the way in which the automated credit transfer change has been implemented.

Colin Burgon (Elmet): I am slightly disappointed that Mr. Corbett has an extension to his position. He has not been the force that we needed, although I may be in a minority of one on that. [Hon. Members: "No."] Thank you. May we have an assurance that his successor will have ideas that are rooted in reality and not be obsessed by the market approach, down which Mr. Corbett seems to be leading the Post Office?

Mr. Timms: In my view Mr. Corbett has done a good job in establishing Postcomm with an independent voice. Nobody should be surprised that he has sometimes taken views at variance with those of the Royal Mail—that goes with this terrain. Maintenance of the universal service obligation is Postcomm's key aim. That will certainly be at the forefront of the aims of the new chairman, as it has been for Graham Corbett.

Animal Welfare

3. **Linda Gilroy** (Plymouth, Sutton): What steps she is taking to prevent imports of products containing cat and dog fur. [103882]

The Parliamentary Under-Secretary of State for Trade and Industry (Miss Melanie Johnson): The Government are investigating the possibilities for the labelling of any products containing domestic cat or dog fur. This will give consumers the information they need about what they are buying and enable the Government better to determine levels of imports.

Linda Gilroy (Plymouth, Sutton): I am pleased to see that my hon. Friend is aware of the concerns of people such as Sarah O'Leary in Plymouth and of the *Western Morning News*. Does she share their revulsion at this vile trade, in which cats and dogs are beaten and clubbed to death for fur for toys and ornaments? Will she do everything she can to bring this awful trade to an end?

Miss Johnson: I would like to commend the campaign of the *Western Morning News* and the work that my hon. Friend and others are doing. The Government are serious about addressing cruelty to animals in third countries that do not have the same high welfare standards as the United Kingdom. My noble friend the Minister for Trade and Investment will meet interested non-governmental organisations and the relevant industry associations in the next month or so, to discuss their views on labelling. She has undertaken to report back on progress before the summer recess.

Mr. Mark Field (Cities of London and Westminster): I welcome the Minister's initiatives on cat and dog fur, but there are many long-established and legitimate mink furrier industries in the UK, many of which are in my constituency. What discussions are taking place with the Home Office to ensure that such people can go about their legitimate business?

Miss Johnson: I am sure that the Home Office is undertaking its duties in respect of these matters, as it always should.

Rural Post Offices

4. **Mr. Mark Simmonds** (Boston and Skegness): If she will make a statement on the provision of Government services by rural post offices. [103883]

The Minister for E-Commerce and Competitiveness (Mr. Stephen Timms): Every community is entitled to good access to postal and Government services. We will continue to ensure good access through the post office network, in particular through the rural network.

Mr. Simmonds: Does the Minister acknowledge that, with the imminent commencement of the universal bank and the withdrawal of 40 per cent. of rural post offices' business, many rural post offices will have to make staff redundant and, ultimately, close as the Government withdraw the lifeline that allows those post offices to continue in business? How will the Government replace that lost income stream? Is this not just another example of the Government's disdain for rural post offices and local small businesses?

Mr. Timms: Following the publication of the performance and innovation unit's report, we made a commitment to end avoidable closures of rural post offices. As a result, we have seen a dramatic reduction in the number of closures. The hon. Gentleman talks about withdrawing a lifeline, but it is quite the contrary. We have just announced £450 million to maintain the rural network up to 2006. We have invested £500 million to provide the platform for ACT from next month. That will allow post offices to provide modern services of the kind that people want, which will secure a successful future for the post office network. Over a long period, there has been a decline in the old-fashioned business of the Post Office. That is why we have had to make the changes that we have made, laying the foundations for the successful future of the whole network, including the part of the network that is in rural areas.

Mr. Harry Barnes (North-East Derbyshire): Would not rural post offices be assisted if the Post Office card account system was run on a decent and full basis? Why is it so difficult to obtain a Post Office card account, despite the issuing of new literature today? Why cannot an account simply be obtained from a post office by people who are known there, or why cannot people simply tick a box to get a Post Office card account, as they can if they want to get a bank account? That is what is wanted.

Mr. Timms: We are ensuring that those who wish to choose a Post Office card account can do so. However, it is important to take the opportunity of this change to address the problem of financial exclusion. Many people in rural and other areas are disadvantaged because they do not have a bank account. We want those people to have the opportunity to consider whether, given the change, they now want to open a bank account. That is the reasoning behind the helpline. However, if people decide that they would prefer to have a card account, they will get their card account.

Mr. Richard Page (South-West Hertfordshire): Despite the gloss that the Minister puts on the situation, is it not a fact that—and this applies to urban as well as to rural post offices—post offices' income is dropping, the value of sub-post offices is dropping, the footfall is dropping, and the number of services to the elderly and vulnerable is dropping? Only 311 out of 3,000 sub-post offices that are facing compulsory closure know their fate. When will the Minister let those sub-post offices know whether they are going to have to close? He cannot keep them in limbo for ever.

Mr. Timms: It is true that custom at post offices has been declining. The Government that the hon. Gentleman supported did nothing; by contrast the Labour Government are addressing the problem and ensuring that there is a successful future for the Post Office. In 1996, 40 per cent. of benefit recipients received their benefit in cash at the post office, but today that proportion is down to just over a quarter, as a result of the choice that people have made. The Post Office has to reflect the changes in the wishes of its customers and provide services that meet their needs, so we have invested in technology for the post office network the very large sum that I mentioned. The Post Office will be able to use that as a platform to deliver modern services that people want.

Mr. George Stevenson (Stoke-on-Trent, South): May I return my hon. Friend to the issue of the Post Office card account and ask that he hold further discussions with our ministerial colleagues at the Department for Work and Pensions? Some of my constituents have received forms from the DWP regarding their benefits after the changes take place, which have no reference whatever to the Post Office card account as an option. That is seen, rightly, as discrimination against the account and the matter ought to be put right.

Mr. Timms: If my hon. Friend looks at the leaflet that accompanies the form to which he refers, he will see that the position is clearly spelt out. However, the point that he made has been drawn to our attention and a change will be made to ensure that there is a reference to the Post Office card account on the form.

Mr. Tim Yeo (South Suffolk): Is not the truth that thousands of vulnerable people who have hitherto relied on receiving benefits in cash at post offices will find it harder to do so? Post offices will lose thousands of customers because the Government have made it almost impossible for them to open a Post Office card account. The Government's disastrous double whammy is more post office closures and more problems for pensioners, young mums, disabled people and other vulnerable people in the community.

Mr. Timms: No, the hon. Gentleman is wrong about that. He should not mislead and worry people, especially the elderly, who will be concerned about what he said. People who want to continue receiving their benefit in cash from their local post office will be able to do so through one of the means that I mentioned. We built that requirement into the process from the start and it will be delivered when the arrangements are put in place next month. Given our investment in technology and the fact that post office services will use modern technology in the future, as opposed to the old-fashioned systems left behind by the previous Government, there will be a much better future for the Post Office and the services that it provides for the benefit, especially, of elderly and vulnerable people in every part of the country.

Carbon Fuels

5. **Dr. Brian Iddon** (Bolton, South-East): What action she is taking to lessen use of carbon fuels. [103884]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): On 24 February, we published a White Paper that puts climate change at the heart of our energy policy. We have accepted the recommendation of the Royal Commission on Environmental Pollution to reduce carbon dioxide emissions by 60 per cent. by 2050 and to be on a path to that by 2020. The White Paper sets out the measures needed to achieve that target.

Dr. Iddon: Tragic events in the middle east have, once again, highlighted the fact that we need to reduce our reliance on fossil fuels, such as oil, and even gas, as our major energy sources. Does my right hon. Friend agree that we need to invest significantly more in renewable energy sources, such as wind and tidal power, in order to secure energy resources for future generations, in addition to meeting our Kyoto commitments?

Ms Hewitt: I entirely agree with my hon. Friend that we need to do far more, not only on renewables but also on energy efficiency. We have set out in the White Paper exactly how we shall do that. In particular, we are investing a third of a billion pounds over four years in capital grants for new renewable projects, including wave and tidal power. I am pleased that the United Kingdom has the first—indeed, the only—commercial wave power station in the world. With that, and with the expertise that we have in wind power and offshore technologies, we will be able not only to achieve our CO_2 targets, but to create a new renewables manufacturing industry that will deliver new jobs and new exports for Britain.

Michael Fabricant (Lichfield): Given the fall in farm incomes by more than two thirds over the past six years, what discussions has the Secretary of State had with her counterpart in DEFRA about the possibility of producing fuel through alcohol? Is she aware that in Brazil more than two thirds of the fuel that is used is alcohol fuel, which is generated from crops? Why cannot we do that here in the United Kingdom?

Ms Hewitt: There is no reason at all why we should not do that. Indeed, the White Paper to which I referred was a joint production by my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs, me, and the Secretary of State for Transport. As I am sure the hon. Gentleman knows, we are investing substantially in helping farmers and other members of the rural community to diversify. There are clearly huge potential benefits to the farming community, as well as to the whole country, in helping to increase the production of fuel from biomass and bioethanol. Of course, my right hon. Friend the Chancellor is assisting in that through differential fuel duties.

Mr. David Chaytor (Bury, North): Does my right hon. Friend accept that although the ambitious measures in the White Paper in respect of renewables and energy efficiency are extremely welcome, they are not matched by the ambitious scale of investment that is needed? Does not energy efficiency provide the quickest and easiest way to cut carbon emissions, and will she assure the House that there will be increasing support for energy efficiency measures in the next few years?

Ms Hewitt: I entirely agree with my hon. Friend. We say in the White Paper that energy efficiency is by far the cheapest and simplest way of meeting all our policy goals in this area. If I may say so, however, he somewhat underestimates the scale of the investment that is being made. I have already referred to the third of a billion pounds over four years, and we shall have to see what we achieve in future spending reviews. By 2010, the renewables obligation, which is central to the policy, will deliver support to the renewables industry that is worth some £1 billion a year. On top of that, by 2005–06 we will have put in place a new carbon emissions trading scheme, which will create further strong incentives for much greater energy efficiency and more investment in renewables.

Mr. Crispin Blunt (Reigate): The Secretary of State will know David Green, who is a member of the Government's energy advisory panel, and who said:

> "There is a complete absence in the White Paper of any significant new measures to reduce the damage done to Britain's green generators over the last three years by weak and inconsistent delivery of the Government's policies".

How on earth has he come to that conclusion?

Ms Hewitt: The energy White Paper not only confirms the Government's commitment to the target of installing 10,000 MW of good quality combined heat and power by 2010, but sets out several new measures to support CHP. State aid approval for the exemption of CHP electricity from the climate change levy—a policy for which David Green strongly pressed—has now been given. It is frustrating that it took some time to get that state aid exemption, but it will undoubtedly help. Although I well understand the frustration of CHP producers—although not necessarily consumers—about falling electricity prices, we are on target to meet the 2010 target for good-quality CHP.

Pharmacies

6. **Mr. Andrew Dismore** (Hendon): If she will make a statement on the Office of Fair Trading report on pharmacy services. [103885]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): We received the OFT report on 17 January and we are considering our response across Government, in consultation, of course, with the devolved Administrations and relevant stakeholders. As part of that process, the Under-Secretary of State for Health, my hon. Friend the Member for Tottenham (Mr. Lammy), wrote to all hon. Members seeking their views.

Mr. Dismore: May I tell my right hon. Friend that I have received objections from hundreds of constituents who are outraged by the OFT's proposals? They vigorously protest that their local pharmacies are convenient, that they know and trust the pharmacist, that they often have no transport to go elsewhere, and that they are not pushed into buying unnecessary products. Does my right hon. Friend agree that good health is supported by a trusting relationship between pharmacist and public, and can she assure me that the vital network of local pharmacies—which commands a high level of confidence and satisfaction from our communities, as is recognised in the OFT's report—will be protected and that nothing will be done that will prejudice the local pharmacy services that so many of our constituents value highly?

Ms Hewitt: I entirely agree with my hon. Friend. Of course, I have had similar representations and discussions in my constituency. I welcome the OFT's report, which is a useful analysis of the competition aspects of the control of entry regulations, and of the benefits that greater competition can bring. I am also clear, however, that there are limits to markets, particularly in the delivery of health services. It is essential that pharmacists should be able to fulfil not only their present valued and trusted role but the wider role envisaged for them in the NHS plan: simply deregulating the market will not do that. We therefore need a balanced package of measures, and that is precisely what we will draw up, in consultation, as I have already indicated.

Dr. Vincent Cable (Twickenham): I welcome the Secretary of State's response to that question. I suggest that the OFT was simply wrong in believing that pharmacists are merely shops; in fact, they are a network of primary health care professionals who play a key role in preventive health and in distributing drugs to the elderly and the sick. The Government will not be forgiven lightly if she allows the pharmacists to go the same way as the post office network.

Ms Hewitt: The OFT's remit is to look at the effect on competition, among other things, of Government regulation. I would have thought that the hon. Gentleman—who, at least some of the time, is a supporter of competition policies—would welcome that role for the OFT. It is not part of the OFT's remit, however, to look at the much wider health service objectives or the role that community pharmacists can play—an even greater role, as I have indicated—in supporting modernisation and improvements in the national health service. That is our job in government, and, as I have indicated, we will come forward with a balanced package that will achieve those health and community aims.

Mr. Michael Weir (Angus): The Secretary of State will know that in Scotland the situation is slightly different, because health is dissolved—*[Interruption.]* Health is devolved, but competition policy is not. She will also be aware that the Scottish Parliament is due to be dissolved at the end of next week for the forthcoming election. Will she give an assurance that no decision will be made on the OFT policy until there has been consultation with the new Scottish Parliament and new Scottish Executive following elections on 1 May?

Ms Hewitt: Perhaps the hon. Gentleman was suggesting that the NHS might be dissolved if the nationalists won the elections. Let me make it clear: of course we are already discussing this issue with our colleagues, not only in Scotland but in Wales and Northern Ireland. We will arrive at the decision in full consultation with the devolved Administration, who, as the hon. Gentleman rightly says, are responsible for the health service in Scotland.

Ms Candy Atherton (Falmouth and Camborne): There are strong concerns about this issue in Cornwall, where many of our supermarkets are out of town, and I receive petitions almost daily opposing the proposals. I am glad to hear the Secretary of State say that nothing will be done that would hurt local pharmacies. May I reiterate, however, that real concerns exist, and we urgently need reassurance?

Ms Hewitt: I entirely understand not only my hon. Friend's concerns but those of her constituents. Every Member has had similar representations. Let me stress that although competition can clearly bring benefits to consumers, the crucial issue is that pharmacists should be able to enhance their role within the NHS plan and meet the health care needs of all our constituents, particularly those living in poorer areas and rural areas.

Mr. Tim Yeo (South Suffolk): Since the OFT's report confirms that community pharmacies do an excellent job, are trusted by their customers and are accessible to the vast majority of people, is it not clear that were the recommendations accepted it would show once more that this Labour Government care nothing either for those small and often family-run businesses that are the backbone of many communities, or for their customers, who rely on them as a valuable source of health advice?

Ms Hewitt: I am sorry that the hon. Gentleman did not hear my earlier answers on precisely that point. I am glad that the Conservative party now recognises that there are limits to markets, especially in health care. I hope that Conservative Members will support the other policies that our Government have introduced to promote social inclusion and to ensure that markets work for everyone's benefit. I am sure that the hon. Gentleman will soon tell us that he supports policies on the minimum wage, rights at work and improved health and safety in the workplace, which are other policies that set limits on uncontrolled markets.

Mr. Martin O'Neill (Ochil): Will my right hon. Friend take account of the phrase, "If it ain't broke, don't fix it"? In Scotland, there is no question that Labour will not lead the Administration after May, as it does at present, and the Scottish Pharmaceutical General Council, the professional body for pharmacists, is working with the Scottish Executive on an extremely ambitious programme for the expansion of community pharmacies, which goes far beyond anything envisaged in England at present. It would be highly dangerous for those ambitious plans to be frustrated by a cack-handed approach by the OFT to what is currently an excellent service for communities.

Ms Hewitt: The service is indeed excellent in Scotland and throughout the United Kingdom. It can be improved further, as my hon. Friend said, by the plans that are being developed in Scotland. As far as England is concerned, the NHS plan sets out a full vision of the greater role that pharmacists can play not only in helping to ensure that patients get the full benefit of medicines, but by undertaking some of the initial diagnosis and advice work. We value pharmacists' work and think that it can be improved and strengthened further in the NHS plan. However, let me stress that decisions will not be made by the OFT because its role in these matters is advisory. The Government will make the decisions in the full context of the NHS plan and equivalent developments in the devolved Administrations.

Mr. Patrick McLoughlin (West Derbyshire): Will the Secretary of State be a little more open about when she expects the announcements to be made? Whether she likes it or not, the OFT's proposals have caused great unease among our constituents and communities. She said that the report was published on 17 January and that she is in discussions with the devolved Parliaments, but they are about to dissolve before elections. When will we get an answer to this particular problem?

Ms Hewitt: As soon as possible.

EU Regional Funds

7. **Joyce Quin** (Gateshead, East and Washington, West): If she will make a statement on her Department's policy on the future of EU regional funds. [103886]

The Minister for Employment Relations, Industry and the Regions (Alan Johnson): My right hon. Friends the Deputy Prime Minister, the Chancellor of the Exchequer and the Secretary of State for Trade and Industry published a paper on 6 March that launched a joint consultation on the future of EU structural funds. This set out the preferred approach, the EU framework for regional policy. It would focus EU regional assistance on the poorest member states. Richer member states such as the UK would finance their regional policy domestically and we would increase UK Government spending to ensure that the UK nations and regions do not lose out financially as a result of reform.

Joyce Quin: I welcome the Government's commitment to ensuring that regions such as the north-east will not lose out, whatever the future of EU regional funding may be. I also encourage the Government to follow a policy of further economic decentralisation in the UK. What discussions have taken place with other European Union countries—especially the new countries that will be members by the time that the important decisions are made—and what support have they given to the proposals?

Alan Johnson: We have had a number of discussions. Commissioner Barnier kicked off a round of discussions last year but, as yet, not many EU member states have framed their objectives and policy. In fact, only the Netherlands, as far as I know, has said what it intends to do and what approach it intends to take. That approach is similar to our own. The document is a consultation document—now that other EU member states have seen it, we will, I am sure, get their reaction. As for the accession countries, my right hon. Friend the Secretary of State, Ministers in the Department for Work and Pensions and I have made a point of speaking to the accession countries about those issues. They will not be part of the decision, but they will certainly experience its effects.

Miss Anne McIntosh (Vale of York): The Minister will be aware that in the past North Yorkshire has benefited particularly from the old objectives 3 and 5. Is he aware that that there are now pockets of rural poverty in constituencies such as the Vale of York, where rural wages are 12 per cent. lower than urban wages? In the review, will the Department ensure that the moneys that come to regions such as Yorkshire and the Humber will be spread evenly between rural and urban areas?

Alan Johnson: We will ensure that our proposal is for a much more devolved and locally led allocation of European regional structural funds, which account for only a quarter of the money that we spend in the regions in this country. It is important to ensure that overarching principles govern the allocation of EU structural funds, and that they take into account the needs of rural areas.

However, to answer the hon. Lady's question, it is much more appropriate to look at the way in which regional development agencies and we allocate money domestically at the moment to ensure that rural areas get their fair share. We are doing so, and the Minister for Rural Affairs and Urban Quality of Life in the Department for Environment, Food and Rural Affairs is an active participant in discussions with the RDAs. The hon. Lady has made an important point that needs to be looked at, quite apart from objectives 3 and 5, which she mentioned.

Mr. David Watts (St. Helens, North): Can the Minister tell us when he will be able to publish his proposals on areas such as Merseyside, which enjoy objective 1 funding at present? Can he give an assurance that he will discuss his proposals with organisations such as the Alliance for Regional Aid?

Alan Johnson: I met a delegation led by my hon. Friend, so he knows that we are willing to discuss that. We published the consultation document on 6 March. It is important to point out that because the 10 accession countries are all poorer than the poorest EU member states, if we did not change the basis of European Union structural funds, the whole basis for allocating funds would change. Indeed, it is calculated that the total of 83 million people who receive objective funding in the European Union now would be reduced to 35 million, including my hon. Friend's constituents. To those people, of course, nothing material has changed in their plight or conditions. The only change would be in the calculation because of the accession countries. That is why we put that consultation document out, and why we think that we are taking the right approach to the problem.

Rural Post Offices

8. **Mr. Jonathan Djanogly** (Huntingdon): How many rural post offices have closed within the last 12 months. [103887]

The Minister for E-Commerce and Competitiveness (Mr. Stephen Timms): There were 97 net closures of rural post offices in the twelve months to December 2002. The number of net closures in the last quarter of that year, the most recent for which data are available, was zero.

Mr. Djanogly: St. Ives post office in my constituency—a rural post office serving 17,000 people—was recently closed, having been given three weeks' notice, which I find quite unacceptable. Thanks to a massive local effort and a receptive Post Office, St. Ives is to reopen. However, that raises some serious issues, such as the lack of closure notification procedures, the lack of sourcing of alternative sites, the Post Office's inability to recruit and retain sub-postmasters and the lack of attractive products, which are leading to the closure of scores of post offices around the country. What is the Minister going to do about it?

Mr. Timms: I am grateful to the hon. Gentleman for drawing to the attention of the House the success of the Government's measures to ensure that where there is a proposed closure an alternative can be found. He has done the House a service by explaining how that works—it is exactly what the Government have done. The Post Office has put in place a team of rural transfer advisers to make sure that when the problems that he described arise alternatives can be found, as has been done successfully in his constituency. I made the point that in the most recent quarter for which data are available there were no closures at all. The number of net closures that I gave for the year was less than half the number in 2001–02, which, in turn, was half the number in the preceding year. We have committed £450 million to maintain the rural network up to 2006. We have therefore backed fully, with funding, our commitment that there should be no avoidable closures of rural post offices, and I am delighted that that is working in the hon. Gentleman's constituency.

Dr. Stephen Ladyman (South Thanet): Many of the rural post offices in my constituency have tried to meet the challenge facing them by diversifying into retail newsagency. They have just discovered that retail newsagents have to obtain newspapers from wholesale newsagents that are granted a monopoly by newspaper publishers—a monopoly that has been abused by increasing service charges by 650 per cent. Would we not help rural post offices generally and retail newsagents across the country by breaking the monopoly of wholesale newsagents?

Mr. Timms: Of course, these arrangements have been in place for a considerable time, but the Office of Fair Trading is looking at precisely the issue that my hon. Friend raises, and it will report back in due course.

Mr. Roy Beggs (East Antrim): In Northern Ireland, just as elsewhere in Great Britain, rural post offices, in addition to delivering pensions and benefits conveniently, contribute to local village life. Will the Minister acknowledge that there has been disproportionate encouragement to benefit recipients to have bank accounts, and will he use some of the £450 million that he has mentioned to indicate in simple terms that people may still choose, as he has announced this morning, to receive payments in cash at their local post offices? That might just help to avert some further closures.

Mr. Timms: I agree with the hon. Gentleman about the importance of post offices in the life of a community, and he is right to draw attention to that point. However, in putting in place arrangements for the change to automated credit transfer, we have ensured that anyone who wishes to obtain their benefit in cash from a post office—either through a Post Office card account, or through any of the basic bank accounts that all banks will offer—can continue to do so. Those accounts will be fully accessible at the local post office. The great benefit is that people will be able to use the bank accounts and go to the post office, and post offices will be offering the services that people increasingly want. The old-fashioned giros did not offer a future for the post office, but our new arrangements will.

Mr. Andrew Robathan (Blaby): Given that rural post offices will lose some 40 per cent. of their income over the next two years with the introduction of universal banking, and given that the Government's largesse of £150 million a year will continue only to the end of 2005, taking us up to the next general election, will the Minister explain what happens then? The House, sub-postmasters and the public who use post offices will want to know whether this Government have a long-term, coherent plan for the future of rural post offices after the next general election.

Mr. Timms: I hope that the hon. Gentleman will welcome the figures that I have given to the House on the falling number of post office closures in rural areas. His suggestion that 40 per cent. of income will be lost to the Post Office assumes, of course, that nobody who obtains their benefit at a post office at the moment will do so in future. However, very many of the benefit recipients who currently use post offices will use the Post Office card account, a basic bank account or an ordinary bank account and continue to obtain their benefit in cash at local post offices, thereby generating income for the post office network. The arrangements beyond 2006 will, of course, be a matter for the next spending review, but the Government's commitment to ensuring a successful future for the post office network in every part of the country will be maintained.

Christmas Day Working

9. **Ms Ann Coffey** (Stockport): What steps she is taking to improve protection for employees against retail employers who force their staff to work on Christmas day. [103888]

The Minister for Employment Relations, Industry and the Regions (Alan Johnson): The Government wish to maintain the special nature of Christmas day. I expect to launch a consultation on possible new regulation of opening by large stores a little later this year.

Ms Coffey: I thank the Minister for his reply and I welcome his announcement about a consultation. However, does he agree that it cannot be right that there are no trading restrictions on Christmas day when it falls on any day other than a Sunday? It cannot be right that shop workers have to rely on the goodwill of their employers. Surely the only real protection for shop workers is legislation.

Alan Johnson: It is an anomaly that the terms of the Sunday Trading Act 1994 protect shop workers and others working in the retail sector when Christmas day falls on a Sunday. The basis of that Act was that Sunday is a special day, and everyone agrees that Christmas day is also a special day. We are minded to introduce legislation. Our view is that we need to consult fully beforehand, but we feel that the time to legislate is when there is not a problem. All the retailers say, "We have no wish to open on a Sunday, but if any of our competitors do, we will." It is important to act before we get on to that slippery slope.

Mr. John Bercow (Buckingham): Notwithstanding the fact that many people, myself included, agree with the hon. Member for Stockport (Ms Coffey) that it seems both unfair and mean-spirited to coerce people into working on Christmas day when they would otherwise not choose to do so, does the Minister accept that when contemplating legislation, it is essential to be sure that legislation and regulation are necessary, and that the form that they take is proportionate to the size of the problem and the level of the protest about it?

Alan Johnson: I fully accept that. My right hon. Friend the Secretary of State wrote to retailers last year to see whether there was an alternative to regulation. If there was an agreement between the major retailers, none of whom was interested in opening on Christmas day, that would probably breach fair trading rules, so that option has been ruled out. The hon. Gentleman makes a valid point. If there were any sensible alternatives to regulation, we would pursue them. My view at present—that is the reason for the consultation document—is that there is no alternative, and it will be beneficial regulation, not least because many retailers have said to us, "Look, we agree with you, but either put up or shut up. We will open if our competitors open, and the best way you can deal with this", many retailers tell us, "is through regulation."

Energy White Paper

10. **Mr. Gareth Thomas** (Harrow, West): What discussions she has had with Ofgem about the Energy White Paper. [103889]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): Ministers and officials have held a number of discussions with Ofgem about the energy White Paper, both before and after its publication. The White Paper includes a number of commitments relating to Ofgem, which we are pursuing with the regulator.

Mr. Thomas: Is my right hon. Friend aware of comments by the head of Ofgem that the Government's environmental and social guidance to Ofgem is not yet strong enough? In the light of those comments, will she undertake to revisit the guidance, and will she consider further whether Ofgem requires additional sustainable energy expertise on its board of directors?

Ms Hewitt: I entirely agree that the environmental guidance needs to be strengthened in the light of our White Paper objectives and commitments. We have that work in hand. We have also, as we state in the White Paper, agreed with Ofgem that it will produce regulatory impact assessments, including environmental impact assessments, on all new policies. I am delighted to say that a new non-executive board member with strong environmental credentials has been selected, and we will make an announcement about that shortly.

Mr. Nick Gibb (Bognor Regis and Littlehampton): In a written answer, the Energy Minister stated that increasing the renewables obligation from 10 per cent. to 20 per cent. will add £1 billion to the annual cost of electricity generation. On the assumption of a 3p buyer price, does the right hon. Lady believe that she will achieve 20 per cent., and if not, what price does she envisage, and what effect will that new price have on the cost of electricity to consumers?

Ms Hewitt: As I think the hon. Gentleman knows, we have published on the DTI website the extensive economic modelling work that underpins the analysis and the conclusions of the White Paper. As I said earlier to the House, the renewables obligation by 2010 will deliver a £1 billion boost to investment in the renewables sector. Energy prices at present, with the sole exception of industrial gas, are lower than they have been for about 20 years. A striking aspect of the consultation that we did with the public was that cheap electricity was seen as rather less important than meeting our carbon obligations. I therefore believe that we will be right to continue with the renewables obligation in order to ensure that we meet not only the 2010 targets but our 2020 objectives as well.

Mr. Bill O'Brien (Normanton): Has my right hon. Friend taken into consideration the views of the regulator about what will happen when we become a net importer of gas, and the fact that we could become more reliant on gas over the next 10 years? As has been proved in relation to oil in the last few weeks, an unstable situation in regard to gas supply could have a traumatic effect on domestic and industrial energy supplies if we do not take action now. Will my right hon. Friend tell us which way she intends to go on the issue of the net import of gas?

Ms Hewitt: The issue that my hon. Friend has raised is one of the reasons why we need a new energy policy. Over the next five years or so, we will indeed become a net importer of oil and gas. We already import about half the coal that we use. This will change the energy position in the United Kingdom. We will have to pay even greater attention to possible threats to the security of supply that could result from international events. Let me stress, however, that we have been importing oil from Russia for the last 37 years or so without any interruption, and that much of our gas supply will come from Norway, a close colleague and partner. We are already putting in place a new treaty with Norway to ensure that we will be able to secure those supplies.

MINISTER FOR WOMEN

The Minister was asked—

Entrepreneurship

20. **Mr. Wayne David** (Caerphilly): What measures she is taking to encourage more women to become business entrepreneurs. [103900]

The Minister for Women (Ms Patricia Hewitt): A national strategic framework for business support for women's enterprise is in the final stages of development by the Small Business Service, in conjunction with Prowess—the nationwide network of women entrepreneurs—and a cross-government policy group. This strategy will enable us to support far more women in moving into self-employment and setting up their own businesses.

Mr. David: Is the Minister aware of studies that have taken place in the United States that show that black women, especially, make excellent entrepreneurs when sufficient support is given? Does she believe that the issue could be considered in that context in this country?

Ms Hewitt: My hon. Friend is absolutely right. Unfortunately, we are not doing nearly as well as other countries, including the United States, at encouraging women, including black women, into business start-ups. If women in the United Kingdom were starting up businesses at the same rate as men are, we would have about 100,000 more businesses in the United Kingdom every year. That is why we are giving such priority to this issue, and ensuring—both through Prowess and the work of the phoenix fund—that we support women from all our different communities who are interested in becoming entrepreneurs.

Mr. Andrew Turner (Isle of Wight): What is the Minister doing to encourage women to become sub-postmistresses? Have the Government implemented recommendation 18 of the performance and innovation unit report that was mentioned earlier? It states:

> "The Post Office should develop a role for post offices as Government General Practitioners."

At a time when Haylands, Horsebridge Hill and Parkhurst post offices in my constituency are under threat of closure, the Government appear to have nothing to say on this matter—

Mr. Speaker: Order. That is far too wide of the mark.

Mrs. Louise Ellman (Liverpool, Riverside): Does the Minister recognise that women entrepreneurs have been greatly assisted by the innovation that was a key feature of the existing European structural funds, which has helped women in Merseyside and the north-west by supporting investment funds and training, and by giving encouragement to women to become involved in business? Will she ensure that, in any changes to structural funds, the innovation that allowed women to be supported in this way will be continued?

Ms Hewitt: When I was in Merseyside just last week, I saw an example of precisely that kind of entrepreneurial spirit at Blackburn House—in this case, a social enterprise created and led by women for women. My hon. Friend makes an important point, and the consultation document that the Chancellor and I recently published on the future of the structural funds and regional policy sets out a sensible way forward to ensure that the work already being done under the structural funds and under the regional development agencies will continue, following enlargement, in what we believe will be an even more effective and efficient way.

Domestic Violence

21. **Mr. Gwyn Prosser** (Dover): What recent measures she has taken to help women victims of domestic violence. [103901]

The Minister for Women (Ms Patricia Hewitt): The Government are currently consulting with a view to legislating to tackle domestic violence. We are funding refuges, and we have funded a new helpline for women fleeing violence. My Department is developing initiatives to raise awareness, and my right hon. and learned Friend the Solicitor-General is working with my right hon. Friend the Home Secretary to ensure that the police and prosecution services work far more effectively together to deal with the problem.

Mr. Prosser: I should declare a non-pecuniary interest as director of the east Kent refuge.

The domestic violence statistics are staggering. Crimes of domestic violence constitute a quarter of all violent crimes, are responsible for the deaths of 50 per cent. of female murder victims, and continue to claim two lives each week. Is it not time help was given at grass-roots level—to, for instance, the voluntary refuge support groups that must still rely on jumble sales and voluntary exercises for their funds?

Ms Hewitt: I agree that far more needs to be done, especially at local level, to support not just women but children fleeing domestic violence, and to deal with this appalling violent crime. That is why my right hon. Friend the Home Secretary recently announced an additional investment of £14 million to tackle the problem—in particular, through the local crime and disorder reduction partnerships—and my hon. Friend the deputy Minister for Women recently announced an additional £9 million to help women and their children who are fleeing domestic violence.

Sandra Gidley (Romsey): Following the publication of the Womenspeak survey initiated by the Minister, which found that 70 per cent. of women had experienced problems with the Benefits Agency, what discussions has the Minister had with the Department for Work and Pensions to ensure that women who refuse to give the names of violent partners are not regarded as fraudsters? *[Interruption.]*

Ms Hewitt: I am sorry to note that Opposition Members appear to have no interest in this rather important subject.

I agree that more needs to be done to deal with the Benefits Agency problem. My hon. Friend the deputy Minister for Women is taking it up with the Department for Work and Pensions.

Julie Morgan (Cardiff, North): Is my right hon. Friend aware of the work of the women's safety unit in Cardiff, a unique multidisciplinary project which has, during its short life, had a considerable impact in reducing the amount of domestic violence in the city? Will she join me in congratulating the unit on obtaining long-term funding from the Home Office and the Welsh Assembly to continue its good work? *[Interruption.]*

Ms Hewitt *rose—*

Mr. Speaker: Order. Mr. Gummer, there is far too much in the way of loud prolonged conversation. This is an important matter.

Ms Hewitt: Thank you, Mr. Speaker.

I readily congratulate the women's safety unit in Cardiff, which provides an excellent example of what happens when all the agencies in the voluntary sector work together to ensure that women and children are given the support that they need.

Mrs. Caroline Spelman (Meriden): The Minister just said that the Government had funded a new helpline, and indeed the Government held a press launch in December last year. But the line will not be up and running until the autumn, with £1 million of Government money and £1 million from Comic Relief. Why was it launched nearly a year before it will become operational, thus raising expectations and making life for the two main charities who will run it—Women's Aid and Refuge—even more difficult?

Ms Hewitt: As the hon. Lady would expect, we agreed with all our partners in the helpline that it was desirable to announce what was being done, so that we would receive the maximum support for this excellent initiative.

22. **Bob Spink** (Castle Point): If she will make a statement on the forthcoming Green Paper on domestic violence. [103902]

The Minister for Women (Ms Patricia Hewitt): The Home Office will shortly publish a consultation paper setting out proposals to strengthen the law against domestic violence. Those proposals will cover three broad areas, ensuring the safety of domestic violence victims, bringing offenders to justice and strengthening confidence in the criminal justice system.

Bob Spink: Does the Minister agree that it is shocking that even now two children a week die from domestic violence? When domestic violence takes place, children are usually in the vicinity. What will the Green Paper do to increase protection for children, and will it address the problem of low levels of supervision in child contact centres?

Ms Hewitt: The hon. Gentleman raises an important point. Ministers and local authorities are considering how to strengthen protection for children in contact centres and situations in which access is disputed. I stress that the Bill on which my right hon. Friend the Home Secretary will consult will be the first dedicated to the issue of domestic violence since 1976, when Jo Richardson—whom many, at least on the Labour Benches, will remember with deep affection—introduced the Domestic Violence and Matrimonial Proceedings Act 1976.

Kali Mountford (Colne Valley): Is my right hon. Friend alarmed to discover from recent surveys that many young men say that if their girlfriends step out of line, it is all right to give them a slap? Does that not mean that we should invest much more in what seems to be an in-bred cultural problem and not just the result of strains and stresses within the family?

Ms Hewitt: I entirely agree with my hon. Friend. Domestic violence is fundamentally about cultural attitudes and power relationships between men and women. The Department for Education and Skills is considering what can be done in schools and the education system to tackle the problem of appalling attitudes towards violence against women that are evidenced among too many young men today.

ROYAL ASSENT

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts:

Consolidated Fund Act 2003

Northern Ireland Assembly Elections Act 2003

Iraq (Overnight Events)

12.32 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): With permission, Mr. Speaker, I would like to make a statement about military operations to disarm Iraq of its weapons of mass destruction.

President Bush's ultimatum to Saddam Hussein expired at 1 o'clock this morning. Just as Saddam failed to take his final opportunity to disarm by peaceful means, so he has now failed to take his final opportunity to depart in peace and avoid the need for coalition military action. I draw the House's attention to Hans Blix's comments in New York yesterday that he was disappointed that three and a half months of inspection work had not brought clear assurances from the Iraqis of the absence of weapons of mass destruction in Iraq.

President Bush announced at 3.15 this morning on behalf of the coalition that operations had begun with attacks on selected targets of military importance. Those attacks were carried out by coalition aircraft and cruise missiles on more than one target in the vicinity of Baghdad, following information relating to the whereabouts of very senior members of the Iraqi leadership. Those leaders are at the very heart of Iraq's command and control system, responsible for directing Iraq's weapons of mass destruction.

Saddam Hussein's regime is the chief obstacle to the disarmament of Iraq. The military plan is therefore crafted around his removal from power. We will place a copy of the Government's military campaign objectives in the Library later today.

In addition to those attacks, coalition forces yesterday carried out certain preliminary operations against Iraqi artillery, surface-to-surface missiles, and air defence systems within the southern no-fly zone. Those were prudent preparatory steps, using coalition air capabilities previously used in the no-fly zones, designed to reduce the threat to coalition forces in Kuwait. The protection of our servicemen and women is a matter of paramount importance.

The House will be aware of reports of Iraqi missile attacks against Kuwait. Those incidents are being investigated by personnel with appropriate skills and the necessary protection. There are no reported casualties so far, but I am afraid that there is nothing more that I can confirm to the House at this stage.

I would like to draw the attention of the House to two particular points. First, that coalition forces will take every possible care to minimise civilian casualties or damage to civilian infrastructure. The coalition will use modern weapons, which are more accurate than ever, but we can never unfortunately exclude the possibility of civilian casualties, tragic though those always are. However, people should treat with caution Iraq's claims of civilian casualties. The Iraqi people are not our enemies, and we are determined to do all we can to help them build the better future that they deserve.

Secondly, I caution the House against suggestions that this campaign will be over in a very short time. We all certainly hope that offensive operations will be over quickly, but we should not underestimate the risks and difficulties that we may face against a regime that is the embodiment of absolute ruthlessness, with an utter disregard for human life.

I turn now to the United Kingdom's armed forces. I have set out in successive statements the forces that we have prepared for this purpose. We have deployed a substantial naval force of 29 Royal Navy and Royal Fleet Auxiliary vessels, including the aircraft carrier HMS Ark Royal and the helicopter carrier HMS Ocean. The land force is led by Headquarters 1 (UK) Armoured Division and includes 3 Commando Brigade Royal Marines, 16 Air Assault Brigade, 7th Armoured Brigade and 102 Logistics Brigade. We have also deployed an air force comprised of about 100 fixed-wing aircraft and 27 helicopters. In all, about 45,000 servicemen and women have been assigned to the campaign to disarm Iraq.

Our forces will make a substantial contribution to the military action to disarm Iraq, which we will pursue at a time and on a schedule of our own choosing. They are trained, equipped and ready for the tasks they may now need to undertake. British forces are already engaged in certain military operations, although the House will understand why I cannot give further details at this stage.

Events over the coming days will dominate the 24-hour media. The House will recognise that we must all be wary of jumping to conclusions on the basis of "breaking news" before there has been time to conduct a proper investigation. Similarly, the House will understand—and I hope that the media will too—that if we respond to media pressure for instant operational detail, we could risk the security and safety of our forces. We cannot therefore offer a running commentary on media reports. I will ensure, however, that the House is kept fully informed of significant developments. That is why I am making this statement today. In addition to making statements as and when necessary, I will arrange for a short summary to be placed in the Library of the House, with copies made available to members in the Vote Office, as warranted by the day's events.

My right hon. Friend the Prime Minister will be travelling to the European Council this afternoon. Once further significant military action has begun, and UK forces are substantially engaged, the Prime Minister will ask to make a broadcast to the nation.

Once again we are placing an enormous weight of responsibility on the shoulders of our armed forces. We have not taken the decision to do so lightly. The commitment to military action of service personnel is always the gravest step that any Government can undertake. I know that the thoughts and prayers of this House and of our country are with them, and their families, as they embark on their mission. We hope for their safe and swift return.

Mr. Bernard Jenkin (North Essex): I thank the Secretary of State for his timely statement to the House, and for providing me with a copy in advance. I am grateful for his assurance that he will continue to make regular oral statements to the House, and put a daily summary of events in the Library.

First, I want to underline one part of the Secretary of State's statement—that the size and scale of the British forces involved in this operation show that they are no token commitment. They are making a very real contribution to the operation, and we should be proud of them.

Events overnight confirm that military operations to disarm Saddam Hussein are likely to be unpredictable. We appreciate that in any conflict of this nature,

[Mr. Bernard Jenkin]

especially with modern electronic surveillance, targets will present themselves for attack at very short notice. Will the Secretary of State confirm that the military commanders will continue to have the necessary autonomy to act quickly and flexibly to seize such opportunities, as and when they arise?

When the President of the United States refers, as he did this morning, to "coalition forces" being in the early stages of military operations to disarm Iraq, is he implying that UK forces were involved in the action overnight? If so, is the Secretary of State able to say in what capacity?

Will the Secretary of State confirm that the coalition is far wider than just the UK and US and that it comprises some 35 nations, although not all are directly involved in military action?

There are reports of Scud B missile attacks on Kuwait and coalition forces there. It may be too early for the Secretary of State to confirm the exact nature of these attacks, but if they were Scud Bs—with a range of at least 600 km—would that not confirm that Saddam Hussein had continued to lie and failed to disarm? Can the Secretary of State confirm how effective the US theatre missile defences have been? Is he able to say what warheads the enemy missiles were carrying? Can he explain what caused the explosion reported in Kuwait City? Can he provide any details about the exchange of artillery fire on the Iraqi border with Kuwait?

There has been widespread concern about the possible interaction of Turkish and Kurdish forces in northern Iraq, perhaps at a later stage of the conflict. Can he comment on overnight reports that Iraqi Kurdish forces have placed themselves under US command? If this is true, it is a welcome development. There are also reports of Iraqi soldiers giving themselves up; this is most welcome. Will the Secretary of State confirm that they are being treated as bona fide prisoners of war and will be accorded their proper rights under the Geneva convention? Will he also clarify what role they might be invited to play eventually at later stages of the conflict, perhaps as volunteers in the fighting to disarm Saddam Hussein?

What continued diplomatic initiatives are being maintained with France and Russia, who have both issued public criticism of the action carried out by the coalition? Will the Government and the United States make every effort to engage the United Nations in the humanitarian tasks, which are far more the inevitable result of 30 years of Saddam Hussein's misrule than of any damage likely to be caused by military action?

We have had a great debate over many months about military action to disarm Saddam Hussein. We are, of course, a free country in which people continue to have every right to protest, but I hope that all parties will agree that such protests should remain within the law. It is a tragic inevitability of war that innocent people will die, and we mourn them. Would not it be so much better for Saddam Hussein to end the suffering of the Iraqi people now and surrender immediately?

The UK has embarked on this course alongside our allies to disarm Saddam Hussein because he is a threat. I support the Secretary of State in his warning that, inevitably, there will be events in the days and weeks ahead that test our determination. It may take longer than we hope, but we must have the resolve to see this through.

I conclude with the words of Lieutenant Colonel Tim Collins who addressed his 1st Battalion of the Royal Irish Regiment yesterday with these words:

> "Let us bring everyone home and leave Iraq a better place for our having been there."

He spoke for our whole nation and we wish him and all our fine armed forces the best of good fortune.

Mr. Hoon: I am grateful for the hon. Gentleman's observations and for the support of Her Majesty's official Opposition.

On his question about the responsibility of commanders on the ground, I assure him that they will have the delegated responsibilities necessary to allow them to take appropriate action. Equally, I make it clear that those delegated responsibilities are always approved by Ministers, consistent with the usual arrangements.

On the specific involvement of UK forces, President Bush made it clear in his address overnight that these were coalition operations. I do not believe that it is appropriate to specify what particular forces were used for each particular operation. These are coalition operations involving a wide range of military support; at least the number of countries mentioned by the hon. Gentleman.

Consistent with what I said earlier, I do not intend to comment in detail about the considerable number of missiles that have been targeted against Kuwait. We are investigating precisely the nature of the missiles and of the warheads with which they are equipped. I understand, but only from recent news reports, that defensive systems have been used to good effect to deal with at least one such missile.

There is close co-operation between the United States and Kurdish forces in the north of Iraq and I am confident that that will continue. I give the House the assurance that prisoners of war will be dealt with in accordance with international law. There are certainly signs of a growing number of disaffected Iraqis abandoning support for Saddam Hussein. This morning I discussed with my right hon. Friends the Prime Minister and the Foreign Secretary the continuing diplomatic initiatives that will be taken. As I have said, the Prime Minister will go to the European Council meeting this afternoon.

Mr. Paul Keetch (Hereford): May I thank the Secretary of State for advance notice of his statement and associate myself and my colleagues with his comments and those of the shadow Defence Secretary about the excellence of the men and women of our armed forces? They will perform whatever tasks they are set with extraordinary courage and great skill. They are a credit to our nation. At this time we must remember their families at home. Our troops and their families should know that they have the support of the full House today.

We all hope that this will be a swift and successful campaign with as few casualties as possible on all sides. The Secretary of State outlined today details of the strike that took place in the small hours of the morning.

We thank him for that and we understand the constraints that he has in saying more. In relation to the reports of the Iraqi attacks on Kuwait this morning, does it appear that the warning procedures set in place by coalition forces have worked extremely successfully?

Finally, I understand that later today the permanent under-secretary will announce that the unmarried partners of members of the armed forces serving in the Gulf will receive proper compensation, should their partners pay the ultimate price. The Secretary of State will know of my concern and interest in this matter. If that is the case, may I thank him? It is most welcome.

Mr. Hoon: I am grateful for the hon. Gentleman's support. He asked two specific questions. I was enormously impressed by the television pictures this morning of British forces and, indeed, members of the press, reacting quickly to warning procedures. We undoubtedly have concerns about the offensive action taken by Iraq against Kuwait and our deployed forces. Today there will be a ministerial statement on unmarried partners along the lines that the hon. Gentleman advocated.

Laura Moffatt (Crawley): My right hon. Friend has outlined the progress in this campaign. We must win the campaign and not allow our armed forces to go into conflict without the correct weaponry to protect them. Could he say something about the more controversial weapons that may need to be used, such as depleted uranium heads on weapons and cluster bombs, for our constituents who may have concerns about them?

Mr. Hoon: I emphasise that a range of weapons will have to be used to prosecute this campaign successfully and achieve the successful result that my hon. Friend rightly advocates. I will not allow our forces to be prevented from using those lawful weapons that are most suitable for achieving those tasks. I assure her equally that those weapons are used only after the most careful consideration. Depleted uranium and cluster bombs have a particular military purpose. If that purpose is necessary, they will be used; if it is not, they will not be used.

Mr. Henry Bellingham (North-West Norfolk): The Secretary of State will be aware that a number of my constituents based at RAF Marham are in the Gulf and will almost certainly have played a part in this first phase of operations. They will have shown their normal, high standard of professionalism. Does he agree that they now deserve the 100 per cent. support of all the public? Surely the time has come for these anti-war demonstrations to cease.

Mr. Hoon: The hon. Gentleman is right. Those armed forces deserve our support. It is a characteristic of our society and the values that we are trying to uphold that we have a democracy and the opportunity to demonstrate, that we can set out in full the different views expressed by a mature democracy. That is what we are trying to achieve. Therefore, I would not necessarily go all the way with him in his remarks. As for his constituents, our thoughts are also with the families who are obviously concerned about the people who are engaged in action and will be engaged in the near future. It is important that we remember those people as they support those who have gone to war on our behalf.

Mr. Kevin Hughes (Doncaster, North): Given what we know about Saddam Hussein's propaganda machine, what plans does my right hon. Friend have to deal swiftly with any false information, or disinformation, that will come out of Iraq? Does he have any intelligence on rumours that Saddam has built up a body bank that can be used to inflate the civilian casualty figures?

Mr. Hoon: Before I answer that specific question, may I commend my hon. Friend on his strong support of the military operations and on the strong support of his son, who is presently serving in the Gulf? The whole House will join me in congratulating him on that.

I caution the House, as I did in my statement, about relying too much on propaganda from the Iraqi authorities. We have many experiences of Iraq claiming civilian casualties in the no-fly zone on days when we have not had a single aircraft flying.

Mr. James Paice (South-East Cambridgeshire): I endorse what the Secretary of State said about the role of the media. Will he go a little further? Will he take this opportunity to remind the media—both written and visual—that what we are embarked upon is a very serious action to relieve the people of Iraq and the world of these weapons? This is not some form of entertainment. It is not designed as a spectacle for people to sit glued to their screens to watch as entertainment. Will he urge upon all commentators and reporters a sense of dignity and responsibility in the way that they report what is going on? Will he urge discretion upon them not necessarily to report every single detail if doing so could cause distress to families or individuals in this country? [HON. MEMBERS: "Hear, hear."]

Mr. Hoon: I do not think that I can improve on the remarks of the hon. Gentleman. He puts his case extremely well and I entirely endorse it.

Mrs. Anne Campbell (Cambridge): Will my right hon. Friend outline the precautions that our forces and the forces of our allies will take to ensure that the Iraqi people have adequate access to clean water and food during the actions?

Mr. Hoon: On previous occasions, when I have set out to the House the details of the British force deploying to the Gulf, I have made it clear that it is a flexible force—certainly designed for war-fighting but also designed for peacekeeping. As soon as any conflict draws to an end, forces will be in place to provide security to the people of Iraq but also to attend to their obvious humanitarian needs. Iraq has been devastated by the regime of Saddam Hussein over many years. It is a much poorer country than it should be. We will assist in the process of rebuilding that country.

Bob Spink (Castle Point): If at all possible, will the Secretary of State seek to ensure that there is no Turkish incursion in the north of Iraq? That would be destabilising and downright dangerous. Will the

[Bob Spink]

Kurdish people get co-operation if, in any internal uprising, they seek to take over Kirkuk or to help the allied forces to remove Saddam Hussein's evil regime?

Mr. Hoon: A clear message has been sent to Turkey along the lines of the hon. Gentleman's suggestion; the Turkish ambassador visited the Ministry of Defence this morning. As far as the Kurds are concerned, I emphasise—as I did in response to an earlier question—the importance of preserving the position of the Kurds. They have, in the past, been the target of appalling attacks by Saddam Hussein's regime and we will never allow that to be forgotten.

Mr. Neil Gerrard (Walthamstow): The Secretary of State has said that he wants civilian casualties to be minimised and yet, when my hon. Friend the Member for Crawley (Laura Moffatt) asked about cluster bombs, he would not rule out their use. Does he not see the contradiction between his two statements? The record of the use of cluster bombs is that they do, by their very nature, cause civilian casualties. In the first Gulf war, the United States used something like 60,000 cluster bombs, containing up to 20 million bomblets, in Iraq and Kuwait. Does the Secretary of State really believe that a repetition of that sort of behaviour will not cause civilian casualties?

Mr. Hoon: I made it clear that those particular weapons have a particular purpose. They will be used to achieve that purpose if it is necessary. Their use will be limited to those circumstances. I assure my hon. Friend that they are not used in a random way; but I would be failing in my duties as Secretary of State for Defence if I did not allow our armed forces to use the most appropriate weapons to deal with the threats against them.

Mr. Simon Thomas (Ceredigion): Now that the troops are engaged and potentially under attack, we all wish that they may return safely and swiftly to this country. We all give them that support. Will the Secretary of State confirm that the attacks last night were in residential areas of Baghdad and were, in fact, an attempt to assassinate Saddam Hussein? Will he take this opportunity to spell out in more detail the UK MOD processes for ensuring the protection of civilians in such situations? What advice is taken and given in order to achieve that? Will he also say a little more about the co-ordination of the humanitarian relief that will have to follow? How will it be achieved? Will it follow a similar military chain of command, or will it be a different sort of operation?

Mr. Hoon: The hon. Gentleman probably understands more about the nature of Iraqi society than he is letting on. In the past, we have heard many references to the palaces that the regime has constructed. Those palaces are residential—if the hon. Gentleman chooses to describe them as such—but they are also command and control centres that are operated by leaders of the regime simply because they are afraid of any close contact with their own people. In reality, those targets are perfectly legitimate military targets because they are the places from which Saddam Hussein exercises command and control over his own people and over weapons of mass destruction. It is entirely consistent with our campaign objectives that such military command and control facilities should be targeted.

A great deal of effort has been made in recent months to ensure proper co-ordination. As I have said before, it is important not only that we win any war but that we win any subsequent peace. I was in Washington some weeks ago, primarily to discuss the role that the military can play in ensuring the reconstruction of Iraq. My military advisers are at pains to emphasise that we are further forward in that way than we have ever been in any previous conflict. We recognise in particular the outstanding role that Britain's armed forces can play in these kinds of peacekeeping operation. However, it is important that we get through any military conflict before we can turn our full attention to such an operation. I assure the hon. Gentleman and the House that a great deal of effort is being made by the Government, in co-operation with other Governments, to ensure the co-ordination of that humanitarian effort.

Mr. Tom Levitt (High Peak): A criticism that has been levelled at this military action has been the tag "unilateral action by the United States". Given the variety of degrees of enthusiasm with which hon. Members in this House reached the conclusion that we did the other night, if my right hon. Friend could confirm that the number of countries that are actively engaged in one way or another in supporting the present military action is 30—or, better still, if he could confirm that the number is higher than that—it would reassure many of us.

Mr. Hoon: I can confirm, as I did earlier today, that there are at least 30 countries that are actively engaged in support of military operations, and, indeed, that still more countries are offering strong political support.

Mr. George Osborne (Tatton): It is clear from the action overnight that the military is targeting Saddam Hussein himself. Should Saddam Hussein be killed or overthrown, would military action cease immediately? If not, how would the Iraqi military bring the conflict to a close? What would it have to say to us to bring the conflict to an end?

Mr. Hoon: We are pursuing lawful military targets. Clearly, part of that effort is designed to disrupt the command and control of the regime. As I have said, and as the Prime Minister made clear yesterday, we are seeking to remove weapons of mass destruction from Iraq. However, with the expiry of the ultimatum to the regime and to Saddam Hussein, the means of achieving that will be through the removal of the regime. The removal of the regime will be the specific focus of our military operations.

Mr. George Galloway (Glasgow, Kelvin): Is it not the ultimate in spin-doctoring propaganda for the Minister to be quoting Dr. Hans Blix in aid of his statement—*[Interruption.]* The Chief Whip is heckling me but this is a free Parliament and I will be heard in it—*[Interruption.]*

Mr. Speaker: Order. The hon. Gentleman will be heard.

Mr. Galloway: Is it not the ultimate in spin-doctoring propaganda to be praying in aid Dr. Hans Blix, who has just denounced the action that the Minister has been boasting about this morning—as have an overwhelming number of world leaders, including some of our closest friends, partners and allies? Will the Secretary of State give a straight answer to this question: given the view in the advice of the overwhelming number of unpurchased international legal experts that this action is illegal, what assurance will he give British forces that they will not face prosecution in the International Criminal Court by other countries for the actions that he has ordered them to carry out today?

Mr. Hoon: I will defend my hon. Friend's right to be heard—as I will also defend the right of the opposition in Iraq to be heard; and I should be much happier if he emphasised that more frequently than he has sometimes done in the recent past. I assure him, as I have assured the House on previous occasions, that the actions of our armed forces are entirely lawful and based on the clear advice of the Attorney-General, which has been set out for the benefit of Members.

Mr. Humfrey Malins (Woking): May I raise with the Secretary of State the issue of British civilians serving alongside our troops in the Gulf? In the event that those civilians are injured or wounded, will they receive the same protection through war pensions, insurance cover or the like as apply to our military personnel?

Mr. Hoon: I am grateful to the hon. Gentleman for reminding me of something that I normally mention: the contribution made by civil servants, especially from the Ministry of Defence and other Departments, to such military operations. We should not forget either them or their families in the efforts that are being made. I assure the hon. Gentleman that they will receive appropriate entitlements, according to the arrangements that normally prevail for their service.

Kali Mountford (Colne Valley): On the news this morning and in the House this afternoon, my right hon. Friend said that he cannot engage in a propaganda war, giving an hour-by-hour update to the press. However, can he ensure that the House receives accurate information, which is as full and complete as is possible and practicable, as soon as he can provide it?

Mr. Hoon: I am grateful to my hon. Friend for raising the issue of accurate information. It is important that what the Government say in response to incidents is accurate and timely. Sometimes, the needs for accuracy and timeliness can be difficult to reconcile, but it is important that the Government's comments on particular incidents are based on the most accurate information that it is possible to obtain.

Mr. Andrew Robathan (Blaby): Every Iraqi soldier is some mother's son and most Iraqi conscripts are as innocent as any civilian, yet we hear today that soldiers trying to surrender have been turned back by Kuwaiti border guards, and possibly sent back to execution. Will the Secretary of State ensure that all coalition allies realise the value of taking Iraqi prisoners of war, and that they treat them well and use them to get others to surrender to show the Iraqi people that our battle is with the regime and not with them?

Mr. Hoon: As I indicated in Defence questions, I know that the hon. Gentleman has considerable knowledge and expertise in that area, so he will understand that the situation on the Kuwaiti-Iraqi border today is somewhat sensitive. It is perhaps understandable that Kuwaiti soldiers might be suspicious of those who might, initially, be trying to surrender. However, as I indicated to the House earlier, efforts are being made; I made a ministerial statement last week indicating that extra British forces will be deployed specifically to deal with prisoners of war and to carry on the good work that the hon. Gentleman has conducted in the past.

Lynne Jones (Birmingham, Selly Oak): We all hope that our troops will come home safely, but I am concerned about my right hon. Friend's selective quote from Dr. Hans Blix. On the radio this morning, the chief weapons inspector cast considerable doubt on the likelihood that Saddam Hussein possesses weapons of mass destruction. Given that the whole invasion is predicated on the dubious assumption that Saddam Hussein has links with al-Qaeda and other fundamentalist terrorist organisations, and that he would supply them with weapons of mass destruction to attack the US and other western countries, what evidence does my right hon. Friend have—or what evidence has he been supplied with by the American Government—that there are such links between the Iraqi regime and al-Qaeda? It is not sufficient to say—

Mr. Speaker: Order.

Mr. Hoon: What I said was that Hans Blix was disappointed that his inspection work had not brought clear assurances from the Iraqis about the absence of weapons of mass destruction. There is no argument about that. I am not aware that any Government, whatever their position on the need for military action, have disputed the fact that Iraq possesses weapons of mass destruction. That has not been disputed even by countries opposed to military action. It is important not to lose sight of the reason for military operations: to enforce the will of the United Nations to remove the threat of weapons of mass destruction, either, as the Prime Minister has said, when they are in the hands of the Iraqi regime itself, or when there is a risk that they might fall into the hands of unscrupulous terrorist organisations such as al-Qaeda.

I have answered the question about links before. There are clear links between the Iraqi regime and al-Qaeda. We are not sure of the precise nature of those links, but we are certainly aware that they exist. It is important that we continue to monitor that.

Andrew George (St. Ives): Four hundred personnel from RAF Culdrose in my constituency have been deployed to the Gulf and I know that their commitment, courage and professionalism will be much appreciated by the House. Although I realise that the Secretary of

[Andrew George]

State cannot release into the public domain operational details about deployments over the coming weeks and months, will he ensure that Members of Parliament with large numbers of constituents in the region at least have a private channel of communication so that they can obtain information that might reassure the families of their constituents?

Mr. Hoon: I am sure that appropriate arrangements can be put in place. As I indicated to the House, I want to follow previous practice and ensure that when it is justified details will be made available daily to all Members. However, if the hon. Gentleman has particular concerns about constituents and their families they will certainly be addressed by the Ministry of Defence.

Mr. Ben Chapman (Wirral, South): I greatly welcome the assurances about the minimisation of civilian casualties and the fact that our strikes will be specifically and carefully targeted. I accept the cautionary note struck by my right hon. Friend with regard to the length of the campaign. However, the campaign could be shortened by encouraging Iraqi defections. What overt measures are being taken to that end, other than military action? What soft measures are being taken, by way of broadcasts and leaflet drops? What are the targets? Are they at the higher or lower level of Iraqi society or throughout various strata?

Mr. Hoon: A detailed information campaign has been under way for some time to achieve precisely the objective that my hon. Friend describes: the collapse of the regime. We know that the regime is not supported by the overwhelming majority of the Iraqi people—but for the appalling intimidation practised by that regime, it would have collapsed many years ago. Those information operations will continue.

Sir Patrick Cormack (South Staffordshire): Further to the question put by the hon. Member for Wirral, South (Mr. Chapman), will the Secretary of State confirm that the BBC World Service is being used as extensively as possible to broadcast to the Iraqi people? Is he satisfied with the co-operation that he is receiving from that service?

Mr. Hoon: As a great admirer of the BBC World Service and its objective, independent voice in the world, I am sure that those in Iraq who are able to listen to it will benefit from its services.

Alan Simpson (Nottingham, South): The United Nations has asked for the immediate establishment of a fund of $53 million to provide for emergency humanitarian aid in Iraq. Can the Minister say what contribution the UK is making to that? Can he also give the House an assurance that we will respond to a particular concern that is being raised in Britain already—namely, the demand that whatever contribution Britain makes, it should be through agencies that have clean hands, which would at least allow us as a Government to avoid having to explain the morally ambiguous position of bombing the children, then offering to feed those who survive?

Mr. Hoon: I assure my hon. Friend that the Government recognise their responsibility in assisting the people of Iraq in any necessary rebuilding that might follow military operations. We are working closely with the United Nations, our coalition partners and others. My right hon. Friend the Secretary of State for International Development is in New York having discussions with Kofi Annan and other members of the United Nations in order to put that process in place.

I make this point to my hon. Friend, and I am sure that if he thinks about it for a moment he will acknowledge it. The moment that the military operations end, it will be British soldiers, American soldiers and other members of the armed forces who will be in position, with the ability to help to resolve those problems. If they do not help to resolve those problems, there will not be time for the international organisations to move in sufficiently quickly to provide food, water, clothing and other necessary assistance. That is why the Government have allocated significant funds for members of the military to engage in the initial humanitarian help that will be required the moment that conflict ceases.

Mr. Crispin Blunt (Reigate): Many hon. Members and members of the public will have read an account of the exemplary address by Colonel Collins to his battle group. I commend every single word of it, especially what he said about appropriate respect for and treatment of Iraq and Iraqis. He gave an instruction to his battle group not to fly the Union flag from their vehicles when they are on Iraqi territory in order to show that this is a war of liberation, not of occupation. Symbols are important. If that is not yet policy for all British forces engaged in this operation, will the Secretary of State consider making it so? In particular, if he considers it to be appropriate for United Kingdom forces, will he suggest to our United States allies that it may also be appropriate for them?

Mr. Hoon: I am grateful for the careful and measured way in which the hon. Gentleman made that point, and I shall certainly look into it.

Ann Clwyd (Cynon Valley): Will my right hon. Friend confirm that the so-called live broadcast by Saddam Hussein this morning was in fact a recording? Will he also tell us exactly what is the situation as far as Turkey is concerned, given that Turkey has so far shown considerable reluctance to give assistance in the war that is now in progress?

Mr. Hoon: I know that the nature of that broadcast has attracted some interest and that analysis is being conducted as to its origins and authenticity, but I am not in a position at this stage to comment further.

Turkey is offering assistance. Clearly, we hope that Turkey will offer more help in coalition operations, and that is something that we continue to discuss with Turkey.

Mr. David Cameron (Witney): Further to the question asked by my hon. Friend the Member for South-East

Cambridgeshire (Mr. Paice), has the Secretary of State given any guidance, or does he plan to give any guidance, to British news organisations that plan to maintain correspondents in Baghdad even after a state of war exists between our two countries?

Mr. Hoon: Guidance is given by the Government and general advice is given to news media about the safety and security of their correspondents in Baghdad. Above all else, what we will be looking for is the necessary objectivity from those organisations, particularly as they are operating under very considerable restrictions. Some correspondents do make the point that they are not allowed to see all that they would want to see or to go where they would choose to go in order to report objectively what is taking place. Provided that correspondents make that qualification, their safety and security is ultimately a matter for their employers.

David Hamilton (Midlothian): As one who was in a minority on Tuesday, I believe that it was the first time that this House collectively made such a decision—not the Prime Minister, but this House. It is therefore binding on all Members to accept that that was the decision that was taken, as much as I disagree with it. My question is a simple one. I do not believe that we should be seeing everything that happens through the media. Ministers are right to say that they will come to the House to make statements. On two days a week, we finish at 7 o'clock and we do not sit on a Friday. Will the House adjust its hours to accommodate that, because members of the public expect their MPs to be here?

Mr. Hoon: I am relieved to say, given my other responsibilities at the moment, that that is not a matter for me. [HON. MEMBERS: "Who is responsible?"] I will come to that question in a second, when I have thought of the answer.

On providing an opportunity for the House properly to debate these important events, I remind my hon. Friend that the Government made available three further hours in Tuesday's debate to allow more right hon. and hon. Members to address the issues. I am sure that the Parliamentary Secretary, Privy Council Office, my hon. Friend the Member for Exeter (Mr. Bradshaw), who will shortly take business questions, will be able to give a much fuller and more detailed answer to that question.

Mr. Michael Clapham (Barnsley, West and Penistone): Now that this avoidable war has started, will my right hon. Friend confirm that coalition war costs will not be paid from Iraqi oil revenues?

Mr. Hoon: We have made it absolutely clear that the benefit of Iraq's oil will be used for the benefit of the Iraqi people.

Jim Knight (South Dorset): Will my right hon. Friend clarify what principles the UK military will use for their targeting and whether those principles will be shared by the United States and other allies?

Mr. Hoon: It is absolutely the case that we operate in a coalition with the same principles of international law governing the targeting. I have already set out some of those principles to the House. It is important to avoid where we can civilian casualties, while recognising the risk that there will obviously be civilian harm, but working through the details of the targeting programme to minimise those risks wherever possible.

Jeremy Corbyn (Islington, North): As depleted uranium weapons leave a poisonous cancerous residue for generations to come, and as cluster bombs are specifically anti-personnel devices designed to kill large numbers of people and to leave bomblets that will explode for ever more, killing many individuals, as is presently happening in Afghanistan, why are they being used now against the people of Iraq?

Mr. Hoon: I have already answered that question twice today. I just say this about my hon. Friend's premise in relation to depleted uranium. Notwithstanding what he says about the poisonous residue, there is not the slightest scientific evidence to support his contention. Depleted uranium is one of the complaints that is used against the Ministry of Defence in allegations of so-called Gulf war syndrome. In fact, the forces who deployed to the Gulf suffered fewer incidences of death from cancer that those who did not deploy there. That is a very important medical fact that my hon. Friend should study a little more carefully.

Richard Younger-Ross (Teignbridge): No doubt the Americans will also give daily briefings. I wonder whether the Secretary of State could think back to the Gulf war, when on one occasion the Americans gave details of a covert British operation. Will the Secretary of State say what discussions he will have with our coalition allies to ensure that such disclosures do not endanger British forces?

Mr. Hoon: A great deal of effort has already been made to co-ordinate the information campaign and information operations, and I assure him that that will continue.

Dr. Gavin Strang (Edinburgh, East and Musselburgh): I am sure that the House and the British people will welcome my right hon. Friend's assurance that the forces will do all that they can to minimise civilian casualties and damage to civilian infrastructure. Does he accept, however, that a certain proportion of even the most modern guided missiles are bound to miss their targets, and that there has to be a danger that some very extensive civilian damage will be done? In those circumstances, while I accept that getting a speedy response sometimes conflicts with having all the information, it would nevertheless be much better if the British people could get the information from the British Government as soon as possible, rather than having to rely on other sources.

Mr. Hoon: My right hon. Friend is right. As I said, there is inevitably a risk to civilians in times of conflict, but equally I point out again that we seek wherever we can to minimise those risks and to ensure that our statements are wholly accurate.

Mr. Speaker: Order. I inform the House that there will be further statements, as the Secretary of State said, and I will keep a list of those who have not been called.

Fire Dispute

1.19 pm

The First Secretary of State (Mr. John Prescott): With permission, Mr. Speaker, I would like to make a statement about the fire dispute.

As the House has just heard, military action is now under way and we are in a grave and serious situation. Our armed forces are now actively engaged in the Gulf. The continuing fire dispute means that 19,000 members of the armed forces are engaged in providing emergency fire cover at home. Therefore, although the Fire Brigades Union has called off its latest strike, which was due to start at 6 o'clock this evening, the threat of a further strike means that we must still hold those troops in reserve rather than release them for other military duties.

As the House will be aware, I have always tried to keep it fully informed of developments in the fire dispute as soon as they take place. I regret to say that, last night, the FBU recalled conference rejected the latest offer from the employers. I will be calling in the local authority employers and the FBU to meet me this afternoon. I am sure that many Members will be astonished that the conference has rejected an offer of 16 per cent. by July 2004 linked to common-sense changes in working practices. It would mean that every qualified firefighter would earn at least £25,000 a year compared with the present level of £21,500. That is a far more generous deal than most other workers in both the public and private sectors have settled for. It is double what their old pay formula would have given them, more than double what other local government employees have settled for, and compares with public sector pay settlements running at about 3 per cent. a year.

As I have said before, the employers' revised pay offer is partly financed by transitional funding from the Government. I want to make it absolutely clear that no more transitional funding will be forthcoming from the Government. Firefighters should be in no doubt that what the employers are offering is both generous and at the absolute limit of what they can afford. With that in mind, the executive council of the FBU concluded that this deal should be accepted by its members and that the strikes should be brought to an end. That was its recommendation to the conference. Clearly, in the view of the FBU negotiators, that was an acceptable offer. The employers agreed to that, as did the Government. Yesterday, however, the recalled conference decided to ignore the recommendation of the union's executive. Instead, it rejected the deal and reverted to the original claim of 40 per cent. for firefighters and 50 per cent. for control room staff.

The recalled conference went on to decide that it would take further soundings in the brigades with a recommendation to reject. It will meet again in two or three weeks' time. The FBU will therefore put the same deal to the same delegates at the same conference as yesterday, no doubt with the same outcome. Individual firefighters, however, have not spoken directly on this dispute since they rejected a 4 per cent. offer in a secret ballot last September. Since then, there have been months of negotiations leading to this final offer. It is a material and significantly better offer and individual firefighters should now have the right to express their individual views on it in a secret ballot.

For now, however, we are left in a position in which, although no new strike dates have been set, we have no guarantee that further strikes will not be called, the union has repeatedly made it clear that it can call fresh strikes at any time with just seven days' notice, and unofficial action could put the public at risk during a period of heightened terrorist threat.

The House will recall that on 28 January I announced that if it proved impossible to reach a satisfactory negotiated agreement I would introduce legislation to impose a pay settlement. Now that the FBU conference has overturned its executive, I have concluded that the time has come for legislation, particularly given the conflict in the Gulf and the heightened threat of terrorism. I am therefore giving notice today that I will introduce and publish a new two-clause Fire Services Bill tomorrow. The Bill will give me the power to impose terms and conditions within the fire service and direct the use of fire service assets and facilities. I will start immediate discussions through the usual channels about how quickly we can make progress on this Bill. In setting the level for a settlement, I would take into account the pay rise that would have been forthcoming under the FBU's existing formula, the pay review bodies' recommendations for other key public sector workers and the Government's overall approach to public sector pay.

New terms and conditions, however, are only part of what is required for a modernised fire service. As the House is aware, we are repealing section 19 of the Fire Services Act 1947 and we are consulting on the related guidance to get the right people in the right place at the right time in order to reduce the risk of fire. I am also pressing ahead with a White Paper on a modernised fire service and legislation to achieve that objective. That will ensure that we have the legal framework in place to provide a modern, safe, efficient and effective fire service for the public and the firefighters. The choice for firefighters is simple: accepting a generous deal that has been approved by the FBU executive, or continuing a dispute that has been running for 12 months, is going nowhere and will require me to act. I believe that the common sense of individual firefighters will prevail in the end. Individual firefighters, however, must be given the chance to vote in a secret ballot, as they did on the original 4 per cent. offer in September last year.

In the interest of public safety, 19,000 members of the armed forces are tied down to cover the possibility that the union may strike again. That is unacceptable in the difficult situation that we face today. People will rightly find it hard to believe that the firefighters would go on strike while the country is engaged in military action. I do not believe for one moment that individual firefighters would want 19,000 members of the armed forces to be held in reserve for firefighting duties at a time when their comrades are risking their lives in the Gulf. I will be making that point strongly when I meet the union and the employers this afternoon.

It is now time for the voice of individual firefighters to be heard. I put my faith in the common sense and decency of firefighters to bring this dispute to an end. We have been reasonable; the FBU has not. Whatever people's views on the war, the country will find it extraordinary and unacceptable that at a time when our troops are being called into action, the FBU continues to act in this irresponsible way. I hope that the House will support us in these proposals.

David Davis (Haltemprice and Howden): I thank the Deputy Prime Minister for making his statement today and for prior sight of it, albeit only by 20 minutes.

I add the Opposition's support to the Deputy Prime Minister's calls for the FBU to hold a secret ballot of its members and for it not to instigate more strike action, particularly at a time when it puts British citizens at grave risk. Today, with the coalition forces involved in military action against Iraq, that danger is starker than at any time in this dispute. Currently, up to 45,000 service personnel, including a quarter of the Army, are deployed in the Gulf. There could not be a worse time to commit 19,000 troops to stay at home on firefighting duties.

The last time that I asked the Deputy Prime Minister about that, he said that he took the advice of the military. We have had clear advice from the military: the Chief of the Defence Staff, Sir Michael Boyce, said that he was "extremely concerned" that keeping 19,000 troops on standby to cover for the firemen was affecting training and operational readiness. Now, we understand that troops deployed in Northern Ireland have had their tours extended, and troops now in the Gulf have had their training times and leave—often the last opportunity to see their loved ones before military action—cut. Does the Deputy Prime Minister deny that all of that is a direct result of the need to provide cover for firefighters? Clearly, he does not.

Since December, with war looming, I have been calling on the Deputy Prime Minister to seek an injunction to ban these dangerous strikes. Will he now publish the Attorney-General's advice, as the Government did in the case of the advice on the need for a second UN resolution? I am saddened that he decided not to take that course, as I fear that that will have been detrimental to our preparations for war. Firefighters are our first line of defence in the event of a terrorist attack at home. There have been press reports that the FBU, in 19 out of the 58 regions, have refused to take part in training on equipment designed specifically to protect the public from terrorist chemical attack. Can he confirm or deny that? Are there any other examples of obstruction to preparations for a terrorist attack? What are the Government doing to put that right, and will that be dealt with in the Bill that he has proposed today?

Opposition Members have been calling on the Government to give greater attention to the ongoing need for a higher level of preparedness for a terrorist attack and to consider appointing a senior political figure to have overall charge of preparing for a terrorist attack. The right hon. Member for Southampton, Itchen (Mr. Denham) was the Minister with direct responsibility for civil defence and the threat of terrorism at home, but it is two days since his resignation and there is no sign of a replacement so we do not even have a junior Minister in charge of homeland security. Will the Deputy Prime Minister tell the House what the Government propose to do about that, and when?

When we last heard a statement on the fire strikes from the right hon. Gentleman he told us that he would impose a deal on firefighters if he felt that negotiations could not move forward, and he has told us that he intends to take that course of action. Conservative Members will support commencing legislation subject to seeing the details. However, we do not take lightly curbing citizens' rights without proper scrutiny, and we will insist that such legislation is time limited so that the House can examine the matter again after hostilities have ceased.

The Deputy Prime Minister first talked about this legislation two months ago but, as it is, the timetable leading to war has been more predictable than most. Surely it would have been possible to introduce a draft Bill in that time to allow the House to examine its detail properly. It is not clear whether the two-clause Bill will give him the right to ban a strike. If it will not, what will he do if the FBU continues to strike, despite his imposition, and to put the public at risk and undermine the effectiveness of our armed forces? The answer to that will determine whether the hasty Bill that he proposes will work. Will the Deputy Prime Minister tell the House precisely what he meant by saying that the Bill will give him powers to

"direct the use of fire service assets and facilities"?

I, like many hon. Members, was surprised by union activists' decision to overturn a recommendation from their leaders to accept a final pay offer. All the firefighters I have met in recent months have struck me as patriotic individuals and I cannot believe that a majority of them will reject the deal and take strike action while our troops are needed elsewhere. If they do take such action, they will put their fellow citizens at risk. The firefighters should ideally resolve the dispute now but, failing that, they should make a public declaration that they are deferring their needless action until hostilities in the Gulf and the risk of terrorism at home is over. If they refuse to do that and if there is no strike ban in the proposed Bill, the Attorney-General should secure an injunction as a matter of urgency to stop further strikes until at least the end of the war given that hostilities have begun, that our troops are incredibly overstretched in a war in the Gulf, that there is a war on terror on our doorsteps and that relevant legislation exists in the form of the Trade Union and Labour Relations (Consolidation) Act 1992. I repeat Conservative Members' consistent calls for the Government urgently to ban future strikes while the country is at war.

We shall give the Bill favourable treatment, despite the Government's failure on the issue, provided that it will apply for only a limited time, either until the cessation of hostilities or certainly within one year of it being passed. The international crisis requires all parties in the House to put aside their differences until the cessation of military action. Conservative Members will do that, but after the crisis is over, the House of Commons will want a proper debate so that the inevitable errors in such hasty legislation are not imposed on the country for all time.

The Deputy Prime Minister: I thank the right hon. Gentleman for his comments and for highlighting the difficulties that arise from the situation. I agree with several of his points, and perhaps I may address them in order.

We have asked for the advice of the military and the right hon. Gentleman will be well aware that the number of armed forces personnel available during the

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dispute—19,000—is the exact number that was available before. He raised the proper concern, as did I, that that is the same as it was before we found ourselves in this hostile situation, and I agree that the situation is difficult. The advice that we received was the same as before: we have sufficient armed personnel to deal with the fire dispute and the situation will not constitute a threat to public safety.

The judgment about what represents a threat to public safety will put great emphasis on the thoughts of the Attorney-General. I note that the shadow Attorney-General is present so I can reiterate the argument that I put to him before—I am sure that he will confirm it. The Attorney-General will judge whether there is a threat to public safety and he will decide whether to act on that. It is proper for me to approach the Attorney-General. I saw him yesterday and gave him the latest update. He will consider that and take it into account when he decides whether to take any action. Every Minister who has spoken about these matters from the Dispatch Box has said that the Attorney-General must make his judgment.

One or two brigades have not co-operated on occasions. One of the problems with the negotiations is that the brigades are given a great deal of authority and they can act individually. Indeed, that relates to the right hon. Gentleman's question about whether the power exists to direct facilities. The Government's powers are limited at the moment because they are delegated to the fire authorities. That is one reason why I propose that the Bill should take back the power to direct should fire brigades refuse to carry out instructions. That is the proper thing to do and we can discuss that matter when we consider the Bill.

It is true that one or two people—although not representatives of the FBU groups—have said unofficially that they will not co-operate with new dimension training. We made it clear to the union that that is unacceptable because the training relates to measures on terrorism. Such incidents are isolated, but they are unacceptable.

The right hon. Gentleman asked which Minister is currently in charge of safety matters. As he knows, my right hon. Friend the Home Secretary chairs the relevant Cabinet Committee, which is the civil contingencies committee. I think that we would all agree that my right hon. Friend is a pretty senior politician. He has taken steps to replace the Minister who resigned, and no doubt he will make an appropriate statement on that. My right hon. Friend has direct responsibility for safety matters and nothing has suffered due to the resignation.

The right hon. Gentleman asked whether I would want to use the proposed Bill to impose a deal. The Bill is modelled, to an extent, on the Fire Services Act 1947, although he will see when we consider it that it is not exactly the same. The Government at that time decided to introduce legislation to allow them to impose a deal. In these circumstances, I will take powers to fix or modify the fire brigades' conditions of service after making a judgment about whether to impose a deal, and I have outlined how that would be done and the factors that I would take into account. I give notice, however, that I cannot do that until the House agrees to those powers, and I am grateful for the right hon. Gentleman's support on that. Time and accountability will be discussed by the relevant people.

We shall consider the Bill in due course, although I do not agree that it should contain anti-strike legislation. *[Interruption.]* Well, I am only giving my judgment. The right hon. Gentleman can disagree, but he will see what is in the Bill after I produce it and we can discuss it then. After all, I need the co-operation of Opposition parties in order to take such a Bill through the House. I cannot just announce it because the Bill must go through the proper democratic procedures, and I assure him that that will happen. The Bill will be published tomorrow and it will help matters.

Members of the FBU have the opportunity to demand a secret ballot so that we know what firefighters truly think about the 16 per cent. deal. However, I warn them that if they do not accept the deal, I shall secure powers that would allow me to decide whether to impose such an agreement.

Mr. Edward Davey (Kingston and Surbiton): May I thank the Deputy Prime Minister for that statement and for keeping the House informed? I agree that it is astonishing and regrettable that yesterday's FBU conference rejected the offer. Indeed, it was surprising that the Deputy Prime Minister did not make a stronger statement that a fire strike in a time of war and heightened tension would be an appalling threat to public safety, which the right hon. Member for Haltemprice and Howden (David Davis) made clear. Surely such industrial action at a time of military action would be dangerous and irresponsible, even though our professional armed forces would rise to the challenge. So why have the Government not made it clear that they would ban the fire strikes while our armed forces are engaged? No one in the House would seek to ban strikes except in the most exceptional circumstances, but does the Deputy Prime Minister not agree that regrettably such circumstances are now upon us? Frankly, it would be bizarre if the Attorney-General did not think so. As for the eventual resolution of the dispute, surely the Government should now seek, as the Deputy Prime Minister said, to go beyond the FBU activists and back to the ordinary firefighters?

Does not the Deputy Prime Minister agree that a silent majority of firefighters would reluctantly accept the current offer, so is it not time to insist that the FBU consult its members on the current offer by a secret postal ballot? Surely, it would be far better for the long-term health of our fire services if the Government pushed for a democratic end to the dispute rather than going down the route of imposing a settlement? Does not the Deputy Prime Minister realise that his strategy of imposing a settlement could end up prolonging the dispute and making matters worse? If emergency legislation is needed, should it not back ordinary firefighters' right to vote and stop the damage to the fire service and public safety by extremists among the FBU activists?

The Deputy Prime Minister: First, I appreciate some of the points made by the hon. Gentleman, but if there is a threat to public safety, as I have already explained, there is a person who is responsible for making that judgment and taking court action where necessary. As for whether I am going to impose a deal or, indeed, go for anti-strike legislation, banning strikes would be extremely controversial, so any legislation would take a long time to go through the House. I do not think that legislation that I might get in September or October would be helpful in this situation.

As a ballot is under way, I do not want to aggravate the situation. I appeal directly to the firefighters not to leave this matter to the brigades' hands-up decisions in the mess room. We should not learn merely that an offer was opposed by 58 brigades without any information about the proportion of those who wanted to accept the deal and those who did not. A precedent has already been set, as the FBU had a ballot on 4 September. All I am saying is that it is proper, in view of the serious nature of the problem, for firemen to have the right to say whether they accept or reject an offer. That will be done in the next two or three weeks, and we can then see exactly what their judgment is.

I have made it clear that this is not about whether we are going to provide any more money. Let me make it absolutely clear—there will not be another penny in the deal, as 16 per cent. is a generous offer. The firefighters need to be clear about that when they have their vote. It would be difficult to introduce legislation to enforce a ballot or indeed anti-strike legislation because of the time that it would take to get through the House—if, indeed, it got through the House—and that would not be helpful in the present situation. I have chosen to pursue this course of action, and I have used my judgment to determine the best way of balancing public safety against getting an agreement in those areas.

Mr. Harry Barnes (North-East Derbyshire): Why is my right hon. Friend being so intransigent on matters of legislation? A measure dealing with section 19 of the Fire Services Act 1947 has already gone through the House, and it is now proposed to introduce a new two-clause Bill on fire services. Would it not be more sensible if those matters were the subject of negotiations, as there could be some trade-off so that we could begin to reach a settlement? At the meetings that my right hon. Friend will hold with the FBU and the employers, it will not be possible to have any type of negotiation at all in the circumstances. It will merely be a matter of pontification from a certain position rather than an attempt at persuasion and discussion to reach a settlement that should be there to be grabbed by both sides.

The Deputy Prime Minister: Let me make it clear—I do not think that I am being intransigent at all in those negotiations, which have gone on for the best part of 12 months. Sometimes the truth is told, sometimes less than the truth.—for example, the reason why Members of Parliament got a 40 per cent. increase. No doubt my hon. Friend has contested with the firemen the kind of propaganda that was going around at the time. I hope that the two parties will come together. In the past 12 months, I have worked tremendously hard to get them to come together and talk. I have made it clear that it is for them to make the decision.

It is only a day or so since the executive recommended that decision. There was a full recommendation to the conference to accept the deal, but it overturned it—I did not do so, it was the members themselves. However, if the decision is to be fair, why do they not subject it to a secret ballot as they did in September, so at least we get a full picture of who wants to accept the deal and who wants to move to further strike action, particularly against this background?

I do not think for a moment that I am being intransigent. As for discussions, I made a statement in January. I am sure that the Opposition will ask why I did not introduce legislation then. I thought that it would inflame the situation, and wanted to work for an agreement—and we got it, and we got the executive to make a recommendation. I therefore think that my judgment was right, but now I am faced with the fact that the conference has rejected the offer and is going back to its members. I have said that a secret ballot is the best way of dealing with the matter.

I have discussed with the trade union our White Paper and proposals on section 19, but it disagrees with me. Basically, I am implementing a recommendation made some time ago to give up my powers and allow decisions to be made at local level. That is basically a form of decentralisation—I have been considering it for a long time and I believe that it is right. I have had discussions on all those matters, but when one group says "no" and another "yes", one has to make a decision—I have made mine.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. May I just tell the Deputy Prime Minister that it is more helpful if he addresses the Chair? May I also appeal on the basis of that start, for shorter questions and answers.

Mr. Patrick McLoughlin (West Derbyshire): I do not believe that the Deputy Prime Minister would have taken this particular action without a great deal of thought, and it probably hurts him greatly to do it. How does the deal that is now on the table, which he is saying is generous and was recommended by the executive, differ from the deal that he vetoed after all-night conversations some weeks ago?

The Deputy Prime Minister: At that time, the FBU was proposing 16 per cent. over two years. Because it was not tied to modernisation, I had to make it clear that that would commit me to a payment of hundreds of millions of pounds. When the FBU made that decision, I had not even seen the agreement. The new deal is substantially different—it gives 16 per cent. over three years, but that has now been changed to two and a half years. The settlement is not as good as the FBU originally wanted, but I judge that the amount of taxpayers' money required to finance the deal for three years is acceptable. The deal is different from the earlier one, but it is fair to all parties and is generous, however it is measured.

Mr. Andy Reed (Loughborough): Like my right hon. Friend the Deputy Prime Minister, I have found in discussions with local firefighters that they would find a £25,000-a-year offer very reasonable. I have found them extremely sensible. However, will he reassure me that if the Bill is enacted, negotiations will continue and, if successful, he will not use the powers at all?

The Deputy Prime Minister: I certainly hope—and I believe that the whole House does—that the firefighters will accept the agreement, perhaps by ballot, which

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would get us out of all the difficulties. Let me make it clear to everybody that I will still continue with modernisation. I am committed to the modernisation of the fire service, along with a generous pay settlement. That is our commitment, I have set it out in letters, and it remains the case. I shall resort to proposals in the White Paper and future legislation to deal with the problem. Under different circumstances, we would not need a separate piece of legislation and we could get on with modernising the service while the firefighters are back at work, and have a settlement based on that generous offer.

Mr. Robert Key (Salisbury): My constituents in Wiltshire will be grateful to the Deputy Prime Minister for taking this practical step forward. However, firefighters in Wiltshire face a double whammy. Not only do they face the prospect of a national ballot but they are currently engaged in another ballot forced on them by the FBU leadership on the question of joint control rooms. This time last week, I visited the £7 million joint control room, which the taxpayer has funded in Wiltshire. Would the Deputy Prime Minister's legislation affect that strike action if the ballot went that way?

The Deputy Prime Minister: The ballots under way at the moment are about pay negotiations and changes in the conditions associated with them. It is true that one of the proposals not tied to the agreement is about what we do about control rooms. I think that the case put in Wiltshire is right—I cannot see any reason why there should not be joint control rooms, which are part of the modernisation agenda that we have to face up to. The ballot is taking place by the normal method, there is a dispute at the local level—or in this case, the regional level—but normal circumstances apply.

John McDonnell (Hayes and Harlington): Does my right hon. Friend the Deputy Prime Minister understand that his intervention today, like his intervention in November, will be seen as an act of provocation, preventing a settlement of the dispute? Can he give me a clear answer to the following question? If he imposes legislation and the FBU and the firefighters reject any offer and go on strike, will we return to the time when we jailed trade unionists for strike action?

The Deputy Prime Minister: That certainly is not involved; perhaps we should wait until the Bill is published. As for acts of provocation, my hon. Friend is constantly at it, day in, day out, on all sorts of issues. Where the Government do one thing, he wants to do the other. I must consider public safety, but that does not seem to concern him too much. I have to make balanced judgments about proper public safety, and consider fire threats, and, indeed, terrorist incidents. Those judgments are not easy, but Governments have to make them. The job would be a lot easier if my hon. Friend faced up to some of his responsibilities.

Mr. Crispin Blunt (Reigate): The Government have known since at least September that a conflict in the Gulf was possible, if not probable, on the scale now demonstrated by the commitment of British forces to the region. Does the Deputy Prime Minister think that, on reflection, he should have protected the interests of the armed forces rather more energetically since September?

The Deputy Prime Minister: The best that I can do now for the armed forces is to get a settlement to this dispute. That is my obligation, and since September we have spent a considerable time trying to achieve that. There have been fewer disputes than were predicted at the time, which was useful; I think that the House found that acceptable. Forty-eight hours ago, the executive recommended this deal. That was a step in the right direction, and I would like to see the armed forces doing the job that they are supposed to do. I am extremely grateful for the job that they have done. They have shown that public safety can be protected, and I know that I can trust them to do that. However, I will work tirelessly to bring this agreement to its conclusion. That is why I have come here today, and why I am proposing this legislation.

Mr. Andrew Miller (Ellesmere Port and Neston): My right hon. Friend says that he would prefer a secret ballot, and I understand that and agree with him. He also says that the FBU has suggested having a recall conference in two to three weeks' time. In practical terms, if the leadership continues to exercise leadership and conducts a secret ballot, is it realistic to expect a result within that time? Also, how long will it take to get the legislation through its various parliamentary stages?

The Deputy Prime Minister: My hon. Friend makes several serious points. A ballot that is conducted by a "hands up" of the brigade is obviously a lot quicker than an individual ballot; however, the circumstances are such that it would probably be necessary at least to enter into that practice. To be fair, the union did have a ballot last time. The turn out was 83 per cent., which, as people will recognise, was quite a high figure. Some 87 per cent. of those who voted voted to take strike action in rejecting the earlier deal. So there has been a ballot before, and I hope that the union will consider that point.

The time that it takes for legislation to go through the House is a matter for negotiation between the various parties. I shall publish the Bill tomorrow, and we will probably have a discussion on how fast we can proceed with it. However, I doubt whether such legislation could be introduced before the three-week period. Consultation is probably taking place on the ballot, and hopefully, we can get some agreement.

Mr. Graham Brady (Altrincham and Sale, West): The Deputy Prime Minister has confirmed that it would be possible for industrial action to continue after a settlement has been imposed. Would it not be absurd for this House to put through emergency legislation when our troops are in a war situation, and still to have 19,000 of our armed forces tied up because of possible future fire disputes?

The Deputy Prime Minister: That is a fair point, but we have to make a judgment on how people will react in these circumstances. In my experience of strikes and legal actions—I have experienced a few in my time—threatening people with the courts does not guarantee their going back to work; if anything, it makes matters much more difficult. One is forced to fine the union concerned and to get into sequestration; however, that does not get people back to work. For example, it did not work with the seamen's union. I can only give my judgment, but at least it is based on experience. I have to find a balance, and I have set it out today.

Mr. John Lyons (Strathkelvin and Bearsden): My right hon. Friend knows that many Labour Members will be opposed to the imposition of the settlement to this dispute. However, I welcome the fact that he is meeting the FBU and local authority employers this afternoon. If the FBU agrees to a ballot of its membership, will he, too, reconsider his position?

The Deputy Prime Minister: I understand and appreciate what my hon. Friend says. I shall make it clear to the union and to the employers that I believe that a secret ballot should take place, so that we can get a proper judgment. Of course, I readily accept that the timetable for that is likely to be a lot shorter than that for legislation going through this House. I recognise that we need to subject that legislation to proper scrutiny, and I doubt whether that can be achieved in just a week or a fortnight. So there will be a ballot beforehand, but my hon. Friend poses the problem: what if the union rejects the negotiations through the secret ballot? If that happens, I, and this House, will be faced with a difficult situation. I prefer to rely on the good judgment of the firefighters in accepting this generous offer.

Mr. Michael Weir (Angus): Can the Deputy Prime Minister confirm that a Bill introduced in this House will not apply to Scotland, and that to apply such legislation to Scotland would require a Sewel motion or a separate Act of the Scottish Parliament? There is absolutely no chance of either getting through the Scottish Parliament.

The Deputy Prime Minister: The answer is yes, and thank goodness for that. *[Interruption.]*

Llew Smith (Blaenau Gwent) *rose—*

The Deputy Prime Minister: It is for the proper attention of the Scottish Parliament.

Mr. Alex Salmond (Banff and Buchan): That is much better.

Mr. Deputy Speaker: Order. I thought that I had moved on. I call Mr. Llew Smith.

Llew Smith: I remind the Deputy Prime Minister that the FBU is not responsible for the current situation: it is this Government and their friend George Bush who have declared war on Iraq. Does the Deputy Prime Minister appreciate the irony of the fact that the Government can find £1.75 billion to go to war, but cannot find the money to meet the settlement that was agreed between the employers and the trade union some months ago?

The Deputy Prime Minister: My hon. Friend must know that people throughout the country, be it pensioners or anyone else, claim a right to the money that may be used in the conflict. According to my calculation, some five or six times the amount of money that is expected to be spent on such action has already been committed in all areas. This is a question of fairness and judgment. Some local authority workers have settled for 4 per cent. from the same employers who will have to find this money. There are many such workers in my hon. Friend's constituency, and he should ask himself—as I am asked—whether it is fair to pay 16 per cent. to one set of workers and 4 per cent. to another. That is a difficult judgment, but I have given the best that I can and I think that it is right. I would welcome a little support from my hon. Friend.

Mr. Mark Francois (Rayleigh): The Deputy Prime Minister confirmed that he has sought another opinion from the Attorney-General on the use of existing legislation to make a further strike illegal, particularly in the current circumstances. The shadow Attorney-General established on a point of order last week that although "Erskine May" accepts the principle that advice to Ministers should be confidential, in "exceptional circumstances" the Minister asking for such advice can then make it available to the House, and thus to the public. The Prime Minister did this with the legal advice that he received from the Attorney-General about UN resolution 1441, so there is a clear precedent. The Prime Minister made that advice available to the House of Commons; now that we are at war, should not the Deputy Prime Minister follow that precedent?

The Deputy Prime Minister: We should first recognise that there is no strike at the moment, because it was withdrawn. That is the threat to public safety that the Attorney-General must take into account. I recognise the hon. Gentleman's point about the advice given, and there has been some discussion in the House as to whether advice given by the Attorney-General to me—or, indeed, to anyone else—should be published. I keep the Attorney-General informed of the circumstances, and that is the role that he has explained to me. I do not ask for his advice on these matters; he makes a judgment. That remains the position, and I suggest that the hon. Gentleman pursue the matter through the shadow Attorney-General. If the Attorney-General wants to publish the letters that he has written to me on this matter—*[Interruption.]* I am not asking for advice, because I am satisfied that the man with responsibility for this matter will act if there is a threat to public safety.

Mr. Adrian Bailey (West Bromwich, West): May I say that I support the course of action taken by the Deputy Prime Minister? However, I am concerned about the way in which the ballot should be conducted, although I certainly support a ballot. Will it be conducted on the basis of the offer made by the FBU executive, will it be secret, and will the information contained within it be clear and unambiguous to avoid the potential for misrepresentation?

The Deputy Prime Minister: That would be the ideal situation, but I should tell my hon. Friend that there will not be a secret ballot as we understand it. A discussion takes place in the headquarters of the various brigades, and at the place of work, and there is a vote. A delegate

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then takes that vote, as mandated, to the conference. It is not mandated for 80 per cent. or 20 per cent. of the vote, with some form of proportional calculation being made; it is absolutely the vote of the brigade. On the last deal, which was very similar to this one, 100 per cent. of the 50 or so brigades voted against. That is why conducting this ballot in the same way seems a very difficult way of going about things. That is why I am appealing to the firefighters and saying, "You had a ballot before. This is substantially different from the 4 per cent. that you rejected. You should be entitled to have an individual, secret ballot. You did it before, and I suggest that it should be done again." I hope that they will accept that recommendation.

Angela Watkinson (Upminster): There has been a significant shift in the concern of firefighters away from pay and towards terms and conditions of employment. It is a great pity that the pay review, the Bain report and the risk review all seem to have been lumped into one. The Deputy Prime Minister knows that, in 1974, there was a very large intake into the fire service and those firefighters are coming up for retirement. There is great concern that the present situation will be used as an opportunity for significant natural wastage. They are also concerned about the risk review lowering required response times and lowering the risk assessment of particular areas. Firefighters are, by their nature, deeply concerned—

Mr. Deputy Speaker: Order. The hon. Lady is making a speech. If she has a question, she should put it immediately.

Angela Watkinson: Will the Deputy Prime Minister take the opportunity to reassure firefighters about those matters and harness the good will that exists among them to bring the dispute to a speedy resolution?

The Deputy Prime Minister: The hon. Lady asks an informed question about the present difficulties. It is true that the issue is not so much the money as the conditions and modernisation that go with it. We have insisted that modernisation goes with those wages. An awful lot of propaganda is being put out about what the deal means. Already pamphlets are being rushed out claiming that thousands of people will be made redundant and hundreds of fire stations closed. That is just not true. The new risk-based fire system would prevent that. It would mean not that there would not be fewer jobs than before—there are 2,500 fewer firefighters than there were 10 years ago. That is a matter of adjustment and change. There are fewer fire stations. Only a few months ago, two in Yorkshire closed down and were replaced by one modern fire station. Those things go on through proper negotiations. All I say to the firefighters is, "Sit down and negotiate—we have provided the framework—and introduce an intelligent change to work practices, to move to a risk-based system, and at the same time improve your conditions." We believe that improved public safety will also come from these proposals.

Vernon Coaker (Gedling): I met firefighters from Nottinghamshire last week in Parliament. One thing that they were worried about was the possibility that local management would impose changes upon them. Will my right hon. Friend make it clear that, in the new deal that was offered and which the executive accepted, there were further safeguards in terms of local consultation so that local firefighters could be involved in the process of change?

The Deputy Prime Minister: I thank my hon. Friend for asking the question, as I share that concern. My experience of working on ships as a seaman is that captains can make a difference. A good one can have good relationships; a lousy one can have lousy relationships with the same crew. The same is true of the chief constable or the chief at the fire station. There is a genuine fear among fire people that the chief will be given absolute power and impose a settlement, like a Captain Bligh in our stations. They are using that as a justification, as though some fire masters were not responsible in these matters. We have tried to find the words to deal with that perception and fear of such action. The agreement that the executive recommended allowed that. There can be a proper balance that allows firefighters to say, "This new deal will give me a fair say about my working conditions." That is what it is designed to do, and they should be able to accept it.

Mr. Bill Tynan (Hamilton, South): The whole House will understand the frustration of my right hon. Friend. There is a meeting this afternoon. If the Fire Brigades Union agrees that there will be no strike action and that it will put the offer to a ballot of its members, does he accept that that would be the best way forward? If not, poisoning the well by imposing a settlement could create enormous problems for all parties in the dispute.

The Deputy Prime Minister: I have no doubt that that is the danger that faces us if we get the balance of judgment wrong. That balance of judgment is at the heart of our efforts. As I said, I will meet the Fire Brigades Union this afternoon. Over the period of negotiations, the union has co-operated in withdrawing the threat of strikes before, which I welcome. That is how we have tried to go forward to a successful conclusion, but so far failed. If the union says now—there are some signs that it will, but the trouble is that it is all in statements to the press, which we cannot rely on—that it will not have a strike during the ballot, that will be helpful and will allow me to tell the Army that the troops can be stood down. That is a fair balance. I hope that the union will come to that decision and give it to me this afternoon.

Business of the House

2.5 pm

The Parliamentary Secretary, Privy Council Office (Mr. Ben Bradshaw): The business for next week will be as follows:

MONDAY 24 MARCH—Second Reading of the Licensing Bill [*Lords*].

TUESDAY 25 MARCH—Remaining stages of the Extradition Bill.

WEDNESDAY 26 MARCH—Progress on remaining stages of the Police (Northern Ireland) Bill [*Lords*].

THURSDAY 27 MARCH—Conclusion of remaining stages of the Police (Northern Ireland) Bill [*Lords*].

FRIDAY 28 MARCH—Private Members Bills.

The provisional business for the following week will be:

MONDAY 31 MARCH—Second Reading of Crime (International Co-operation) Bill [*Lords*].

TUESDAY 1 APRIL—Opposition Day [5th Allotted Day]. There will be a debate on an Opposition motion. Title to be confirmed.

Commons consideration of Lords Amendments to a Bill.

WEDNESDAY 2 APRIL—Progress on remaining stages of the Criminal Justice Bill (Day 1).

Commons consideration of Lords Amendments to a Bill.

THURSDAY 3 APRIL—Commons consideration of Lords Amendments to a Bill.

Motion on the Easter recess Adjournment.

FRIDAY 4 APRIL—Private Members' Bills.

May I repeat the tribute that I made during Monday's brief business statement to my right hon. Friend the Member for Livingston (Mr. Cook) for his outstanding contribution as Leader of the House? He enjoyed the respect and affection of hon. Members in all parts of the House, and his weekly jousts with the right hon. Member for Bromley and Chislehurst (Mr. Forth) were, for many of us, the highlight of the parliamentary week. They will be sorely missed.

Mr. Eric Forth (Bromley and Chislehurst): How can I not thank the deputy Leader of the House for giving us that statement? I echo his sentiments about the right hon. Member for Livingston (Mr. Cook), who was that increasingly rare phenomenon, a parliamentarian. He understood and loved the Chamber, and brought to it wit and knowledge of a kind that is all too rarely in evidence. He was also principled. In his resignation, which we regret, he showed that principled resignations still have a part to play in politics today. For that, as much as anything else, we will all remember him. Although I disagreed with much of what the right hon. Gentleman did in terms of his modernisation, I can honestly say that I do not envy whoever will be chosen to follow in his footsteps.

I welcome the statement that the Secretary of State for Defence made in the House today, and I welcome even more his undertaking that he would keep the House properly and regularly informed about the hostilities. I hope that we will also be kept informed appropriately about post-war reconstruction and aid. May I ask for a similar undertaking that we will be kept informed about homeland security? I am sure that what may happen here in our own country during and after hostilities is as much on hon. Members' minds as the hostilities themselves. I hope that the deputy Leader of the House will give us an undertaking that we will be kept fully and properly informed on that front, as well as on the other.

I should also like the hon. Gentleman to give an undertaking, although I suspect that this is wishful thinking on my part, that we will not see the regrettable phenomenon of bad news being slipped out under the cover of the hostilities—other than the Budget, of course.

Yesterday, my hon. Friend the Member for Meriden (Mrs. Spelman) was granted an urgent question by Mr. Speaker. She said that she would

"ask the Secretary of State for International Development if she will make a statement in response to the Select Committee on International Development's report on humanitarian contingency planning for Iraq"—[*Official Report*, 19 March 2003; Vol. 401, c. 941.]

Mr. Speaker granted that urgent question, which was addressed specifically to the Secretary of State or to the Department for International Development. You can imagine our surprise, Mr. Deputy Speaker, when the junior Minister in the Department for International Development, the hon. Member for Northampton, North (Ms Keeble), who was in her place on the Front Bench, did not reply on behalf of the Department. Instead, the hon. Member for North Warwickshire (Mr. O'Brien)—a Minister from another Department altogether—took it upon himself to answer. First, he mumbled some sort of excuse about the Secretary of State being out of the country—for which I do not particularly blame her, at this time. He then went on to claim that the hon. Member for Northampton, North had lost her voice. I am reliably informed, however, that she was perfectly capable of speaking soon after she left the Chamber.

The urgent question, with its specific reference to a Department and a Select Committee report, having been granted, the Government casually shuffled the people on the Front Bench around. The result was that the Minister from the Department for International Development had to brief the Minister who had been drafted in continually throughout his answering of the question, and, sadly, we therefore got inadequate answers from the Minister at the Dispatch Box. I want an undertaking from the deputy Leader of the House that this will not happen again. When an urgent question is granted, we want proper answers from the proper Minister from the right Department.

Mr. Bradshaw: I am grateful for the kind remarks of the shadow Leader of the House about my right hon. Friend the Member for Livingston. I agree with what he said about the way in which my right hon. Friend left the Government. I think that he did it very well, although I—like the right hon. Member for Bromley and Chislehurst—do not share his reasons for doing it.

I assure the right hon. Gentleman that the reason that the Secretary of State for International Development was not here yesterday—which he and his colleagues well knew when they tabled their urgent question—was that she was on her way to the United States to hold discussions at the United Nations and with the World

[Mr. Bradshaw]

Bank, the International Monetary Fund and the US Administration on an important issue about which hon. Members on both sides of the House are very concerned. I also remind him that, under the Government in which he served, a Department for International Development did not exist. It was part of the Foreign and Commonwealth Office. The two Departments in this Government quite rightly work extremely closely together, and the Secretary of State for International Development has secured a doubling of her Department's budget. I am sure that when she has concluded her discussions across the Atlantic, she will wish to make a statement to the House at the earliest opportunity.

It is entirely a matter for the Government which Minister responds to an urgent question, as Mr. Speaker himself made clear when the matter was raised yesterday. Given that the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) had just returned from the United States, having held discussions there on these very matters, it seemed perfectly appropriate that he should respond to the urgent question.

I assure the shadow Leader of the House that there will be regular updates on the important issue of homeland security. I believe that the Home Secretary has made a written statement on this matter today, and I am sure that he will come to the House when he feels it necessary to update such statements. They will be regularly updated as the crisis unfolds.

The right hon. Gentleman made a point about bad news coming out at this time. It is a fact that, at times like this, when people's attention is on other things, they will not take so much notice of what is happening elsewhere. The same applies to very good news, such as the fact that the unemployment rate in this country continues to fall, and that yesterday's figures show the highest employment levels since records began.

Mr. Paul Tyler (North Cornwall): Will the Parliamentary Secretary accept my apology in advance—and my assurance that this is nothing personal—for saying that we certainly do not welcome his presence at the Dispatch Box today, for two very good reasons? First, while we fully appreciate the entirely honourable, principled and logical reasons for the resignation of the right hon. Member for Livingston (Mr. Cook) as Leader of the House, we very much regret that he no longer holds that position. We do so for good reasons. His commitment to the House and to Parliament was unrivalled, and it set a very good example for his successors. He stated in the House on many occasions that good government required good parliamentary scrutiny. I hope that we can therefore have an early statement from the Government on whether they maintain the principle that the Government's submission to parliamentary authority has to go before all else, and that that is what gives them their authority.

It appears that there will be a hiatus before we shall have the opportunity of seeing whom the Government propose as the new Leader of the House. May we take that opportunity to have a debate on the role and responsibility of the Leader of the House? It is a different role from that of any other Cabinet Minister. It involves a responsibility to his or her colleagues in Cabinet, but also a responsibility to the House. Such a debate would give the Government an opportunity to reiterate their commitment—as the right hon. Member for Livingston frequently did—to parliamentary sovereignty.

The second reason that I regret that the Parliamentary Secretary is at the Dispatch Box is that it suggests that the Government are in no hurry to appoint a successor. That is extraordinary. Can the House imagine any other circumstances in which it would take 72 hours to appoint a Cabinet Minister? No other Department of State could remain leaderless for that long. That is indicative of the respect that the Government have for the House. Finally, may I say to the Parliamentary Secretary that I, too, will very much miss the hour of the Cook's tour on a Thursday afternoon?

Mr. Bradshaw: I am grateful to the hon. Gentleman for those comments, which he just about managed to deliver with a straight face. I am sorry that he does not welcome my appearance at the Dispatch Box. I do not welcome it either. This is not a job—albeit a temporary one—that I would have chosen. May I reassure him, however, that whoever is chosen to replace my right hon. Friend the Member for Livingston will show an equal commitment to Parliament. What the hon. Gentleman said about that was absolutely right.

The Government have proved, by their recent example, that they take parliamentary scrutiny seriously. We have become the first Government in the history of this country, for example, to do what the Liberal Democrats have been demanding for months—namely, to have a vote on a substantive motion before British forces were deployed in military action. I hope that the hon. Gentleman appreciates that. I remind him that the Liberal Democrats, and some Labour Members, constantly suggested that that would not happen, and constantly questioned the Government's commitment to coming to the House on that issue. We have done so not only by making regular statements, but by allowing that unprecedented vote.

I also challenge the hon. Gentleman's assertion that the failure to find a replacement for my right hon. Friend the Member for Livingston yet is a sign of the Government not taking this position seriously. I suggest that the Prime Minister has rather more pressing things on his mind at the moment.

Mr. David Watts (St. Helens, North): Will my hon. Friend try to find time for the House to discuss the accountability of primary care trusts? The trust in Liverpool has kept a severely disabled young man in hospital for more than six weeks, and there does not appear to be any pressure that a Member of Parliament can put on that trust. I believe that that would be a subject worthy of discussion by the House.

Mr. Bradshaw: I am concerned to hear what my hon. Friend says and grateful to him for drawing the case in his constituency to our attention. He will be aware that the Government are keen on improving public and democratic accountability as we progress our health reforms, and I will ensure that he gets a substantive response from the Secretary of State for Health to the point that he has raised.

Sir George Young (North-West Hampshire): With the resignation of the Leader of the House, whose departure I also mourn, would this be the right time to revisit the question of whether the Modernisation Committee should be chaired by a member of the Cabinet? Would it not be better if the ex-Leader of the House stayed on the Committee as a Back Bencher, so that it was more like our other Select Committees?

Mr. Bradshaw: As I am sure that the right hon. Gentleman knows, that is a matter for the Committee itself. My understanding is that my right hon. Friend the Member for Livingston remains in his position as Chairman of the Modernisation Committee at the moment, but his future on the Committee, and its chairmanship—or chairwomanship—will be a matter for the Committee.

Mr. David Chaytor (Bury, North): My hon. Friend will know of the statement made earlier by the Secretary of State for Defence in respect of a future statement regarding compensation payments to the partners of those who might lose their lives in Iraq. May I suggest that, in view of the current conflict, this would be an appropriate time for the House to debate the much wider issue of the whole series of policies, benefits, payments and regulations that apply to the families of those who have served in the armed forces? I draw my hon. Friend's attention particularly to war disability pensions, the poorest war disability pensioners and the earnings disregard, which has not been uprated since 1990. Could he find time in the near future for a complete review of Government policy, and for an opportunity to debate the issue?

Mr. Bradshaw: I am afraid that, given all the other pressing demands on the House, I cannot promise that we shall have time for a full debate on all the issues raised by my hon. Friend, important though they are. However, I am sure that every hon. Member agrees that those issues should be uppermost in our minds, particularly at a time when our armed services—men and women—are likely to be going into action on our behalf.

I am pleased that my hon. Friend welcomed the Ministry of Defence's announcement today that benefits previously restricted to the spouses of those involved in potential military action will be extended to partners.

Mr. John Bercow (Buckingham): The right hon. Member for Livingston (Mr. Cook) is certainly one of the most pungent, quick-witted and effective parliamentarians of our time, and his departure from the Government's ranks will be as widely regretted as it is widely respected.

Prostate cancer awareness week begins next Monday, so may we have an urgent debate on prostate cancer? Although 21,000 people a year are diagnosed as suffering from it and 10,000 a year die of it, the Government have so far failed to honour their promise to launch a public information campaign.

Mr. Bradshaw: The hon. Gentleman is right to draw attention to a serious health issue affecting men, which the Government do take seriously. We may not be able to afford the time for a debate on the Floor of the House, but it might be an ideal subject on which to apply for a debate in Westminster Hall.

David Hamilton (Midlothian): Earlier today we heard a statement from the Secretary of State for Defence, who kindly passed the issue of the House's sitting hours on to my hon. Friend's agenda. Like many other Members, I have taken a hard line on our responsibilities as Members. I expect statements to be made in the House and not outside, and expect us, as MPs who made the decision to go to war, to be the first to hear what happens. Will my hon. Friend review our sitting hours over the impending period? I believe that we should sit from Monday to Friday, and should sit for the hours that are required.

Mr. Bradshaw: Both the Secretary of State for Defence and the Government as a whole have made it clear that, over the next few weeks, we shall be living in extraordinary times. We have made clear our willingness to be flexible on sitting hours. I am not convinced that any change need be set in stone, but we are prepared to come to the Dispatch Box as the Secretary of State has today—and will again, I expect, in days to come. If it becomes necessary for us to sit in the evenings, at weekends and during the Easter recess the Government will take account of the position, which will depend on events on the ground.

Mr. Andrew Mackay (Bracknell): We all appreciate the hon. Gentleman's assurance that Ministers will make regular statements as the war progresses, but may I put it to him gently that we must avoid a repetition of yesterday's farce? In future, Ministers from the appropriate Department must appear at the Dispatch Box. The hon. Gentleman's response to the shadow Leader of the House was not up to the standards that we normally expect of him.

Mr. Bradshaw: I am sorry that the right hon. Gentleman takes that view. I will not reiterate the reasons for the absence of the Secretary of State for International Development—reasons that the Opposition knew very well when they tabled their urgent question. As I said, it is for the Government to decide who should answer urgent questions, and it was felt that as the Minister who did answer had been most recently involved in discussions with the bodies involved, it was appropriate for him to do so. I think that, since the Government came to office in 1997, there has been only one other occasion on which a statement has not been made by the most obviously appropriate Minister. We try to avoid such circumstances. The right hon. Gentleman may be interested to know that this Government have a far better record than their predecessor on the number of statements made in the House.

Vernon Coaker (Gedling): Following the publication of the White Paper on tackling antisocial behaviour, will my hon. Friend try to find out when the Government will publish their antisocial behaviour Bill? Will he give a commitment that when it is published we shall debate its Second Reading on the Floor of the House as soon as

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[Vernon Coaker]

possible? Notwithstanding the war, which is obviously the most serious issue facing our country, many of my constituents want the action proposed in the White Paper to become law as early as possible.

Mr. Bradshaw: I can give my hon. Friend that assurance. No doubt he, like many of my colleagues, receives regular representations from his constituents. As people note the improvements being made in public services such as health and education, their main concerns are antisocial behaviour and crime. That is why the Government are legislating to deal with those problems. As soon as the Bill is ready it will be published and will, I am sure, be debated at some length on the Floor of the House.

Mr. Roy Beggs (East Antrim): I too am sorry that the right hon. Member for Livingston (Mr. Cook) is no longer Leader of the House. On at least two occasions, I have raised the fact that the Northern Ireland Grand Committee has not met in Northern Ireland once since its formation. That does not apply to the Scottish and Welsh Grand Committees. Now that the former Leader of the House is no longer with us, I do not want the issue to be forgotten. May I have an assurance that it will not be forgotten, that it will be addressed, and that if a decision is made one way or the other, it will be made in this Chamber?

Mr. Bradshaw: I hope that the hon. Gentleman will forgive me for being relatively unsighted on this subject. I am led to believe, however, that the Government have always been open to his suggestion, and that it has been resisted by his own party.

Mr. Beggs *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I call Mr. Miller.

Mr. Andrew Miller (Ellesmere Port and Neston): May I return to the answer that my hon. Friend gave my hon. Friend the Member for Midlothian (David Hamilton)? In the interests of the staff who work for us and serve the House—some of whom currently face extraordinary difficulties in connection with security, for example—will my hon. Friend ensure that all the necessary steps are taken to establish proper contingency plans in case we have to sit at weekends, and perhaps during the Easter recess, while hostilities are in progress?

Mr. Bradshaw: Yes. I should emphasise that we have no plans at this stage for the House to sit through the Easter recess or at weekends, apart from our decision that the House should sit on the first couple of days of the recess to debate the Budget. But I think that most Members would wish us to maintain an element of flexibility, while balancing that with the need—rightly mentioned by my hon. Friend—for not just Members but the staff who serve us so well to be able to plan their lives.

Mr. Andrew Mitchell (Sutton Coldfield): In contrast to the uncharacteristically churlish welcome given to the hon. Gentleman by the hon. Member for North Cornwall (Mr. Tyler), may I say how pleased we Conservatives are to see him in his place today? It is good to see a fellow cyclist getting on.

May I give the strongest possible endorsement to the remarks of my right hon. Friend the Member for North-West Hampshire (Sir George Young) about the Modernisation Committee chairmanship? As a member of the Committee, I welcomed what I think was the hon. Gentleman's assurance that the Executive would not interfere with the actions of the Committee if we, as its members, wanted the right hon. Member for Livingston (Mr. Cook) to continue as its Chairman.

Mr. Bradshaw: I think that that is absolutely right. As I said earlier, it is a matter for the Committee.

I was not particularly upset by the churlishness of the contribution of the hon. Member for North Cornwall (Mr. Tyler). I know that he did not really mean it. Perhaps he is feeling a little uneasy about the position taken by the Liberal Democrats on some major matters of state in recent days and weeks. I hope that, like me, he welcomes the excellent new facilities on the premises for the locking of bicycles. Through you, Mr. Deputy Speaker, I thank Mr. Speaker for his help in that regard.

Llew Smith (Blaenau Gwent): Will the deputy Leader of the House find time to debate the plight of Mordecai Vanunu, who has been rotting away in an Israeli jail for the past 18 years and has been in solitary confinement for 15 of them because—as the deputy Leader of the House will recognise—he told the truth about Israel's nuclear role when all around him were lying? If the Minister agreed to such a debate, the Government could reiterate their opposition to weapons of mass destruction and inform the House of what they are doing to ensure that Vanunu receives an early release.

Mr. Bradshaw: I cannot assure my hon. Friend that we will be able to find time to have a debate on the Vanunu case on the Floor of the House, but I am well aware of the issue, having been the Minister responsible for that part of the world for a year before taking my current post. The case concerns the Government greatly and I have personally raised it with the Israeli authorities. However, it is important to draw a distinction between that case and the action that the coalition is now taking in Iraq, which is unique in the world in being in contravention of chapter VII resolutions on its weapons of mass destruction and in having used them against its neighbours and its own people.

Mr. Alex Salmond (Banff and Buchan): I too wish to pay tribute to the qualities of the former Leader of the House, although I should point out to some hon. Members that he is not dead—thankfully—and that we will continue to enjoy his contributions on a range of issues for many years to come. I am sure that Government Front Benchers in particular are looking forward to that. I would support permanency of tenure for the acting Leader of the House, if it were up to me, but will he continue with the Government's valuable consultation on public participation in the political process? Outside the House, today and yesterday, and in Manchester and Edinburgh yesterday, we have seen inspiring examples of young people's interest in politics. The fact that they are demonstrating against the Government rather than for it is the Government's misfortune, but the more important point is that so many young people are concerned about the conduct of their country and the state of the world. Will the acting Leader of the House consult the young people outside to find out what has inspired them to join in the political process?

Mr. Bradshaw: I am not sure that that endorsement from the hon. Gentleman will stand me in good stead, but I am grateful for it nonetheless. Unusually, I agree with him on this point. My constituency offices in Exeter were invaded by a group of school pupils and college students yesterday. They staged a peaceful protest, and I spoke to one of them on the phone and offered to go and talk to them as a group—as I spend much time doing in my constituency. I was pleased that young people feel strongly enough on such issues to seek out their elected representative. I have one caveat, however, which is that I hope that they are not neglecting their studies. As long as young people are protesting peacefully—in a way that we cherish in this country but would not be possible in Iraq, as they will be aware—I welcome that, but I hope that they do it outside school hours.

Mr. Ian Davidson (Glasgow, Pollok): Given the intense warmth of our present relationship with France, is the Minister aware that some people would like to have a debate and, indeed, an immediate referendum on the euro? Does he agree that that would be opportunist and unprincipled, just as it would be for a referendum to be held—as some have suggested—on the back of what we hope will be a successful war?

Mr. Bradshaw: I am well aware of my hon. Friend's antipathy to UK membership of the euro at this stage. I can reassure him that whatever has happened in recent days and weeks to our relationship with our French friends, and what may happen after what we hope will be a successful outcome to the military campaign, the Government's decision on whether to recommend a referendum on the euro will always be based on our economic interest and the five tests.

Dr. Julian Lewis (New Forest, East): May we have a statement from the Home Secretary on the curious case of Mr. Andrew Murray, a former worker for the Soviet Novosti news agency, currently a member of the Communist party of Britain—it still exists, believe it or not—and an avowed supporter of nuclear North Korea, who has promised, in a report to the Communist party of Britain, that next weekend's great anti-war demonstration will have two slogans: not just "stop the war" but also "Blair must go"? Curiously, Mr. Murray is able to make that promise because he, of all men, is the chair of the Stop the War Coalition, which organises the huge demonstrations to which so many people, perhaps unwittingly, subscribe.

Mr. Bradshaw: Those of us who have taken part in demonstrations or been involved in protest organisations—and, yes, even I have—will have sometimes had strange bedfellows. However, I am sure that the Home Secretary, and those who are involved in the anti-war movement—most of them for good reasons—will be very interested in what the hon. Gentleman has told the House.

Mr. Patrick McLoughlin (West Derbyshire): May I break with precedent and ask the acting Leader of the House a question on the business information that he has actually given us? I am disturbed to see that on Thursday 3 April it is the Government's intention to hold the Easter Adjournment debate and also to consider Lords amendments, on a day that already suffers from reduced hours. Any Adjournment debate is valued by Back Benchers, and I ask him to consider having only the Adjournment debate on that day.

Mr. Bradshaw: I hear what the hon. Gentleman says, but it has been traditional for the Easter Adjournment debate to run for three hours. It was only when I did it the time before last that it went on for what seemed like 12 hours, although it was not quite that long. We want to protect the time for the Easter Adjournment debate and the hon. Gentleman should not assume that we will spend as much time as he thinks considering the Lords amendments.

Richard Younger-Ross (Teignbridge): Having the hon. Member for Exeter (Mr. Bradshaw) acting as the Leader of the House is a positive advantage, because I am able to read, through the columns of the excellent *Express & Echo* and *Western Morning News*—papers that we share—his views on modernisation of the House. Does the acting deputy Leader agree—[HON. MEMBERS: "Acting Leader."] Indeed, I mean the acting Leader of the House. Does he agree that the jeers and "hear, hears" in this House are viewed dimly by the public, and that the polite applause given to his former boss, the right hon. Member for Livingston (Mr. Cook), on Monday night is a better way for the House to show its views?

Mr. Bradshaw: As the shadow Leader of the House made clear, opinions on that point differ strongly. I have some sympathy for what the hon. Gentleman says, because sometimes hon. Members do not give enough consideration to how our behaviour affects people's views of Parliament. Certainly when I talk to young people in my constituency, they tell me that they find some of our customs and procedures rather strange. I am not a member of the Modernisation Committee, but I understand that it is investigating the matter.

Mr. Mark Francois (Rayleigh): Can we find time for an early debate on the competence of this Government? I acknowledge the principled resignation from the Cabinet of the right hon. Member for Livingston (Mr. Cook)—and we must respect that—but what happened yesterday was farcical. It would have been one thing if a Foreign Office Minister had replied to an urgent question on international development because no Minister from DFID was available. The House could have understood and accepted that. However, a Minister from the Department for International Development was available and she sat on the Front Bench throughout, but was not allowed to say anything. Furthermore, is not the Secretary of State for

[Mr. Mark Francois]

International Development now the living embodiment of Churchill's dictum—that the problem with committing political suicide is that one lives to regret it?

Mr. Bradshaw: No; the Secretary of State for International Development made her position clear in the statement that she issued on Monday. To be fair to her—and I hope that hon. Members will be—the situation changed after the interview that she gave to the BBC. The President of France said that he would veto any ultimatum given to the Iraqi regime, agreement was reached on the administration of a post-Saddam Iraq, which is something that my right hon. Friend takes very seriously, and—even more importantly—the road map was published for a middle east peace process. People should be allowed to change their minds in the light of events. That is the sign of a mature democracy and hon. Members on both sides of the House should welcome it.

Mr. Graham Brady (Altrincham and Sale, West): May I welcome the Deputy Leader's assurance that the Home Secretary will come to the House to make a statement on homeland security? I urge that that should happen as soon as possible at the start of next week. The statement should take account of all the measures that have been taken—or should have been taken—by the relevant Departments. They include, in particular, the Department for Education and Skills, the Department of Health and the Department for Transport.

Mr. Bradshaw: I am afraid that I cannot guarantee that such a statement will be possible early next week, as other Ministers may need to make more pressing statements. However, my right hon. Friend the Home Secretary has issued today a comprehensive written statement on the subject. I notice that Home Office questions will be held on Monday, so perhaps the hon. Gentleman and other hon. Members interested in the subject will be in the Chamber to put questions to my right hon. Friend and his colleagues then.

Mr. Deputy Speaker: I thought that it might interest the hon. Member for Exeter (Mr. Bradshaw) to know that, with regard to the earlier request from the hon. Member for Buckingham (Mr. Bercow), there is a debate scheduled for next week on prostate cancer. That may be one of the most remarkable cases ever of instant gratification.

Points of Order

2.41 pm

Mr. William Cash (Stone): On a point of order, Mr. Deputy Speaker. I received today Mr. Speaker's reply in respect of the publication of the legal basis for the war with Iraq. The Deputy Prime Minister made another statement, from which two connected matters arise. One of those matters was raised by my right hon. Friend the Member for Haltemprice and Howden (David Davis), the shadow Deputy Prime Minister, and the other by my hon. Friend the Member for Rayleigh (Mr. Francois). Both points clearly fit with the advice that I received today from Mr. Speaker, which is based on the contents of page 359 of "Erskine May".

Another procedural matter, however, arises in connection with the role of the Attorney-General, who is not a Member of this House. It has to do with whether he intends to take out an injunction to restrain the anticipated breach of the law as set out in the Trade Union and Labour Relations (Consolidation) Act 1992. If the Attorney-General wished, he could make a statement on the matter in another place, with the Solicitor-General concurring in this House. Do you, Mr. Deputy Speaker, think that that procedure should be followed, as has happened before?

Mr. Deputy Speaker (Sir Alan Haselhurst): The matter has certainly been aired today. I think that the advice already given to the hon. Gentleman is that, if the Attorney-General gives advice to the Government, it is at the Government's discretion as to whether that advice is shared more widely.

Mr. Roy Beggs (East Antrim): On a point of order, Mr. Deputy Speaker. Although it was remiss of me not to welcome the acting Leader of the House to his place today, will he take this opportunity to correct something that arose because he was incorrectly prompted? I assure him that I have spoken with the full authority of my party on every occasion the issue of having the Northern Ireland Grand Committee meet in Northern Ireland has come up.

Mr. Deputy Speaker: The hon. Gentleman has made his point. It is not a matter on which the Chair can rule, but the Minister will have heard what has been said.

Mr. Andrew Mackay (Bracknell): On a point of order, Mr. Deputy Speaker. You will have noted that the Carriage Gates entrance to the House of Commons has been closed for a number of hours, owing to the demonstration outside. That is a clear breach of the Sessional Orders, which the House passes at the beginning of each Session. I appreciate that the police and security officers have a difficult job, but demonstrations will clearly take place for many weeks and months, as the war continues in Iraq. It is essential that right of access be maintained. Will you and Mr. Speaker gain assurances from the police that the Sessional Orders will be maintained?

Mr. Alex Salmond (Banff and Buchan): Further to that point of order, Mr. Deputy Speaker. Am I right to interpret the Sessional Orders as a means of guaranteeing the liberties of Parliament? Associated with those liberties would be the liberties of the people—which include the right to free demonstration without the intervention and interference of some misguided right hon. and hon. Members.

Mr. Deputy Speaker: In relation to the latter point, the maintenance of public order is a matter that should concern everyone. Mr. Speaker takes it very seriously, and I understand that there is contact at the present time between the Serjeant at Arms and the Commissioner of Police of the Metropolis. However, I have received information since I have been in the Chair that the Carriage Gates are now open again. Therefore the tag currently running on the monitors may not be up to date, any more than its original spelling was correct.

Orders of the Day

Waste and Emissions Trading Bill [*Lords*]

Order for Second Reading read.

2.45 pm

The Minister for the Environment (Mr. Michael Meacher): I beg to move, That the Bill be now read a Second time.

The Bill combines action on two key environmental objectives—climate change reduction, and the need to move to a more sustainable management of our waste. There are strong links between the two challenges, as the poor use of resources which leads to ever increasing amounts of waste, and the poor management of that waste, all increase the production of greenhouse gases.

The Bill approaches these challenges through the use of economic instruments. It will stimulate reductions in the emission of pollutants and make us less reliant on landfill, in the most economically efficient way. It will support the world's very first economy-wide greenhouse gas emissions trading scheme through a system of statutory penalties. It will also set up a landfill allowance trading scheme—probably the first scheme of this type to address waste in Europe, and possibly the first in the world.

These are large claims for a Bill of only 38 clauses, and I am sure that many hon. Members would like to have before them a Bill that covered all aspects of climate change and waste management. However, this Bill is only part of what the Government are doing, and will be doing. To tackle greenhouse gases, the UK published its climate change programme in 2000. That programme set out a far-reaching strategy for reducing emissions across all sectors of the economy and for adapting to the effects of climate change that are happening already.

For waste, our starting point is Waste Strategy 2000, which tackles the management of all waste streams. For the municipal waste stream, our starting point is the strategy unit report entitled "Waste Not, Want Not", to which we will be responding very shortly. I would be the first to say that the Bill is only part of a much bigger picture, but it is an important and innovative part.

The Bill allows trading to be used to meet environmental goals. For landfill, local authorities will receive landfill allowances, which represent the maximum amount of biodegradable municipal waste that they may landfill. Those allowances will reduce year on year.

Mr. Bill O'Brien (Normanton): I am grateful to my right hon. Friend for allowing me to intervene on his opening remarks. I appreciate the opportunity. On the question of allowances and payments to local authorities—especially the disposal authorities—will my right hon. Friend give an assurance that all the costs involved will be met? Local authorities will encounter extra problems with the collection and recycling of waste, and disposal will also be an important part of their work. Will he ensure that council tax payers will face no extra costs as a result of this business?

Mr. Meacher: My hon. Friend raises an important point. When it was raised in another place, the

[Mr. Meacher]

Government responded by moving a right of direction for disposal authorities to give to collection authorities. That will ensure that the form of delivery of what is collected will be in a manner agreeable to the disposal authorities, so as to maximise the opportunities for recycling. We think that that will resolve the problem. Equally, we have been in touch with the Local Government Association, and we remain willing to listen to what the local authorities say to us. The answer is that there should be no extra cost.

Mr. David Chaytor (Bury, North): Will my right hon. Friend give way?

Mr. Meacher: I will, but I have a lengthy speech and I am wondering how far I will get.

Mr. Chaytor: I assure my right hon. Friend that I shall be brief. He said that the Bill is only a small part of the Government's strategy to deal with the waste management crisis and respond to the threat of climate change. Does he see merit in establishing a trading system for non-biodegradable waste? Would that form part of future legislation?

Mr. Meacher: We have not considered that. The landfill targets in the Bill—they are the ultimate driver behind the Bill and other legislation—are concerned exclusively with biodegradable municipal waste. That has been a serious problem for this country, which has one of the highest levels of landfilling of biodegradable municipal waste in the EU. I am not sure whether Greece's level is higher, but ours is extremely high. That is our prime target. That will be a difficult enough task because we inherited a rate of landfilling of biodegradable municipal waste of about 85 per cent. It is now below 80 per cent., but is still extremely high. Once we have secured that target and aligned our waste management strategy to meet our landfill targets—the primary concern of my right hon. Friend and me—we can look further. But it will be difficult enough to meet existing targets without extending them gratuitously.

Trading is a flexible and cost-effective economic instrument that allows reductions—whether in the biodegradable municipal waste going to landfill or in emissions of greenhouse gases into the atmosphere—to be made where it is most cost-effective to do so. It is a market system to achieve environmental objectives. In both parts of the Bill, the holder of steadily reducing landfill allowances or emission targets has three choices. First, they may take direct action to reduce their landfill or emissions to their allowance or target level. Secondly, they may reduce below the target and sell or save the surplus. Thirdly, they may choose to exceed the target or allowance and purchase excess allowances that are needed from those who have made cuts and are willing to sell in this way.

Norman Baker (Lewes): There is a fourth option as well: the holders can choose to incur a penalty. I do not say that flippantly. They may make the calculation that the cost of a permit—demand for which will be high—is such that it might be cheaper to incur a penalty from the allocating authority. Has the Minister considered that?

Mr. Meacher *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Before the right hon. Gentleman replies, I ought to update a statement I made earlier about Carriage Gates. Members should be advised that the gates are now closed again because of the security situation.

Mr. Meacher: The hon. Gentleman raises an interesting point. In a market system, between buyers and sellers, the price is set by the market. Depending on the demand for excess allowance, I would expect the price to be pitched at a level that acted either as a sufficient incentive or as a sufficient deterrent, whichever way one looks at it. I am prepared to consider his point if such a situation arises, but I doubt it.

The required overall reductions are still met, whichever of the three options is adopted, but trading will provide flexibility by allowing additional reductions to be made where that is most cost-effective. In all cases, reductions will still be made over time. That is the key point. We will meet environmental objectives and our landfill targets systematically.

Ms Joan Walley (Stoke-on-Trent, North): Does my right hon. Friend agree that although much of the Bill is good, as it is against landfill and is trying to reduce the amount of waste we put to landfill, there is a danger that we could be promoting incineration over other forms of dealing with waste? Will he look at introducing a binding cap on incineration in addition to the measures in the Bill on landfill?

Mr. Meacher: We are not providing any incentives for incineration. As a result of the "Waste Not, Want Not" report of the strategy unit, the Government are looking at the wider health and social implications of different parts of the waste stream, including incineration. My hon. Friend's considerations will be assessed in the report. Obviously I cannot presume any conclusions that might come from the report. However, I see no reason why the Bill might encourage incineration. We are clear about the waste hierarchy, and incineration is only just above landfill.

The first part of the Bill tackles the requirement in the landfill directive to reduce the United Kingdom's reliance on landfill. The United Kingdom currently landfills nearly 80 per cent. of biodegradable municipal waste. Landfill produces methane, a greenhouse gas that is 21 times more powerful than carbon dioxide; 25 per cent. of all UK emissions of methane come from landfill sites.

As well as the implications for climate change, landfilling constitutes the loss of valuable resources that are locked up in the waste. Many of these resources, in our view, could be reused or recycled, or have the energy extracted from them.

Landfill is at the bottom of the waste hierarchy, which is how we determine the relative environmental impact of different waste management options. At the top is waste minimisation; in other words, we should be reducing or minimising the amount of waste that we produce. Best of all is not to create the waste. That is not going to happen very often, although it can be incentivised more; we are keen to do that.

Thereafter, we should reuse what would otherwise be waste, followed by recycling; the third is recovery through composting and energy recovery. At the bottom comes disposal or landfill. To tackle problems associated with landfill and to move from a reliance on it, the UK—along with our European partners—agreed the landfill directive in 1999. I want to make it clear that although it is difficult for the United Kingdom, we believe it to be the right legislation. This directive includes stringent targets to cut the amount of biodegradable municipal waste that is sent to landfill.

Sue Doughty (Guildford): The Minister refers to different options, but clause 17(3) in particular suggests that targets can be met by recycling, by composting and by energy from waste. Is not incineration sitting at the same level as recycling?

Mr. Meacher: If the hon. Lady had been listening—I am sure she was—when I spelled out the waste hierarchy, she would have heard me say that, after minimisation, the next requirement is recovery and reuse. Of course, one of the options remains recovery of the energy from waste; that is better than burying it in the ground. But the Government have made it clear that the prime concerns are recovery, reuse, recycling and composting. We are clear about that, but we are not excluding the other option, which would still be better than landfill. However, we strongly prefer the first four.

Mr. Bill Wiggin (Leominster): What would happen if a council were to compost its biodegradable municipal waste and then use it for landfill? How would that fit in with the quota?

Mr. Meacher: It would not fit in at all well, because such waste would still be biodegradable municipal waste even if it had been composted. It would probably turn into a type of sludge that would have to go to landfill. That would tell against our landfill targets, so the Government are strongly against any such proposal.

Within the United Kingdom, environmental protection is a devolved matter. It is therefore for each of the Administrations to put in place their policies for meeting the reductions in landfill required by the landfill directive. The Administrations have agreed to act together towards this common goal, and have agreed that this Bill should be considered in total and as a unity by this Parliament. That is helpful and will increase the effectiveness of the measures by widening the area for potential trading and by ensuring that the UK as a whole can meet the reductions required in the most cost-effective manner.

The obligations on the UK under the landfill directive—even allowing for a four-year derogation that is open to us because of our heavy reliance on landfill—require a 25 per cent. cut in biodegradable municipal waste from that produced in 1995, a lower level than that of today, by 2010; a 50 per cent. cut by 2013 and a 65 per cent. cut by 2020. That is a huge challenge. As I repeatedly say, if we were to do nothing—the opposite of what we will do—and were to have business as usual, the amount going to landfill would probably double over that 20-year period. Instead, we have to reduce it by two thirds. That is a massive challenge, and the Bill is at the heart of meeting it.

Mr. Michael Weir (Angus): Something that concerns me slightly about the trading aspect of waste management is the fact that it is clear that one cannot trade across the target years that the Minister has just mentioned. Is there not a danger that some authorities will not take the issue seriously until they come up against the buffer of the target years? Might it not be better to have shorter periods so as to reduce the dependence on the three target years?

Mr. Meacher: The target or trip points were laid down in the landfill directive and are not a matter for the UK to determine. We are making it clear to local authorities that they can trade across years, but that they cannot trade across target years. That might put the achievement of our targets at risk. We are making that clear, and we shall make it clear in guidance. It would not be possible to do what the hon. Gentleman suggests partly because of the directive and partly because the framework in which we have to meet it is laid down for us. It is not a matter for our discretion.

Municipal waste is growing at 3 to 4 per cent. a year, with recycling increasing only at 1 per cent. a year. That is another indication of the challenge that faces us on the alternative to landfill. Therefore, we are still landfilling more biodegradable municipal waste than ever and, each year, we are getting further from achieving our legally binding targets. I make no attempt to hide the seriousness of the challenge that we face.

The landfill directive targets and, therefore, the Bill concentrate on the biodegradable municipal waste that is the direct concern of local government. Biodegradable waste represents about 63 per cent. of all municipal waste and is a cause for concern due its very nature. Methane is produced as a by-product of both aerobic and anaerobic decomposition, which means that the waste rots either with or without the presence of oxygen. This branch of the waste stream includes paper and cardboard, food and garden waste and natural textiles. That forms a very large proportion of the household waste stream. The aim of our sustainable waste management policies is to move these wastes up the waste hierarchy and towards their reduction, reuse, recycling or recovery and away from simply dumping them in landfills.

We recognise the scale of the challenge and the large investment in alternatives to landfill that are required. The changes in the way in which we manage our waste create obligations on us all as producers of waste. We all continue to create waste. However, as the targets relate to municipal waste under the directive, we have to look to those who manage and control this waste—that is, the local authorities—to achieve compliance. That is why the landfill allowances relate to local authorities—this is the point that my hon. Friend the Member for Normanton (Mr. O'Brien) raised—and specifically to the waste disposal authorities that dispose of the waste to landfill.

Joan Ruddock (Lewisham, Deptford): My right hon. Friend is talking a great deal about the responsibilities

[Joan Ruddock]

of local authorities, and we all appreciate them. The position is getting more complicated by the moment and local authorities have more to do. Does he agree that if they were to have a statutory responsibility to develop a waste strategy, that would help them to manage all their new responsibilities and the complexities that exist in dealing with waste?

Mr. Meacher: My hon. Friend makes a point that is directly relevant to her Municipal Waste Recycling Bill which received its Second Reading last Thursday. [HON. MEMBERS: "Friday."] I beg the House's pardon. My hon. Friend makes an important point. She will know that the issue arose in another place and that an amendment to the Bill was accepted that requires local authorities to set out statutorily their waste management strategies. That is the basis on which the Bill comes before the House. In the light of the fact that the Government opposed the amendment but lost in another place, we are reconsidering the issue. We shall return to the House with our conclusions. I am very much aware that this point applies to my hon. Friend's Bill.

Mr. David Drew (Stroud): My right hon. Friend has been characteristically generous in giving way. Perhaps we will discuss the Bill in interventions, so that we will not need much of a debate later. Surely, we must put the onus on to local authorities. However, as my right hon. Friend and my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) said in relation to her Bill, the onus must also be placed on the individual. We cannot beat about the bush. We must make it clear that local authorities must charge according to the amount of waste produced by individual households. People will then start to learn that they must recycle, not just for some sort of spiritual reason but out of sheer economic necessity. Should we not move towards such an approach?

Mr. Meacher: The strategy unit's report "Waste Not, Want Not" recommended that the Government consider the proposal that my hon. Friend mentioned. Contrary to what many people think, the system sometimes known as variable charging does not constitute a double whammy in the council tax. It is not an addition to the element in the council that is chargeable for waste collection, but replaces it. As he said, it depends on the amount of waste that a household generates. I entirely understand his point about the need to incentivise people to try to create less waste. The Government are considering the issue in their response to the strategy unit report. We will give our formal response to all the elements in the report quite soon.

Paddy Tipping (Sherwood): Will my right hon. Friend give way?

Mr. Meacher: I will give way, but I wonder whether anyone will have time to make a speech.

Paddy Tipping: My right hon. Friend has referred to the amendment made in another place. Composting has an important place in our strategy, so will he carefully consider that amendment and examine carefully the advice given by bodies, such as the Composting Association, so that we ensure that composting takes place and is not prevented?

Mr. Meacher: Composting is unquestionably very important, and the Government are very keen to promote composting of a high standard. However, clause 22, which deals with the definition of composting, was introduced in another place and, again, it was carried although the Government opposed it. I am advised that it includes requirements for the treatment of waste containing animal products into compost that would, in practice, turn the compost into sludge and render it useless as compost. We will obviously take account of what my hon. Friend has said and consider the issue further, but we must be extremely careful to retain a definition of compost that makes sense and, at the end of the process, does not simply lead to more biodegradable waste going to landfill.

Those hon. Members who have followed the issue closely will know that we proposed a permit system when we consulted. I do not wish to deceive anyone, so I should say that we have changed that term to "allowances" for legal clarity because landfill sites are also subject to pollution prevention and control permits, and we have therefore decided to use another term.

Part 1 will give the Secretary of State the power to specify the maximum amounts of biodegradable waste that can be sent to landfill sites in each of the four countries of the United Kingdom. She must do so after consulting their Administrations, and that must be done for each target year in the landfill directive. For the interim non-target years, she may set limits in each country, or a default formula can be used. The default would ensure an even profile of reduction, thus helping the UK to meet the targets.

After that initial division, responsibility for setting up and operating an allowance scheme rests with each country, obviously because environmental policy is a devolved matter. So the purpose of the Bill is to set the framework, with the detail being decided by each country. Each country will have the flexibility to produce its own scheme and details will be set in regulations. Each country will also have to decide whether to permit trading in its area. Those countries that decide to allow trading could then become part of a cross-border scheme. I can confirm that England intends to introduce a trading scheme and would be prepared to take part in cross-border trading if others wished to do so.

As the Bill provides flexibility for the detail of the trading scheme, it could be somewhat different in each country within the broad legal framework. For example, some Administrations may decide that allowances can be borrowed over years—others will not—but no country can allow such borrowing across target years, as that would put at risk the UK targets. The hon. Member for Angus (Mr. Weir) raised that issue a little while ago.

There will be an absolute duty on each waste disposal authority not to exceed the allowances that it holds irrespective of whether they were acquired by direct allocation or as a result of trading, banking or borrowing. However, local authorities will not be obliged to trade; they may simply landfill within their allotted allocation. Equally, there will be no requirement to trade for a monetary value—a simple transfer is permitted.

As trading under the landfill allowances scheme would involve public bodies and there is no intention for that to become a speculative market, the Bill will not allow third parties to hold or trade allowances for a number of reasons. We want to provide opportunities for local authorities to trade any surplus. The targets are already very challenging for the UK, so we do not want allowances removed from the system. We do not want waste companies to purchase allowances and to use them, for example, to determine the procurement of local authority waste contracts.

Each waste disposal authority will receive an allowance, which is the maximum amount of biodegradable waste that it can landfill in a year. The intention in England is to allocate allowances for each year from 2016 to 2020. Local authorities can then plan their progressive diversion from landfill. However, we recognise that the position can change over 16 years, because we make better progress towards meeting the directive targets that we envisage at present, so the Bill contains a provision to revise the allocations if that proves necessary or helpful.

If a waste disposal authority landfills more biodegradable municipal waste than the allowances it holds, it will be liable to civil financial penalty. The penalties will be set at a sufficient level to ensure that the local authority has the incentive to divert from landfill or acquire allowances, rather than breach the limits. That is obviously essential to secure the landfill directive targets and to underpin an effective trading market.

The landfill allowance schemes will be monitored by the monitoring authorities appointed for each country, and we expect those to be the respective environmental regulators. That will minimise the burden on landfill operators because the environmental regulators are already responsible—I understand that, in Northern Ireland, they soon will be—for regulating landfills and collecting information from their operators and local authorities. Where trading is permitted, it is intended that the monitoring authorities will also be responsible for recording each trading transfer on a central register.

The aim, however, is to encourage local authorities to meet their targets in a sensible and co-ordinated way, not to take away resources without justification. Obviously, we do not wish to do that. That is why there is provision for the allocating authorities to extend the time for paying or to relieve liability to penalties if, for example, the local authority that has breached its allowances has a strategy in place to bring itself back on track.

The importance of the target years is recognised by the provision for supplementary penalties in those years where a local authority landfilling more than it is permitted could lead to the UK breaching its legal obligations under the landfill directive, possibly becoming subject to a European Court of Justice fine. That reflects the seriousness with which we take our international obligations and—let me be frank—the possible penalties of up to £180 million a year for breaching the directive targets.

The constituent countries of the UK will be responsible for meeting their share of the UK targets and for any associated financial costs or penalties by means of a concordat. There will also be criminal offences for landfill operators who fail to comply with the requirements of regulations, and there may be offences for a breach of scheme regulations, such as restrictions on banking or borrowing. There are also penalties in relation to the details of the scheme, such as record keeping or the rules for saving allowances.

In another place, concern was expressed that the duty to reduce landfill was placed on waste disposal authorities when some of the means of delivering the targets, such as the collection systems that facilitate recycling—my hon. Friend the Member for Stroud (Mr. Drew) made this point a little earlier—are in the hands of the waste collection authorities. Of course, that only presents a problem in two-tier authorities. We expect that the authorities will plan together to achieve targets. However, where that is not the case, we will provide a power for waste disposal authorities to issue a direction to collection authorities on the manner in which waste is delivered for disposal, so it can be delivered in a form that facilitates recycling.

Dr. Alan Whitehead (Southampton, Test): Is it the Government's intention to attach any sanction to the directions that my right hon. Friend mentions, so that the waste supplied by the waste collection authorities is guaranteed to be in a form suitable for the waste disposal authorities?

Mr. Meacher: Of course, if the House accepts the proposal that we introduced in another place, there would have to be an enforceable power of direction. There is no question about that. Obviously, again, we would much prefer disposal and collection authorities to work together. We do not want such things to be done by legal enforcement and penalties. However, as with all systems, there must be an ultimate form of external enforcement, so that will certainly be there.

Dr. Whitehead: For those of us with two-tier authorities this is the nub of the problem. Is it not worth considering treating the waste disposal and waste collection authorities for this purpose as one authority and making that clear to the waste collection authorities? There will be good waste collection authorities working with the waste disposal authority, and also bad ones. The danger is that the bad ones will almost certainly rely on some degree of subsidy, and that is unfair. Can we not just treat them as one authority?

Mr. Meacher: I will not say that that is the nuclear option—it is perhaps not an appropriate phrase at this time. That is a rather extreme way of resolving the problem. There are much wider implications about the division of responsibility between district councils and county councils. Simply to amalgamate them to overcome the problem is to go too far. We are right to find a way of getting them to work together compatibly in terms of the waste management strategy, but not to the extent of amalgamation.

I was going to go into detail about parts 1 and 2 of the Bill, but in view of the length of my speech I will not. In conclusion, I am proud—

Paddy Tipping: My right hon. Friend can be proud about emissions trading which is in part 2 of the Bill. The Government have done extremely well on that. Will he help me in relation to coalmine methane? It is a major

[Paddy Tipping]

pollutant that can be converted into energy. The Government acknowledge that in the White Paper, but can they see the way forward to make it happen? Will this Bill help the conversion of coalmine methane to energy?

Mr. Meacher: The Government are keen to see coalmine methane tapped and used as an energy source, and not vented into the atmosphere. That is in everyone's interests. I have met the Association of Coalmine Methane on two occasions. There is no internationally agreed technology for determining the contribution of reducing coalmine methane in terms of our international greenhouse gas reduction targets. That is one remaining problem. In the absence of an internationally agreed technology, we cannot secure benefit in terms of our own target. We have commissioned extra research to provide that methodology and I would expect it to be ready within two years, but I am afraid that will not be immediate. I have examined this in great detail and I am sympathetic to what the operators want to do, but we cannot overcome that problem at this time.

Ms Walley: Many of us are extraordinarily proud of what we are doing to combat global warming. The ceramics industry in Stoke-on-Trent has been efficient in implementing the whole of the carbon levy. In view of the emissions trading schemes outlined in the Bill, can my right hon. Friend give the House some indication of the discussion that he will have with the industry, the Confederation of British Industry and the trade unions in respect of forthcoming and pending European directives?

Mr. Meacher: My hon. Friend must be telepathic because this is the one remaining part of what I was about to say, so I shall answer her with the brief which effectively deals with her point.

We are pleased that we launched the world's first economy-wide greenhouse gas emissions trading scheme in April last year. Absolute emission reductions will be delivered to help us meet our international obligations. In addition, a voluntary participation scheme is giving UK business, Government and the City of London a head start on the practical operation of such schemes prior to the introduction of EU and international trading schemes. The EU scheme becomes operative in 2005.

The Bill does not set up the scheme or determine eligibility; it simply provides a statutory basis for penalties for the current scheme and for any future emissions trading scheme. The statutory penalties are important to secure value in emissions allowances and to underpin the market. The UK emissions trading scheme is complex, so perhaps the House can endure a couple of minutes while I try to explain the place that it has in the Bill.

There are currently three types of participants. The penalties provided for by the Bill will apply to the direct participants. They have taken an absolute five-year emissions reduction target from sources within the scheme in return for a financial incentive. They are responsible for emissions from power generators rather than the generators themselves. Some 34 organisations are involved, spanning sizes and sectors including the public sector. The main exclusions are power generators.

The second target holders are climate change agreement participants. These agreements between the Government and sector associations and operators in 44 energy intensive sectors set energy or emission reduction targets. Should they meet their target, they receive an 80 per cent. discount from the climate change levy. Holders can use the scheme to buy allowances to help meet their target or they may make greater reductions and sell their surplus.

Thirdly, there are the trading participants who do not hold targets but simply buy and sell—in other words they speculate—in the allowance market and provide additional liquidity. This Bill, then, delivers on the promise explicit in the contracts and other scheme documentation to provide for statutory penalties for direct participants who fail to meet their annual emission targets. They will be welcomed by all participants in the scheme because it is in their interests to have a robust, secure market. The Bill does not change compliance for climate change agreement participants because their penalty is to lose their 80 per cent. levy discount. That is a powerful driver.

The Bill also takes the opportunity to prepare for future emissions trading schemes and to ensure that they can have a robust compliance base. The Bill gives a power to provide for penalties in future emissions trading schemes and such potential schemes may cover other pollutants regulated under the Pollution Prevention and Control Act 1999 and the regulation, such as acid rain gases, sulphur dioxide and nitrogen oxide.

The Bill puts the tools in place to help us tackle some of the biggest environmental challenges that we face as a nation and internationally. It does that through innovative instruments, which will enable burdens to be spread more effectively. It uses market-based tools, which should deliver more economically optimal solutions. On that basis and with apologies for the length of my speech, I strongly commend the Bill to the House.

3.28 pm

Mr. David Lidington (Aylesbury): After one or two of the press reports last weekend, I suppose that I should start by saying that I am genuinely glad to see the Minister in his place on the Government Front Bench today. We have a number of questions to ask and a number of criticisms to make of the Bill and of the Government's policy. However, in general, I welcome the Bill as a constructive measure that is designed to secure good environmental outcomes.

I am glad, too, that my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) is in his place. I am sorry, however, that he is not on the Front Bench. I take this opportunity to pay tribute to the tremendous work that he has done as a member of the Opposition Front Bench team, shadowing the Department for Environment, Food and Rural Affairs in the eight or nine months that he has been under my leadership.

A system of allowances or permits is an imaginative way in which to harness the power of the market and the price mechanism to deliver good environmental outcomes. We have already seen—especially with the experience in the United States with sulphur dioxide emissions—that this type of instrument can work, as the Minister said, with flexibility and cost-effectiveness to deliver results in [illegible] general interest. I welcome the suggestions made by [illegible] hon. Members for Bury, North (Mr. Chaytor) and for Stoke-on-Trent, North (Ms Walley) that the model in the Bill might be applied in future to other types of emission. Although no panacea will deliver all the environmental improvements that we want, I believe that permit or allowance trading schemes should form an important part of this country's environmental policy.

I want to talk about part 2 of the Bill. For understandable reasons, part 2 has tended to be overlooked in debates in the House of Lords, where attention has concentrated on waste policy provisions. I agree with the Minister that the penalties that are incorporated in the Bill were always seen as part of the Government's emissions trading scheme. Their incorporation should not be controversial. However, we should reflect on our experience of the first year of trading in carbon dioxide emission permits. When the Minister responds to the debate, I hope that he will tell us about the Government's assessment of how much difference the emissions trading scheme has made in practice. He will know that, in the past couple of weeks, Enviros Consulting has published its assessment of the ETS. It concluded that most of the direct participants in emissions trading—the companies that are the subject of the penalties in the Bill—entered the scheme when the level of emissions from their firms was falling and predicted to fall further. In effect, they were getting a financial incentive from the Government for delivering what they were on course to deliver anyway. I accept the Minister's statement that there have been benefits to this country in having an emissions trading scheme and in getting there ahead of many of our competitors—we have expertise and skills and the ability to sell them elsewhere in the world. However, it would be useful if the Minister could give us the Government's account of whether the ETS has delivered reductions in emissions in its first year, or whether it has simply provided a framework within which trends that were already apparent have continued.

One million tonnes of carbon dioxide were traded in that first year. From the consultants' report, it looks as if direct participants were overall sellers of surplus permits and their buyers were already the big energy users in climate change agreements. An interesting question arises over the relationship between the climate change agreement participants and the direct participants in the ETS. Do the Government believe that that buyer-seller balance is likely to continue or do they expect to see greater equilibrium in the market?

My second point on the emissions trading scheme is to do with how long it will remain in operation. As the right hon. Gentleman said, the European Union scheme will come into effect as early as 2005. Commissioner Wallström seems set against permitting variations between emissions trading arrangements in different EU countries once a pan-Community scheme has come into being. Does the Minister envisage a transitional period to allow participants in a UK scheme to move over to the rules of the EU scheme? How will permits that companies have bought in the market under the British trading scheme be carried over to the EU scheme; or are buyers of British emissions permits taking a financial risk because the permits will cease to have value when the European scheme comes into existence?

My third point is that, as I understand it, the EU directive will make emissions trading permits mandatory for designated large industrial installations, but will also allow member states a certain amount of freedom to extend permit trading arrangements to other categories of enterprise. Do the Government want to take advantage of the freedoms currently allowed under the draft directive? Given the point made by the hon. Member for Sherwood (Paddy Tipping), a relevant example would be for us to look into some sort of methane trading system. That might cover the coal works problems to which he referred, as well as dealing with landfill methane emissions, and could give landfill operators a further incentive to reduce the amount of material that they put underground.

That leads me to the provisions in the first part of the Bill for allowance trading arrangements for biodegradable municipal waste. My problem with the Bill has—to be fair—been acknowledged by the Minister. I am not concerned about the content of the Bill as such, but about the fact that it is difficult to judge its overall impact on waste policy more generally, especially in the absence of the Government's response to the strategy unit's report. We do not have an overall statement as to how the Government propose to respond not only to the landfill directive but to the plethora of European directives that will influence how the UK deals with different waste streams over the next five to 20 years.

As the Minister said, household waste in Britain is increasing at about 3 per cent. a year. It is rising even faster than the Chancellor of the Exchequer's predictions for economic growth, let alone the actual rate. Eighty per cent. of our household waste goes into landfill. I have to acknowledge that successive Governments have found that situation hard going; they found it easier to set recycling targets than to deliver them in practice. Furthermore, the performance of local authorities varies hugely: some are taking great strides and recycling greater proportions of their waste, while others are failing to do so. The strategy unit concluded that there is a major and growing gap between waste produced, the amount of waste sent to landfill and the amount allowed under the landfill directive.

A reduction in the amount that we send to landfill is a worthwhile objective. After carbon dioxide, methane is the second most important greenhouse gas. A quarter of Britain's methane emissions come from landfill and I understand that the UK accounts for no less than 15 per cent. of all methane emissions in the European Union. As all Members know from their constituents, landfill is an unpleasant solution for people who live either near the tip or along the routes—road or rail—by which the waste reaches the landfill site.

The puritan in me—and, no doubt, in other Members—is offended by the wastefulness of chucking away large amounts of raw material that could be reused. The European landfill directive will certainly prompt swifter change than would have occurred if we

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had been left to our own devices. Nevertheless, I am concerned at the prospect that both national and local government policy may be driven more by the need to avoid fines for breach of the directive than by finding the best way forward, and at the right pace, for reducing and properly managing waste in the UK context. I also regret that the Bill is not accompanied by a comprehensive waste management strategy that considers landfill in the broader context. There may be an opportunity on another occasion to debate the many different illustrations of the complexity of waste policy, such as the rules that are being introduced on tyres, the end of life vehicles directive, the new proposals on packaging waste and a possible directive on batteries that is being considered by the Commission. I want to give two such illustrations.

The first, incineration, was mentioned by several Labour Members. We need a rational debate about incineration. It is certainly hugely unpopular with people who are told that an incinerator is planned for their neighbourhood, but there will always be some materials that require incineration. Countries such as Sweden and Denmark, which have a reputation for being extremely committed to green environmental policies, incinerate very large quantities of their waste. In Denmark, more than half of all waste is incinerated. That said, there is an extremely strong case for arguing that no new incinerator should be allowed unless it also allows the recovery of energy. There is also a strong case for arguing that we should be wary of large-scale incinerators that end up relying on vast quantities of waste being transported over huge distances for 24 hours a day, seven days a week, to keep the furnaces going. Incineration is a complex policy issue to resolve.

Mr. Drew: Does the hon. Gentleman recognise that the contradiction at the heart of the waste problem is that unless individuals and families are prepared to take personal responsibility for creating less waste, we are all on to a loser? The basic problem with incineration is that it requires scale. If that scale goes against the proximity principle, no individual will take responsibility. That is where the problem of incineration really lies—it is somebody else's problem and there is no personal responsibility.

Mr. Lidington: The hon. Gentleman makes a reasonable point. What worries me, though, is meeting councillors who tell me that they now see incineration as the only way in which they will be able to deliver in time the reduction of landfill use that is required if they are to meet the Government's targets, which flow from the target arrangements in the European directive.

Norman Baker: I agree with the thrust of the hon. Gentleman's arguments so far. Will he accept my view, which is that the Bill tends to put incineration on a level playing field with recycling and composting, notwithstanding the Minister's hierarchy? The landfill tax is the only tax that discriminates. Would it not be helpful if there were financial disincentives for incineration?

Mr. Lidington: The hon. Gentleman is right. The key point is that we need to consider landfill, recycling and incineration together. The Bill, by omission, makes an artificial distinction between different methods of waste disposal and the incentives or penalties that we would wish to associate with them. They should be considered strategically together, which the Bill fails to do.

My second illustration concerns the new rules that are being introduced on the separation of waste. Recycling will work only if there is effective separation of different categories of waste material. Within a few years, we will face the waste electrical and electronic equipment directive, which will require everything from television sets to electronic greetings cards to be dealt with separately from other household waste streams. New definitions and new rules for the disposal of hazardous waste are being introduced, which will also impose further duties on local authorities. I would be interested in the Government's assessment of how those rules will interact with those inherent already in the landfill directive. Have the regulatory impact assessment and the costs to local authorities of implementing article 5 of the landfill directive been underestimated because we have not yet added into the sum the further duties that may be imposed on them by the WEEE directive and the hazardous waste regulations?

Paddy Tipping: The hon. Gentleman makes some important points about directives. Does he accept, that the way that this House and the Government deal with European directives is not satisfactory? Our legislation is now driven from Europe, we have made bad mistakes, and we can improve, but it is incumbent on us to look more closely at the way that we handle and consider directives.

Mr. Lidington: I agree wholeheartedly with the hon. Gentleman. To show that I am speaking in a genuinely bipartisan fashion, I will tell him that I spent my first five years in the House serving on one of the European Scrutiny Committees, and I know that the problems of which he speaks are not new to the present Administration. I remember learning a great deal on that Committee by studying the example of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), as she interrogated a series of Ministers of the then Conservative Government about why they had signed up to this or that detail of various European directives. As he will understand, this subject is worth a long debate in its own right, and I shall not go further into it now. I agree with his general point, however.

I want to return to the point made by the hon. Member for Stroud (Mr. Drew) in his intervention. He was right to say that the success of recycling in particular, and, therefore, indirectly, the success of a tradeable allowances scheme, will be delivered only if individuals feel that they can take ownership of this matter for themselves and that they have some vested interest in a desirable environmental outcome. It also relies on two further things: on local authorities having the capacity to sort and recycle more waste than they do at present; and on the private sector coming up with a profitable end use for recyclates. Otherwise, we will collect, sort and recycle and end up putting the recycled materials back into the landfill tip, because we cannot find an economic end use for them.

Some important questions arise out of this Bill in relation to the impact on local authorities' costs. To start with, there are the administrative costs of setting up and running the scheme, which the Local Government Association estimates to be in the order of £15 million nationally. Subsequently, there are far greater costs, which the Minister acknowledged indirectly in his remarks about the need for large-scale new investment in recycling capacity: the costs of installing and operating recycling facilities that do not exist at the moment.

It is not good enough for the Government to argue, as they seemed to do in the other place, that local authorities have plenty of money with which to deliver those objectives. The money comes to local authorities from two sources. The first is the national waste management and recycling challenge fund, which has helped a number of local councils but has rejected bids from others, and all local authorities are at risk of financial penalties under the landfill directive. The other source of funding to local authorities is via the environmental, protective and cultural services block of local government finance. That, of course, must also cover such matters as flood protection, coastal defence and emergency planning, all of which are under considerable pressure at the moment, and are areas of local government responsibility in which councils are being urged by the Government, and by others, to spend more money rather than less.

I want to make three suggestions to the Minister about finance, and I hope that they will be constructive. First, he should hypothecate any revenue from fines back to local authorities to allow improvement to their collection and recycling services or to the private sector as an incentive to develop markets for recyclates further. Secondly, he should consider doing the same thing with the increased revenue that the Government plan to raise from their proposed large increase in the landfill tax. It was interesting that Lord Whitty seemed to suggest in the House of Lords that the Government were considering such measures, although he declined to be drawn on the detail.

My third suggestion is for the Government to give local authorities the freedom to offer incentives to householders who reduce their waste and sort recyclable products. Incentives will probably work better than penalties, which deals with the point raised by the hon. Member for Stroud. If people risk facing a penalty, they will be tempted either to fly-tip their rubbish or to place it surreptitiously in their neighbour's bin. If people were offered an incentive such as a small council tax rebate, they might be tempted to follow good practice.

Dr. Whitehead: I was interested to hear the hon. Gentleman suggest using incentives rather than padlocks on wheelie bins. In the light of his remarks about hypothecation, will he tell the House whether he would support the recent changes to the administration of the landfill levy set out in the pre-Budget report, which will place tax forgone into the realm of larger recycling and reuse schemes rather than into the present system?

Mr. Lidington: We will want to examine the Government's proposals in detail and especially in the light of what the Chancellor of the Exchequer proposes in a few weeks' time. I was outlining the principle that if the extra revenue that the Government are committed to take from the tax increase is to produce the benefits that they claim, it must be ploughed back into recycling capacity and markets for recyclates. Otherwise, they will take more money in tax without improving recycling rates.

I want to ask the Minister about a couple of the more technical aspects of the Bill that we will want to explore further in Committee. First, several hon. Members talked about the relationship between waste collection and waste disposal authorities in a two-tier system. The Bill provides for a county council to be fined if a district council fails to separate waste effectively. The Lords sensibly amended the Bill by inserting a requirement for a joint municipal waste strategy. However, there is still a question of whether the waste disposal authority—the county council—should be able to impose penalties on a district council that does not do its job correctly. We shall want to debate that in more detail but I should be interested to hear the Government's intended approach to that.

Secondly, there is the question of the relationship between the Department for Environment, Food and Rural Affairs and the devolved Administrations in Scotland, Wales and, possibly again in future, Northern Ireland. My understanding is that under the directive, the United Kingdom collectively will be fined if European targets are not met. Clause 9 provides for fines to be shared out within the UK as a whole if collectively it breaches its landfill targets in the target years. I was not certain from the Minister's opening speech whether the fines for a failure in one part of the UK would have to be borne by it or whether, for the sake of argument, a failure by England to deliver on its landfill targets would have to be picked up by Scottish, Welsh and Northern Irish taxpayers as well.

That is an important point because, as the Minister said, Scotland and Wales have the freedom to design their own schemes. The last note that I read suggested that the Scottish scheme would involve tradeable permits which, however, would not be tradeable across the border. It also suggested that the Welsh scheme might not allow the trading of allowances at all. The different parts of the United Kingdom will design their own schemes, which may or may not be equally effective. Do the Government believe that the ineffectiveness of a particular scheme means that the entire UK will breach its targets and become liable for the failures of the scheme in one of its component parts?

We look forward to exploring the Bill in detail later. We have reservations, not so much about its content but about the fact that it is being considered in isolation, separate from broader questions about climate change and waste management policy. If it makes a constructive contribution to delivering good environmental outcomes, we shall not oppose it, but shall do our best to make constructive criticisms and give overall support.

3.57 pm

Mr. David Kidney (Stafford): This is a good little Bill. It provides for a trading scheme for local authorities that dispose of waste, so that they can trade allowances for the disposal of BMWs—biodegradable municipal waste, not the upmarket motor car. It also provides for penalties to support the existing voluntary scheme on trading in carbon emissions.

The Bill should not be mistaken for, nor misrepresented as, the sum total of the Government's strategy to reduce, reuse and recycle waste—it is but one

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part of a much larger whole. The Government's waste strategy, published in 2000, set out a number of other strategies, including the use of targets; the landfill tax; changes to the landfill tax credit scheme, which are about to be introduced; the waste minimisation fund, the first round of which has just been distributed; and public campaigns to raise awareness and support among the public, most noticeably the "Are you doing your bit?" campaign.

I pay tribute to my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) for steering her private Member's Bill—the Municipal Waste Recycling Bill—through its Second Reading in the House last Friday. That Bill provides for greater kerbside collection of household waste by local authorities, thereby adding another element to the overall waste strategy that we ought to consider. I agreed with the Select Committee on Environment, Food and Rural Affairs when it called for strong leadership, bearing it in mind that the Government's strategy has many complex elements. Strong leadership is clearly important to pull them all together, drive them forward and make sure that they are successful.

I am pleased to tell the House that I have been close enough to the Department to be able to assure it that the Secretary of State and the Minister for the Environment are ready, able and willing to provide that leadership. Indeed, the whole ministerial team and the top management at the Department show a deep and abiding commitment to [illegible]ing a success of the Government's waste stra[illegible]

The new waste trading scheme in part 1 will probably be the first such scheme in the world. Trading in allowances can contribute to driving up the performance of waste disposal authorities. Currently, their performances show a surprisingly large degree of variation, by which I mean that some are pretty poor. The scheme will apply to biodegradable waste. Total UK waste is about 400 million tonnes a year. About 30 million tonnes is municipal solid waste, 60 per cent. of which is biodegradable. So although it is true that the Bill deals with a sizeable proportion of all municipal waste, it deals with only a modest proportion of the country's total waste, hence the need for an overall strategy. Of course, a much bigger proportion of our country's waste is produced in the private sector, although in fairness, the best in that sector are doing better than the best of our local authorities in their duties of reducing, reusing and recycling.

We could try to increase the proportion of municipal solid waste that is biodegradable. As the Minister knows, I have asked parliamentary questions about increasing the use of biodegradable materials in goods packaging, in place of the plastic packaging that we quickly remove and discard. For example, I am very interested in the use of a substitute for plastic bags that has been developed from potato starch. Our farmers are desperate for alternative uses for their land, and non-food crops are a very good way in which they can diversify and obtain new areas of business. Some supermarkets are already voluntarily trialling plastic bags made from biodegradable material. We should give every encouragement to such developments.

As we have discussed, in many parts of the country—including shire counties such as Staffordshire—the waste disposal authority is different from the waste collection authority. In Staffordshire, the county council is the former, and the various district councils are the latter, so it is not surprising that the Local Government Association is asking what mechanisms are planned to ensure that co-operation between different councils actually happens. After all, a waste disposal authority that sends to landfill biodegradable municipal waste that is not covered by allowances will be fined. What will happen if Staffordshire county council is fined for behaviour that is the fault of a district council?

On co-operation between councils, I pay tribute to John Dutton, chief executive of the Staffordshire environmental fund, which is one of the funding bodies under the existing landfill tax credit scheme. He had the foresight to bring together all the councils in Staffordshire to look at the key issues in co-operation over waste disposal. Together, they have looked at stimulating markets for reusable and recycled goods—an issue raised by the hon. Member for Aylesbury (Mr. Lidington)—and examined the scope for closer co-operation between councils, thereby presaging the amendment from the other place on joint municipal waste strategies. They have also considered developing waste parks, in which multi-activities such as sorting, recovering, reusing, recycling, processing and product development could all take place—in the same place, at the same time.

I have a constituency interest in knowing to what extent the Government intend that advanced conversion technologies such as pyrolysis and gasification will contribute to the policy of reducing landfill. This is not incineration—the process that gives rise to people's health fears—but an energy recovery method that is often associated with reducing biomass into a renewable energy source. I raise the point because a very enterprising company in my constituency, Talbotts Heating, is something of a world leader in this conversion technology. The Minister may remember that, during his recent visit to Yorkshire to give out awards for the Country Land and Business Association, Mr. Bob Talbott, of Talbotts Heating, bent his ear. He is an enthusiastic entrepreneur, and keen to help Staffordshire to reduce the waste that goes to landfill. But Staffordshire county council—the waste disposal authority—is under the impression that the Government favour recycling over conversion, so it is reluctant to co-operate with his company. I should be grateful if my right hon. Friend could clarify in his response to the debate, or later in a letter to me if that is more convenient, whether the county council's understanding is right.

I have a letter from the council on the matter, a crucial part of which explains its position and states:

> "The current priority is to increase the recycling of waste to improve performance under national Best Value Performance Indicator BV82a. In this respect incineration is not classified as recycling. Consequently the incineration of materials which are currently being recycled would make the Council's performance under BV82a worse, not better."

Clearly, the council classifies even the kind of energy conversion that I am describing as a form of incineration. That is why I ask the Minister for his view.

Part 2 relates to emissions trading. Surely all fair-minded people will give the Government great credit for that. Let us recall the background. The UK was a leading player in making the Kyoto process work. For the first time, the world's leading nations—well, most of them—agreed legally binding targets for reducing carbon emissions to combat climate change. Within the European Union, we took a good proportion of the EU's target reduction as our share of the obligation to reduce emissions of greenhouse gases. Domestically, we went further and adopted an even more challenging target for ourselves. Not content to rest on our laurels, the Prime Minister made a most impressive speech recently, urging us on to an even more demanding target by the middle of the century.

In the follow-up to Kyoto at Marrakesh, the participating nations agreed that achievement of the targets for reductions in emissions could be aided by, among other initiatives, an emissions trading scheme. Once again, the UK has acted first. We have become the first state to introduce a trading scheme. It is a voluntary scheme, but it is being taken up by a wide variety of organisations.

For example, Barclays Bank was one of 34 companies, and the only financial services sector representative, to volunteer to become a direct participant in the scheme when it was launched last year. Barclays has taken on a commitment to reduce by 10,000 tonnes over five years CO_2 emissions from a portfolio of 83 large properties bid into the scheme. That equates to a reduction of about 11 per cent. in emissions from its buildings.

The hon. Member for Aylesbury asked whether that was what the company had already planned to do. That is a good point. Quizzing Barclays Bank about its boastful claim, I was told that the company already had an environmental management strategy of its own, under which it had intended to achieve a reduction of 10 per cent. in the same period anyway, so we have bought an extra 1 per cent. That illustrates the difference between targets and aspirations. It is fair to say that in the past, Barclays Bank would have aspired to the 10 per cent. reduction, but because of the financial penalties, it intends to meet a rather tough commitment to 11 per cent. It is sharpening up its environmental management, as are all the other participants, I expect. That is important because carbon emissions from business activity are probably proportionately very big, as is the waste that I mentioned earlier.

Mr. Jonathan Sayeed (Mid-Bedfordshire): I have heard a slightly different story. British Airways made some money out of the Government by doing what it intended to do anyway, by selling off part of its air fleet, particularly the budget side. It got money from the Government because British Airways thereby reduced its emissions, but it did not reduce the emissions overall. All that happened was that another company took up that fleet, ran the budget airline and produced the same emissions. That does not seem to be the best use of public money.

Mr. Kidney: Clearly, that is why the hon. Member for Aylesbury raised the question for the Minister to answer when he winds up. I suspect that the airline industry is not a good example for us. Nevertheless, in defence of the private sector companies taking part, I would say that from the scheme has flowed a greater appreciation of their responsibilities. To mention Barclays one last time—it was an excellent dinner, after all—it has a presence in something like 60 countries around the world, and its environmental strategy that started in the UK is now applied across virtually all those other parts of the world. We are exporting very good practices, which is encouraging, to say the least.

The new trading scheme could not be described as tough if there were no credible sanctions for the participants. The Bill introduces the fines that will be levied if participants fail to comply with their commitments under the scheme. So here are two new trading schemes. In both cases, the UK leads the world. Of course, being the leader means that there is no template to follow, and we might not get everything right first time. In regard to the emissions trading scheme, the European Union is developing an EU-wide scheme that might require changes to be made to our scheme.

Taking those things into account, it should not be surprising that the Bill has to provide for future changes in certain respects, some by statutory instrument, others by ministerial power. In respect of the powers to make changes, I would like to make a plea for the involvement of the Select Committee. I am not a member of the Committee, so this is not special pleading. The modern legislative process is complex and time-consuming, and not everything can be achieved by primary legislation. The House should be involved, however, in the exercise by Ministers of the powers that we grant them. What better way is there for that to happen than through our well-developed system of Select Committees? I congratulate the Government on their enterprise in developing these trading schemes, and I wish them well in making a success of them.

4.11 pm

Norman Baker (Lewes): I am happy to follow the hon. Member for Stafford (Mr. Kidney). I agree with his last point about the Select Committee. Indeed, this is one of those pleasurable occasions on which there is a good deal of agreement on both sides of the Chamber. The Liberal Democrats support the Bill, and I do not imagine that there will be a Division tonight, but if there is, we shall support the Government in the Lobby. That is not to say that everything about the Bill is perfect, but—credit where credit is due—its principle is absolutely right and the Government are ahead of the game in using economic instruments in this way.

The use of economic instruments throws up a potential problem, although it is definitely right to go down that road. In a different capacity, I remember being in a room with Chris Patten back in 1989, when he was involved with the Pearce report, which looked for the first time at the use of economic instruments in an innovative way. I was sorry that the work that he did seemed to run into the sand two or three years later, because there was an opportunity then to grasp the importance of merging the economy and the environment.

I seriously believe that, if we are to make good progress on the environment, we must do so in conjunction with economic instruments—which means,

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effectively, in conjunction with the Treasury. I am not sure that the mechanisms of government would allow us to do that effectively, however. We have, necessarily, a straitjacketed departmental arrangement whereby Departments do not always talk to one other. They have their own responsibilities, they build their own walls, and they have their own jealousies, which they guard. I sometimes think that, with the changes that are now taking place in government, some of those barriers could be broken down.

I represented my party this morning on a statutory instrument Committee on the climate change levy. My party had decided that I should be there because that was an environmental matter. The Government and the Conservative party were, understandably, represented by a Treasury Minister and shadow Minister. The discussion was on financial matters and was very dry and arcane, and there was not much said about the environment, although the implications of the climate change levy are enormous for it. We need to find a way of having more effective cross-departmental working. I know that the Minister has started his Green Ministers Committee, which is helpful, but not necessarily enough.

I do not want to stray too far from the Bill, Madam Deputy Speaker, but let me just make this point. We have discussed combined heat and power, which is covered by the Department for Environment, Food and Rural Affairs. The rest of energy is covered by the Department of Trade and Industry, and the Treasury is the Department that was running the show this morning. Directives that are clearly germane to the Bill and to the Government's waste strategy, such as the packaging directive and its amendments, and the waste electronic and electrical equipment directive, are being snaffled by the DTI rather than being dealt with by the Department that I think should be dealing with them—DEFRA. I am not convinced that the mechanisms are helping the Government to deliver their own agenda, and I hope that that can be looked at.

I agree with the hon. Member for Aylesbury (Mr. Lidington) that the Bill is like the dog that did not bark in the night. It is what is not in the Bill that is disappointing, rather than what is. It would certainly have been helpful to have the Government's response to "Waste Not, Want Not" before Second Reading and indeed before the Committee stage. I do not know whether the Minister can give us a definite date, but obviously the sooner we have a response, the better.

Mr. Lidington: Budget day?

Norman Baker: Quite possibly.

It would also be better if we had a waste management strategy or, as I prefer to call it, a resource management strategy. This is only one part of the equation, and until we are confident that the rest of the jigsaw fits together, we cannot be confident that the Bill will deliver the Government's aims. There is, for instance, nothing about incineration in the Bill apart from ancillary references, and nothing much about fly tipping, waste minimisation and a host of other matters that should be considered together if we are to deal with waste in a sensible and co-ordinated way.

The Minister was honest enough to say—he is always honest about environmental matters, and doubtless about other matters as well—that we have a long way to go. Not only our waste arisings but our landfillings are increasing: recycling is not catching up with the increase in the amount of waste. That is a silly situation for us to be in environmentally, in terms of the Government's meeting of the targets in the European landfill directive. The Minister is right to draw attention to those facts and to say that drastic action is needed, and I think that the Bill responds to the challenge; but I am not convinced that it will achieve what it seeks to achieve.

Is the Minister seeking to achieve compliance with the landfill directive in 2016 or in 2020? There seems to be some uncertainty about that. On 24 February, when I asked him about the matter, he said:

> "preparations are in hand to support our aim of meeting the Landfill Directive's final biodegradable municipal waste reduction target by 2016."—[*Official Report*, 24 February 2003; Vol. 400, c. 91W.]

Clause 23, however, refers only to implementing the directive in 2020. I am not sure whether it is an escape clause in case the Government undershoot by four years, or whether the Government are banking on a 2020 implementation and 2016 is merely a theoretical target.

I do not intend to repeat everything that has already been said by others, including the Minister, but I would like to mention some issues that have not been raised in the Bill or in much detail today. I have already referred to penalties in an intervention on the Minister. I am not sure whether the penalty system will work, although I hope that it will. Waste disposal authorities are having to deal with the increased waste arisings, but the Bill expects them to have the same amount of waste landfilled in the first year of the Bill's operation as in the year before. There is thus an immediate target to be met, and I am not sure that local authorities are up and running in that respect. Despite the best endeavours of many of them, and the exhortations of the Government and others, we are still lagging behind other countries with only a 12 per cent. recycling rate, and no indication that it is rising fast enough to deal with the situation.

There is therefore a real possibility that, in the first year, a huge number of local authorities will fail to meet that immediate target. They will not be able to cope with the extra waste being created by the 3 per cent. annual increase in waste arisings. If most do not meet the target, not many will have permits for sale; they will all be clamouring to buy them. But where will they buy them? If only a few authorities manage to meet the target, the price of permits is likely to be high—even astronomical. I cannot envisage local authorities giving them away, although that is allowed for in the Bill. Authorities in possession of a piece of paper with some value will want to redeem that value by selling it.

If the price of permits is indeed high, authorities may wonder whether it is better to default and face a penalty or to pay an enormous amount for a permit. If they choose to default and pay a penalty, it will reduce the amount of money that local authorities have to spend on recycling, and that could start a vicious cycle that would make it less likely that they would meet their targets in future years. The Government might have to use the power in clause 26(1)(c)(ii) which gives the allocating authority carte blanche to waive penalties. The allocating authority might have to say, "We accept that most waste disposal authorities do not have permits to trade and the price is very high, so we will waive the penalty." In that case, we would have made no progress and the trading scheme, which I support, would be undermined at an early stage.

The market will need to work—if it does, we will welcome it—but the initial trading is the most difficult to achieve. The market will work only if the targets effectively enable local authorities to take action to meet them. If they cannot meet those targets, the market system will collapse. The Local Government Association has already said that it has some doubts about the initial phases, not least because some local authorities will rely on incineration. If they do, they will need public inquiries, planning permission and long lead-in periods for building. East Sussex is running away, I am sorry to say, with an attempt to build an incinerator in my constituency. It has even signed the contract before the public inquiry takes place, which must be something of a record, but even with that accelerated time scale, the incinerator will not be operational until 2009. I am not sure how the Government's targets can be reached, because it will be very difficult to do so.

Some extra money will have to be provided to local authorities, at an early stage, to enable recycling, composting, reuse and waste minimisation to take place and the targets to be met—even half met. Local authorities face huge council tax increases this year. I do not understand that, because the Government say that they have given every authority an inflation-plus increase and they are all better off. However, every authority in my area, whether Conservative, Labour or Liberal Democrat, appears to have a massive tax increase, so I do not understand how the system has worked—or not worked. In any case, local authorities do not have lots of money to spend on such schemes.

The landfill tax, which is going up on an escalator—if that is not a dirty word in the Treasury these days—is not going up fast enough. It can still be more expensive to recycle than to landfill. For example, I visited a site—it may even have been in the Minister's constituency—where they were trying to recycle windows from a tower block that was being demolished. The local authority had to choose between paying £9 to recycle them or £5 to landfill them. There is, therefore, a perverse incentive to landfill at the moment, although the landfill tax will increase over time. It will cost local authorities more to act in an environmentally responsible way, at least in the short term, than to be irresponsible. That cannot be right. We need some early financial changes if we are to increase recycling and if the market system is to work. Otherwise, the Minister and the scheme will soon face problems, which would be regrettable, especially as it is a good scheme in principle.

I am not an expert on Northern Ireland, but it is difficult to see how cross-border trading could take place. Local authorities in that area might have arrangements to dispose of their waste in the Republic, and I am not clear about how that fits with the UK's target under the landfill directive and what allowance will be made for exports of waste from Northern Ireland to the Republic. I do not know whether that has been taken into account or whether it is banned. I profess myself ignorant on that issue, but it needs to be sorted out. Perhaps the Minister will be able to answer when he replies.

I turn now to incineration, which has been raised by several hon. Members, including the hon. Members for Stoke-on-Trent, North (Ms Walley) and for Stroud (Mr. Drew). The Minister may have failed to understand the point to do with clause 17(3) made earlier by my hon. Friend the Member for Guildford (Sue Doughty). The Minister spoke about the waste hierarchy. He is clear in his own mind about what it is, as I am, but in practical terms it means that landfill is at the bottom of the pile, with everything else above it. The Bill does not make the necessary differentiation.

Clause 17(3), which deals with waste that should have gone to landfill being diverted, states:

> "The measures mentioned in subsection (2) include (in particular) measures to achieve the targets by recycling, composting, biogas production, materials recovery or energy recovery."

There is no difference, separation or hierarchy in that: all options are treated equally. Local authorities are now faced with a requirement not to landfill, and there is a genuine uncertainty about whether they can meet their communities' recycling aspirations. I am worried that they will opt for incineration. The hon. Member for Aylesbury referred to the genuine concern and fear of local authorities that there is no way to meet the targets without incineration. That is what local authorities around the country have told me—and, apparently, the hon. Member for Aylesbury—yet the Minister maintains that incineration will be only a small part of the solution and that it will not be used much at all.

I do not think that that is the case. Unless the Minister takes action to incentivise recycling, reuse and waste minimisation, and to disincentivise waste incineration, incineration will become the preferred solution for waste disposal authorities up and down the country. They will go for incinerators, because they offer an easy way to deal with big percentages.

It is much easier for an authority to sign a contract with a private company that promises to deal with 25 per cent. of that authority's waste in one big hit than it is for it to deal with myriad complicated schemes that will take time to sort out. Although the different ways that such schemes may deal with that 25 per cent. of waste may be preferable, they would be much more complicated. Faced with a succession of small schemes or one big scheme, I fear that local authorities will go for the one big scheme, unless the Government produce incentives for them to do otherwise.

We all know the problems with incineration. They go beyond the emissions problem, which I think is overblown. Incineration diverts the waste stream away from recycling, ties local authorities into very long contracts and involves substantial transport movements. Also, the incinerators themselves—which are big beasts—blight the local landscape.

Incineration undermines the proximity principle, on which the Minister is very keen. So am I, but the principle does not apply if one local authority can send the waste that it generates a long way away by lorry to be incinerated somewhere else. Where is the link then between the waste producer and the waste disposal? There is no link. Authorities can use incineration to put

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waste out of sight and out of mind. They have no incentive to recycle or deal with waste themselves. The hon. Member for Stroud said that the desire to deal with waste should be engendered in people, but that is undermined by incineration. Incineration is not available on the doorstep, unless one is very unlucky. People in Newhaven in my constituency may be unlucky if the county council has its way and puts an incinerator there. Incidentally, the proposed site is next to the national park, on which the Minister is also very keen.

Incineration is immensely unpopular. Local authorities are caught between a rock and a hard place—they do not want incineration, but feel that they have to have it. However, local communities are up in arms whenever it is proposed to build an incinerator in a particular area. We need to disincentivise incineration. We need an incineration tax, to put it more on a level with landfill and to make local authorities look seriously at the alternatives. If such a tax is not forthcoming, there will be incinerators all over the country, and we will not have the recycling that the Minister wants.

We also want the Bill to contain an approach to fly tipping, an issue that is germane to the Bill. As we increase the price of landfill and make it more difficult to deal legally with waste, the tendency will be for more and more waste to be thrown away in our countryside and towns. This must be looked at in parallel with the Bill. If not, we will find more and more waste strewn across the countryside. A parliamentary answer to me on 4 March from the Minister provided me with an astonishing statistic: the amount of material fly-tipped in the countryside in 2001 on agricultural land was 600,000 tonnes. That will get worse and we must deal with that in parallel.

The Bill is a good idea and the Government are moving in the right direction, for which they deserve credit. They are right to use economic instruments to try to achieve environmental ends, but there are problems that I have identified, which I hope that the Minister will take seriously, because I want the Bill to work, as he does.

4.31 pm

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): The Bill is far reaching and I warmly welcome it. The management of waste is becoming an increasingly vital concern for all our communities. Excessive waste is becoming more and more of a problem for society as a whole. I want to refer to the impact of the Bill on my region and to highlight in particular the Teesside waste-from-energy plant to which the hon. Member for Aylesbury (Mr. Lidington) referred.

My right hon. Friend the Minister said that the 2000 waste strategy had a waste hierarchy, which boils down to three simple things: reduce, reuse and recover. They are all perfectly sensible ideas. By minimising the amount of waste produced by reducing the packaging, there is less waste to reuse, which is the next best option. Finding an alternative use for waste or alternative owners for goods regarded as waste by the current owners can also lessen the amount of waste that needs to be disposed. Finally, recovery is the next best option. Waste of different types can be separated out and reduced to its core components for use in the production of future products and goods. That includes the incineration of waste for energy recovery.

There are varying forms of each of the options, but the essential difference between them and landfill is that within each process there is something positive to be gained from what has been traditionally regarded as rubbish; waste is used in one form or another to replace other materials, thereby conserving natural resources. The fourth option, and the exception to this, is disposal, of which landfill is only one option. I can think of few people who believe that burying rubbish is the best way to dispose of waste. Imagine if we did that in our daily lives, burying travel tickets, crisp packets and tissues. People would think we were mad, but that is what we do every day in landfill sites across the country. So reducing landfill is good and I welcome the decision to place the onus on local authorities to reduce the amount of biodegradable municipal waste sent to landfill, but I do so with a caveat to which I shall return.

On virtually every measure, landfill is the worst method environmentally. According to a recent Library paper, the UK produces 400 million tonnes of waste annually. Of this, 29.3 million tonnes is municipal solid waste, most of which is disposed in landfill. Currently, the area covering the former Cleveland county council handles approximately 310,000 tonnes of municipal waste from Teesside. Some 240,000 tonnes per annum are handled at the Teesside energy-from-waste facility.

One of four local authorities in the Teesside area—Redcar and Cleveland borough council—disposes of about 52 per cent. of municipal waste via waste to energy and 49 per cent. to landfill. The local landfill site, Carlin Howe farm, is based in Dunsdale, near Guisborough in my constituency. The north-east regional assembly prepared a consultation document last month. It plans for the waste recycling and disposal needs of the four boroughs currently partnered through existing waste management and disposal plants and sites.

For Redcar and Cleveland, the targets set out propose to increase the current total percentage of tonnage of household waste sent for composting. It is set to rise from 0.62 per cent. to 4 per cent. by 2005-06 by the introduction of the kerbside collection of garden household waste. The pilot scheme begins in Saltburn in my constituency next month. If successful, it will then be extended throughout the rest of the borough.

Similarly, the total tonnage of household waste that has been recycled currently stands at 8.4 per cent., with proposed targets of 14 per cent. by 2004–05, 18 per cent. by 2005–06 and 20 per cent. by 2006–07. For an area that currently ranks bottom in the recycling stakes, these targets mark a cultural change locally. The north-east currently holds the title for the fewest households served by kerbside recycling, and the lowest percentage of household waste recycled. Nevertheless, the commitment of the local authority and the recent award of £600,000 from phase one of the Department for Environment, Food and Rural Affairs' waste minimisation fund are enabling the construction of two new recycling centres. One is to be co-located with and linked to the region's existing incineration site. I hope that my right hon. Friend will acknowledge this approach and commitment to integrated waste management in his summing up.

From listening to the debate, I know that serious criticisms have been made of incineration, but I want to say a few words about incineration on Teesside. The figures available on the Department of Trade and Industry's website show that, at the moment in the UK, about 2.5 million tonnes of waste a year are being used to fuel 180 MW of power generation. That is enough for 250,000 homes. The Cleveland-based Teesside energy waste plant incinerates 240,000 tonnes a year of municipal solid waste. It then uses the energy generated—around 20 MW of electricity and more than 10 per cent. of the national total—to meet the heating and power needs of 40,000 homes.

Although I am aware of the benefits of incineration, I am also aware of the concerns that have been expressed. Environmental organisations and many hon. Members have expressed concern about the environmental impacts of major installations, such as waste management and energy generation plants. However, technology has improved in leaps and bounds. Sites such as the Teesside energy-from-waste plant can now employ proven clean-up systems, based on lime and carbon injection and dust filtration, to ensure that emission limits are met. If we add to that the lack of notices served by the enforcement authority responsible for monitoring environmental performance—the Environment Agency—I do not think that it is an overstatement to say that incineration is as clean a waste management and disposal method as most others.

Following the implementation of the incineration directive, the amount of emissions that the plant is allowed to make are extremely low. Virtually everything except for fly ash is recycled in some way. That site includes a bottom ash recycling plant for ferrous and non-ferrous metals.

Thanks to the non-fossil fuel obligation commitment to more sustainable energy, incineration is a significantly cheaper form of disposal. With the addition of the landfill tax, the scales will weigh even more heavily in favour of alternative waste disposal methods.

Although I warmly welcome the Bill, I have some outstanding concerns that I want to raise with my right hon. Friend the Minister. The contract for landfill services in Teesside allows penalties to be imposed in the absence of a set tonnage being deposited regularly, yet the Bill will introduce penalties on authorities for not reducing the waste that they send to landfill. Given that the Teesside authorities send among the lowest amounts of waste to landfill in the whole UK and that they are bound by a 25-year contract to continue to send that minimal amount to landfill, what would the Minister suggest that local authorities do to prevent being squeezed financially between—I think this phrase has been used—the rock of the contract and the hard place of the Bill's penalty clauses?

I welcome the measures targeted at reducing high levels of landfill in favour of alternative forms of waste disposal. But—and this is a big but—I am concerned that those authorities that are already displaying a regard for such issues may be penalised under the new regime.

In speaking to local authority waste management and disposal experts in advance of the debate, a number of other concerns and issues were brought to my attention. It was put to me that some of our European counterparts have a wider definition of the waste-to-energy processes and fuels eligible to be classified as renewable, thereby counting towards renewable targets. Is there any intention to look again at the definitions applied?

I also ask my right hon. Friend to provide an assurance that the move from landfill to recycling will not penalise the affected authorities that have already pursued alternatives to landfill. When the 2000 waste strategy was introduced, serious concerns were expressed by, among others, the Institute of Wastes Management. It welcomed the strategy, but questioned whether adequate funding will be made available to achieve the measures outlined in it.

Similarly, as has been mentioned, the Local Government Association has said that the Government need to make significant and increased funding available to allow local councils to achieve significantly greater diversion from landfill. It has also argued that the introduction of a penalty scheme will make it more difficult for waste disposal authorities to comply with landfill targets. It is worried that funds will be diverted from addressing the real challenge of providing alternatives to landfill. Despite some of the concerns that I have expressed, I strongly welcome the Bill and wish it speedy progress through the House.

4.43 pm

Mr. Jonathan Sayeed (Mid-Bedfordshire): I thank my hon. Friend the Member for Aylesbury (Mr. Lidington) for his very kind remarks. He will be aware that I had intended to speak from the Opposition Dispatch Box. However, other major matters intervened. One of the things that speaking from the Back Benches permits me to do, however, is to be a bit more robust in some of my remarks than I otherwise might have been.

This is a useful Bill, but it is a wasted opportunity. It is extremely narrowly drawn and fails to provide a much needed comprehensive strategy for all forms of waste. It simply perpetuates the Government's piecemeal attitude to the issue. I am sorry to say that it is a testimony to their policy of serial compliance with EU directives, as and when they start to put the United Kingdom in a difficult, possibly costly or embarrassing position. The Bill is specifically time committed to deliver the landfill directive, and therein lies its overall weakness. Its scope is narrow, its vision is small minded and its provisions are inadequate. Moreover, the questions raised by their lordships as it passed through the scrutiny of the other place have been at worst ignored or at best incompetently answered by the Government.

The Government strategy unit report of last November, "Waste Not, Want Not", specifically recommends regulation that deals with the problem in a holistic manner. We should be starting at the front line of battle by dealing with the minimisation of waste, but instead we are starting at the rearguard and with its final disposal. The Bill affects and penalises local authorities in their disposal of waste, but neglects to assist them in the minimising of waste at source. Furthermore, it fails

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to connect with other waste legislation—for example, the waste electrical and electronic equipment and end of life vehicles directives. Although it is hoped that a large proportion of the waste arising from waste electrical and electronic equipment and end of life vehicles will be recycled—and a very good thing too—there will be a certain residual amount left.

If we are trying to deal with waste in a more comprehensive fashion, why is it that the Bill does not at least acknowledge the difficulties with the planning procedures, or deal with energy from waste plants and measures to combat fly tipping? The Bill does not and will not exist or operate in a vacuum. It will have a knock-on effect on incineration and other forms of waste, including inert waste.

Already the introduction of new regulations, coupled with the need for better waste management facilities, has exacerbated the problem of fly tipping. The Country Land and Business Association estimates that the cost of clearing that up is about £50 million a year on agricultural land alone. The CLA has recommended that where waste has been fly tipped on private land and where the occupier can prove his innocence, it is for the authorities, either the local council or the Environment Agency, to be placed under a duty to remove the material. That at least would ensure an adequate clean-up and enable the scale of the problem to be assessed. Perhaps I may suggest to the Minister that fly-tipping incidents should be reported to the police and the Environment Agency and be given a crime reference number, in order to improve available data and to further promote criminal proceedings. All too often gross examples of fly tipping happen in rural and urban areas and cannot be dealt with. No prosecutions come, or when they do come, the fines are paltry.

Why is it that only biodegradable municipal waste is considered appropriate for the whole concept of trading allowances, trading surpluses and buying in of allowances by authorities that do not have sufficient funds to cope with needs? After all, biodegradable domestic waste accounts for only 30 per cent. of total waste.

The Bill also fails to reduce the transport of waste from one area to another. Clearly, the trading scheme does not imply the literal trading of waste, but some areas accept the waste of others. Indeed, my constituency has long accepted a high proportion of waste from London, owing to the proximity of Bedfordshire to London and the unfortunate existence of a multitude of cheap holes in the ground. By not tackling the situation we are ignoring the proximity principle which we all support, and we are only adding to greenhouse gas emissions.

What are the implications of the borrowing and banking of landfill allowances? The banking of permits may act as a disincentive for waste disposal authorities to improve continuously year on year and to invest in required new infrastructure. The process that is outlined in the Bill may well create a culture of disincentive and short-termism. Has any serious attempt been made to assess the total compliance costs of the Bill? At the moment, we have a two-tier system of government for the management of waste and two types of authority that will incur expenses under the Bill. However, all the obligations are on the waste disposal authority. What will be the cost, to both tiers, of implementation? How do we ensure the fair distribution of resources between the waste collection and the waste disposal authorities? What will happen when a waste disposal authority incurs a penalty for the failure of a waste collection authority to discharge its duties? The Bill also creates an incentive for the waste disposal authority to blame the waste collection authority for its own failure to meet targets. I am in favour of joined-up governance, but there may be even more difficulties if the two authorities are run by parties of different political persuasions.

From Second Reading last Friday, we know that the Municipal Waste Recycling Bill has made some headway towards an arranged marriage for waste disposal and waste collection authorities, with the production of a joint sustainable waste strategy. That strategy allows the waste disposal authority to direct the waste collection authority to collect waste in a manner that facilitates maximum reprocessing and recycling. Those provisions have been endorsed by an amendment to this Bill that was approved in the other place. I hope that a harmonious relationship will be established between the two Bills—the Municipal Waste Recycling Bill and this Bill. However, it remains unclear who is to pay for the enforcement of the Bill's provisions.

What will happen to money that is collected in fines? May I suggest that the Minister consider that the money should be used to assist waste disposal authorities? Although initially designed to be revenue-neutral for business, the landfill tax does not necessarily help local authorities to acquire the capital to invest in the required waste management infrastructure. In the other place, my noble Friend Lord Dixon-Smith raised the issue of the landfill increase being used directly to support local authorities to fund the capital requirements for recycling. That was rejected by the Government. However, 54 per cent. of the revenue from landfill tax is money that is paid by local authorities. It seems only right that, if the revenue were to be substantially increased, at least a similar proportion of that escalation should be recycled back to those who have to foot the bill, in order that they may be encouraged and assisted to have the plant that will reduce the amount going to landfill. There is no doubt that the gap between the funding that is available to local authorities and the need for expenditure to meet sustainable waste objectives is widening. We have to recognise that the current funding mechanisms are inappropriate. Using the increase in landfill tax in the way that has been suggested would demonstrate that it is a tax designed to help the environment rather than a tax designed to fill the Chancellor's back pocket.

If the measurement of waste were to incorporate volume as well as weight, we may further raise the sum and provide a greater incentive to reduce lightweight packaging. At the moment, the measurement is weight based only. It is therefore far more attractive for local authorities to collect heavy materials—such as newspaper, card, glass and compostable waste—and ignore the light fractions, which are much harder to deal with.

That brings me on to the vital issue of the safe composting of catering waste. Compost that is to be spread on the land requires proper pre-treatment to ensure the safety of animal and human health, if we are not to face yet another agricultural catastrophe. Composted domestic biodegradable waste spread on agricultural land could be a cause of another outbreak of foot and mouth disease, and the Government have not yet demonstrated that they can guarantee zero risk when compost containing animal by-products and catering waste is spread on land.

I acknowledge, however, that composted catering waste has an important role to play in helping local authorities to meet both their recycling and composting targets. I also recognise that my noble Friend's amendment, to heat selected biodegradable waste at 98° C for a minimum of two hours before storing, would have unwelcome consequences. The process would be cumbersome and more expensive, and would consume more energy, which is obviously contrary to the objectives on emissions trading in the Bill. However, like national security, biosecurity, too, must have priority.

We still do not know the exact cause of the foot and mouth outbreak, but it can hardly be denied that, with only two sniffer dogs to guard all UK ports, we cannot prevent the illegal importation of the sort of meat and meat products that may have been the cause of foot and mouth. It is absurd that municipal biodegradable waste should be treated less rigorously than pigswill. If the Minister will not accept that heating selected biodegradable waste at 98° C is necessary, will he confirm that the Government will compensate all affected farmers in the event of another foot and mouth outbreak occurring as a result of spreading compost from animal by-products and catering waste? After all, the latter will be permitted under new EU regulations that will soon supersede the UK animal by-products regulations.

My final point concerns the end use of recycled materials. Source separation secures high quality secondary resources, but it cannot be an end in itself unless there is a market for the materials. We still lack measures to support and sustain the markets necessary for recyclates, which is surprising given the market-orientated nature of both parts of the Bill. It would appear that while the Government are rightly content artificially to stimulate a market for emissions and waste permits, they are less concerned to assist a market for the constructive use of the waste materials collected. We risk defrauding the public, who will dutifully separate their waste only to have it end up in a landfill site or exported to China.

I realise that one cannot legislate to provide for a comprehensive and holistic vision, but legislation should certainly slot into a progressive and coherent framework and direction. Although I welcome the Bill, I am sorry to have to say that it is simply a piecemeal attempt to rescue the Government from their failure to meet pressing demands from Brussels. It may even be a careless and somewhat irresponsible cover-up that leaves agriculture and food production vulnerable to another disaster.

The Government must do better than that in Committee, if we are to be convinced of their real commitment to long-term planning and a robust, comprehensive waste management strategy.

4.58 pm

Dr. Alan Whitehead (Southampton, Test): I warmly support and endorse the Bill. Unlike the hon. Member for Mid-Bedfordshire (Mr. Sayeed), I do not believe that the Bill should deal with everything. Indeed, I congratulate my right hon. Friend the Minister for the Environment on ensuring that time was obtained for the Bill in this Session. If the Bill had dealt with everything, several Sessions would have passed before all the various inquiries had reported and we actually had a Bill. Time is of the essence in taking action to reduce the amount of waste going to landfill.

Some people claim that the Bill has been introduced only to implement the EU landfill directive. Some hon. Members have suggested that during the debate. It is certainly a Bill to implement the EU landfill directive, but it is substantially more than that. Essentially the directive is a series of targets with penalties. It is clearly desirable to meet those targets, but the key question that we have to ask ourselves is how we do that.

Targets in UK waste management have a habit of not being met. The hon. Member for Aylesbury (Mr. Lidington) noted that Governments of both colours have failed to get their targeting spot on, and that is true. The environment White Paper of 1990 set a target of 25 per cent. recycling by 2000. That target was re-emphasised in the 1995 strategy, "Making Waste Work", but it was not met. The 1999 document, "A Way with Waste", recognised that and set a new target of recycling or composting 17 per cent. of household waste by 2003–04. The performance and innovation unit report states that that is unlikely to be met as performance in 2001 was under 12 per cent. The target of 25 per cent. has now re-emerged, this time for 2005–06. The PIU report states that, given current progress, that will be very difficult to achieve. So we need more than targets, and the Bill strongly achieves that.

It is vital to tackle landfill. Hon. Members have referred to the fact that we are the country in Europe that commits by far the largest amount of our domestic waste to landfill. We are running out of holes—not only in Bedfordshire, but in the country as a whole. Methane escapes from landfill in a form that is 21 times as potent a greenhouse gas as carbon dioxide. It is, above all, a lazy way in which to dispose of waste. It buries millions of tonnes of material that could be used or recycled. It is absolutely right that it is right at the bottom of the waste hierarchy.

The mechanism in the Bill essentially does two things. It caps the total amount of waste going to landfill and provides a mechanism whereby it can be reduced in line with targets. It sets up a trading scheme so that local authorities that have exceeded their targets can earn income by trading permits with local authorities that have not reached their targets. As we have heard, there are mechanisms that allow local authorities to plan ahead by banking their credits or permits. Altogether, that creates a mechanism to track and to achieve targets that has real bite.

I have two questions about the effect of that mechanism. In order to answer those questions, the Bill, important though it is, must be accompanied by other measures, possibly in a legislative form. The first question relates to the relationship between waste collection authorities—district councils—and waste

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disposal authorities: counties, unitary councils, metropolitan borough councils or consortiums of various authorities. Mets and unitaries are both collection and disposal authorities. At present, waste disposal authorities are required to dispose of whatever waste collection authorities give them for that purpose. There is no clear mechanism that requires waste to be supplied in a form that enables waste disposal authorities to manage it in a way that facilitates diversion from landfill, although many better waste collection authorities already do that.

My right hon. Friend the Minister referred to a partial mechanism to resolve that issue in the Bill. I must admit that I tend towards the option suggested by my hon. Friend the Member for Stroud (Mr. Drew)—that waste collection and waste disposal authorities should move together. Nevertheless, there are mechanisms that can substantially resolve the problem. My hon. Friend the Member for Lewisham, Deptford (Joan Ruddock), who is not in her place, addressed that in her private Member's Bill, which was recently given an unopposed Second Reading. The Bill requires waste collection authorities to provide waste in a suitable form. I hope that the Government will give the Bill a fair wind through Committee.

My second question is more fundamental. It relates to the overall effect of the mechanism in the Bill on the actions of local authorities and the extent to which the outcome of those actions will bring about the required result. There is, of course, the initial problem of the quantum of the mechanism—that is, the extent to which the trading mechanism will secure the overall shape of the amount of waste that goes to landfill in the intended way. The problem, of course, is exacerbated by the annual increase in waste arising. Hon. Members have already mentioned that it is increasing by 3 per cent. per annum. The effect is that although the percentage of waste going into landfill is reducing, the total amount of waste going into landfill continues to increase.

The mechanism assumes that local authorities act rationally—that they take positive actions to avert penalties that might arise from exceeding their targets, or, in the longer term, cause them to have to go into the market for permits to mitigate their position. A perverse incentive exists already for local authorities in the structure of the landfill levy. Every time that the gate price for landfill increases, local authorities pay more, which comes out of the environmental, protective and cultural services budget, which, in this instance, as the hon. Member for Lewes (Norman Baker) mentioned, is allocated within the overall budget for waste disposal. Of course, that is the same budget that funds revenue measures to divert waste from landfill. Therefore, the more that is charged, the less likely, in theory, that local authorities will be able to provide the revenue support to set up the mechanisms for waste diversion.

I was pleased that, in the pre-Budget statement, the Treasury announced a new method of dealing with the landfill tax. A large part of the tax forgone will be put into precisely those measures of diversion—large waste management diversion, reuse and recycling projects—which partly overcome the perverse incentive. The mechanism does not, however, provide a clear way of dealing with market imbalance within local authorities. In that situation, acting rationally, more local authorities are chasing permits than are supplying them. The assumed corrective is that the cost of doing that, or the penalties involved in non-compliance, will make local authorities act. That is by no means certain, however, because without the capital finance available to invest, a relatively long-term revenue hit may be an acceptable way of dealing with the situation.

There is another way of dealing with the situation, which is to secure capital means through diverting waste from landfill that does not cost capital to the local authority. The revenue hit can be taken and the waste diverted at the same time. That is the PFI route: entering into a deal with a private company to build the waste management plant. The problem, however, is that deals involving digestion, waste diversion through sorting or arrangements involving creating markets for recycled materials are complex, incremental and provide uncertain returns for the private companies involved. Acting as a rational authority, to tackle the problem with certainty and to know that a guaranteed impact will made over a period—for example, to hit the targets set a number of years in advance by the Department under the Bill—something far more certain will be needed. That, of course, is incineration.

I do not decry incineration because it poisons the atmosphere. Modern incineration plants, by and large, do not do so. There is, of course, resistance to their siting by local residents, often understandably, but they are a relatively clean method of waste disposal, if we discount for a moment the increase in CO_2 emissions arising from widespread waste burning. Nor do I claim that incineration has no place in the waste hierarchy: it does, and there are items of waste for which the best outcome is incineration.

My concern is different, and it follows from the logic that I have just set out. Those who decide to go for incineration will want to get the most incineration for their money. They will therefore contract for the largest incineration plant that they can get. A 400,000 tonne plant, for example, is only three times as costly as a 100,000 tonne plant. We can see the effect of that on the development of incineration plants already commissioned or agreed. On 7 November, I asked the Department about incineration plants already under way. On the basis of the written replies to my questions, 11 of the 14 plants listed are over 100,000 tonnes and six are over 200,000 tonnes. It will be essential to attract the investment of a private company to build and run a larger incinerator, as that is the only way to make the impact required with the money available. The company will want to get a return on its investment.

For example, a company would not want to start running a large incinerator that was agreed with a local authority only to find eight years down the line that policy had changed and it was stuck with a huge redundant plant. It would want to strike a long-term deal over 25 or 30 years. Part of the deal would involve knowing that it would have feedstock for the incinerator because an incinerator without waste to incinerate is not much good. The company will, therefore, strike a deal for a guaranteed waste stream, which is the same waste stream that a local authority is supposed to be diverting to recycling.

The Department of Trade and Industry has made it easier to manage the waste stream into incinerators by exempting the putrescible element from the climate change levy, which means that energy produced from incinerated waste is more competitive. That means that incinerators become less viable generators of heat and power if they receive less recyclable and compostable waste. If local authorities are engaged in such a process, they will logically reach a point when their success at diverting waste and dealing with putrescibles starves large incinerators of their feedstock. They would then incur penalties as a result of their contracts which could be in excess of the penalties that they would have incurred by not meeting their landfill targets in the first place.

I imagine that the response to that line of logic is that it is precisely that: a line of logic with no salience in the real world—the sort of stuff that a former academic might come out with. I decided to test the logic empirically. I asked two parliamentary questions in response to which the Department set out several developments that demonstrate the preference for large incinerators on long contracts. The answers also revealed explicitly that the Department does not know what local authorities are planning for the future. However, it is generally assumed that a relatively small percentage of domestic waste is disposed of using incineration and that that will continue in the future. I wondered how viable that assumption was so I wrote to all waste management authorities to ask their medium and long-term plans for waste management. The results were a little unsettling, to say the least. I have not entirely completed the work, and I am indebted to Hratche Koundarjian for his assistance in collating the results obtained from the 130 councils that provided substantive replies.

Of those councils, 45—35 per cent.—are contracted to private incinerator firms individually or as part of a consortium. Thirty-six councils, which is 28 per cent., could start using incinerators by 2018, while only 49 councils have no plans to use incineration. Nineteen of the 36 councils considering incineration have relatively short-term plans, 12 have medium-term plans and five have long-term plans. The overall cumulative trend shows that 45 out of 130 councils are involved in incineration, which will become 64 by 2008, 76 by 2013 and 81 by 2018. Incineration will play far from a small role because local authorities may well make rational choices to make a substantial amount of incineration a key element of their waste disposal policy.

Mr. Drew: My hon. Friend is making a compelling case and I have my own fears about any repercussions that may ensue. Does he agree that there are two further implications? First, owing to the capacity of incinerators that will be built, they will not be local solutions, but sub-regional and perhaps even regional solutions. Secondly, incineration is almost certainly predicated because of the centralisation of urban solutions. We could almost drive away small-scale rural responses because the easy solution to the problem will be to send waste to the next-door city or an alternative for incineration.

Dr. Whitehead: Yes, indeed—my hon. Friend makes an important point. In my work I tried to look at the trend in decision making on incineration, and did not take into account, for example, the way in which long-distance transport may be involved or the way in which the logic of large-scale incineration drives out what should be part of the hierarchy—small-scale incineration in localities where appropriate.

Notwithstanding those effects, my figures suggest that the rational choice effect that I set out is in fact taking place. In the absence of other developments, a large number of large incinerators may well come on stream in the UK, in most instances providing heat and power, over the next 15 years unless measures over and above the very welcome and important mechanisms in the Bill are introduced. That will mean that the country may well jump out of the frying pan of landfill into the fire, literally, of incineration as the major method by which we dispose of our waste. What is more, in many instances we may be locked into that method of doing things for 25 years or more, most notably at the expense of the measures which really set us free—waste minimisation, reuse, recycling and composting. I fully support the Bill, but I wonder whether the alternative to landfill of large incineration plants in use over a long period is a good idea.

5.16 pm

Mr. Peter Luff (Mid-Worcestershire): This has been a thoughtful debate, with interesting speeches from Members on both sides of the House, including the hon. Member for Southampton, Test (Dr. Whitehead). Mid-Worcestershire wants to pay particular tribute to Mid-Bedfordshire, as the speech of my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) was an impressive performance. His resignation from the Front Bench is a loss not just for my party but, on this issue, to the whole House, as he has considerable expertise. We are grateful for his contribution to the debate, notwithstanding his resignation. I was particularly interested in what he said about foot and mouth disease, and hope that the Minister, in the short time he will probably have for his winding-up speech, will address that important point.

My interest in the issue derives largely from two constituency considerations. First, I have two landfill sites in my constituency. One is a conventional hole in the ground, as referred to by the hon. Member for Southampton, Test, at Hartlebury. The other is not a hole in the ground but a landrise site. A mountain of waste is being built between Wyre Piddle—one can see it clearly from the new bypass—and Throckmorton, the site of a proposed asylum centre, which, I am glad to say, has now been dropped. A huge mountain of waste rises in a bizarre and eerie spectacle with seagulls wheeling overhead. An average of 200 lorry-loads of waste from large areas of Worcestershire and Herefordshire are taken there every day, and that is on top of the private cars that go there to use the private recycling and waste facilities.

The site still has 18 to 20 years of life, so it should see out my time as Member of Parliament. Sadly, our diversion targets in Worcestershire will probably not be met because we have lost the incinerator that we hoped to have in the north of the county. I do not want to get into arguments about whether it was right or wrong to put that incinerator in that particular location, but I would tell the hon. Member for Lewes (Norman

[Mr. Peter Luff]

Baker)—I hope that he will read the record when he returns—that he need not be quite so pessimistic about the threat of incineration. In the public inquiry, the inspector gave as a reason for rejecting a planning application "perceptions of health risk". I find that an extraordinary and bizarre decision by a planning inspector. However, if an inspector can say that perceptions of health risk are a good enough reason to frustrate a development, many others can use that argument too. Personally, I find that regrettable because incineration is an important part of a comprehensive solution to waste management, as the hon. Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) said.

In common with virtually everyone who has spoken, certainly from the Opposition and, to an extent, from the Government too, I regret that the Bill does not take a more comprehensive approach to the problems of waste management. As my hon. Friend the Member for Aylesbury (Mr. Lidington) said, we are considering these issues in isolation. Departments do not get many opportunities to introduce legislation—there is always a fight for slots in the legislative timetable—and it is a shame that this important Bill does not take a more comprehensive approach to the problems of waste management. The long title says that the Bill makes

> "provision about waste and . . . the trading of emissions".

It does not—it makes provision about biodegradable municipal waste, and only partly deals with that problem. It is therefore a shame that the Bill does not take a more comprehensive approach to waste management.

Targets are very easy to set, but more difficult to meet, as the Chancellor discovered in his public service agreements with various Departments. Those in the Bill are, by any standard, ambitious, so we will have to see whether its objectives can be achieved in the medium to long term.

In my constituency, we have recently made considerable progress, in general, in recycling, after what was, to be honest, a period of lethargy. We have been too slow to move, and I have always contrasted my household's enforced habits on recycling with the habits that we adopt when we go to the United States of America on a house swap. There, the biodegradable municipal waste goes down the sink disposal unit; however, there are separate bags for tins, plastics and papers—it is a really comprehensive solution. It was interesting to note how a family that does not recycle everything at home—it is easy enough to recycle our papers and glass at home—easily fitted into the model of full recycling, when presented with the easy opportunities provided by the local authority in Newburyport, Massachusetts.

However, progress is being made, and it needs to be made. Worcestershire county council's website says:

> "Last year Worcestershire and Herefordshire threw away over 350,000 tonnes of rubbish. That's enough to fill 4,800 double decker buses every day. Most of this waste went to landfill."

Another, more bizarre comparison is that that same waste

> "would fill 42,000 refuse vehicles which would stretch from Worcester to Huddersfield."

That shows the scale of the problem that the Bill seeks to address.

I am glad that the bids of all the local authorities in the county were successful under the waste minimisation and recycling fund, and I am grateful to the Minister and his Department for that. As a result, all the district councils are now rolling out their recycling targets. Wychavon district council and Worcester city council, both of which are Conservative controlled, are in the vanguard, I am glad to say. Wychavon's scheme—a twin-bag approach, involving vans that can take the bags and the ordinary household waste—will be rolled out by the end of April to 94 per cent. of households. That will make a big difference in terms of recycling. All that waste will go to the landfill site at Hill and Moor, where there is a new recycling facility. That constitutes great progress, and all of this is very good news.

However, the issue on which I want to focus—there are many things that I wanted to say about this Bill, but time is pressing and other Members wish to speak—is a worrying aspect of the Government's approach to landfill issues, which has been discussed on several occasions by Members, including by the hon. Member for Lewes. He said something with which I both profoundly agree and profoundly disagree. He spoke eloquently, and rightly, about the impact of fly tipping on the British countryside, and the problems that it poses for the agricultural community in particular. He proceeded to argue for a sharp increase in landfill tax rates, but until we have thought of a way to deal with the fly tipping menace, it would be premature to increase landfill tax, even though there may well be a strong environmental case for doing so.

At the moment, the landfill tax rate is £14 per tonne. This year, it will rise to £15 per tonne, and a subsequent £3 per year escalator is envisaged, with an eventual target of £35 per tonne. This rapid rise in landfill tax will further increase the number of landfill tax criminals. They are creatures of the Government—they are the monsters of this tax, which the Government have created—and I have them in my constituency. *[Interruption.]* The Minister shakes his head, but I will tell him what is going on in my constituency, and then he will understand the problem. Ann Gartlan and John Bruce are the names—they do have names—of the people concerned. She has been fined repeatedly in the courts, and he has just been released after completing half of a prison sentence for activities related to the illegal tipping of waste.

The enforcement effort required to control the company in question—it has adopted various guises, of which Ivory Plant Hire was the most notorious—has been extraordinary. It has involved a huge amount of effort on the part of the Environment Agency, the Vehicle Inspectorate, the traffic commissioners, the local constabulary, the district council and the county council. We thought that we had won. Suddenly, the courts started to impose decent fines, and one of the people in question was sent to prison; but no, it has all begun again.

I shall read from a letter written to the county council by Adrian Hardman, a county councillor for Crabbe Yard, in Wadborough, which lies exactly on the boundary between my constituency and that of my hon. Friend the Member for West Worcestershire (Sir Michael Spicer). The letter states:

> "As you know we have been fighting a war with various criminal organisations that are masquerading as legitimate firms, dealing in waste, which they either tip or crush illegally in my division with no care or concern for the community. Since the ringleader was sent to prison, the problem has not gone away but declined, but is now to quote her letter"—

a letter from a Wychavon district council officer who is dealing with this matter—

> "'as bad as it was in 2000'".

He goes on:

> "We must take a much more robust attitude to this problem, reminding ourselves that these people are not interested in the law, and adopting the position that it should be up to them to prove that they are within the law by contesting our enforcement notices."

The county council does not view the problem as a waste matter. The council thinks that a building material is being recycled. It must be joking.

I have sympathy for the county council. So much effort has gone into controlling the firm in its various guises over so many years, but as Adrian Hardman writes:

> "We must do everything to stop these people, whose sole aim is to profit from landfill tax. We will need a much firmer position for 2005/6 when the Government is aiming to raise it by £3 a ton, which will make the trade even more lucrative."

The issue is exceptionally serious.

Sir Michael Spicer (West Worcestershire): My hon. Friend is making a very strong case. I have known about the character he mentioned for many years at different sites. Such people are prepared to pop in and out of prison every year or so as the price that they are prepared to pay for the vast profits that they are making on the back of the tax. My hon. Friend is right. The legislation must be enforced.

Mr. Luff: I am grateful to my hon. Friend. It is a shared problem, but I do not believe that we are unique in the country in facing it. Such businesses exist entirely because of the landfill tax. That is what makes them viable. They can undercut legitimate operators and offer lower rates for the disposal of waste, which they then tip in the most irresponsible way.

About two years ago, there was an impressive police operation, together with the other agencies, about which I could bore the House at great length, but it did not have the required effect. John Bruce is out of prison. I quote from a letter from Wychavon district council's legal officer, Clare Flanagan, who states:

> "Although I am aware that Ann Gartlan is on site"—

that is the one who gets the regular fines—

> "on a daily basis and that John Bruce is still probably involved in the activities at the yard, neither of them has any connection with the owner Company, UK Plant & Haulage (Management) Limited. I cannot address them in this matter but must deal with the legal entity that is the owner, through its officers, Mr Wood Company Secretary and the Director."

The failure of the Government to adopt a proper comprehensive approach to waste management has had many undesirable consequences, which other hon. Members have set out in their speeches. The consequence that I described is intolerable for my constituents, and the increase in landfill tax will make matters worse still. Will the Government please consider urgently a more comprehensive approach, at least to enforcement issues? A huge burden is being placed on local authorities and the constabulary in my constituency, and it is created by the landfill tax. They have to pay the price of cleaning up the mess.

I assure the Minister that this is not a cheap party point; it is a serious plea. There is a real problem. I wish the Bill would also deal with the enforcement of measures to tackle fly tipping and other such issues. Then we could give it an unreserved welcome, instead of merely a qualified welcome.

5.27 pm

Mr. David Drew (Stroud): I am delighted to speak in the Second Reading debate, and I shall do so briefly, so that the hon. Member for Leominster (Mr. Wiggin) can also speak briefly. The problems described by the hon. Member for Mid-Worcestershire (Mr. Luff) are replicated in all our constituencies. There are people everywhere who abuse the system for disposing of their waste and misuse their land. However, I would add a rider to that. In a previous incarnation the hon. Gentleman chaired the Agriculture Committee, to which the Environment, Food and Rural Affairs Committee is the successor. We are taking evidence on waste. It was interesting that yesterday the Environmental Services Association emphasised how vital it was that the landfill tax was increased dramatically so that we become serious not just in our language, but in our intentions and actions with respect to waste. There is a debate to be had, although there are not necessarily easy answers.

I have just returned from Denmark. I shall not rehearse what I said on Friday in the Second Reading debate on the excellent Bill on municipal waste recycling, introduced by my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock). In Denmark we learned how people respond to both the carrot and the stick. The authorities there are not afraid to use fierce regulation, along with fiscal measures, to provide penalties as well as incentives. People there also respond very well to exhortation. It is a very different country, in terms of how people respond to what they see as their environmental responsibilities. So this can be done, and I hope that the Bill represents one small measure that will help to see it through.

I would like to make three quick points. The first is the one that concerns me most, although I am sure that it will become manifest in Committee where those concerns might be diluted, if not completely washed away. It relates to the transparency of what we are asking individual householders to do in relation to what the Bill offers. I shall make a point here that is probably a little more detailed than one might expect on Second Reading. I hope that when the Bill is in Committee—if I am on the Committee—we can get someone to explain clause 3, which covers "Non-target years: default rules". I do not understand the formula that has been used. It looks as though the person who came up with the latest local government funding settlement formula has been on a day trip to my right hon. Friend's Department.

Such is the legacy of the way in which those formulae were derived that we are reminded of the old saying that there are only three people who can understand local

[Mr. David Drew]

government funding: one is mad, one is bad, and the other is regularly on tap to the Minister, while the rest of us never get to see and talk to him. I just hope that we can get some clarification on this matter. The whole point of the Bill is that we have to change people's attitudes, and if it is seen to be too arcane or as something esoteric with which only parliamentarians will get involved, it will, unfortunately, be lost. It is an important Bill that could actually be seen to be moving things along.

My second point relates whether these measures are opening the door for incineration. I do not want to say much more than to congratulate my hon. Friend the Member for Southampton, Test (Dr. Whitehead) on his particularly lucid explanation of the danger of giving a certain signal to people but ending up with them responding in the wrong way, out of sheer necessity, to deal with the target setting. We are all in favour of imposing better standards of behaviour, initially on local authorities but, through them, on the public. Unless we are clear, however, about how we are going to see that through, the danger is that people will look for the easy option. I am afraid that incineration is the easy option, as was landfill. For most people, if something is out of sight, it is not their problem. Unfortunately, it is a problem for those who have to live near the sites, and we all know that that is not a good way for the environment to operate.

My hon. Friend the Member for Southampton, Test also mentioned variable charging, and putting the responsibility on the householder to see the waste, weigh it and add up the cost. That would not be easy. I do not know whether other hon. Members have had the same responses as I have, following the council tax bills going out this week. This is not a party political point; in the main, council tax bills have gone up quite steeply this year, and there are all sorts of reasons for that. If we are going to tackle these problems seriously, I would argue that we need to disaggregate waste from these calculations. It is one of the most important functions carried out by local government, but often one of the most underrated, and we need to bring home its importance to people.

Norman Baker: I have heard the hon. Gentleman's point about the weighing of waste. That might encourage more glass recycling, but what would he do to encourage the recycling of plastic?

Mr. Drew: We have had this debate already, and I do not want to detain the House further. I want to give the hon. Member for Leominster a chance to speak. The hon. Member for Lewes (Norman Baker) can read what was said in last Friday's debate. It is important, however, that we look at recycling and at ways of putting it in place at convenient centres.

My last point relates to how we can ensure that the supply and demand for emissions trading operates at a level that will provide more than just a short-term solution. It really needs to be able to operate over the long term. I can imagine some authorities being keen to supply trading certificates while others will constantly demand them. That would not be good for the environment. I am a great believer in decentralised decision making and placing the responsibility on the people, because only when they see things happening at local level will they respond in the way that we want.

I hope that we shall be able to give the Bill detailed consideration later, but, notwithstanding my reservations, I think it is a good Bill. I will support it in the hope that it will set the standards that we should be observing.

5.35 pm

Mr. Bill Wiggin (Leominster): I thank the hon. Member for Stroud (Mr. Drew) for speaking briefly. I shall try to do the same. I too spoke about this important subject on Friday, and I am one of those who signed early-day motion 333A.

In general I support the theme of the Bill, and welcome the progress towards greater environmental sustainability, a reduction in the amount of waste dumped in this country, and the promotion of better environmental management and practices. In its report of April 2002, the World Economic Forum branded the United Kingdom one of the dirtiest countries in the world. After six years of Labour government, the UK is ranked 98th in the list of 142 countries on the 2002 environmental sustainability index. The Secretary of State herself has admitted that each person in the UK produces about seven times his or her own weight in waste every year. We produce more waste per head than most other EU nations, and recycle less. Municipal waste is increasing at a rate of between 3 and 4 per cent. per annum, and the volume of waste could be double the 1995 level by 2020 if the trend continues.

I welcome moves to reduce the amount of municipal waste, and to help the UK clean up its act, but I feel that the Government have not addressed a number of issues adequately. I will be brief, so that the Minister will have a chance to comment on them.

The Local Government Association has explicitly stated that if local authorities fail to meet the new landfill waste targets in the Bill and are penalised financially as a consequence, that may only make the situation worse. It could result in a self-perpetuating vicious circle, whereby local authorities suffering the financial burden of fines and other penalties will find it even harder to meet their prescribed targets. Have the Government taken that into account? How do they intend to reconcile an apparent contradiction with the Bill's overall purpose? According to the DEFRA-commissioned review of the UK landfill tax, published last October, 25 per cent. of local authorities are likely to miss their statutory recycling targets in 2005–06.

The move away from a traditional reliance on landfill cannot be achieved overnight, and the introduction of a system of penalties will make it more difficult for waste disposal authorities to comply with landfill targets by diverting funds from the task of addressing the real challenges of providing alternatives to landfill. For the sake of local authorities, the Government must bear at least some responsibility for the Bill's implications. They must, for example, play their part in changing public attitudes to household waste in order to achieve significantly higher rates of recycling and composting, and encourage greater public understanding of the need to build new waste treatment plants.

There is also the possibility that, in trying to move away from landfill, and fearing a failure to meet targets and hence a penalty, local authorities will move to a greater use of incinerators. The amount of municipal waste incinerated without some form of energy recovery rose from 10,000 tonnes in 1999–2000 to 20,000 in 2000–01. We are all aware of the danger that, when local authorities introduce schemes for recycling and reuse of rubbish, they will be forced to use incineration exclusively. Friends of the Earth, for instance, fears that incineration rather than recycling or composting will become the norm. What do the Government plan to do to ensure that authorities do not move too far towards incineration? That is particularly important when they are not recovering energy.

There is also concern about the possibility that the UK and EU emissions trading schemes will not be compatible. Whereas the UK scheme concerns only industry, the EU approach specifically includes power generation.

The UK scheme is voluntary and awards allowances by auction, but the EU system is mandatory and issues allowances for free, according to past emissions.

The other great shame is that the Bill concentrates on target setting, one of the Government's peculiar propensities, instead of addressing the underlying problem, which is the amount of waste generated in the first place. The Minister will be aware of the waste hierarchy, but where are the measures to reduce waste production in the first place and then to encourage the reuse, recycling and composting of waste? Where is the pressure to recover energy from waste? Apart from the penalties related to emissions trading, the Bill is predominantly about landfill.

It is of concern that the Bill does not envisage a more comprehensive approach to the problem of waste, addressing merely the issue of biodegradable waste, but failing to focus on issues such as plastics, the ever-increasing fridge mountain—to which the Minister will be especially sensitive—or indeed of old and worn-out cars. As my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) pointed out, any green reward/penalty scheme should allow for the volume and not just the weight of waste, so that it targets lighter waste such as plastic bags, and should have waste minimisation as its ultimate objective.

Another issue that seems to have been largely overlooked is fly tipping. It was touched on by my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) whose constituency borders mine, and we share concerns about it. It is an evil and unsavoury practice that is likely to increase as the landfill tax rises. He expressed those concerns well.

My final concern is the potentially damaging effects that the increase in the landfill tax will have on the British manufacturing sector. The CBI, for example, has said:

> "We are opposed to a substantial increase in the landfill tax on the grounds that it's imposing another substantial cost on businesses and as it currently stands, it doesn't appear to be achieving the desired objective. The landfill tax provides some incentive for waste and resource minimisation but will never on its own provide the appropriate signals for industrial and domestic users to change their behaviour."

That was backed up by the Engineering Employers Federation, which has cautioned the Government about raising the landfill tax and suggested that if it doubled, small firms could face an increase of between £1,000 and £7,000 tax a year, while larger companies could pay up to £200,000 more a year.

Along with other trade bodies representing 10,000 employers, the EEF warned against adding to manufacturing costs at a time when profitability is already at its lowest level for nearly 20 years. The EEF has said:

> "If we continue to make the UK a less welcoming environment for manufacturing companies, then business will simply vote with its feet and the movement abroad of our manufacturing base will accelerate."

The bottom line is that, while it is undoubtedly imperative to consider ways to address the growing problem of waste, that must not mean that environmental issues should be used as an excuse for the Government simply to raise taxes. Although I broadly welcome the Bill, we must be careful in its implementation.

5.40 pm

Mr. Meacher: With the permission of the House, I wish to respond briefly to the points that have been raised. We have had a thoughtful debate from hon. Members on both sides of the Chamber, with the exception of the last contributor—the hon. Member for Leominster (Mr. Wiggin)—who simply cannot resist making shallow political points, which is a pity. However, his contribution did not undermine the general tenor of the debate, which was of a high standard.

I am grateful to the hon. Member for Aylesbury (Mr. Lidington) for a thoughtful and fair speech. I heard what he said about agreeing with the general purpose and contents of the Bill and I look forward to working with him in Committee. Several hon. Members mentioned the possibility that the scheme in the Bill was too limited or isolated as a part of the general waste management strategy. However, the Government introduced the waste strategy in 2000, and the strategy unit report, "Waste Not, Want Not" has also been produced, to which we shall reply shortly. The scheme is not isolated. The Bill introduces some key legislative requirements necessary to fill out those parts of the waste strategy that do not have legislative cover.

The hon. Member for Aylesbury raised a number of points, and I shall try to deal with them. He asked about the quantity of emissions saved by the emissions trading scheme. The 34 direct participants in the UK emissions trading scheme have committed themselves to achieving reductions of 4.4 million tonnes of CO_2 equivalent. That is a significant total. It equates to approximately 5 per cent. of the UK's emission reductions up to 2010. The scheme is therefore significant and important.

The hon. Gentleman asked whether the baselines had been drawn correctly, so as not to allow some companies to take advantage through double counting. The hon. Member for Mid-Bedfordshire (Mr. Sayeed) was also interested in the matter. The emission reductions in the UK emissions trading scheme are not covered by any other regulations—that is, a company is not allowed to include emission reductions that result from meeting targets set in other regulations. In addition, giving the scheme's direct participants—of which British Airways is a good example—absolute targets means that their production could decrease. However, all businesses want growth: if their production increases, as is their aim, their absolute target becomes tougher. That is sufficient protection.

[Mr. Meacher]

The hon. Member for Aylesbury asked about the lack of fit between the UK and EU schemes. That is a fair point, and the matter has caused the Government a lot of difficulty. Our scheme is voluntary: we thought it right to have flexibility in the early stages, to see how the scheme worked. In its wisdom, the EU has decided to have a mandatory scheme.

The current UK emissions trading scheme will finish at the end of 2006. The proposals in the Bill are designed to go beyond that date, but I am glad to say that we have managed to secure various provisions in the EU scheme. They include arrangements for opting out and opting in to the scheme, which will allow us to manage the transition in a way that we consider broadly acceptable.

The transition period is important to us. Our main aim is to ensure that the reductions of 4.4 million tonnes in carbon emissions under our UK scheme are achieved. We also want to minimise disruption to participants in our scheme.

The hon. Gentleman also asked about coal mine methane, a topic raised too by my hon. Friend the Member for Sherwood (Paddy Tipping). As I said, we of course recognise the benefits of capturing coal mine methane. We have secured climate change agreement for the industry, in terms of access to the emissions trading scheme, but I must make it clear that we are currently awaiting EU state aid approval.

With regard to entry to the emissions trading scheme, I repeat that there is uncertainty about what UK coal mine methane emissions actually are. That is the problem that the research that we have commissioned is designed to resolve. As a result, coal mine methane is not in the UK inventory.

The hon. Gentleman asked two other questions. The first had to do with passing penalties from the disposal authority to the collection authority. That is a fair point, and I can tell him that we are not attracted to legislating for that, although we could. We do not want to encourage the apportionment of blame, and we do not want that sort of culture to develop between authorities that must work together. We believe that the power of direction will encourage authorities to work together, and that it represents a better solution.

The hon. Gentleman also asked about penalties being passed between the four component parts of the UK. The UK as a whole is liable for the EU fine, but if that is due to a failure by a specific Administration, it will have to pay. That will be agreed through concordats between the UK Government and the devolved Administrations.

My hon. Friend the Member for Stafford (Mr. Kidney) asked whether county councils were correct in their approach to incineration and recycling targets. They are, in the sense that incineration is not recycling and does not count towards the recycling targets. That is obvious. But incineration is a form of recovery and would be part of their non-statutory recovery targets. He also asked about the compatibility of the UK and EU emissions trading schemes. I tried to answer that. We believe that the opt-out and the opt-in system means that, on both sides of the transition date of 2008, we can get compatibility with the mandatory EU scheme that is satisfactory to us.

The hon. Member for Lewes (Norman. Baker) raised a number of points, as is his wont. He and others referred to fly tipping, which the Government recognise is a serious problem. However, the idea that the landfill tax automatically makes that worse is wrong. There is nothing to stop anyone taking waste to a civil amenity site free of charge. One does not have to dump it in the countryside to escape paying the landfill tax.

We have done some more positive things—

Mr. Luff *rose—*

Mr. Meacher: I will come back to the hon. Gentleman, who raised a different point. The strategy unit has recommended more rigorous prosecution of fly tipping and we are considering that seriously. I attended a meeting of the fly tipping forum, which is chaired by a senior official of the Environment Agency, and I looked at a series of ideas, many of which I am keen to pursue, including a big increase in penalties, which I think is critical.

Norman Baker: Will the Minister give way?

Mr. Meacher: I am unwilling to. The hon. Gentleman had a lot of time and I am trying to answer several of his points, but I must try to cover everyone else.

The Government White Paper on antisocial behaviour, issued on 11 March, included proposals to give local authorities a strategic role for dealing with fly tipping and ensuring that they have sufficient powers to do so. One objection has been that it is all left to the Environment Agency, which does not have the resources and manpower to do it. Local authorities will now have equivalent powers.

The hon. Gentleman asked about the derogation. We have a derogation at each of the trip points: 2006 to 2010, 2009 to 2013 and 2016 to 2020. My view is that we should try to meet the first of those dates and not use the derogation unless we have to. It is not infra dig to have to use the derogation, although there is no question but that, for 2006, we will have to use it. It is too early to say about 2016. I would hope that we will make sufficient progress and that we will not need to use it.

The hon. Gentleman referred to allowances for sale, and thought that so many local authorities would be off-track that the cost of licences would be high, and that, therefore, local authorities would prefer not to comply because it would be less expensive. First, I am chasing local authorities to make jolly sure that the number who do not comply is as small as conceivably possible. I wrote to 142 authorities last August and I am now pursuing those that we believe are not on-track. The real answer to his point is that the penalties will be set at a level that makes non-compliance the least attractive option.

The hon. Gentleman asked about the export of waste to the Republic of Ireland, but it is allowances that are traded, not the waste itself. Under the Basle convention, waste cannot be exported except for recovery, but it will be for the Northern Ireland Administration to decide the details of their scheme.

The hon. Gentleman also asked about the waste hierarchy and he referred to clause 17(3). All the options that he quoted are, indeed, options, but they are not stated in terms of the hierarchy. I assure him that the waste hierarchy prevails. He asked whether incineration would have preference over recycling, and my hon. Friend the Member for Southampton, Test (Dr. Whitehead) also drew a great deal of attention to that issue. We believe that we have given sufficient incentivisation to recycling to make the scenario that was outlined unlikely. I do not now have the time to argue the point, but I am sure that we will return to it in Committee.

My hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) asked what would happen if a disposal authority received a penalty as a result of a fault committed by the collection authority. The point behind the power of direction is that a waste collection authority cannot prevent the targets from being met. As I have said, passing down penalties simply creates a blame culture and removes money from the system.

My hon. Friend also asked about penalties for authorities that have to continue to send material to landfill under a 25-year contract. He said that such penalties were unfair. The landfill directive was put in place in 1999, and it was the subject of negotiation for many years before that. The need to reduce the landfill of biodegradable municipal waste has been known for a long time, so that casts doubt on the point about there being a need to guarantee a particular quantity of waste for landfill.

My hon. Friend also asked about incentives. No one has drawn attention in the debate to the fact that the Government have increased the rate support grant in regard to waste management by £1.1 billion in the current spending review period and by a further £670 million in the next. We have provided a local authority waste minimisation and recycling fund of £140 million and increased by 60 per cent. the private finance initiative to £355 million. I do not think that local authorities can say that they are not adequately funded.

I am sorry that the hon. Member for Mid-Bedfordshire is no longer on the Opposition Front Bench, but he has not lost his critical edge. Among other things, he raised the issue of recycling and the landfill tax. The Government have certainly already agreed that any increase in landfill tax will be revenue-neutral and that it will be used to fund sustainable waste management programmes. We are currently discussing in government how that is best done, but we accept the principle.

The hon. Gentleman asked about composting and animal diseases. There is no such thing as zero risk, but independent risk assessment shows that catering waste can safely be composted. The place for controls is in the animal by-products regulations and not in this Bill. We take his point that this is not the appropriate place to deal with the issue. Composting at 98° C—the provision is the result of an amendment made in the other place—does not simply produce compost, because everything is killed and not just the harmful pathogens. That is why we object to the provision.

I have not had a chance to respond to all the points raised, but I will be glad to do so in correspondence. I look forward to working in Committee with those who have spoken in the debate. I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time.

WASTE AND EMISSIONS TRADING BILL *[LORDS]* (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following provisions shall apply to the Waste and Emissions Trading Bill [*Lords*]—

Committal

1. The Bill shall be committed to a Standing Committee.

Proceedings in Standing Committee

2. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 29th April 2003.

3. The Standing Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the day on which proceedings on consideration are commenced.

6. Sessional Order B (programming committees) made on 28th June 2001 shall not apply to proceedings on consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—*[Charlotte Atkins.]*

Question agreed to.

WASTE AND EMISSIONS TRADING BILL *[LORDS] [MONEY]*

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with Bills),

That, for the purposes of any Act resulting from the Waste and Emissions Trading Bill [*Lords*], it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenditure incurred by the Secretary of State in consequence of the Act, and

(b) any increase attributable to the Act in the sums payable under any other Act out of money so provided.—*[Charlotte Atkins.]*

Question agreed to.

WASTE AND EMISSIONS TRADING BILL *[LORDS] [WAYS AND MEANS]*

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with Bills),

That, for the purposes of any Act resulting from the Waste and Emissions Trading Bill [*Lords*], it is expedient to authorise the levying of fees and charges under regulations made under the Act.—*[Charlotte Atkins.]*

Question agreed to.

Pembury Hospital

Motion made, and Question proposed, That this House do now adjourn.—*[Charlotte Atkins.]*

6 pm

Mr. Archie Norman (Tunbridge Wells): I am delighted to have this opportunity to raise the issue of the impending possible closure of the haematology research unit at Pembury hospital in my constituency. It is not a research unit of which I was previously aware, and I understand that the Minister's office was not previously aware of it either. However, on examination, it is a remarkable research operation that has been running for some 17 years and is now threatened with closure because of a lack of financing, and I shall talk about the value for money that it offers.

I am keen to raise the issue in the House not just because the unit's closure would be a tragedy for the country and the NHS, but because broader lessons must surely be learned from the possible loss of an outstanding facility and its dedicated staff. I ask to the Minister to address three questions. It may well not be possible to provide all the answers in the short time available this evening, but I seek an undertaking that he and his officials will consider the issue extremely seriously.

First, what can be done, even at this very late stage, to save the unit, its staff and scientists who have done such good work in the past? Secondly, in the very unfortunate event that the unit cannot be saved—I appreciate that it is late in the day—what can be done to ensure that the very good research that has been done in the past can be transferred elsewhere and that the learning is not lost to the country and the NHS? Thirdly, will the Minister comment on the broader implications for the way in which we fund, through the NHS, such long-term research that is of value to the nation and, indeed, the rest of the world?

Surely, if such research units are left to fund themselves year on year, hand to mouth, so that scientists and doctors have to go out cap in hand and spend a great deal of time that could otherwise be spent on clinical responsibilities simply because of the short-term nature of funding, it is no way to build up a long-term research and development capability in our medical sciences. I hope that the Minister will be able to respond to those issues.

Dr. Colin Taylor, a consultant haematologist, originally founded the unit some 17 years ago to look at the reasons why some types of leukaemia were unresponsive to chemotherapy, and it has broadened its field research beyond that into other sorts of cancer. The unit has a long track record of research. Overall, it has had 50 papers on its work published in peer review journals and it has presented 90 abstracts at international conferences. The Minister will have a copy of those research documents, provided by my office, and it is a truly impressive list by any standards.

The unit is of international repute and widely respected not just in this country, but in the United States and elsewhere. The type of research that was pioneered by that very small unit is now being taken up elsewhere in the world, particularly in the United States, on a significant scale and, in some cases, a significant commercial scale. The unit is currently involved in international research work on leukaemia, ovarian cancer, breast cancer and bladder cancer, and the publications that I have referred to testify to that fact.

In addition, the unit, as a result of its research, has started to develop a clinical service that is used by NHS hospitals throughout the country. That service performs approximately 300 to 400 chemotherapy sensitivity tests a year on both solid and haematological tumours. In other words, it provides a service that can test the tumours for their response to the right level of chemotherapy and mix of drugs to produce the best possible result. The service can not only save and preserve life, but can reduce enormously the side effects of cancer treatment, which, as we all know, is often extremely distressing to patients. It is an extremely valuable service.

Sir John Stanley (Tonbridge and Malling): My hon. Friend knows that my constituents benefit immensely, as do his and people much further afield, from this remarkable life-saving research facility. Does he agree that as such extensive use is made of it by NHS practitioners—oncologists, surgeons and physicians—that in itself presents a compelling reason why the NHS should ensure financially that it continues?

Mr. Norman: I am grateful to my right hon. Friend for making that point. It is not just that the unit is providing a service, it is being used by other hospitals in the NHS in the treatment of cancer even though this unit is not funded by the NHS. It is in all respects a bargain for the NHS, both because of the form of its funding and because of the value of its service. The unit has helped a total of 4,000 patients over time with a number of different tumor types. The research has shown that by using the chemotherapy sensitivity testing technique on patients, for example in advanced ovarian cancer, the five-year survival rate can be increased from 12 to 24 per cent.—in other words, survival rates are doubled for those patients with that acute form of cancer.

To pick up on my hon. Friend's point, it has been reported in a peer review journal by Professor Michael Drummond, who is the director of the centre for health economics at York university, that the potential cost saving to the NHS of using chemotherapy sensitivity testing in chronic leukaemia is £1,470 per patient per year on medication. The test enables the treatment to be specifically right for that patient. It ensures that the response is the most efficient one for that patient. If we assume that that is correct and is also right for other forms of testing that the unit undertakes, the saving per annum for 300 patients is some £450,000 a year. The unit costs less than that to fund. It is paying for itself without costing the NHS anything. It is an absolute bargain. If it closes, the consequential cost to the NHS will be greater and the suffering of patients will be greater. We will have patients who will suffer more and die earlier. That is the issue.

It is easy to talk about research, facts, figures and funding, so let me put some colour on this. I have received many letters from people all over the country who have benefited, or whose relatives have benefited, from the work of the unit. We must remember that at the end of the day this is about patients who are suffering acutely from severe illness, often in advanced stages of distress. Sharon Howell, whose daughter Sarah died of leukaemia aged 18, said of the unit:

> "If it wasn't for their hard work Sarah wouldn't have had an extra two years of life."

Today, a colleague working in the House rang up to say he was so glad that I was raising this issue because his daughter would not be alive today without the work of the Pembury research unit. It matters to people. None of the people who have benefited or the clinicians up and down the country will understand if we let the unit go without ensuring that we have done our best to save it, or, if we cannot save it, ensure that the work is continued and developed elsewhere.

Dr. Jean Sergeant, the principal research scientist at the Pembury unit said:

> "It is sad that the work is finishing because what we are doing is helping patients. The only positive thing is that all the work of the unit has been published and is available for the benefit of the public to be used by other researchers. I just hope that the testing can be continued in other units for the continued benefit of cancer patients."

I am not raising this issue in order to criticise anybody. In many ways, it was a tragedy that I did not become aware earlier of the work of the unit and its funding situation. Had I been aware, perhaps I, as the MP, could have done more to help it. It is not that the Minister has cut off funding to the unit, and it is not that any individual has decided to close it. Rather, the unit has had the misfortune of being the victim of its own success. Because it has been such good value over time, it has been funded hand to mouth by research grants that it has applied for and by voluntary contributions from foundations and charities. As a result, the unit has never established a long-term basis for its funding or its secure financial future. Dr. Colin Taylor has told me that one of the reasons why he has concluded that it will be very hard to continue is that he and his colleagues are spending too much of their time trying to raise money instead of concentrating on their research and clinical work. He and many of the staff are obviously distressed at the situation, but feel that, without secure long-term funding, they simply cannot continue.

The costs of the unit are not great; I will give them in round numbers. The unit costs £150,000 to keep open for one year. Of that, £90,000 goes on salaries for scientists and staff, £20,000 goes on consumables, and £40,000 goes on equipment. In the scale of things, those are not substantial sums of money—although I know that there are many different claims on NHS resources. The unit receives rent-free accommodation from the Maidstone and Tunbridge Wells NHS trust. That, substantially, is the contribution of the NHS to the unit's funding. It is obviously of a modest order. The unit has, in the past, received 60 per cent. of its funding from research grants and 40 per cent. from local charitable donations. Unfortunately, the unit's two most recent applications for research grants were unsuccessful. Obviously, I cannot evaluate those applications as I am not qualified to do so, but, as far as I can tell, they were unsuccessful not because they were

[Mr. Norman]

of insufficient merit, but because there were other priorities. In one case, the funds required simply were not there.

Quite apart from the loss to patients and the extra cost to the NHS, if the unit closes its current national and international collaborations—work on leukaemia, ovarian cancer, breast cancer and bladder cancer—will all be discontinued. The units with which the Pembury unit works, and doctors and scientists around the world, will be amazed if it closes. I understand that there are two other units in the country that undertake comparable work—one in Bath and one in Portsmouth. It is possible that at least some of the testing work can be transferred to those units. However, they, too, face comparable funding problems and are substantially funded by periodic research grants. The Minister may be able to address, or undertake to address, the question of what their financial future is likely to be.

Just to survive, the unit needs £150,000 in funding. However, the issue is broader than that. It will be no good simply providing enough money for the next few months. We are talking about scientists—people who want to devote their career to this work and who believe profoundly and passionately in what they are doing. They need to be given the opportunity to develop their work in the knowledge that they have a reasonably secure future. They should not have to go round cap in hand. It is not just a question of research grants. There is an appetite for helping, and the local community will help. Even in the weeks since it became clear that the unit might close, some £20,000 has potentially been raised in the local community. A remarkable local campaigner, Mr. Simon Bender, has been very active in raising funds. I have no doubt that in Tunbridge Wells, in the constituency of my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley), a contribution will be made. The question for the Minister is this: is there any way, from Government or comparable resources, of providing a future for the unit?

I do not want to miss this opportunity to pay tribute, on behalf of not only my right hon. Friend and myself but, I hope, the Government, to the staff, doctors and scientists who have been involved in the work of the unit over the years, especially Dr. Colin Taylor and Dr. Jean Sargent. All the staff work incredibly hard in fairly primitive conditions to keep the unit going. It will be a tragedy if the unit is closed and their work is lost.

The unit is a bargain for the NHS and for the country. How could it have been allowed to continue without being put on a secure basis? What does that say about the way that the NHS funds long-term research and development projects? What does that say about the extent to which funding, especially for cancer research, actually reaches the front line?

I do not want to tax the Minister's patience, but I should like to share with him remarks made by the Secretary of State for Health at the conference held by the all-party group on cancer on 5 November 2002. The right hon. Gentleman said:

> "When I became Secretary of State three years ago, I said that reducing the number of deaths from cancer and improving the care and treatment cancer patients receive was a personal priority for me."

We can all applaud that sentiment. He continued:

> "I know sometimes there have been concerns about whether this extra funding"—

the extra £570 million—

> "is all getting through to front-line cancer teams".

We are asking only for a scintilla of small change from that budget to help units such as Pembury to continue. People working at units in the United States and elsewhere which collaborate with Pembury will be amazed to hear that it is closing for want of a few pennies. By the standard of US funding and the commercial value of the research that is being developed there, the amount is extremely small. If nothing else comes of this debate, I hope that we can create a secure base somewhere in this country for such research and the staff who want to work on it. They need continuity and development of the service that they provide for cancer patients throughout the country. If we can only do that, we shall have achieved something and there will be a lasting testimonial to the outstanding work of the doctors and staff at Pembury.

6.17 pm

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I congratulate the hon. Member for Tunbridge Wells (Mr. Norman) on securing the debate. The future of the haematology unit at Pembury hospital and its research is clearly of importance not only to him and his constituents, but to many people in the UK.

This country has an outstanding record of scientific innovation. In health terms, that rests on mutual support among the NHS, our universities and the bodies that fund high quality research and development. As well as providing solid support for the national science effort, the NHS must support research and development that is relevant to its national priorities and responsive and accessible to the needs of those who use the NHS, as well as its staff and decision makers. We must take an integrated approach to securing the knowledge that we need if we are to tackle health inequalities and provide modern health and social care.

It is estimated that more than £450 million is spent on cancer research in the UK every year. Cancer research funding is made up of several components, including the direct spend on research programmes, infrastructure, support services and laboratories. The first of these, direct support for research, is of most value for co-ordination and strategy setting. The largest proportion of the total expenditure is in the field of biological research, although research into aetiology and treatment is also well supported. The research is funded by approximately 250 charities, numerous Government bodies and the pharmaceutical industry. It is supported by the National Cancer Research Institute, a partnership between the major funding bodies that has the objective of accelerating progress in research in the UK for the benefit of patients.

By 2004, a new cancer research network will be fully implemented. That will enhance the quality, speed and co-ordination of clinical research and ensure better integration with cancer care. More than 31 of the 34 cancer service networks are now receiving research funds for an integral national cancer research network. Phase 2 of the cancer services collaborative programme commenced in April 2001. The national programme focuses on prostate, breast, lung and ovarian cancers in all 34 cancer networks. There is a total of more than 600 projects, which have yielded in excess of 1,500 real improvements in cancer services for patients. That confirms a healthy picture of a varied and generally well-balanced cancer research base in the UK.

I come now to the specific funding issue that the hon. Gentleman raised. The haematology research unit was set up in Pembury hospital in 1985. It is an independent research unit that carries out research into drug resistance before therapy in the field of chemosensitivity for bladder, breast, acute leukaemia and ovarian cancers, and it has some notable achievements to its credit. I am very happy to pay tribute to that work. Traditionally, it has taken samples from patients from a number of hospitals across south England, testing about 300 samples every year. More recently, its facility has been used some of London's teaching hospitals and more local centres such as the Ashford breast cancer centre.

During its 17 or so years, the unit has had many papers published and the results have been used to help cancer sufferers all over the world. Historically, the unit has received its funding through various routes. Trusts pay for the testing services, but those funds are not sufficient to meet the large operational costs of the unit. Additional funding comes from the haematology research fund, which is supported by the host trust's general charitable trust fund, together with, as the hon. Gentleman said, a research grant from the Medical Research Council. The trust provided accommodation free of charge to the unit at the Pembury site.

I recognise the efforts that have been made by the unit and local people to try to raise funds in support of the unit—they have done so very successfully for many years—but even their efforts have not been enough to secure the continued long-term operation of the unit. I understand and have every sympathy with the position that the unit now finds itself in.

The hon. Gentleman acknowledges that it is rather late in the day to take action, and in a sense the position is clear. Funding decisions in the NHS now rest with primary care trusts. It is for PCTs, in conjunction with their strategic health authorities, to plan and develop services according to the needs of their local communities. Unfortunately, it is not appropriate for Ministers to get involved in those decisions. This is an independent research unit with charitable status. The NHS has supported it over many years by providing free rent and employment contracts for its staff. The NHS—specifically the West Kent and the Maidstone and Tunbridge Wells NHS trusts—is involved in a number of clinical trials involving cancer patients. The Kent and Medway strategic health authority continues to encourage research and development across Kent through its research and development and other networks. But, again, it is for the local research and development network to make decisions on a research and development strategy to increase research opportunities in Kent.

The hon. Gentleman, as he indicated, may ask, why do we not tell the Medical Research Council to continue funding the unit? The reason is that the MRC is an independent body that receives its grant in aid from the Office of Science and Technology. It is a long-standing and important principle of successive Governments that they do not prescribe the detail of how individual research councils should distribute their resources between competing priorities.

Mr. Norman: Does the Minister accept that it is clearly not for the primary care trust to fund a unit that provides research of a long-term nature that is of value to the whole country, not just the PCT area? I am sure that he will agree that it is not sensible to ask the PCT, which is already strapped for funds, to fund research of that kind. There must be another apparatus for doing that. Does he accept that the nature of the unit, as I said earlier, is to provide a service to the NHS that is of value today? It cannot be regarded as just a normal piece of research. No one is suggesting that the Government should tell research agencies to make grants, but this is an emergency. Something must be done or the resources will be lost forever.

Mr. Lammy: If I may, I would like to move on to the nature of the research and what is going on across the country. Right across the country, in individual primary care trusts and strategic health authority areas, much work is going on in the locality that is of tremendous national benefit. It is right that such decisions are made in conjunction with the primary care trust and the strategic health authority.

I agree with the hon. Gentleman that, should the Pembury unit close, every effort should be made to ensure that the work that it undertakes should not be lost to the wider NHS. Two other established units, in Bath and Portsmouth, carry out similar research into chemosensitivity testing. I am advised by officials that discussions are about to take place to determine whether samples tested at Pembury can be managed at those sites. In addition, the Royal London hospital has confirmed that it is able to take on the work that the unit does specifically in the area of chemosensitivity testing for childhood leukaemia. As he will know, those tests form a crucial part of the unit's most recent work on relapsed leukaemia trials, on which other laboratories across the UK are also working.

In addition, I understand that scientists from St. Bartholomew's hospital, London, have spent time with the unit in Pembury learning the techniques that it uses. As I have said, the unit at Pembury has historically taken samples from hospitals across the south of England. Although I can understand the hon. Gentleman's disappointment that this type of research may not continue at the haematology research unit in Pembury, I can assure him that discussions are under way to transfer the unit's testing of samples to other sites in the south of England, and that some specialist work will transfer to the Royal London. As I understand it, samples are sent through the post, so distance is not an issue as long as the samples are received within 24 hours.

For the longer term, I understand that new types of research are being developed that could replace chemosensitivity in the future. Many labs throughout the UK are currently working on gene expression

[Mr. Lammy]

profiling. GEP is very similar to chemosensitivity, in that the labs take fresh samples of cancer cells from patients and profile them against different drugs. Eventually, it should be possible to match up about 30,000 different types of cancer genes with the most appropriate drug therapy.

To turn back to the hon. Gentleman's area, a research and development network has been established in Kent and Medway, which brings together primary care, secondary care and universities to work on a research and development strategy to increase research opportunities. I understand that Maidstone and Tunbridge Wells NHS trust is already taking part in several clinical trials involving cancer patients—

The motion having been made after Six o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Six o'clock.

House of Commons

Friday 21 March 2003

The House met at half-past Nine o'clock

PRAYERS

[SIR MICHAEL LORD *in the Chair*]

The House being met, and the Speaker having leave of absence pursuant to paragraph (3) of Standing Order No. 3 (Deputy Speaker), SIR MICHAEL LORD, *The Second Deputy Chairman of Ways and Means, proceeded to the Table.*

PETITION

St. Bartholomew's Hospital

9.34 am

Mr. Mark Field (Cities of London and Westminster): I should like to present a petition on behalf of more than 21,600 residents and members of the work force in the City of London. It states:

To the House of Commons

The Petition of over 21,600 residents and members of the workforce in the City of London.

Declares that the heightened threat of an international terrorist incident has resulted in a curtain of steel being set up around the City of London which makes it essential that there is a fully-functioning medical facility within the City boundary in order that those living and working within that curtain are able to receive urgent and immediate medical attention.

The Petitioners therefore request that the House of Commons urge Her Majesty's Government to do all in its power to restore St. Bartholomew's as a teaching and a district general hospital and that its Accident and Emergency Department be re-opened immediately.

And the Petitioners remain, etc.

To lie upon the Table.

BILL PRESENTED

FIRE SERVICES

Mr. Secretary Prescott, supported by the Prime Minister, Mr. Chancellor of the Exchequer, Mr. Secretary Blunkett, Mr. Secretary Darling, Mr. Secretary Murphy, Mr. Secretary Hoon, Ms Secretary Hewitt, Secretary Peter Hain, Mr. Nick Raynsford and Mr. Christopher Leslie, presented a Bill to confer power on the Secretary of State to set or modify the conditions of service of members of fire brigades and to give directions to fire authorities: And the same was read the First time; and ordered to be read a Second time on Monday 24 March, and to be printed. Explanatory notes to be printed. [Bill 81].

Orders of the Day

Female Genital Mutilation Bill

Order for Second Reading read.

9.35 am

Ann Clwyd (Cynon Valley): I beg to move, That the Bill be now read a Second time.

I am grateful for the opportunity to introduce this important Bill. Its main purpose is to extend the scope of the law prohibiting female genital mutilation—FGM. It will prevent parents from taking their daughters abroad to have the procedure performed. It is about protecting the human rights of women, which is a strong reason for my choice of this Bill over the many hundreds of others that were suggested to me. I am pleased that the Bill is being strongly backed by the Home Secretary.

Female genital mutilation has been explicitly illegal in this country since 1985, when the Prohibition of Female Circumcision Act was passed. However, in some communities in the UK, as well as abroad, the practice is still accepted and even condoned. Its victims are often young and vulnerable. They suffer enormous physical and psychological harm throughout their lives, yet they suffer in silence. Offences are rarely reported to, or acted on, by the authorities.

FGM is not reported for many reasons, including ignorance, fear or community or cultural pressure to remain silent. Although we understand that and we sympathise, we cannot condone it. We cannot allow the situation to continue. We should be failing our children, our young women and our communities if we did so.

We need to send a strong message that the practice of FGM is wholly unacceptable. We cannot leave the matter to be decided by personal preference, culture or custom. FGM is harmful. I hope that the Bill will send that message very powerfully indeed. The Bill is just a starting point. There is much to be done to educate communities and to provide women with the support that they need to oppose this barbaric practice openly. All that is beyond the scope of the Bill.

The Bill makes it clear that we will not condone those who want to take their daughters abroad so as to evade UK law. To reflect the harm that we think results from the procedure, the Bill will increase the maximum penalty from five to 14 years.

Mr. Jonathan Djanogly (Huntingdon): I agree with almost everything that the hon. Lady has said, but can she explain how increased prison terms will have any effect if people are not prosecuted, as is currently the case?

Ann Clwyd: I should have liked the hon. Gentleman to hear more of my speech. He will see what we have in mind as it develops. There have been no prosecutions in this country and that is deplorable, but we need to send a strong message about the penalties that can be imposed if there is a successful prosecution.

FGM is the collective term for a range of procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs, for cultural or other non-therapeutic reasons. It can

[Ann Clwyd]

have devastating and harmful consequences for a woman throughout her life. The health problems experienced vary depending on circumstances. Sometimes, the procedure is performed in unsanitary conditions, which lead to infection and other complications. Sometimes the girl resists, which, unfortunately, increases the likelihood that she will be harmed.

In those parts of the world where FGM is the norm, it is usually performed by traditional "circumcisers" in unsanitary conditions, and with non-sterile equipment. It might be carried out with crude instruments such as kitchen knives, razor blades or broken glass. In some areas, it is carried out by professionals in hospitals, but most international organisations—including the World Health Organisation and the British Medical Association—agree that health professionals should not carry out FGM. It is slightly safer for the procedure to be carried out in that way, but that does not prevent the harmful consequences that can ensue. Some time ago, the Select Committee on International Development produced a report on women and development. The report considered this issue closely, and we took evidence from a number of people.

Longer-term consequences can be particularly severe, and there can be associated difficulties in pregnancy and in childbirth. Women who have been mutilated are twice as likely to die in childbirth, and three or four times as likely to have a stillborn child. This is a frightening statistic. Estimates suggest that between 130 million and 150 million women and girls have undergone FGM worldwide. It is reportedly practised in 28 African countries, as well as by some ethnic groups in the Arabian peninsula, the Persian gulf and south-west Asia. It has also been reported in immigrant populations in Europe, Australia, New Zealand and north America.

However, FGM is no longer confined to Africa, parts of Arabia and south-east Asia, where it is practised as the norm. The general movement of people and ease of travel have led to people from these areas moving to western countries. Ongoing wars and civil unrest, especially in the horn of Africa, where the practice is endemic, mean that there will be a continuing exodus of people to other parts of the world, especially Europe, the USA and Australia. These people bring their customs and practices with them—including FGM.

Accurate information about the extent to which FGM is practised in this country is difficult to come by. The most accurate view is probably that of the Foundation for Women's Health, Research and Development—Forward—which estimates that there are 74,000 first-generation African immigrant women in the UK who have undergone FGM, and as many as 7,000 girls under 16 within the practising communities who are at risk from FGM. This estimate is based on the number of immigrants and refugees settled in the UK from countries, mainly in the horn of Africa, where FGM is endemic. There are substantial populations from these countries in London, Liverpool, Birmingham Sheffield and Cardiff. In the familiar pattern of first-generation immigrants, they tend to settle together in these inner cities.

The origins of FGM are not known. It is an age-old practice that is deeply steeped in the culture of the practising communities. Reasons for maintaining it include purification, family honour, hygiene, aesthetic reasons, protection of virginity and prevention of promiscuity, enhancing fertility, decreasing the sexual desire of women, acceptance by the community, and increasing matrimonial opportunities. However, although it is performed by many different religious groups, including Muslims, Christians and Jews—and by non-believers—FGM is not a religious practice, as some claim. Leaders of all the main faiths, I am glad to say, have spoken out against it.

The age at which FGM is undertaken varies. It is usually performed on girls between the age of four and 10, but in some cultures it is practised as early as a few days after birth, or as late as immediately before marriage, during pregnancy or after the first birth. Support for the eradication of FGM is international, and is being pursued at all levels by organisations such as the World Health Organisation. The practice is now widely perceived as a form of child abuse, although the members of those communities that practise it genuinely believe that it is in their child's best interest, and do not intend it as a deliberate act of abuse.

Concern is occasionally expressed that in acting against FGM we are seeking to impose liberal western values on FGM-practising communities, and that we should be more culturally sensitive. Indeed, I remember that, when the Select Committee on International Development took evidence, my hon. Friend the Member for Richmond Park (Dr. Tonge) took issue with Germaine Greer, who thought that we should leave the culture alone. My hon. Friend had some very strong things to say about that.

FGM is in no way like male circumcision. It is much more harmful, and there is no medical justification for it. Respect for other cultures does not mean that we should ignore practices that are so harmful, and that violate the most basic human rights: the right of women not to be discriminated against because of their gender, under the convention on the elimination of all forms of discrimination against women; and, in particular, the right of the child to enjoy their childhood, and to the

"enjoyment of the highest attainable standard of health",

as laid down in article 24 of the United Nations convention on the rights of the child.

FGM was probably never legal in this country, because it almost certainly constitutes an offence against the person. However, in order to remove any ambiguity that may have existed in law, it was decided to make the practice explicitly illegal. The Prohibition of Female Circumcision Act was the result of a private Member's Bill introduced by my hon. Friend the Member for Broxbourne (Mrs. Roe), and I congratulate her on that. It was supported by the Government of the day, and the Bill before us follows in this tradition. It will strengthen and extend the protections then put in place.

Legal protection against FGM is also provided by the Children Act 1989. If a local authority has reason to believe that a child is likely to suffer significant harm, it is obliged to make such inquiries as it considers necessary to enable it to decide whether it should take action to safeguard or to promote the child's welfare. Under the 1989 Act, a prohibited steps order can also be made to prevent parents from carrying out a particular act without the consent of the court. So the court could, even now, take steps to prevent the removal of a child from the UK so that mutilation might be carried out abroad.

As I have said, to date, there have been no prosecutions under the Prohibition of Female Circumcision Act. That could be, at least in part, because people who practise FGM tend to live in closed communities, and because many of the victims are so young and vulnerable that offences are not reported to the police. I hope that the strong message sent out by this Bill and the unanimity of community leaders on this issue will, in themselves, help to encourage communities to stamp out this hidden abuse. However, the lack of prosecutions may also be because our current law can be evaded. The fact that people can—indeed, evidence suggests that they do—circumvent the 1985 Act by taking young girls abroad for FGM, has been seen for some time as a loophole in law.

In November 2000, the all-party parliamentary group on population, development and reproductive health issued a report on its survey of, and hearings on, FGM, which were carried out earlier that year. The purpose of the hearings was to raise awareness of FGM, and to generate support for prevention and eradication programmes. The group was chaired by my hon. Friend the Member for Calder Valley (Chris McCafferty), who has a long-standing interest in this subject, and who has put a great deal of effort into trying to get the law changed. She was supported by a very distinguished panel of people.

The all-party group made several recommendations for changes to existing legislation. Those included substituting the term "genital mutilation" for "circumcision" in the legislation; ensuring that UK residents who take girls abroad for FGM, even to countries where the practice is lawful, can be prosecuted on their return to the UK; and increasing the maximum penalty for FGM. I am pleased to say that the Bill will give effect to all those recommendations.

First, the Bill will repeal and re-enact the 1985 Act. The short title of the Bill describes more accurately the prohibited acts and removes any suggestion of acceptability that the word "circumcision" might imply. Secondly, and more importantly, the Bill gives extra-territorial effect to the existing provisions. That means that any of the prohibited acts done outside the UK by a UK national or permanent UK resident will be an offence under domestic law and triable in the courts of England, Wales and Northern Ireland. Permanent UK residents are people who ordinarily live in this country without being subject under the immigration laws to any restriction on the period for which they may remain. The Bill will therefore catch those with a substantial connection to the UK, but not those who are here temporarily, for example, foreign students or visitors.

Mr. Djanogly: If a mature woman were to go abroad of her own free will to have such an operation, for whatever reason, would that be permitted under the Bill?

Ann Clwyd: I would not expect so for one moment, although I do not know what the hon. Gentleman means by a mature woman.

Mr. Djanogly: Not a child.

Ann Clwyd: Such matters can be further explored in Committee. I hope that the hon. Gentleman will become a member of the Committee, as he is obviously very interested in the subject.

Mr. Bill Wiggin (Leominster): This is an important Bill and I support it. However, for the sake of clarity and for the record, will the hon. Lady confirm that the terrible things that she has described in her speech are separate from the body piercing that takes place in the UK? Is that a completely separate issue, or is there any overlap?

Ann Clwyd: It is a completely separate issue.

It is unusual in international law for a state to take jurisdiction over acts committed abroad by its residents, permanent or otherwise, as well as its nationals, especially when there is no requirement for the act to be illegal in the country in which it is committed. However, it is important that we take that step in this case. We have a duty to protect all our residents. The new Bill will mean that people who have a close connection with the UK, in the form of permanent residence, cannot evade the scope of the Bill by temporarily leaving the UK.

Thirdly, the Bill will increase the maximum penalty for FGM from five to 14 years' imprisonment. Other than life imprisonment, that is the highest sentence that can be imposed and reflects how seriously we take the offence.

There is no quick fix to the problem of FGM in this country or abroad. It is, unfortunately, too deeply embedded in the culture of the practising communities. Legislation on its own cannot eradicate it, but the Bill will send a powerful message about the unacceptability of FGM to those who seek to perpetuate that abhorrent practice.

9.54 am

Mrs. Marion Roe (Broxbourne): I congratulate the hon. Member for Cynon Valley (Ann Clwyd) on being successful in the private Member's Bill ballot and on choosing the very important issue of female genital mutilation as the subject of her Bill. I also wish to thank her for her kind remarks. As one of the sponsors of the Bill, I give my full support to its principles and wish it every success during its course through the parliamentary process. I also congratulate the all-party parliamentary group on population, development and reproductive health on its report, which was published in November 2000, and on the work that it has done to raise the profile of the issue again in recent years.

I first heard about female genital mutilation, or female circumcision as it was known in those days, in the late 1970s, when I was a member of the Greater London council. As a local government representative in London, I became aware that female genital mutilation was being practised in the United Kingdom by certain immigrant communities. That horrified me. It is not only a violation of every child's rights, but is physically harmful and has serious consequences for a girl's health.

As soon as I became a Member of Parliament in 1983, I began to seek support from other parliamentarians of all parties, as well as the Conservative Government, for

[Mrs. Marion Roe]

a private Member's Bill to prohibit female circumcision in the United Kingdom. Although there was much pressure from the immigrant communities affected—I was called a racist and I was accused of intervening in religious freedoms, cultural traditions and so on—my Bill became the Prohibition of Female Circumcision Act, 18 years ago. It was one of the first pieces of legislation on the issue in the world.

In formulating my Bill, for which I received full co-operation from both sides of the House, I was at great pains to block every avenue whereby those wishing to continue FGM in the UK could get around the law. I remind the House that I was breaking new ground and had no examples of similar legislation to call on from other countries. For example, much pressure was exerted on me not to include explicit wording on a surgical operation by a registered medical practitioner on a girl for her mental health. Obviously, the intent was to use the stress on a girl who is not conforming to a traditional practice as an excuse to find a gap in the legislation. Although the Bill would change the wording of my Act, I warn hon. Members of the importance of including in the Bill clarification of its intent, so that there is no question that those who wish to find loopholes to exploit will be able to do so.

I strongly believed that making FGM unlawful was only a first step. More needed to be done to persuade those parents and family members involved to change their behaviour. While my Bill was passing through Parliament, I persuaded the Conservative Government to guarantee funding for educational purposes, not only in the United Kingdom but internationally, to eliminate the practice. I am pleased to say that the present Labour Government have continued to honour that commitment, providing hundreds of thousands of pounds for educational programmes and research, including partly funding the all-party parliamentary group report on population, development and reproductive health, to which I alluded earlier and which produced many worthwhile recommendations to the Government on the issue.

I should also like to take this opportunity to pay tribute to the many excellent voluntary and charity groups, such as Rainbo and Forward, which do magnificent work at the grass-roots level among the communities. Their efforts are vital and I am sure that they and other non-governmental organisations will be able to give expert advice to members of the Committee on how to ensure that the principles of the Bill protect young girls effectively in the way that is needed. The Government continue to give grants to NGOs as a contribution to their core activities, including collecting data on FGM in the United Kingdom; addressing linked practices impinging on FGM, such as early marriage and childbirth; and mobilising men in the practising communities, something that is very important indeed.

Shona McIsaac (Cleethorpes): Does the hon. Lady acknowledge the role that many women's monthly magazines play in educating young women about the abhorrent practice of female genital mutilation?

Mrs. Roe: I certainly accept that. Awareness programmes, wherever they come from, are much appreciated and desperately needed.

On the international scene, since 1997—these are the earliest figures that I have, but I know that international funding was given earlier—£226,000 has been given in aid to a project in Gambia, £200,000 has been allocated to a well women media project in the horn of Africa, £150,000 has been granted to Burkina Faso to assist in overcoming traditional practices harmful to women, and £140,000 has been used to support the World Health Organisation in training health care providers on the prevention of FGM and the management of complications in Ghana, Egypt, Kenya, Tanzania, Ethiopia and Cameroon. Many more countries have received the sort of aid that is vital to programmes that they are trying to initiate. The European Parliament has also considered the issue, making nine recommendations to all member states on 20 September 2001 to condemn FGM as a violation of human rights and as a crime.

Not only should FGM be made illegal and educational programmes be initiated, but social workers and the medical professions should be included in the fight to eliminate the practice. Their participation is crucial. The British Medical Association has published detailed guidelines on FGM that are of interest to many of those who must deal with women who suffer the after-effects of FGM. That demonstrates the influence that doctors, nurses, social workers and teachers can have when they work in communities that practise FGM. Their sensitive involvement can have a lasting effect, particularly among younger women.

My all-party friends and I, having taken my Bill through Parliament and seen it become an Act, believed that we had done something worth while and that FGM in the UK would, in time, become a thing of the past. We were therefore gravely disappointed to discover that no prosecutions were being brought under the 1985 Act. When I questioned why that was so, I was told that it was impossible to persuade children to testify against their parents and families. It seemed to me, however, that there was also a conspiracy of silence among certain members of the immigrant communities, which was very difficult to break. It became apparent that children from immigrant communities were being sent back to their country of origin for a so-called holiday so that FGM could be carried out.

My Prohibition of Female Circumcision Act makes FGM illegal if it takes place within the jurisdiction of the United Kingdom. A person may be guilty of conspiracy if he or she conspires in the UK to commit FGM in a country where it is also illegal. However, a person cannot be guilty of conspiracy if the FGM occurs in a country in which it is legal. It is not an offence to conspire in the UK to commit an act abroad that is not illegal in both the UK and the country in which it is planned to occur. The question of a prosecution being brought under UK law on a family's return from abroad has been a matter of great concern to me over recent years. I am delighted that it is being addressed in the new Bill.

We must not forget those young girls and women who have already suffered FGM. At no time should they be made to feel stigmatised. Seven specialist clinics deal with FGM, seeing women without specific referral from their doctors. They also undertake reversal surgery on mutilated women, which proves effective in some cases. The well-known clinic at Guy's hospital in London does magnificent work.

A positive approach to FGM is evident in the UK. We must continue our commitment to women's rights with dedication and perseverance. I have also been pursuing my quest to eradicate FGM beyond our shores. With other Members of Parliament of all parties, I have represented the UK at Inter-Parliamentary Union conferences for more than five years and have raised matters of concern relating to children, including child labour, child health and female genital mutilation. The IPU organised a panel discussion on "Violence Against Women—FGM" during its 106th conference in Burkina Faso in September 2001. Its purpose was to make parliamentarians aware of the importance of eliminating this harmful traditional practice. The session was well attended by men and women Members of Parliament who wanted to take the matter further.

A further brainstorming session was organised at the next IPU conference in Marrakesh, Morroco in March 2002, and a parliamentary think-tank for the eradiction of FGM was created. The six members of the panel were Members of Parliament from Kenya, Nigeria, Norway, Uganda, Senegal and the United Kingdom. I am the UK member. The panel has been mandated to study the possibility of working towards an international convention on the eradication of FGM and organising, if need be, a parliamentary conference on parliamentary action to eradicate FGM. That conference should be convened jointly by the IPU and the African Parliamentary Union. It should bring together MPs, Inter-African Committee representatives, religious and traditional leaders, non-governmental organisations, and former practitioners of FGM, as well as many others involved in the issue.

A further meeting of the parliamentary think-tank will be held at the next IPU conference in Santiagio next month and discussions should result in the presentation of recommendations to the International Council of the IPU on FGM and on further work to be done in the field by the IPU, in co-operation with the APU, and by national Governments. The IPU has also set up sections on FGM on its website, including details of countries throughout the world in which FGM is practised and what action, if any, Governments have taken to eliminate it. The idea of the website is to disseminate information to anybody and everybody who has an interest in eradicating FGM so that the wheel need not be reinvented and good practice can be spread. Many African countries have found the website extremely helpful.

I also attended a conference—"Zero Tolerance to FGM"—in Addis Ababa in February, which was organised by an NGO, the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children. I listened with great interest to presentations and comments made by young and old people representing NGOs and voluntary organisations from countries throughout Africa, as well as representatives of UNICEF and the World Health Organisation. They described plans to mobilise religious leaders, community leaders and youth with projects for entrepreneurial training for former circumcisers so that they can find new employment. There are, of course, also many awareness programmes.

I remind hon. Members that every year 2 million young girls are estimated to be at risk from this harmful practice. It was a heartening experience to hear religious leaders explaining that there is no religious base to FGM and also to hear young men condemning that abuse of human rights. At the conference there were former circumcisers who had abandoned their practice and were now preaching to their communities the error of their ways.

The conference adopted a common agenda for action and concluded that the fight against FGM called for a concerted and co-ordinated approach with periodic consultation and the exchange of information between all those involved in its eradication, including parliamentarians. It also endorsed the role of advocacy and lobbying to influence policy within Governments at regional, national and international levels, and declared 6 February to be an international day of zero tolerance towards FGM. The target is to eliminate FGM completely by 2010.

We parliamentarians, male and female, must work together if we are to eradicate FGM. We must give encouragement and assist our international colleagues in making FGM illegal wherever it is practised. I congratulate those who have already done so—for example, Burkina Faso, which passed a law declaring FGM illegal in November 1996 and set up a national committee to combat the practice. We must support educational programmes and ensure that adequate funding can be found for awareness projects. We must continue the fight until we have achieved our goal of preventing young girls and women from undergoing violation and suffering. Only our determination, our voices and our actions will establish their rights and remove health risks. We have that power, and I wish the Bill—an extension of my Bill—a safe passage through its procedures as a further step forward along the long road to halt the violation of the rights of children and women.

10.12 am

Chris McCafferty (Calder Valley): I congratulate my hon. Friend the Member for Cynon Valley (Ann Clwyd) on having the courage to promote the Bill and my hon. Friend the Member for Broxbourne (Mrs. Roe) on having had the foresight to promote the original Bill in 1985.

As a politician, I am not an expert on female genital mutilation, and as a woman I can only begin to imagine the personal trauma and suffering that the practice causes to women who have been subjected to it. I intend to base my remarks on the findings of the parliamentary hearings on FGM that I chaired in May 2000. It is important to set out a few main statistics. It is estimated that 130 million girls have undergone FGM and that every year 2 million girls worldwide are at risk of undergoing some form of the practice. The procedure is usually performed on girls between the ages of four and 13. The World Health Organisation has stated that FGM doubles the risk of the mother's death in childbirth and increases by up to three to four times the risk of the child being born dead. As we have heard, most of the women and girls affected live in Africa, but women and girls who have undergone, or are at risk of undergoing, FGM are increasingly found in western Europe and other developing countries, primarily among immigrant and refugee communities.

In the United Kingdom, no national FGM prevalence data are available, but it is estimated that 3,000 to 4,000 girls are subjected to FGM here in the UK every year. It

[Chris McCafferty]

was in that context that the all-party group on population, development and reproductive health decided to take on board the issue of FGM and to hold parliamentary hearings. At those hearings, we heard evidence from a wide range of experts from the UK and abroad. The witnesses gave evidence on issues such as training, the effectiveness of the law against FGM, support services and care and work with community-based organisations.

A law on female circumcision—the Prohibition of Female Circumcision Act 1985—already exists, but there have never been any prosecutions, despite evidence that FGM is taking place in this country. It is estimated that more than 7,000 girls in the UK are at risk every year.

Mr. Michael Jabez Foster (Hastings and Rye): My hon. Friend suggests that there have never been any prosecutions. There is presumably no time limit on prosecutions, so could not women who have come forward to welfare groups and so forth be encouraged to give evidence, albeit perhaps many years later?

Chris McCafferty: I am sure that that is the case. As my hon. Friend the Member for Cynon Valley said, such matters are more appropriately debated when the Bill reaches Committee, as I hope that it does. I know that it has support on both sides of the House, and I am sure that it will proceed.

There are probably many reasons why there have been no prosecutions, but the survey that we conducted prior to the parliamentary hearings suggested that the two main reasons are lack of awareness of the law and fear of cultural sensitivities. Our questionnaire was sent to all the organisations that we identified as working on FGM in the UK, Europe, Africa and the USA. In the UK, questionnaires were sent to every health authority and local authority and to all social services departments and refugee councils. Surprisingly, fewer than half the people surveyed—only 46 per cent.—mentioned awareness of the law. In the UK, there was a fear of being seen as racist, and the survey of the questionnaires also showed that 25 per cent. of the UK respondents expressed a fear of being perceived to be culturally insensitive.

FGM is a fundamental human rights issue with adverse health and social implications; it violates the rights of women and girls to bodily integrity. The issues raised by it are many and complex. It is a cultural practice that communities living in the UK may hold on to more strongly than communities back in their home countries, as it becomes an important part of their identity here in Britain or in other countries. As with other instances of abuse of women, many women who have had it done to themselves become strong advocates for its continuance. That is sad, but true. The right of one dominant culture to criticise or to try to stop a practice of another minority culture is rightly a subject for debate. Germaine Greer famously entered the debate when she compared FGM to cosmetic surgery carried out on American women and questioned our right to sit in judgment on other cultures. Our hearings, however, concluded very firmly that respect for other cultures should not include condoning or ignoring practices that abuse and deny human rights. Personally, I believe that cultures are sacrosanct only if they are consistent with human rights.

One of the witnesses at our hearings was Linda Weil-Curiel, an advocate from France who has been responsible for bringing several circumcisers to court in France. She said to us:

> "Torture is not culture . . . if a white child is cut . . . it would cause a scandal. Why should we be quiet if it is a black child? She does not suffer less. She is no less entitled to her physical integrity. You should not . . . make any discrimination between women. What hurts a white child hurts a black child."

I think that that is very important to remember when dealing with this sensitive issue.

At the hearings, I asked why she thought that there had been no prosecutions in the UK. "Because you are chicken," she replied. She may have a point. We have had a law banning FGM for more than 15 years but we have had no prosecutions. Yet we know that thousands of girls are at risk here in the UK. Government and NGO workers who are responsible for FGM issues are unclear of the law.

As my hon. Friend the Member for Broxbourne has said, health and social care professionals have an important role to play in addressing FGM in the UK. Clinical staff are much more likely to see examples of FGM in their work, especially if they serve areas with high populations from, for example, east Africa. I am pleased that that British Medical Association has issued new guidance, helping doctors to educate families about the health and legal issues that surround this practice, and ultimately, I hope, preventing girls from being mutilated—even if that means initiating child protection proceedings. Inter-agency co-operation is the key to addressing FGM.

The NHS has very little data about FGM, largely because it has not set out to look for such data. Our report recommended that the Department of Health should undertake much more data collection and then make use of those data when developing policies. So far, that has not happened. I am aware that the specialist NGO, Forward, has applied to the Department of Health for project grants to collect data on FGM and to address linked practices. I believe that Forward and similar groups are especially well placed to do that work. I have written to the Secretary of State to reiterate the need to obtain accurate data on the prevalence of FGM in the UK as soon as possible. We have also called on the Government to make use of our report when they produce their national sexual health and HIV strategy. I was delighted to see that the strategy states that FGM is

> "illegal, unacceptable, and a violation of human rights".

It also states that there is a need to raise the awareness and skills of health, education and social services professionals, and acknowledges that local services need to support community initiatives that are aimed at stopping this practice.

As has already been said, the Prohibition of Female Circumcision Act entered into force on 16 July 1985, making FGM illegal in the UK. There have been no prosecutions under that law so far. It is vital that this new law is fully implemented and that our Government and agencies work together for the elimination of this practice. A number of recommendations from our hearings have already been acted on but we need to move things further forward in order to combat this harmful and unnecessary attack on women's sexuality and autonomy.

I am pleased to see that the proposed changes include many recommendations from the hearings—in particular, changing the name of the female circumcision Act 1985 to incorporate the term female genital mutilation; and, very importantly, changing the Act to ensure that UK residents who take girls abroad for FGM can be prosecuted under UK law on their return, regardless of the legal status of FGM in the country where it takes place. Sentences will also be lengthened. This is a serious and abhorrent offence and the length of sentences should reflect that.

As a matter of policy, I hope that the provisions will extend to all UK residents, including asylum seekers. I note that the Bill does not include anything to do with the monitoring of FGM and the roles of relevant agencies. Important though these issues are, I understand that they are not measures that can be included in this Bill. However, I hope that the Department of Health will look carefully at the need to monitor the incidence of FGM in this country. Legislation alone, as we all know, will not eradicate this practice. The aim of strengthening the law in this way is to send a strong message about the unacceptability of FGM and, we hope, to have a deterrent effect.

If this Bill does become law, I hope that it will provide a useful springboard for taking forward wider enforcement and education activities. The Agency for Culture and Change Management is, I understand, already organising an FGM conference as a follow-up to this Bill. The all-party group on population, development and reproductive health will certainly support that initiative.

Today I have focused on the situation and the education needs in the UK. However, our hearings also looked at FGM in the international context. I would like to conclude with a quote from one of our witnesses—a Senegalese village elder and imam called Pa Demba Diawara—who, at the age of 65, and after going on an education programme with a local NGO—Tostan project—to learn to read and write, has worked with his local community to abandon the practice of FGM. Demba gave evidence to our FGM hearings and told us:

> "If I had known what I know now, I would have started 10 years ago. I did not know the amount of suffering our women had gone through. I did not know that the women in the village, who were sterile, had infections after their operations. I did not know that the girls who had died had died because of this practice . . . We men never talked about it. We never asked and we just never knew."

I hope that this Bill will ensure that more people do ask and do know about FGM so that the practice is abandoned worldwide.

10.27 am

Sandra Gidley (Romsey): I will try to be brief but I want to start by congratulating the hon. Member for Cynon Valley (Ann Clwyd) on introducing this Bill because it is exceptionally important. I would also like to put on record my congratulations to the hon. Member for Broxbourne (Mrs. Roe). Fifteen years ago, this subject was really unknown and it is a testament to the work that she did that we are here today in an atmosphere of much less opposition to bringing the measures forward.

Liberal Democrats support this Bill. I welcome especially the change in the name of the legislation from female circumcision to female genital mutilation. Some people are unhappy with the term FGM because they think that it is over-emotive—I do not think that it is. The word "circumcision" seems to give a medical respectability to the issue—although my hon. Friend the Member for Richmond Park (Dr. Tonge), who feels very strongly about the issue, would disagree with me on that point. I think that the word "mutilation" sums things up very well.

It is very important to extend the measures in the original Bill so that people who take children out of the UK for FGM are subject to that legislation. I welcome the fact that the crime is now regarded as more serious. It is a great disappointment that there have been no prosecutions but, if we can keep on raising awareness, I hope that the heavier penalty, combined with that greater awareness, will lead to a reduction in the problem. I also welcome the inclusion of UK residents as well as nationals in the legislation. I share the view of the hon. Member for Calder Valley (Chris McCafferty) that we have to find a way of including people who are in this country temporarily.

However, there are a number of problems with the Bill that will require further discussion on Second Reading. It is interesting to note that the two male Members who have spoken in this debate have hinted at something regarding older women, but not quite said it. What they may have been referring to, but could not bring themselves to talk about, was the subject of a programme that I recently saw on television called "Designer Vaginas". It was eye-opening—and eye-watering. It illustrated the fact that an increasing body of women in this country are going abroad to have cosmetic surgery to the vaginal area.

If we think back for a moment to female genital mutilation, this really is a problem of the subjugation of women by men; 'twas ever so. Men wanted to cut bits of female genitalia away so that women would not stray because they did not enjoy sex too much; it kept women in their place. How much of the move towards the designer vagina comes from women? In the media—the magazines and films that pander to the male taste—there is an image of a fairly follically challenged female with a certain style, and women think that there is something wrong with them if they do not look like something out of *Playboy*. That is obviously rubbish and we should get the message across that women are okay as they are, thank you very much, and do not need to mess about with themselves in that way.

That observation brings me to an important point, because my understanding of the Bill is that it will make cosmetic surgery to the vaginal area illegal. I have no problem with that, but the issue should definitely be explored in Committee. It is regarded as a choice issue. I do not think that we should make any exceptions for white women expressing a choice for fashion reasons, when we are stopping black women, who may have no choice, perhaps because they are children, from having surgery. We must ensure that no distinction is drawn between these two practices, and it should all be part of the same message. Perhaps the Minister would like to comment on whether women undergoing surgery in those circumstances, where there is no medical need, would be covered by the Bill; I believe that they should be.

[Sandra Gidley]

FGM is a large-scale problem. The figure of 3,500 has been mentioned, but I have seen work that says that, every year, as many as 7,000 girls under the age of 16 may be at risk of undergoing FGM. We must find a way of targeting those communities at risk. Very few charities are working at the grass roots; I am only aware of four: Rainbo; Forward, which has only two members of staff; the Agency for Culture and Change Management and the London Black Women's Health and Family Support Organisation, which is also suffering from lack of funding. Their work is highly regarded. Change can be achieved only by work in the community. I think that it was the hon. Member for Broxbourne who said that we must ensure that health visitors, school nurses, even teachers, are familiar with the problem, because often a teacher may be the first to become aware of the problem when she realises that a girl is off physical education lessons for a few weeks after a holiday abroad. We must find a way of handling the issue sensitively but, more important, raising awareness so that children are not mutilated in that way in the first place.

Sarah McCulloch, National Director of the Agency for Culture and Change Management, has argued:

> "New legislation will be most effective if area child protection committees use it proactively. In July last year the Sheffield area child protection committee wrote an open letter to all Somali parents informing them of the health problems associated with FGM and advising them that if they were planning to take their children on holiday for FGM they should reconsider . . . It caused a furore. People were so angry and said we were attacking their culture. But the feedback was that people were afraid and some families cancelled their trip."

Much has been said about human rights today, but although those are very important, we must also stress the health benefits of not having FGM done. Relevant figures have been mentioned; I will not repeat them, but the health message must be the predominant one, because at the moment this procedure subjects women to increased morbidity in later life.

I support the Bill. There are some reservations about things that could be reviewed in Committee, but on balance, I am delighted that the legislation is before us today.

10.34 am

Mrs. Ann Cryer (Keighley): I have been told that I have two or three minutes, so I simply want to place on record my support for my hon. Friend the Member for Cynon Valley (Ann Clwyd) and her Bill. Cultural difference must never be accepted as an excuse for the denial of the human rights of vulnerable people, whether we are talking about FGM, forced marriages or honour killings.

We should also be looking in Committee towards an educational programme in schools where there are children who are perceived to be at risk of FGM. There could be problems there. When I tried to visit schools and talk about the problems of forced marriages, I was not allowed to do so because a majority of the governors were either parents or politically correct people who agreed with parents. I got into one school but was not allowed into two others.

I am a member of the Council of Europe equal opportunities committee, and two years ago in Paris we held a hearing on this subject. It was the most squirm-making meeting that I have ever attended; it was hideous. Victims, doctors, gynaecologists and social workers were there. It was the first time that I was aware of the horror of FGM.

I agree with my hon. Friend the Member for Calder Valley (Chris McCafferty) that, on some issues, perhaps we should not be put off by charges of cultural insensitivity. Sometimes I feel as though I want to rejoice in cultural insensitivity, especially when it is about FGM and forced marriages, since, as my hon. Friend says, cultural differences can only be sacrosanct when they respect human rights.

10.36 am

Mrs. Cheryl Gillan (Chesham and Amersham): I welcome the opportunity to debate this important issue in the House this morning. I offer my personal and my party's congratulations to the hon. Member for Cynon Valley (Ann Clwyd) on her choice of subject for the Bill. I also recognise the sensitivity of the issue, given that we are talking about some deeply held, traditional cultural practices, which affect some of the most vulnerable groups in society, but I commend the way in which the hon. Lady has approached this subject over many years. Standing here at the Dispatch Box, I feel that I have been here before in other debates on women's issues with the women in the Chamber. I hope that the Bill makes progress today.

I take this chance to acknowledge the work of colleagues from all parties on the all-party parliamentary group on population development and reproductive health, under the formidable chairmanship of the hon. Member for Calder Valley (Chris McCafferty), who has spoken again with fluency this morning. The group has been very active over the past few years in lobbying and drawing attention to the issue of FGM. I also pay tribute to the commitment of some of our Conservative colleagues in that group: my hon. Friends the Members for Croydon, South (Richard Ottaway), for Salisbury (Mr. Key) and for Epping Forest (Mrs. Laing), who make a great contribution as well.

The hon. Member for Keighley (Mrs. Cryer), who spoke so briefly—I wish that she had spoken for longer—is a well-known champion against forced marriages and I join her in that campaign. I wish her more power and more access to the communities where she can convey her message.

Lastly, my hon. Friend the Member for Broxbourne (Mrs. Roe) is second to none in her contribution to this debate and to stopping the abhorrent practice of FGM. She has made a unique contribution over many years and continues to spread the message at home and abroad about this utterly dreadful procedure.

I think that we are all in agreement that FGM is a serious problem, demanding an effective multi-agency response. All forms of FGM are mutilating and carry serious health risks. However, the immediate and long-term health consequences of FGM vary according to the type and severity of the procedure performed. The immediate and short-term health implications include severe pain and shock, tetanus and other infections, extensive damage to the external reproductive system, vaginal and pelvic infections, and even immediate fatal haemorrhaging. Last but not least, there may be psychological damage. As we have heard, FGM can also cause complications later on in pregnancy and childbirth, including an increased risk of stillbirth or haemorrhaging from internal tearing. It doubles the risk of the mother's death in childbirth and increases by three or four times the risk of the child being stillborn.

The roots of FGM are complex and numerous; indeed, it has not been possible to determine when or where the tradition originated. However, I agree with earlier speakers that it is not, as is sometimes stated, an Islamic issue. The practice of FGM crosses religious, ethnic and cultural lines. In cultures where it is an accepted norm, it is practised by followers of all religious beliefs, as well as by animists and non-believers.

FGM is carried out for sociological reasons, such as initiating girls into womanhood in their society, and sometimes for misguided religious reasons. It is carried out for dangerously misunderstood hygiene and aesthetic reasons, and to lower female sexual desire, to maintain chastity and virginity before marriage and to increase male sexual pleasure. Ironically, it may also be believed to enhance fertility and chances of child survival, which is certainly not the case. What is clear is that those varied reasons stem from traditional power inequalities and the ensuring compliance of women to the dictates of their communities.

We have all heard about the excellent work in this area of NGOs, charities and even magazines, but the issue is about the beliefs and position of women in society, and it is about the expectations, and often the role, of men. It is often about sheer ignorance, particularly of the dangers of the practice. I, too, was moved by the words of the Senegalese village leader who addressed the all-party parliamentary group. He said:

> "We men never talked about it. We never asked and we just never knew."

Above all, however, this issue is about children. FGM, with its serious and sometimes devastating consequences, is carried out on children from when they are only a few days old into adolescence. Girls aged between five and 10 are particularly at risk from that damaging mutilation, which is performed for cultural reasons that they cannot yet understand. Like the hon. Member for Calder Valley, I was impressed by the French advocate who said in her evidence to the all-party group:

> "What hurts a white child hurts a black child."

There lies the heart of the argument, and some uncertainty.

FGM is child abuse, and as such requires carefully planned and sensitive interventions into the family situation. Health practitioners and the organisation Forward, which has been mentioned, do valuable work in campaigning against that practice among African communities in Britain. However, they believe that FGM is a significant and growing problem in the United Kingdom, and we will fail to tackle it unless we ensure that agencies are equipped to deal with it.

I was alarmed to read the evidence given to the all-party group by Dr. Faith Mwaangi-Powell of Forward, in which she said:

> "Yesterday I was speaking to a social worker from Leicester. She told me she had a case of a mother with two girls who were both four weeks old. The mother was intending to have them circumcised and she"—

the social worker—

> "was asking what she could do. She is terrified; she does not even want to talk to the woman."

We must ensure that our agencies are equipped to deal with the problem here in our own backyard.

In 1985, Parliament legislated to outlaw FGM. Under that Act, it is an offence to carry out FGM or to aid, abet, counsel or procure the performance of FGM by another person. The offence carries a maximum penalty of five years' imprisonment. The only exceptions are cases in which a surgical operation is necessary for the physical or mental health of the person on which it is performed, and cases in which such surgery is performed on a person who is in any stage of labour or has just given birth, and it is performed for purposes connected with that labour or birth. Those exceptions are valid only when the procedures are carried out by an appropriately registered medical practitioner.

As several Members have said, however, to date there have been no prosecutions under the 1985 Act. France has the best record, with between 20 and 25 prosecutions having been undertaken. There, notably, children at risk are checked out at school for evidence of FGM. We should consider adding such a provision to the Bill, if possible. In this country, two doctors have been struck off for serious professional misconduct in carrying out, or offering to carry out, FGM. As has been said, the lack of prosecutions here is largely because people under pressure from their family or community are reluctant to give evidence.

The first question that we must ask is whether the Bill will increase the likelihood of successful prosecutions for FGM in Britain. I am afraid that on that point I remain unconvinced. There are already great difficulties in communicating the law to immigrant communities, and there are further difficulties in taking action to protect girls from this practice. An increase in the maximum penalty is likely to be academic if knowledge of the offence is poor and prosecution remains almost impossible.

That is why any legislation on this issue must be accompanied by work with communities to explain the law and address their knowledge and beliefs. If the Government want to strengthen provisions against people who carry out FGM, they must also ensure that community-based local strategies provide education and support. Several grassroots community organisations and interest groups, such as Forward, which has often been mentioned, are best placed to deliver those strategies. I call on the Minister to pledge his support for those organisations and to reaffirm the need to address underlying cultural attitudes if the law is to have a role in promoting change.

The Bill also seeks to address the issue of UK-based families organising to send girls abroad so that FGM can be performed on them. Under the Criminal Justice (Terrorism and Conspiracy) Act 1998 it is an offence for parents to take their daughters abroad to have them mutilated if FGM is also an offence in the country to which they are travelling. However, the Act is of no use in cases where FGM is not illegal in the destination country.

[Mrs. Cheryl Gillan]

Today, we are debating measures that will introduce a new offence of assisting a non-UK person to mutilate a girl's genitalia overseas. That is intended to cover the situation where a family resident in the UK arranges for a girl to be taken overseas to have FGM performed. However, it applies only where the girl concerned is a UK national or permanent resident. Forward has pointed out that it does not cover those who are newly arrived in Britain, which includes many of those at most risk. That will give rise to a fundamental inequality in the rights and protections of African girls in Britain, with one rule for those who have gained UK nationality and another for those waiting for immigration decisions. Forward wants the Bill to be amended so that it offers protection to all girls, irrespective of nationality, as has been done in other countries, such as Norway, as I am sure that the Minister is aware.

It is important to note what is not covered by the Bill. It does not require health professionals and other relevant authorities to report incidences of FGM. It does not touch on Department of Health issues such as ensuring that all medical personnel are trained in cultural sensitivity and how to meet the needs of women who have undergone FGM. It does not cover the practicalities and difficulties in social services taking action under the Children Act 1989 or child protection procedures, which I know is a big issue. I mention all those areas because they were raised in the recommendations made by the all-party group in its report of November 2000.

I welcome the Bill. It is a valuable opportunity to improve the protection of girls and women in the UK from FGM. It is a welcome reflection of the importance of this issue and the seriousness with which it deserves to be treated. However, further reflections and concerns need to be addressed in Committee to ensure that the Bill offers the best possible way of tackling the issue. I hope that the Government will assist its passage, and not block it at any later stages. I wish the Bill well, as I believe that it will improve the condition of women and halt an abhorrent practice.

10.49 am

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): First, I join the hon. Member for Chesham and Amersham (Mrs. Gillan) in congratulating my hon. Friend the Member for Cynon Valley (Ann Clwyd) not only on her success in the ballot, but, much more importantly, on choosing to give priority to this very important measure. I also congratulate her on the powerful case that she put for the Bill in her opening remarks. As she rightly says, FGM is a brutal practice that is illegal in this country, thanks to the Prohibition of Female Circumcision Act 1985, which was promoted—indeed, pioneered—by the hon. Member for Broxbourne (Mrs. Roe) and supported by my hon. Friend, among others, at that time.

I also join other hon. Members in paying tribute to the all-party group on population, development and reproductive health and my hon. Friend the Member for Calder Valley (Chris McCafferty), who has played such an important role in the work of that organisation. Like other hon. Members, I learned a great deal from reading the report published as a result of the hearings that were undertaken in 2000.

The Government condemn this practice and want to see it eradicated both here and abroad. That is why we warmly welcome the Bill. Indeed, the Home Secretary has said this morning that we would have wished to bring forward Government legislation if this private Member's Bill had not been tabled. That indicates the Government's commitment to the issue.

As my hon. Friend the Member for Cynon Valley has said, the extent to which FGM is practised in this country is not known. People who practice it tend to live in closed communities and offences are rarely reported to the authorities. However, in theory, all young girls in the practising communities in this country are at risk of FGM. That is why it is vital that the law should protect them.

The Prohibition of Female Circumcision Act 1985 was an important and welcome step in the fight against FGM, as it made it clear that the practice would not be tolerated in this country. However, as we now know, particularly because of the work of the all-party group and others, the law needs to go further because evidence suggests that parents in some communities are evading the 1985 Act, by taking their daughters abroad for FGM.

Indeed, last year, the Agency for Culture and Change Management in Sheffield—one of the groups, as we have heard, that is working very hard to eliminate the practice—informed the Home Secretary that it had received increasing numbers of reports of families planning visits to their countries of origin, with the intention of having FGM carried out on their daughters. That is why the Bill is so important: it will assist in dealing with that by making it an offence for United Kingdom nationals and permanent UK residents to aid and abet FGM undertaken outside the UK by anyone, including foreign nationals, although the offence will be limited sometimes to cases where the victim is a UK national or permanent UK resident.

Hon. Members will want to recognise the fact that the Bill represents a significant extension of the present law because it will go a step beyond the current established international practice that dual criminality is normally needed—namely, the practice needs to be an offence in both countries to apply extra-territoriality—but I am very pleased that my hon. Friend the Member for Cynon Valley has chosen to do so because of the nature of that abhorrent practice.

We all recognise—we have heard so this morning—that FGM is deeply steeped in the culture and tradition of those communities that practise it. We are not in the business of preaching and imposing our culture on others, but we must be absolutely clear in setting values that are built on justice, equality of the sexes and human rights. We regard the genital mutilation of any girl or female infant as unacceptable, regardless of her ethnic origin.

Of course, as we have touched on during the debate, a degree of sensitivity is needed in efforts to educate about the practice, but we cannot ignore the basic truth that it is unacceptable and wrong. The Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for North Warwickshire (Mr.

O'Brien), when a Home Office Minister, said in the context of forced marriage, which is another unacceptable practice, that cultural sensitivity should not be an excuse for moral blindness. That applies equally to FGM. That gives me the chance to pay tribute to the work done on this issue by my hon. Friend the Member for Keighley (Mrs. Cryer).

The straight truth is that we would not tolerate our daughters being mutilated in that way, so we should not tolerate anyone else's daughter being forced to undergo that brutal practice. The hon. Member for Romsey (Sandra Gidley) was absolutely right to talk about the importance of terminology. The Bill describes the practice for what it is, and I am sure that the House will welcome that.

The Government agree with all those hon. Members who have made the point that female genital mutilation is not associated with any particular religion or ethnic group. We recognise instead that such mutilation affects some people in certain communities. It is not called for by any religious scripture, and there is now widespread support among religious and community leaders in the campaign to prevent it from taking place.

It may be helpful if I say that, in the Government's view, the Bill is compatible with the European convention on human rights. Assuming that article 8—on private and family life—is engaged, any interference with the right would be justified by article 8.2, as it would be proportionate to the aims of protecting health and the rights and freedoms of others.

As many hon. Members have said, legislation alone cannot eradicate the practice—it sends a message, marks our abhorrence and creates a penalty—but FGM will be eradicated only if we change the way that people think about it. That needs a continuous programme of education.

The Department of Health helps to fund the voluntary organisation, Forward, of which we have heard so much. Of course, Forward provides information and advice to health, education, child protection and social services professionals. The current core grant funding for Forward is £40,000 in each of the three years to 2004–05, which is an increase on the £25,000 in previous years. It will receive £25,000 for each of the next three years for its "positive partnership with communities" project. Among other things, that project will seek to collect data on the extent of FGM—a point made by the hon. Member for Chesham and Amersham (Mrs. Gillan).

The Home Office has also recently agreed to provide funding for the Agency for Culture and Change Management, of which we have also heard a great deal, as it takes forward its work to combat FGM.

The opposition to FGM also has the support of the medical community. The hon. Member for Chesham and Amersham referred to the two doctors who were struck off, which shows that that concern is being taken seriously.

I want to refer to the work that we are doing internationally, because it is not enough just to act at home, and the hon. Member for Broxbourne and my hon. Friend the Member for Cynon Valley referred to that. That is why the Department for International Development has been so involved in work to reduce the incidence and consequences of FGM. Since 1997, we have committed more than £1.2 million specifically to that work because the more that we can empower and encourage women in their own countries to change the practice and other people's attitudes towards it, the more successful we will be.

In conclusion, the Bill is a welcome and necessary part of the wider campaign to eradicate FGM in this country and abroad. The Government support it unreservedly, and I commend it to the House.

10.58 am

Ann Clwyd: With the leave of the House, I wish to say that I am grateful to my hon. Friend the Minister, the Home Secretary and all his officials for all the encouragement that they have given me in introducing the Bill. I thank all colleagues who have spoken so eloquently today, particularly for telling us about their own experiences in certain countries and for giving examples of people who have given testimony to several committees. I also thank all the non-governmental organisations that have given us very valuable evidence. Female genital mutilation is a barbaric practice. It cannot be supported on cultural, medical or any other grounds, and we have sent out a very strong message from the House of Commons today.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Iraq

11 am

The Secretary of State for Defence (Mr. Geoffrey Hoon): With permission, Mr. Deputy Speaker, I would like to make a statement about military action in Iraq.

British forces have been heavily engaged in maritime, land and air operations overnight. Those operations are continuing, and I know the House will understand why I cannot give all the details at this stage.

I regret that I have to confirm that a United States CH-46 helicopter carrying British and United States personnel crashed in Kuwait, close to the border with Iraq. There were a number of fatalities. A recovery team is at the site of the crash. Our urgent priority is to confirm the identities of those who died and notify the next of kin at the earliest opportunity. The cause of the incident is being investigated, but I can assure the House that it was not the result of enemy action. I recognise that this will be of little comfort to the families of those killed. I hope that the House will understand why we will not issue further details until next of kin have been informed.

That helicopter was engaged in an operation led by 3 Commando Brigade on the al-Faw peninsula in south-eastern Iraq. It began with an assault on the southern tip of the peninsula, using support helicopters from Kuwait and from the Amphibious Task Group in the north Arabian Gulf. The tip of the peninsula was secured as planned by 40 Commando Royal Marines, and without damage to the oil infrastructure, averting any attempt by the regime to cause an environmental disaster in the Gulf. Some resistance, including the use of mortars and artillery, has been encountered, and there was a small-scale engagement with individual Iraqi troops resulting in four known Iraqi fatalities.

Importantly, most of the oil infrastructure on the peninsula has been secured intact. I can, however, confirm reports that the Iraqi regime has set fire to a number of oil wells. Our latest information is that up to 30 oil wells are alight, among hundreds in southern Iraq. A primary aim of our current operations is to prevent further opportunities for such deliberate destruction, and to enable remedial action to be taken as soon as is practical. The security of Iraq's oil infrastructure will, of course, be a key factor in enabling the Iraqi people to rebuild their country.

At 0430 hours this morning, coalition ground forces including elements under the command of 3 Commando Brigade commenced an operation to seize the port of Umm Qasr and a nearby naval base. In addition, this morning, 42 Commando were deployed by British aircraft to a blocking position north of al-Faw. Throughout that operation, Royal Navy ships including HMS Chatham and Marlborough provided naval gunfire support to 3 Commando Brigade. Umm Qasr, which is roughly equivalent in size to Southampton, will be vital to the economic future of southern Iraq. Royal Navy mine countermeasures vessels are on stand-by to conduct mine clearance operations to provide a secure shipping route into the port and allow an inflow of humanitarian supplies. Although action is continuing, we expect Umm Qasr to be fully under coalition control shortly.

In addition to the al-Faw operation, coalition land operations across the Kuwait-Iraq border are well under way. Preparatory action began yesterday afternoon using fixed-wing and rotary air forces and artillery. At 1715 hours yesterday, the 5th US Regimental Combat Team launched operations to secure the South Rumaila oilfield and gas and oil platforms in southern Iraq.

At 0300 hours this morning, the main land offensive began with coalition forces advancing across the Kuwait-Iraq border. Two battle groups of 7th Armoured Brigade are providing flank protection as part of that assault. We understand that stiff resistance has been encountered, and that 7th Armoured Brigade has engaged in contact with Iraqi forces.

Turning to air operations, at 1800 hours yesterday, 50 Tomahawk Land Attack Missiles were launched at regime targets in Baghdad closely associated with Saddam Hussein. A number of missiles were launched from Royal Navy submarines, and we believe that all hit their regime targets. A large number of RAF aircraft, including combat and support aircraft, have been active during the past 24 hours, including Tornado GR4s using Enhanced Paveway 2 precision munitions.

I am now able to give further details on yesterday's attacks by Iraqi forces. Between 0720 and 1510 hours yesterday, Iraq launched at least five missiles of various types into Kuwait in the vicinity of coalition forces. Three landed and two were intercepted by Patriot missiles. Fortunately, there were no injuries. Troops did, however, put on their nuclear, biological and chemical equipment as a precautionary measure.

It is less than 24 hours since these operations were launched. They are making steady progress. Our objectives remain as set out in the document placed in the Library of the House yesterday: to remove the Iraqi regime and its weapons of mass destruction. We have no quarrel with the Iraqi people and will continue to take every precaution to reduce the risk of civilian casualties. As the helicopter crash has demonstrated, however, our own people are always at risk in a military operation. I pay tribute to the courage of those who tragically lost their lives last night. Our thoughts are with their families, and we hope for the safe return of all their colleagues.

Mr. Bernard Jenkin (North Essex): I am grateful to the Secretary of State for his statement, for keeping the House so fully informed and for giving me sight of his statement in advance.

The news of casualties this morning is the news that we all feared most, but it is inevitable in any such conflict. Of course, there will be an inquiry following such an accident, but I would be grateful if the Secretary of State could reiterate the assurance that he has already given me privately that there are no concerns about the airworthiness of the American CH-46 Sea Knight helicopter. The whole House, of course, joins him in expressing our deepest sympathy to the families who have lost loved ones.

This must, however, do nothing but strengthen our resolve to disarm Saddam Hussein and liberate the people of Iraq. As we hear this morning of the regime in Baghdad ordering the armed forces of Iraq on suicide missions under pain of torture for their families, can there be any doubt that those men died for a noble cause?

I have a few questions of which I have given the Secretary of State prior notice. First, a large number of oil wells have now been fired by the regime in southern Iraq. Is there any doubt that those are the desperate acts of a desperate regime? Does not that underline the need to capture the oil wells as quickly as possible, to preserve the ecology of Iraq and to enable the economic infrastructure to remain in place to enable the reconstruction of Iraq as soon as hostilities have ended?

Secondly, we hear continued speculation about yesterday's early raids on the regime, and this morning the Iraqi Information Minister has protested, "Saddam is safe". I wonder whether the Secretary of State is in a position to enlarge on the speculation that is taking place.

Thirdly, yesterday, I asked briefly about relations with Turkey, and the decision of the Turkish Parliament to enable the mobilisation of Turkish forces. It was welcome news that some Kurdish forces have been placed under coalition command. Will the Secretary of State say whether it is the objective to place Turkish forces, too, under coalition command, to enable stability to ensue?

Finally, I congratulate the Government on the steady progress that they are making with this action. We join the Secretary of State in wishing our forces well.

Mr. Hoon: I am grateful to the hon. Gentleman for his observations and his support. Obviously, there will be a thorough investigation into the causes of this tragic crash, and I will report to the House in due course as to what we are able to establish. I have no doubts at present about the airworthiness of this particular aircraft.

As I made clear, the firing of oil wells is something that we anticipated and feared, and something that has driven the strategic objectives of the early phase of the military action. Clearly, those are the desperate attempts of the regime to destroy the wealth of Iraq, which should be benefiting Iraq's people. Clearly, our continuing operations in the south are designed to ensure that that wealth is preserved for the benefit of people in that country.

As regards the continuing speculation about Saddam Hussein, the only clear evidence of his continuing to be alive is in the form of a television broadcast. There seems to be a great deal of controversy as to whether it was Saddam Hussein in that broadcast, and analysis continues as to whether it was him or one of the many body doubles that we know that he has used in the past.

We are still having detailed discussions with Turkey, which are positive and encouraging. We believe that it will make an effective contribution to our campaign in northern Iraq.

Mr. Paul Keetch (Hereford): I, too, thank the Secretary of State for advance sight of his statement and for returning to the House so soon after his statement yesterday; it is entirely right that he should do so.

The report that members of 3 Commando Brigade Royal Marines, with US colleagues, have been killed in action is indeed news that chills us all. Does the Secretary of State agree that despite the best training and all the precautions, in war, accidents do happen? It was the House of Commons that authorised the action, and the families of those who have died, their comrades in arms, their commanders and the Secretary of State should know that our thoughts are with them today.

On the wider news overnight, I especially welcome the news that coalition forces are securing the oilfields to prevent Saddam's forces from setting them alight. We all hope that that will help to avert an environmental catastrophe of the sort we saw in Kuwait 10 years ago.

On Turkey, will the Secretary of State clarify the overflight rights? It was suggested this morning that the arrangements might have changed. Still on the subject of Turkey, will he reiterate the Government's commitment to the territorial integrity of Iraq's borders?

Will the Secretary of State clarify whether the missiles fired yesterday by Iraq at Kuwait were Scud or al-Samoud missiles? I am sure that we would like to know.

I, too, pay tribute to the courage of our armed forces in the Gulf. Our thoughts are with them and their families at home.

Mr. Hoon: I am grateful to the hon. Gentleman for his support. I emphasise that of the hundreds of oil wells in southern Iraq, a relatively small number—about 30—have been set on fire to date. That emphasises the importance to us of securing that part of Iraq for the long-term benefit of the people of that country.

We are continuing to discuss with Turkey the nature of overflight rights. The Turkish authorities are being positive and helpful, which we welcome.

As set out in our military objectives, contained in a statement that I placed in the Library yesterday, we are absolutely committed to the territorial integrity of Iraq. We want Iraq to be quickly restored to its rightful place in the international community.

As for missile types, a number of different missiles were used. Analysis to determine their exact nature is continuing, not least because two were comprehensively destroyed by Patriot missiles.

Mr. Gerald Kaufman (Manchester, Gorton): Can my right hon. Friend confirm that, in so far as it is compatible with the attainment of military objectives, it is our policy to maintain as intact as possible the public utilities infrastructure in Iraq to avoid causing unnecessary hardship to the Iraqi population and so that, when hostilities are concluded, it will be easier to rebuild the lives of the people of Iraq?

Mr. Hoon: I am grateful to my right hon. Friend for making an excellent point, one that I sought to emphasise yesterday. I recognise that when they hear the number of munitions involved in bombing campaigns, many right hon. and hon. Members immediately think of the type of bombing campaign conducted in the second world war, in which utilities were targeted. This will be a very different type of campaign, aimed at regime targets in and around Baghdad and elsewhere in Iraq. Certainly, in our preparation of the campaign, we have had clear regard to the need to rebuild Iraq thereafter. I give my right hon. Friend the assurance that, wherever possible, we will avoid striking any target that is of long-term benefit to the people of Iraq.

Mr. John Wilkinson (Ruislip-Northwood): I associate myself with the expressions of deep condolence to the

[Mr. John Wilkinson]

families of the Royal Marines who have lost their lives in what seems to have been a tragic helicopter accident, as well as the families of the United States aircrew who also lost their lives.

Can the Secretary of State tell us what Spanish forces are being deployed to the theatre? The press is suggesting that naval units and medical units are to be deployed to the Gulf and an air defence squadron to Turkey. Will he say what forces the Australians are committing? The press say that Australian forces are in action alongside those of the United States and the United Kingdom. Is it not the case that when the bullets begin to fly, we know who our true friends are?

Mr. Hoon: I am grateful to the hon. Gentleman for mentioning the fact that the helicopter involved had both US and UK personnel on board, demonstrating the joint nature of the operations and how closely together our marine forces operate.

On Spain and its forces, discussions are under way and decisions are anticipated in Spain, but I do not think it is appropriate to comment further at this stage. However, I can confirm that Australian forces are engaged in military operations.

Mr. Shaun Woodward (St. Helens, South): It is being widely reported that, in yesterday's indiscriminate attacks on the population of Kuwait, Saddam's military used two Scud missiles. Given the UN resolution that clearly prohibits the use of Scud missiles, and given the fact that as recently as December the Iraqi regime was telling Hans Blix's people that it had no operational Scuds, can the Secretary of State confirm or deny whether Scuds were used and what the significance would be of finding that Scuds are still being used operationally by the Iraqi regime?

Mr. Hoon: As I indicated earlier, analysis to determine the exact nature of the missiles used by Iraqi forces against Kuwait is under way. Inevitably, there is little left of two of them, which is not assisting, but that work will continue to establish the point that I anticipate will be made and that my hon. Friend has made today. I have no doubt that, as events unfold, we will see just how dishonest the Iraqi regime has been with the international community.

Mr. Crispin Blunt (Reigate): May I return to the small but important symbolic point I raised with the Secretary of State yesterday? There were reports this morning that the stars and stripes were flying over Umm Qasr to indicate that it had been successfully captured, which I think sends out an unfortunate signal about the nature of the operation. It would be singularly unfortunate if the stars and stripes were, for example, planted over the parliament building in Baghdad at some future stage of operations. In the full understanding of their attachment to their flag, I wonder whether the Secretary of State can find time to make representations to our American colleagues about the importance of symbols and the nature of the operation.

Mr. Hoon: I agreed with the hon. Gentleman when he made the same point yesterday, although we have to understand the way in which, at the end of a vigorous confrontation, any soldiers are likely to feel the need to demonstrate their success. I suspect that that is what happened overnight. None the less, the hon. Gentleman makes a good point and I will ensure that it is passed on.

Linda Gilroy (Plymouth, Sutton): The Secretary of State will know that 3 Commando Brigade is based at Stonehouse barracks in my constituency. I join him in paying tribute to the professionalism and sheer dedication of the men and in sending condolences to the families of those who have been lost. Will he urge that the families get information as quickly as possible? Many families in Devon and Cornwall are anxious.

May I share my concern about reports this morning from Plymouth suggesting that the some of the national press are doorstepping the families—[HON. MEMBERS: "Disgraceful."] That might be rumour, but will my right hon. Friend urge journalists to treat people in a respectful and appropriate manner?

Mr. Hoon: I have had the privilege of visiting my hon. Friend's constituency and meeting her constituents, many of whom serve in Her Majesty's armed forces. They will all be deeply affected by the tragedy that has occurred. I can only endorse her observations about the need for the press to behave responsibly in these very difficult times.

Patrick Mercer (Newark): I join the House in expressing sympathy for both the American casualties and the British casualties from 3 Commando Brigade. I know the brigade well and am sure that this setback will serve to stiffen their resolve rather than to weaken it.

Will the Secretary of State confirm that there are enough reserves in place to take the place both of casualties and of exhausted units, and that training has started of forces to follow on once the fighting has finished to carry out reconstruction work and form the garrisons that will inevitably be required?

Mr. Hoon: I can give that confirmation [illegible] e hon. Gentleman will be aware, training has not been affected by the current deployments to Iraq or by our commitment to provide emergency fire cover should that prove necessary. Clearly, however, those factors have to be reviewed regularly, and I assure him that I shall report to the House if there are any such difficulties—but I emphasise that there are not at present.

Mr. Harry Barnes (North-East Derbyshire): May I associate myself fully with the sympathy that has been expressed to the families of the troops who died in the helicopter disaster? That has a particularly meaning for me, because I visited al-Faw when I was in the forces in Iraq as a young man.

Why has the Secretary of State made no mention of the B-52 bombers that, according to reports, have now left Fairford? Is he aware that B-52s were used extensively to attack Basra during the Gulf war, flattening whole hosts of working-class areas in the town and killing many people. How will we be assured that this will not happen on this occasion?

Mr. Hoon: Coalition operations are clearly continuing. I made that clear in my statement, and I do not think that any Member of the House would expect me to anticipate the nature of those operations save to say that whatever targets are addressed will be targets associated with Saddam Hussein's regime. I made that clear yesterday to the House, and I repeat it again today. We will not engage in indiscriminate so-called carpet bombing. Each of the targets will be individually addressed and attacked.

Mr. John Greenway (Ryedale): The commencement of military operations has provoked a number of demonstrations in this country. Will the Secretary of State take this opportunity to tell us whether the Home Secretary intends to issue to guidance to chief constables and the Commissioner of Police about the policing of our streets if, as seems likely, more protests take place? Does the Secretary of State not agree that we preserve the right to peaceful protest in this country—something that the people of Iraq do not enjoy—and that it does not seem appropriate that the police, who do more than anyone else to ensure that people can protest peacefully, should be rewarded with the kind of assaults and attacks that we saw here in London yesterday, or that the people of this country should suffer the dislocation of their normal life that occurred?

Mr. Hoon: I take this opportunity to pay tribute to the very effective policing that we saw yesterday. I thought the police maintained an excellent balance between the need to allow people to protest lawfully and legitimately and allowing right hon. and hon. Members access to the House, and the ordinary people of London and other cities to go about their lives in their normal way.

Glenda Jackson (Hampstead and Highgate): I would like to add my comments to the sympathies that have already been expressed in the House to the families of those brave young men whose lives have been so tragically and, in my view, somewhat needlessly, lost.

Kuwaiti officials have categorically averred that no Scud missiles were launched in the attack yesterday, but that they were, in fact, the al-Samoud missiles that were in the process of being destroyed before weapons inspectors were somewhat peremptorily withdrawn from Iraq. When will we be able to know who is giving us the proper detailed information as to what precisely those missiles were?

Mr. Hoon: May I strongly resist the suggestion made by my hon. Friend that those lives were needlessly lost? Those young men were engaged on important operations in carrying through the military objectives of the United Kingdom and its coalition allies. I pay tribute to the contribution that they made and that their colleagues are continuing to make. I assure my hon. Friend that, if she were to speak to their families and to those men's colleagues, she would find that they are proud of what those men achieved. They would strongly resist her observation.

I have said all I can at this stage about the nature of those missiles. I do not intend to repeat it again.

Mr. David Laws (Yeovil): The Secretary of State will be well aware that my hon. Friend the Member for Somerton and Frome (Mr. Heath) and I have about 450 constituents from the Yeovilton air base serving as part of the helicopter forces in and around Iraq. Will the Secretary of State join me in congratulating them on the important and often very difficult work that they are doing? In the light of the optimistic comments that Admiral Kelly has made this morning, can the Secretary of State give us, at what is admittedly an early stage, his overall assessment of the progress of the operation to date?

Mr. Hoon: I have had the opportunity of visiting Yeovilton on more than one occasion, and I pay tribute to the excellent work that is conducted and to the forces who have been deployed from there to the Gulf. I do not think it is appropriate at this stage to make an overall assessment other than to say that things are going very well and that we are continuing operations that are consistent with our overall military objectives. Clearly, in the light of what has occurred, we should be cautious and recognise the risks that our armed forces are undergoing and continue to support them in the determined work that they are carrying out.

Ann Clwyd (Cynon Valley): May I add my sympathies to the many expressions of sympathy that have been made today?

I spoke late last night to friends of mine in northern Iraq. They welcome the military intervention and there is already celebration of that in northern Iraq. At the same time, however, they are deeply concerned about the possibility that the Turks, will once again cross their borders, make for Kirkuk and not go away. That is a strong feeling, so I would be grateful if my right hon. Friend could give the people in that area assurances as soon as possible that the Turks will not be able to stay in northern Iraq?

Mr. Hoon: My hon. Friend has done more than most over the years to highlight the appalling threat to the Kurdish people in northern Iraq and, indeed, elsewhere. It is important to recognise that there are a variety of risks. I have talked of the risks faced by individual servicemen and servicewomen, and we have seen some of the consequences of that. There are also strategic risks. However, I emphasise to the House—I know that everyone will support this—that these risks are worth taking to achieve a better strategic situation and a safer and more secure place in the world for the people of Iraq and for the wider international community.

Mr. James Gray (North Wiltshire): Everyone will, of course, accept precisely what the Secretary of State has said about keeping the identity and the units of the people tragically killed in the helicopter crash secret until such time as their next of kin have been informed. However, will he go further than that and accept that even the identity of the nature of the service—Navy, Army, Air Force or Marines—being put out on the airwaves causes families unnecessary anxiety? Could he not take steps to make sure that no hint as to those men's identity is given until such time as their next of kin have been informed?

Mr. Hoon: Clearly, there is always a balance to be struck. The hon. Gentleman makes a very good point. In the context of the House of Commons, it is a very sensible point, but unfortunately, given the nature of the

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modern media, it is extremely difficult to control the kind of speculation that takes place. However, he is right to the extent that many families of many service personnel from right across the country will be worried about the events that have taken place. It is my responsibility to ensure that those who are directly affected hear the news first from the Ministry of Defence rather than from elsewhere.

Mr. George Galloway (Glasgow, Kelvin): Now that the officer class on the two main Front Benches has been joined by the sad sacks of the Liberal Democrats who have deserted at the first time whiff of grapeshot, there is an iron-clad consensus in the House in support of this war. But that is not, of course, the case in the country. How does the Secretary of State explain to our armed forces the fact that, for the first time in history, the actions—not the soldiers—that he has ordered them to take are not supported by the majority of the British people, as is shown by the demonstrations all over the country yesterday and will be shown again by the demonstrations in London, Glasgow and elsewhere tomorrow?

Mr. Hoon: My hon. Friend raised precisely the same point with me yesterday, and I defended his right to protest as I defend the right of anyone to protest against the decisions taken by the Government. That is essential to the values that underpin why we are all here. As I said to him yesterday, his protests—sincerely held though they are—would have been much stronger if, on the opportunities that he has had to go to Baghdad, he had protested publicly about the need to allow the opposition to speak in Iraq rather than to have their tongues cut out when they protest.

Mr. Jonathan Djanogly (Huntingdon): The establishment of the southern beachhead is very welcome, not least because of the avoidance of the mass environmental damage that could have been caused by the pumping of oil into the sea. My hon. Friend the Member for North Essex (Mr. Jenkin) asked about the capture of the oilfields, but will the Secretary of State address the question of what we will do with the burning oilfields? Will he explain the arrangements that are being put in place to minimise the damage to the environment?

Mr. Hoon: We have a number of specialists available who, as soon as their safety and security can be guaranteed, will start work immediately on putting out the fires and ensuring that those oil facilities are made available for the benefit of the Iraqi people.

Shona McIsaac (Cleethorpes): I wish to add my voice to the sympathies that have been expressed about those who were lost in that tragic accident. My hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) is, no doubt, having a difficult time at the moment in her constituency.

Does the Secretary of State accept that if bombs are falling on Baghdad, the people of that city will feel that they are being targeted? What steps are being taken to reassure Iraqi civilians that our war is not against them, but against a barbarous, tyrannical regime?

Mr. Hoon: I am grateful to my hon. Friend for her expression of sympathy. On the bombing campaign in Baghdad, I anticipate that the great majority of people there will see for themselves the nature of the targeting. It will be clear that regime targets—Saddam's Ministries and palaces—are being destroyed. As the campaign evolves, there will be no clearer message to the people of Iraq that we have no quarrel with them, but that we do have a serious difference with Saddam Hussein.

Mr. Bill Wiggin (Leominster): May I start by associating myself with the comments of my hon. and gallant Friend the Member for Newark (Patrick Mercer)? May I also thank the Secretary of State for mentioning the mine countermeasure vessel, HMS Ledbury, named after the town in my constituency?

What steps does the Secretary of State propose to take on the media coverage of events? Some of it is helpful, but some could be detrimental, especially to the special forces who are drawn from my constituency.

Mr. Hoon: I indicated earlier and also yesterday the nature of the modern 24-hour media. From the opportunities that I have had to follow the television reporting of events, I believe that journalists have by and large behaved responsibly. Clearly we have some concerns, but in general they have observed the rules set for them.

Mr. Ian Davidson (Glasgow, Pollok): May I associate myself and my constituency with the expression of regret for the forces who have been lost? All of us who participated in the armed forces scheme were impressed by the dedication and courage of our servicemen and servicewomen.

Will the Minister clarify how wide the coalition is? How many countries are participating in the military action and how many have forces who are currently engaged in action? Have any commitments been given to Turkey on her post-war role should she participate, as she now apparently is, in military action?

Mr. Hoon: In fact the number of countries that are providing political and practical support to the coalition is increasing by the day. I mentioned the figure yesterday of at least 30, but the revised figure is at least 40. That support is being given in a range of ways. As I said, I am very encouraged by positive discussions with Turkey. As a NATO ally, we would expect it to be of assistance.

Peter Bottomley (Worthing, West): May I ask the Secretary of State to consider the future not just of Iraq, but of our servicemen? Many ex-servicemen served in Iraq in the earlier war and many who are serving there now will retire. If they retire to France, they will get inflation-proof pension increases, but if they retire to, say, Australia, they will not. That is manifestly unfair and I hope that he will consider that in time.

Mr. Hoon: I am well aware of the anomaly that the hon. Gentleman rightly highlights. It is something that we continue to consider.

Jeremy Corbyn (Islington, North): May I take the Secretary of State back to the issue of Turkey? Yesterday the Turkish Grand National Assembly passed two resolutions, one of which was on over-flying rights. The second allowed Turkish armed forces, under Turkish command, to cross the frontier into Iraq. Will the Secretary of State make it absolutely clear that there is no agreement with Turkey that its forces can cross into Iraq or that it will be allowed to occupy in any way, or stay for any time at all, in the Kurdish autonomous zone in northern Iraq? There is real fear among the Kurdish community in this country, all over Europe and, of course, in Iraq and Turkey itself about the activities of the Turkish army. We need that important issue clarified.

Mr. Hoon: I spoke earlier about the continuing discussions with Turkey on over-flying rights and the importance of Turkish forces showing restraint. However, I emphasise to my hon. Friend that Turkey shares our view that what is of paramount importance is respect for the territorial integrity of Iraq. That is as important to Turkey as it is to the United Kingdom.

Richard Younger-Ross (Teignbridge): On the media coverage, the Secretary of State may have seen reports that coalition forces could be in Baghdad in three or four days. Does he agree that exaggerated claims of success in the media will distress the families of service personnel and lead to unrealistic expectations of when their relatives may come home? I worked in Baghdad in 1982 and know that taking the city could be difficult. Every building is designed to have a bunker underneath it and it could take a long time to take people out if they try to resist.

Mr. Hoon: The hon. Gentleman makes a number of good points, which I endorse, as I tried to do yesterday. I do not believe that it is sensible to overplay expectations, not least because of the risks faced by our servicemen and servicewomen.

Mr. Mike Hall (Weaver Vale): I join colleagues in offering my condolences to the families and friends of those people who lost their lives in the Gulf yesterday. Last night, I watched my right hon. Friend the Prime Minister address the nation on the reasons for military action in Iraq. May I stress to the Secretary of State that it is important that we maintain a direct link with the British public to ensure that they are fully informed about what the Government are doing, with the support of the Opposition, to bring about a swift conclusion to the hostilities in Iraq?

Mr. Hoon: Whatever view people may have taken in the past about the appropriateness or otherwise of military operations to support the international community's decisions on Saddam Hussein's regime and weapons of mass destruction, there is now strong support for the actions taken by British forces.

Mrs. Alice Mahon (Halifax): The Secretary of State knows that the American Government will do anything to avoid their citizens going back in body bags, and I hope that our Government would take the same view. However, does the fact that B-52s have left RAF Fairford mean that "operation shock and awe" is going to take place? If it does, how will we avoid killing civilians in such a massive dropping of ordnance on urban areas?

Mr. Hoon: As I told the House yesterday, inevitably there are risks to civilians, but the efforts taken by the UK, the United States and elsewhere to target the campaign accurately against regime targets continue. Although I cannot give a guarantee that civilians will not be affected, I can assure my hon. Friend that there is no ambition whatever to target civilians. Our quarrel is with the regime in Iraq and our targets are designed accordingly.

John Mann (Bassetlaw): Like me, many of my constituents have friends and family in the services. The one issue that has been raised with me most in recent days is a small, but important, concern relating to packages sent to loved ones. What arrangements have been made since war was declared for those to be delivered?

Mr. Hoon: There are arrangements for the delivery of small packages to members of the armed forces serving in the Gulf. When the conflict is concluded, I anticipate that those arrangements will be more extensive to allow for the delivery of larger packages. However, I am sure that hon. Members will understand why it is not possible in the early stages of a conflict to design arrangements that allow for large packages to be delivered, not least because there is simply insufficient space on board transport aircraft to deliver them when vital military equipment is being delivered into theatre.

Chris McCafferty (Calder Valley): Can the Secretary of State confirm that the B-52 bombers that have left RAF Fairford do not, and will not, carry cluster bombs?

Mr. Hoon: Cluster bombs are unlikely to be delivered at this stage of the operation, as I already told the House. The present stage of the campaign is concerned with identifying regime targets and making it clear to the population of Iraq that it is the regime that we are attacking, not the people of that country.

Mr. Tom Harris (Glasgow, Cathcart): May I associate myself and my constituents with the expressions of sympathy for the servicemen lost last night? Contrary to the accusation that they died needlessly, those men died in the service of their country. Their families and the House are proud of them.

May I ask the Secretary of State about environmental damage to Iraq caused by fires in oil wells? Has he any intelligence to show whether, so far, the wells have simply been set alight—in which case the fires should be fairly easy to extinguish—or whether they have been sabotaged with the use of explosives, in which case the environmental damage could take far longer to repair?

Mr. Hoon: I entirely agree with what my hon. Friend has said. The strategic significance of the current operations is the effort to avoid just the sort of environmental risk that we feared the regime would pose, involving both the destruction of oil wells in the south and the potential release of large amounts of oil into the Gulf, which would cause an environmental and ecological catastrophe in that part of the world. The first stage has gone well, in that we have managed to avoid such a catastrophe.

There are clearly problems, but according to the best information I have at present there are only fires in about 30 oil wells—although we are worried about the possibility that they have been mined and more deliberate damage caused.

Equine Welfare (Ragwort Control) Bill

Order for Second Reading read.

11.41 am

Mr. John Greenway (Ryedale): I beg to move, That the Bill be now read a second time.

I did not expect quite so many Members to be in the Chamber. I am sure that the fact that so many are now leaving does not show any lack of interest in the issue that we are about to discuss.

This is the second occasion during my 16 years in the House on which I have had the good fortune to be placed in the ballot for private Members' Bills. I have always been in the "teens", never up in the giddy heights of the first seven. On the first occasion I was able to put on the statute book the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991. Now I am introducing a Bill to control ragwort for the welfare of horses.

Hon. Members may wonder what the second Bill has in common with the first. Certainly, they cover a wide interest in various subjects, but the first Bill dealt with a grave injustice in the way in which mentally disordered offenders were dealt with—it has proved extremely effective in eradicating much of that injustice—and, in my view, the issue of ragwort control also involves injustice. I am thinking of the injustice perpetrated by ragwort on the owners of horses, many of them children who, through no fault of their own, lose a horse or a loved pony for a reason that could have been avoided. And if we in this place can make law to deal with problems that could be avoided, we do a great service to those whom we are here to represent.

This is not the first time that ragwort has been debated in the House, but it is, I believe, the first time since 1959 that a Bill has been introduced to control the spread of that insidious weed. I thank hon. Members on both sides of the House who have strongly supported my proposals. On 21 January last year, the hon. Member for Teignbridge (Richard Younger-Ross)—who, I am glad to see, is present—led a debate calling for action to control ragwort. There was also a debate on 25 July 2000, initiated by my hon. Friend the Member for North Shropshire (Mr. Paterson), on much the same lines, and last June an early-day motion was signed by, I think, 61 Members.

Why has there been so much interest of late, when there had been none for more than 40 years? More to the point, why has nothing happened, given the interest that the House has shown?

The deadly effects of common ragwort—or, to give its proper title, Senecio jacobaea—have been well recognised by those who care for equines and other livestock. In 1959, when the Weeds Act was introduced, it classed the plant—along with spear thistle, creeping or field thistle, curled dock and broad-leaved dock—as an injurious weed. Ragwort, however, is the most pernicious, and has caused endless heartache and agony to many a horse owner. Only when the Root Out Ragwort campaign—that is a good name, is it not? It rolls off the tongue—was started just over five years ago was greater awareness raised of the havoc caused by the plant. The campaign has been led by the British Horse Society, to which I pay tribute for all its work and support. It has been taken up by several other organisations, including the Country Land and Business Association, the Donkey Sanctuary, the Animal Health Trust and the Home of Rest for Horses.

Peter Bottomley (Worthing, West): When they cover this debate, should not the media—especially television and the press—show what ragwort looks like, so that those not familiar with it know what is being discussed?

Mr. Greenway: Had I been three or four lines further on in my speech, that would have been an extremely pertinent point. If my hon. Friend will forgive me, I will reply to his comment about the prettiness of the plant shortly. The new BBC 1 "Politics Show" covered the issue in its Yorkshire and Lincoln opt-outs on Sunday, and showed some film of the plant. I agree that more people should be able to see what it looks like. Several regional newspapers have also taken an interest. I am not sure whether my hon. Friend's constituency contains the headquarters of the *West Sussex Gazette*. It appears that it does. Will he please thank its staff for their interest?

Despite that publicity, it appears that ragwort is on the increase. Horse owners and farmers spend many hours attempting to rid their land of it. The Highways Agency spends some £1 million a year on controlling the weed, yet it still proliferates. In the summer, our main trunk roads, railway embankments and countryside are ablaze with the pretty yellow flowers described by my hon. Friend—and every plant means the potential agonising death of equines.

Even a small piece of ragwort ingested by an equine will, over the years, cause deterioration of the liver. Further ingestion will continue the damage, but outwardly it will not be possible to see what is happening—not, that is, until the liver is 75 per cent. damaged, beyond repair. By the time the clinical symptoms of ragwort poisoning show, it is too late: the animal is doomed to die a painful, distressing death, unless humanely destroyed by a veterinary surgeon.

Symptoms of liver poisoning are varied but can include depression, loss of appetite, chewing of fences, restlessness and staggering, leading to loss of consciousness and eventual death. Horses have been seen leaning their heads against walls and walking into objects, seemingly oblivious to their surroundings. Cattle become aggressive and exhibit manic behaviour. Pigs can suffer from fever and respiratory distress.

Although ragwort has a bitter taste, in circumstances such as drought or poor grazing, equines will consume it and can even develop a taste for it. Once cut and dried, it becomes even more palatable to animals but no less deadly. Most recent cases have occurred from ingestion of conserved forage rather than from grazing of the live plant. It is estimated that about 500 equines died from ragwort poisoning in 2001 and figures available to the British Horse Society indicate that the number is likely to have doubled in 2002. Those are conservative estimates, based on known or suspected cases, extrapolated for the whole country by Dr. Derek Knottenbelt, the UK's leading specialist in ragwort poisoning, who is based at Liverpool university.

In West Sussex, the Liphook equine hospital and the Arundel equine veterinary hospital report that they have dealt with 25 cases each in the past year. West

Sussex is only a small area of the country, so there is no reason to suspect that Dr. Knottenbelt's conservative estimate is incorrect. We applaud his work and that of the veterinary clinics. When I told one of my colleagues that I planned to introduce the Bill, he instantly said that Dr. Knottenbelt was the expert to contact. That advice was certainly correct.

Like many Members, my hon. Friend the Member for Stratford-on-Avon (Mr. Maples) has received letters from constituents about the issue, including one from Mrs. McIrvine, a vice-president of the International League for the Protection of Horses and of the National Equine Welfare Council. This good lady has a lifetime's experience of horses and said that she had come across many cases where there was every reason to believe that the horse had suffered disastrously from the ingestion of ragwort.

I want to refer to one of cases described by the hon. Member for Teignbridge in the debate in 2002. He spoke of a pony named Topic, which belonged to a nine-year-old girl who adored him. Almost overnight, Topic went from being an apparently healthy animal to one suffering from ragwort poisoning. He became uncoordinated and staggered about. A blood test confirmed the vet's fears and Topic was humanely destroyed before he could suffer further. His little owner was naturally devastated.

In 2001, the British Horse Society reported on the death of another beloved horse, Scirocco, a bay gelding living in Wales. His owner had been meticulous in removing ragwort from her fields. Sadly, Scirocco had consumed ragwort in conserved forage, which led to his untimely death. Later in the same year, Mrs. Victoria Shaw from Derbyshire watched in horror as first one and then another of her horses died from ragwort poisoning. Her prize-winning colt was only three years old and her gelding was aged four.

Another pony, Domino, was much loved by Catriona who spent two and a half years looking after him and enjoyed competing on him. When she grew too big for Domino he was sold to Ross who also fell in love with him. However, Domino had eaten ragwort when he was younger and in 2002 he started to lose weight, became listless and no longer wanted to jump. In just two weeks, he became extremely ill. Blood tests revealed considerable liver damage and to save him from further pain he was put down.

The other day, I received a telephone call from a lady who runs a riding school in West Bromwich. Through an intermediary, she and her friends lease land owned by the local authority. The land is infested with ragwort and they are losing horses. Those are real examples of the effect of that pernicious weed not only on horses but on the lives and sensibilities of many of our constituents.

Shona McIsaac (Cleethorpes): Can the hon. Gentleman confirm that we are talking only about the common ragwort and not about other varieties of the plant, such as fen ragwort and Oxford ragwort? Do they contain the same poisonous alkaloids?

Mr. Greenway: We are talking only about the common ragwort. I am not aware that the varieties of ragwort to which the hon. Lady refers cause a problem. Perhaps some other species of ragwort are rare and need to be protected, but I am talking about the common ragwort that one sees on grass verges, sprouting beautiful yellow flowers.

The main problem with common ragwort's effect is that many animals may appear to die from other or similar diseases. Unless there is a post-mortem, there is no way of knowing whether the animal is already suffering the effects of ragwort ingestion. Due to the insidious nature of ragwort, advanced damage to the liver can take many years to occur—sometimes, as many as 10 to 15 years. Given the conservative estimate, in 2002, of 1,000 deaths a year, and if no action is taken to control the growth of ragwort, how many horses will die in 2012 or 2017? That does not bear thinking about. Given the Minister's responsibilities within the Department for Environment, Food and Rural Affairs, he will know that some of the illnesses and diseases that have affected our livestock over the years start in a small way, but can quickly escalate because of the time that it takes for the symptoms to show.

The horse industry's value to the economy is estimated at £2.5 billion. It is a hugely important industry in my constituency. At the last count, we had some 28 racehorse trainers and several breeders. One need only go to the Ryedale show each July, which has no fewer than seven rings for gymkhanas and horses, to realise just how important the horse is to the rural economy. I know that the Minister, whose responsibilities include the horse, recognises this only too well. Indeed, I am very grateful to him for the manner in which he has discussed this issue with me, and for being here today—on a Friday—to respond to my Bill.

There are some 900,000 privately owned horses in the UK, and a further 65,000 professionally owned animals. Almost 1 million horses are therefore at risk. With farmer diversification and riding increasing in popularity—some 26.5 million riding lessons took place in 1999, the last year for which figures are available—the use of the horse for all manner of leisure pursuits will increase. If we do not do something now to control the growth of ragwort, the number of horses dying from its poison will increase.

Why has the Weeds Act 1959 failed to protect these animals? Under it, it is not illegal to allow ragwort to grow. The Act allows the Secretary of State to serve a notice on an occupier of any land on which one of the five specified injurious weeds is growing. They include the common ragwort, but not the other types referred to by the hon. Member for Cleethorpes (Shona McIsaac). The notice requires the occupier to take action to prevent the weeds from spreading. The Act also permits DEFRA officials to enter the land to establish whether an enforcement notice has been complied with. Only if the occupier has unreasonably failed to comply with the notice can he or she be found guilty of an offence.

By its own admission, the Department does not investigate a complaint unless it relates to agricultural land, or to agricultural land that has diversified into horses. The process is reactive, not preventive. In 2002, DEFRA stated that 1,212 initial reports resulted in 490 complaint forms being issued, just 200 of which were returned. No notices were served in 2002 or in the previous year. The failure of the 1959 Act is that it only empowers the Secretary of State to take action; it does not require him to do so. It provides no structure to

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enable landowners, particularly public authorities, routinely to establish a mechanism through which they can deal with this problem.

I turn now to control and why the weed is so pernicious. There is no quick and easy way to control ragwort. Several methods are available, but no single one suits all scenarios. One of the main problems has been that ragwort control often takes place when the plant is highly visible, during the flowering season of July and August. It is too late then, because the seeds are already on their way. Each plant can produce between 150,000 and 250,000 seeds that, once airborne, can travel up to 10 miles. The seeds can lie dormant for 20 years in the soil before germinating.

New motorways being built now—although there are not many, given the Government's transport policy—and other new developments disturb the soil, through the creation of embankments, and will produce a forest of ragwort in the next few years. Mr. Deputy Speaker, I suggest that you drive from the top of the M1 in north Yorkshire to Brent Cross and Staples Corner in April and May, because you will see a 200-mile carpet of dandelions. The hon. Member for Cleethorpes will have used the road and she will know what I mean. The same potential problem exists for the dreadful ragwort. Crawley in Sussex is apparently rife with new ragwort, as developers snap up land and leave it for future development, awaiting the go-ahead for the thousands of new homes proposed by the Government.

Control methods for ragwort need to be applied in the spring, during April and May, when the plant is at the rosette stage of growth. Current methods of cutting do not destroy the plant. It will grow again the next year, more prolifically than before. Hand pulling must ensure that the whole root is removed, otherwise it will return. Hand pulling or digging is labour-intensive. Spot spraying with herbicides is a popular method of control, but operators need to be trained to know which plant they should be spraying. Biological methods of control, such as using the cinnabar moth, are under investigation. I understand that a report on that issue will be presented to DEFRA soon.

During my research, I have discovered that there are now fewer cinnabar moths around than there used to be. That may be one of the reasons why it is more difficult to control the spread of ragwort. The moths are a natural predator for the plant and it has been claimed that if we get rid of all the ragwort, we will have no cinnabar moths. However, the spread of ragwort is so great at the moment that I regard that prospect as extremely unlikely.

Mr. Bill Wiggin (Leominster): I congratulate my hon. Friend on his important Bill. I have seen for myself the horrendous spread of ragwort along verges next to agricultural land on which horses graze. It is especially insidious because the weed can be harvested with the hay and is equally poisonous when it is dried out. Can he confirm that people who pull up ragwort should wear gloves, because it can be damaging to the human liver to pull it up with bare hands for prolonged periods?

Mr. Greenway: I can confirm that. It is amazing how one's hon. Friends who intervene can anticipate the very next paragraph in one's speech.

Mr. Wiggin: Sorry.

Mr. Greenway: There is no need to apologise; the intervention was timely. I was about to say that no matter what method is employed to control ragwort, operators need to be fully trained and protected with suitable clothing, such as gloves, because the poison from ragwort can enter through the skin. Pretty the plant may be; pretty deadly, it most certainly is.

What is the Bill about, and what are we trying to achieve? We lack a structure within which land occupiers can work to control ragwort. We want not to impose new burdens on public authorities and landowners, but to make life easier by setting up a structured system that occupiers may follow to deal with what I believe is a moral obligation to ensure that the weed is not on their land. A code of practice to control ragwort is being produced and may provide the mechanism that will allow people to comply with the Bill. Public landowners support the process, and I have had letters and representations of support from Hampshire county council, which takes the issue seriously because of the many wild horses and ponies in the New Forest, and from Oxfordshire county council. An Oxfordshire member sits on the code of practice steering group, as does a member from Network Rail.

I was glad to receive from Oxfordshire this week a letter from the area engineer, Colin Carritt, which outlines the work that the county council is doing to deal with the problem. I shall read several paragraphs from that letter because they show precisely what we think the code of practice—guidance to help the authorities—might contain. The letter states:

"From the Local Authority point of view, we have been mindful of the limitations of budgets and the huge demands for our services across the entire environmental and road safety spectrum."

As a former member of North Yorkshire county council, I know only too well the truth of that. It goes on:

"Over many years we have developed policies which limit the use of chemical treatments to roadside verges, in an attempt to improve bio-diversity and the aesthetic appeal of countryside verges. This has been extremely effective, but it does mean that in dealing with outbreaks of Ragwort (and other problematic weeds) we are invariably tied to manual methods of removing infestation. You will appreciate that for large organisations with significant overheads, such labour intensive operations are extremely expensive. We have, therefore, developed ways of working with volunteer organisations from the equine world, who can supply labour at minimal cost. We, for our part, can provide transport and disposal facilities. The next stage of our campaign in Oxfordshire is to investigate the use of community service work through the Probation Office. I hope that we can use this route to further manage the Ragwort problem on highway verges.

We have also developed a system for notifying landowners where infestation occurs on private land. This has involved mail shots to every Parish Council in Oxfordshire, and asking for them to nominate a Ragwort Watcher for their Parish. We have supplied Parish maps so that when infestation is identified, the Ragwort Watcher can contact this office with a precise location together with the landowners name and address so that we can then send a standard letter drawing the attention of the landowner to the problem, and seeking their co-operation."

That may sound amusing, but, Mr. Deputy Speaker, since you, like me, represent a rural area, you will understand that it provides an extremely effective way of making use of people in the community at effectively no cost to the Government or to local authorities.

The letter goes on:

> "We have made it clear that we are in no position to take enforcement action, but we are happy to use our good offices to persuade and encourage others to fulfil their responsibility.
>
> For their part, the Oxfordshire branch of the British Horse Society has been active in promoting publicity through local media, and local schools, as well as providing the nucleus of core volunteers for Ragwort clearance in public areas."

I hope that the House will forgive me for quoting from that letter at such length, but I hope that I have illustrated very precisely the point that the Minister and I discussed in his office on Monday morning. I think that it was his very first meeting of the week—it was certainly mine.

The Minister for Rural Affairs and Urban Quality of Life (Alun Michael): It was my third.

Mr. Greenway: That is one of the burdens of high office. In our meeting, we discussed our desire to avoid giving the impression that the Bill would impose lots of new burdens on local authorities, which, like it or lump it, they would have to deal with. That is not what we are about, because we know that we would run into difficulties with our colleagues in the Local Government Association and with other Departments that have responsibility in this area.

Our primary intention is that the Bill should draw attention to the problem, which is one of the great opportunities that success in the private Member's Bill ballot provides. Beyond that, we want to demonstrate that we can, through a simple measure, make it easier for authorities and landowners to deal with the problem, and the code of practice is an important way of doing so. Some landowners are showing that they are willing to control ragwort—I have clearly demonstrated that that is happening in Oxfordshire—but others need to make a greater commitment. We want the Bill to provide that commitment, supported by the code of practice. That approach will produce an effective piece of legislation.

As it stands, the Bill offers three options. It can impose a duty on relevant occupiers to control ragwort on relevant land; it can impose a duty to report annually on measures taken to control ragwort; or it can issue a code of practice and other guidance as to the control of ragwort. One issue that we have to address in the code of practice is its status in any enforcement proceedings that may follow if a landowner or local authority does not take appropriate action and there is a prosecution under the Weeds Act 1959, albeit that such prosecutions are extremely rare.

Mr. Wiggin: My hon. Friend is particularly gracious to give way twice. Can he inform the House what procedures will take place in view of the fact that local authorities have often been the perpetrators of the greatest ragwort crimes? How will it be possible to prosecute local authorities?

Mr. Greenway: My hon. Friend makes a good point, but I am not sure that we are in a position to answer him, as that is one of the issues that the Minister and I agreed that we would like to thrash out in Committee. That is one reason why I want to ask the House to allow the Bill to proceed into Committee. We have identified the problem, and I hope that in this lengthy—I am sorry—but wide-ranging speech I have made the case that something must be done. As we know from bitter experience—I have been here for 16 years—we often get knee-jerk reaction legislation imposing impractical measures that ultimately do not work. We want to avoid that.

Even if we ended up with a Bill that provided a code of practice to be given by the Minister's Department to all public landowners and local authorities, that would give them a structure to help them to deal with the problem. Instead of enforcement, we would be taking preventive measures. The attitude that has been adopted by Oxfordshire, Hampshire and other local authorities indicates that they want to do the right thing, but we need to determine what is the right thing and how they can make changes. That is why the Bill is so important.

This is not a Government handout Bill; it has been drafted by the British Horse Society and, in an ideal world, is what we would want. We know that, in the real world, we will not get it in full. However, the Bill follows on from a detailed review of the current situation. If the Government would adopt just one of the options—and I describe the three different aspects of the Bill as options—it would go a long way to improving the situation. I know from conversations with the Minister that there is an ongoing discussion between him and the LGA with the aim of arriving at the right solution through a code of practice.

The code and this Bill have been initiated by the British Horse Society. I would like the House to give all parties the opportunity to pursue this issue and to allow the Bill to go to Committee. If, at that stage, we can agree that at least one of the options could be adopted in a way that would avoid the problems that I have outlined and would bring about the solutions that we all want, we would have the makings of a very effective piece of legislation that could come back the House and, I hope, be approved on Third Reading. The most important thing is to enable those responsible to benefit actively the welfare of the horse.

12.16 pm

John Mann (Bassetlaw): I congratulate the hon. Member for Ryedale (Mr. Greenway) on introducing this Bill. It may be a new regulatory burden but I wholeheartedly support it. I shall outline my reasons briefly. In my constituency, the problem is serious. It was first raised with me, and has been raised repeatedly since, by one of my constituents—Mr. Foljambe, whose ancestors were once the elected Members for Bassetlaw, going back to the 19th century. Indeed, they were the last Members for Bassetlaw until my good self who lived in the constituency. Mr. Foljambe is still the largest landowner in the constituency. He therefore has a vested interest but he has great experience. He and many others have raised this problem because it appears to be increasing.

Rather than repeat the detailed explanations that were given by the hon. Member for Ryedale, I want to add one or two comments on why the issue is important. The first concerns the leisure pursuits of many of my constituents. My stables are currently unoccupied but many of my constituents are diversifying into leisure pursuits. Equine recreation is an increasingly popular sport and leisure pursuit, but I want to stress the

[John Mann]

business opportunities that exist in farm and agricultural diversification. Across the Bassetlaw constituency, there are hundreds of such opportunities. Therefore, anything that stands in the way of diversification into new business opportunities is a danger. A leisure business that is based on pony trekking, for example, will be in danger from the spread of ragwort. If that spread is uncontainable, the danger will recur. The bridleways that people go down, the roads that people cross, and the public and private lands that they have to pass through are not maintained in the way that Mr. Foljambe—who is probably the country's leading warrior in the battle against ragwort—maintains his land. That in itself would be sufficient reason for the Government to look favourably on these proposals.

My second comment is on the agricultural industry. Something that is less well documented and understood about ragwort is the additional costs and problems for those who produce agriculturally. Not only does ragwort have to be eliminated, but if there is any fear of its mixing with and contaminating the forage that has been provided, there is a significant business loss. Therefore it is not simply a question of animal welfare, albeit an important one; there is also a question of business costs, business loss and future dangers to an important sector of my local economy and the national economy.

For those reasons, I strongly urge the Government to look favourably at the progress of the Bill, and to look in depth at how far we can go in Committee to determine an approach to the complex and difficult ways of dealing with the spread of ragwort.

Mr. Greenway: I am very grateful to the hon. Gentleman for giving way and equally, or perhaps even more, grateful for his support for the Bill. In case I do not have the opportunity to speak to him, if we succeed today in getting a Second Reading, I should be very grateful if he would serve on the Committee.

John Mann: Having spent three months serving on the Committee of the Criminal Justice Bill, I reserve my position on such an onerous burden and leave it to the appropriate authorities to determine such things. With that minor reservation, I commend the Bill to the House.

12.21 pm

Richard Younger-Ross (Teignbridge): I congratulate the hon. Member for Ryedale (Mr. Greenway) on introducing the Bill and I hope that it receives the necessary support today to pass into Committee.

Ragwort is an attractive plant. When we moved into our house some 12 years ago, I was delighted by the yellow-flowered plant that we found growing in our new garden. I did not know what it was; not many people do. It was pointed out to me fairly soon that it was a weed that we should not have, and we spent a long time trying to extract it from the garden. It is, however, extremely persistent and its removal is very difficult. In fact, it took us a number of years to eradicate it, which we did by digging it out over time.

The hon. Member for Ryedale mentioned the cinnabar moth, which is very distinctive. I do not see many of those moths around where I live, perhaps because we got rid of the ragwort. Pernicious poison is absorbed from the plant by the moth, making the moth poisonous to its predators. That shows how poisonous the alkali in the plant are.

The hon. Gentleman kindly mentioned my Adjournment debate, in which I tried to persuade the then Minister, the hon. Member for Scunthorpe (Mr. Morley), to take greater action to rid the countryside of ragwort, because it was a concern to farmers and to those with equestrian pastimes or equestrian stables in my constituency. I did not set great store by the response that the then Minister gave.

Shona McIsaac: The hon. Gentleman keeps referring to my hon. Friend the Member for Scunthorpe as the then Minister. It is important to put on the record that my hon. Friend is still a Minister.

Richard Younger-Ross: And he was the Minister who was responding at the time, rather than the Minister for Rural Affairs and Urban Quality of Life, who is before us today. Incidentally, I do not see why we have a change of Minister.

Alun Michael: It is very easy to explain. My hon. Friend the Under-Secretary and I share an interest in the issue. He has a lot of interest in animal welfare issues, and of course the impact of ragwort extends not just to horses but to other animals. I have specific responsibilities, including responsibility as Minister for the horse, so between us we make up a strong team and I think that I can reassure the hon. Gentleman on that point.

Richard Younger-Ross: I thank the Minister for those comments.

At that time, we received the response that the Ministry of Agriculture, Fisheries and Food—now the Department for Environment, Food and Rural Affairs—would take action if ragwort was growing on farmland, but was very unwilling to take any action if it was growing at a purely equestrian establishment. One of the strengths of the Bill is that it will do away with that discrimination and it will require action across the board, whatever the nature of the establishment.

Since then, I have visited the mare and foal sanctuary just outside Chudleigh in my constituency, which does excellent work in looking after distressed horses and ponies. When I visited, the sanctuary had a pony that was recovering from ragwort poisoning, and I am pleased to say that the staff were able to restore the animal to health by using traditional herbal remedies. What is fascinating, however, is that the poor pony was addicted to the weed, so if it was growing in the field where he grazed, he would dig it up. Before the workers could let the pony out, they had to walk the field to make sure that no ragwort was coming up. The weed would re-emerge, even though a pair of workers walked the field daily.

Ragwort comes from a number of sources, and it is often found where there is development. As the hon. Member for Ryedale said, it is found alongside the highways and byways. It is important that it is removed so that it does not contaminate land, particularly where there are horses and ponies.

It is important that in Committee we address arguments about biodiversity, which are of concern to Members. There is confusion between common ragwort and other forms of the plant, and the difference needs to be made clear. That, too, can be dealt with in Committee.

I am pleased that the hon. Gentleman said that he does not want the Bill to be a burden on local authorities. That is worth emphasising. The highways authority in Devon has recently had £8 million cut from its budget, so the last thing that Devon wants is any extra burdens, and I am sure that council tax payers do not want extra burdens on them, however reasonable the cause. I wish the hon. Gentleman every success with the Bill.

12.26 pm

Shona McIsaac (Cleethorpes): I am delighted to be able to take part in the debate as I was one of the Members who stayed in the Chamber to listen to the Adjournment debate secured by the hon. Member for Teignbridge (Richard Younger-Ross) early last year. My hon. Friend the Member for Brigg and Goole (Mr. Cawsey) was also present, so we had a complete complement of the northern Lincolnshire MPs in the House that night. We feel that this is a serious issue. Although we have urban areas in our constituencies, there is a rural hinterland where, as hon. Members have explained, ragwort poses a serious problem for the welfare of horses.

Ragwort is particularly poisonous to equines, but we should not overlook the fact that common ragwort is poisonous to other species of animal, including bovines. Sheep are also affected by the poisonous alkaloids in the plant. However, agricultural practices mean that many sheep and cattle are slaughtered before they begin to show symptoms of or die from ragwort poisoning. The poison tends to take effect slowly in those animals; the process is much quicker in horses.

I congratulate the hon. Member for Ryedale (Mr. Greenway) on introducing the Bill. He has articulated very well the fact that the increase in this problem lies not only in the spread of the perennial plant but in the fact that ragwort poisons horses because it ends up in their forage, where its existence cannot be detected by the person purchasing it.

The ragwort plague, as it has often been described, was a serious problem throughout the 1990s, but less so during the '80s. There are many reasons for its increase, including changes made to farming practice over the years. Farming is becoming less labour intensive, which means that ragwort plants are not pulled up in and around paddocks and on verges and roadsides.

Yes, of course, development has an effect by turning soil, so that seeds in very low soil layers can be brought to a level at which they begin to germinate. The fact that they can remain dormant for 20 years demonstrates the seriousness of the problem.

Neglect is another contributory factor to the plague of ragwort. An awful lot of former agricultural land has become neglected and the weeds take hold, and no one is dealing with those pastures. That is something else that we have to consider in controlling ragwort.

The main thing that I wish to talk about is the lack of effective predation—something about which I may disagree with the hon. Member for Ryedale. The cinnabar moth caterpillar is common ragwort's only effective predator. He said that, if the effect of controlling ragwort was the destruction of that moth, it was fine by him.

Mr. Greenway: I am sorry if I did not make myself clear. I was saying that some people have suggested that there would be no cinnabar moths if we got rid of all the ragwort, but there is sufficient ragwort to ensure that the cinnabar moth will survive.

Shona McIsaac: I am glad that the hon. Gentleman has clarified that point. Although all hon. Members have constituents who are worried about the welfare of their horses and other animals, we also have constituents who are very keen on butterflies and moths, and we would probably upset them if there were any suggestion of their extinction.

Ragwort is important to biodiversity in this country. It is vital to the survival of the cinnabar moth. So we begin to discover how the plague started in the late 1980s. In fact, 1988 was a particularly good year for the cinnabar moth. What happened was that the cinnabar moth caterpillar munched far too much ragwort. Although that sounds like a good thing, the following year, there was nothing for the caterpillars to eat, the moths did not lay their eggs and the predator population of cinnabar moth caterpillars plummeted, so we began to see an increase in common ragwort in the late 1980s.

We have to look seriously at the effect of biological controls on ragwort to try to re-establish the cinnabar moth, the existence of which is precarious in Britain at the moment. It is simply not reaching sustainable levels, so apart from all the other methods that can be considered to control common ragwort—systemic pesticides, digging out the roots and so on—the cinnabar moth is crucial to the argument. Some companies are now looking at such biological controls.

A few years ago, some of us laughed at the idea of buying nematodes to use as a biological method of controlling slugs in our gardens, but they are now commonly used. That method is more natural and it is also very effective. I hope that we can enlist the support of the cinnabar moth to contribute to reducing equine deaths.

One cinnabar moth caterpillar can eat a ragwort flower in about three minutes. When the moth lays its eggs and the caterpillars hatch, the brood will demolish the flowers on a plant in a day, thus getting rid of the seeds that could be released into the wind. Those caterpillars will consume about 30 plants before they turn into moths. As the hon. Member for Ryedale said, those plants can produce between 150,000 and 200,000 seeds, so we can see the effect that the cinnabar moth could have on beginning to reduce the ragwort population to a level where it is less of a threat to equines, bovines and other species, while still contributing to the biodiversity of the United Kingdom's environment away from where animals are kept. I would not wish to see the plant totally destroyed. It looks wonderful away from pasture and paddocks, where it is no risk to animals.

Richard Younger-Ross: There is a lot of ragwort in the fields, as all of us in the Chamber have said. There are

[Richard Younger-Ross]

also cinnabar moths, but they do not appear to be growing in vast numbers. Therefore, there must be another cause for the decline of the cinnabar moth. We must be able to address that problem before we can use and rely on that control method for ragwort.

Shona McIsaac: I thank the hon. Gentleman for that intervention. A lot of work has been done on this subject. To extend it, we must look at predation on the moths. Some people are doing research on the dramatic decline in numbers of cinnabar moths after the population explosion. The level of predation on the moth does not allow it to get to a level at which it can establish itself and thus become an effective predator on ragwort. Their numbers are low, and if the moths' natural predators—bird species and so on—keep taking the caterpillars, it will not manage to meet the thresholds at which it can become a viable population.

To return to the Bill introduced by the hon. Member for Ryedale, it is an excellent measure, and I know that many of my constituents will be pleased to see it come into force. The Clee saddlery in my constituency, for example, does a lot of work via its website to educate horse owners and other owners of animals in my constituency about what the flowers actually look like: as has been said, some people see it as just a pretty yellow flower without realising its dangers. The saddlery sells what is called a "Rag Fork" to dig out the roots of the plant, and it also posts messages on its website from people in the area about what has happened to their animals.

Other Members have read out sections of letters and so on, and I shall just read out a few of the words from a message on Clee saddlery's website. It said:

> "On New Years Eve I was told that my old pony we sold in the summer had ragwort poisoning and would probably have to be destroyed in a week!! I was and still am so devastated, she is beautiful and loving. My fields are ragwort clear, I insist on digging it out on first appearance and putting it in a bonfire away from the field. But even I did not realise how deadly this weed is . . . The vet has said that ragwort poisoning can build up over a number of years, and that ragwort is now commonly being found in hay! Even though my fields are clear if a horse swallows seeds that have blown in from next door that's enough to start it off".

Those words summarise the nature of the problem. The hon. Member for Ryedale mentioned some other cases, and the hon. Member for Teignbridge mentioned in his Adjournment debate the sad case of a pony called Topic who died from ragwort poisoning.

I support the Bill. I hope that it proceeds through its Committee stage speedily, so that we can offer more protection to owners of horses in the UK in the future.

12.39 pm

Mr. Jonathan Djanogly (Huntingdon): I, too, am pleased to support the Bill. I congratulate my hon. Friend the Member for Ryedale (Mr. Greenway) on his expert uncovering of the problems associated with this pernicious weed, which is a poison to our equine friends. However, many regard ragwort as the very essence of an English summer—a letter in one newspaper described it as

> "meadows of wildflower covering the fading fields of Britain with a rich and cheerful gold,."—

and many herbalists believe that Senecio jacobaea, also known as St. James' wort, has medicinal value: apparently, it can help to alleviate aches and pains and even stay catarrh. It has been said that the scientific evidence to back that claim is rather weak, and it is only used for external conditions.

Shona McIsaac: I might be pre-empting a comment that the hon. Gentleman was about to make. Ragwort has a long history of use in herbalism—in fact, it used to be used as a medicine for horses that had the staggers. Was he aware of that?

Mr. Djanogly: That is very interesting. I did know that in days gone by ragwort was used to cleanse what are described as old filthy ulcers in the privities.

A positive view of ragwort is, however, shadowed by the worrying threat that it poses to horses. I confess that the threat was originally brought home to me by my young son coming home with his pony club dangerous plants badge and telling me all about it.

The clusters of yellow summer-flowering weeds that grow up to 3 ft high are, of course, highly poisonous. All the figures available suggest that equine liver disease caused by ragwort poisoning killed at least 500 horses last year, and will probably kill 1,000 this year. Ragwort poisoning is almost undetectable until it is too late, with horses not showing symptoms until almost 75 per cent. of their liver has been rotted away, at which point, as my hon. Friend the Member for Ryedale explained, they start to display a variety of behavioural abnormalities—becoming confused and disoriented, wandering aimlessly, and even banging their heads against brick walls.

My hon. Friend referred to Dr. Derek Knottenbelt of Liverpool university, the acclaimed expert in the subject. He has reported that because of the nature of death by liver failure—in some cases, without any warning, horses have been found dead—it is possible that many more cases of death by ragwort poisoning have been wrongly attributed to heart attack, stroke or colic. However, there are no routine autopsies in the equine world.

Whatever the numbers involved in ragwort poisoning, it is clear that the plague of ragwort and its rapid increase since the strange disappearance of the cinnabar moth 10 years ago mean death for horses. The reasons for the disappearance of the cinnabar moth have been discussed today; my findings tend to support the opinion of the hon. Member for Cleethorpes (Shona McIsaac). In effect, the moth is a victim of its own success, having munched its way through the vast reserves of the weed at some time in the past.

Shona McIsaac: It appears that in the late 80s, there was a vast increase in the population of cinnabar moth caterpillars. Usually, the caterpillars eat only the flowers, which results in fewer seeds being released to the wind, but at that time, they started to eat the first year rosettes as well and thus destroyed their own food source, because ragwort, being a biennial plant, did not come back immediately.

Mr. Djanogly: The hon. Lady reinforces the point well.

The plague of ragwort is now growing dramatically and at an alarming rate. Ragwort UK informs me that in areas it has been monitoring, ragwort has increased by 50 per cent. year on year for the past three years in places where no action has been taken to stop growth. Dr. Knottenbelt says:

> "the yellow peril is lurking, and expanding its grip on the UK".

That is after many hundreds of horse fatalities, two Adjournment debates and many years of relative Government inaction on this rural plague.

However, as hon. Members have said, a law that allows the Government to deal with the problem already exists. It has done so since the Weeds Act 1959 came into force. In answer to an Adjournment debate introduced by my hon. Friend the Member for North Shropshire (Mr. Paterson), the then Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food—he is now the Under-Secretary at the Department for Environment, Food and Rural Affairs—said:

> "The 1959 Act applies to Great Britain and empowers Agriculture Ministers to take action against occupiers of any land to prevent the spread of five species of weed. Those are spear thistle, creeping thistle, curled dock, broad-leaved dock and common ragwort. Common ragwort tends to give rise to the great majority of complaints that MAFF receives."

He then emphasised:

> "Section 1 of the Weeds Act empowers, but does not require . . . action".—[*Official Report*, 25 July 2000; Vol. 354, c. 1090.]

I am sure that the House and equestrians everywhere in Britain would like an answer to the simple question: why have the Government avoided dealing with this problem up to now?

Britain requires a national solution to ragwort. As my hon. Friend the Member for Ryedale noted, a single ragwort plant can produce 150,000 to 200,000 seeds, and they can travel for miles in the wind. My understanding is that the seeds land with a 70 to 80 per cent. viability rate, meaning a large majority of them will germinate.

Landowners usually get rid of ragwort by pulling it up and burning it, and that can be effective in the short term. However, that is less effective in the long term if neighbouring areas do not take similar action. The widespread deposit of seeds from ragwort plants in neighbouring areas as a result of natural factors such as wind means that the ragwort will return within months. The country needs guidance and action from the Government.

We do not want landowners to be prosecuted for failing to notice a tiny patch of ragwort on their land. It is not illegal for them to have ragwort grow. However, with it growing so uncontrollably in areas all over the country—near railways, grazing fields and agriculture—it is clear that something needs to be done. The Government must stop ignoring their responsibility to the millions of people in this country who enjoy equestrian activity. I confess that I am one of them. The Government should offer joined-up governance to local authorities and local people on how to get rid of the weed.

My hon. Friend the Member for Ryedale mentioned Oxfordshire county council, and my research uncovered an earlier letter from the council that appeared in *The Guardian* on 29 August 2002. It explained how the council managed to get its 300 parishes together to report infestation and to advise landowners of appropriate action. That approach was apparently quite successful, but would it not have been easier if there had been help from DEFRA, which the letter referred to as "deafeningly silent" on the issue?

Given that MAFF and now DEFRA have both failed to take a proactive approach to solving the problem, I welcome the Bill. It reinforces the duty of landowners to control ragwort. The proposed new sections 1A and 1B that it would add to the Weeds Act 1959 would do that, although I hope that the reporting procedures in the proposed new section 1B are carefully considered in Committee. I also draw attention to the proposed new section 1C and to clause 2. I understand from Ragwort UK that DEFRA is looking to implement a national strategy by working with local authorities and landowners to combat the spread of the weed. That should have happened earlier because, in the past few years, ragwort has not been brought under control. Instead, it has gone further out of control.

The code of practice in the proposed new section 1C could provide the opportunity for DEFRA finally to offer guidance. I hope that a code would be subject to full prior consultation and that it would aim to involve the community as a whole. Clause 2 is also welcome, as long as DEFRA takes the opportunity to act on it. It would be no good adding highway authorities and statutory undertakers to the list of those who have a duty to control if DEFRA does nothing to ensure that the duties are observed. In any event, I hope that the Minister will not have to return to the House to tell us again that the Department has failed to act because it was only empowered and not required to do so.

Finally, I make a plea for the Government's general support for riding in this country, and their support of the Bill would form part of that. The sport not only gives pleasure to thousands of people and forms an important part of rural life, but provides rural employment. Riding stables have been hit hard over recent years by ragwort, regulations, foot and mouth disease and their vulnerability to crime. Indeed, stables in Hilton in my constituency have had tack and farm equipment stolen half a dozen times in the past three years. Proceeding with the Bill would go a small way towards showing the riding community and the countryside that we care about their interests and future.

12.50 pm

Sandra Gidley (Romsey): I congratulate the hon. Member for Ryedale (Mr. Greenway) on promoting the Bill, which many of my constituents think is important. Our agriculture spokesman cannot be here today, but I took time to discuss it with him. He was generally supportive of it, although he was worried about aspects relating to biodiversity.

The bottom line is that the weed ragwort has a serious impact on animal health, and especially equine health. It should be eradicated. The hon. Member for Ryedale talked at length, although I do not mean that as a criticism. He outlined the problems caused by ragwort and the means of its eradication so comprehensively that I feel no need to repeat what he said. May we take my comments on that as read because I could not disagree with much of what he said?

On biodiversity, I do not want the issue to become a butterflies versus horses argument because that is the last thing that any of us want. *[Interruption.]* The hon.

[Sandra Gidley]

Member for Cleethorpes (Shona McIsaac) is looking somewhat downcast about that. We need to ensure that biodiversity is fully considered in Committee. I thought about how we could sustain biodiversity and wondered whether we could set up conservation areas, but that would be difficult because of the way in which ragwort propagates. It would be difficult to restrict ragwort to a conservation area. I was rather taken by the tale told by the hon. Member for Ryedale about a horse called Scirocco. Its owner was absolutely scrupulous about keeping the horse's field clean and free of ragwort but the horse found something in conserved forage. A solution will not be easy, but we need to devote attention to it.

As the hon. Member for Cleethorpes said, the Bill should specify the biological name of the species of ragwort that is to be restricted because we do not want the Bill to lack clarity in respect of other species.

Regulation is the most worrying aspect of the Bill. Conservative Members say all the time that the Government introduce too much regulation and that they would introduce less, so I was disappointed to read that new section 1B—"Duty to report annually on measures taken to control ragwort"—states:

> "A relevant occupier shall within two months of the end of every calendar year submit to the Minister a report"—

and so on; hon. Members may read the rest for themselves. I suspect that the Minister does not really want to be inundated with reports on ragwort control and I do not think that the provision is the most intelligent way of addressing the problem.

I noted the comments of the hon. Member for Ryedale on how we might regulate. He was fairly open about that. Clearly the Bill needs to have teeth, but we do not need to use a sledgehammer to crack a nut.

County councils could, more locally and relevantly, control and monitor the situation. My home county, Hampshire, takes the problem very seriously. The New Forest, although not in my constituency, is just down the road, and Hampshire therefore will have a real interest in the Bill. The same might apply to other county councils, such as Lincolnshire.

I have identified some issues that ought to be debated in Committee. I think that the Bill deserves to make progress. It enjoys a lot of support in my area, and probably in others.

12.55 pm

Mr. James Gray (North Wiltshire): I, too, congratulate my hon. Friend the Member for Ryedale (Mr. Greenway) on being so high up in the ballot—although I do not know why we congratulate our colleagues in such circumstances, as it is a matter of pure chance. I am glad that he had the good sense to introduce such an excellent Bill.

I must declare a non-pecuniary interest. Until recently I chaired the parliamentary Horse and Pony Taxation Committee. As such I was a consultant to the British Horse Industry Confederation, and I remain president of the Association of British Riding Schools, which takes a keen interest in the Bill.

The Bill is supported by most knowledgeable organisations in this sphere, including the British Horseracing Board, the National Farmers Union, the British Horse Society—which I believe was largely responsible for helping to draft the Bill—the Country Land and Business Association and a variety of other equine organisations.

As others have said, there is a long history of support in the House for action of some sort to deal with ragwort. In November 2002, my hon. Friend the Member for South Holland and The Deepings (Mr. Hayes) presented an early-day motion calling for action, and, as we have heard, there have been Adjournment debates. I do not think we have paid enough tribute to my hon. Friend the Member for Southend, West (Mr. Amess), who presented two ten-minute Bills on the subject, which may have been enough to stimulate the interest of the Government and, indeed, my hon. Friend the Member for Ryedale.

We have heard much about the ragwort problem, and I think its existence is fairly widely accepted. I was, however, slightly disappointed by the speech of the hon. Member for Romsey (Sandra Gidley), who seemed rather less enthusiastic than most of us about its eradication. Incidentally, I must take issue with her on one minute detail. She said that county councils should have authority to implement eradication plans or at any rate to deal with ragwort in one way or another. The point of my hon. Friend's Bill is that it requires authorities such as county councils to take the action that they do not apparently take. When the Bill becomes law, as I hope that it will, county councils' highways authorities will be required to deal with their roads just as the main Highways Agency deals with motorways and the like.

Sandra Gidley: The point I was trying to make—I do not know whether the hon. Gentleman was listening—is that it is unnecessary to overburden a Department with a matter that could easily be dealt with at local level. There are various options, some of which have been mentioned today. As for my "lack of enthusiasm", the hon. Gentleman misrepresented me slightly. The fact that I did not speak at length does not mean that I do not consider the subject important.

Mr. Gray: I am delighted by those reassurances, although I remain confused about one point. If the Bill's purpose is to require local authorities to act, how can they be required to check whether they have done so? That would be a very peculiar form of self-regulation. While the Minister probably would not read each ragwort control report personally, I am sure he has a host of willing and able civil servants who would be happy to do it for him. Some degree of central control might be a good idea. I am pleased, however, that my hon. Friend has said that not all three parts of the Bill need be enacted—that they are options, and he would be content with the enactment of just one part.

We have heard a great deal about the huge problem of ragwort; it causes incurable liver damage, primarily among horses, although as the hon. Member for Cleethorpes (Shona McIsaac) pointed out, sheep and cows can sometimes be affected. Each plant produces 100,000 seeds—an astonishing figure. As the hon. Lady also pointed out, the seeds can remain alive for up to 20 years, which adds to the problem. The plants are extremely difficult to deal with, as I know from trying to eradicate them by hand from a field behind my house. It is extremely hard to pull up the roots and the plants spread like wildfire.

Shona McIsaac: If the hon. Gentleman has difficulty rooting out ragwort, he should contact Clee Saddlery and buy its excellent rag fork.

Mr. Gray: I was going to refer to rag forks; I think they are great. The hon. Lady is right—I must get one.

As the hon. Member for Bassetlaw (John Mann), and others, correctly said, the problem affects not only animals on the land where the ragwort is growing but can be spread inadvertently through hay when the land is cropped. It is an extremely worrying matter and we must do something about it.

I pay tribute to the British Horse Society's Root Out Ragwort campaign, which got people interested in the problem four years ago. I hope that interest will be furthered by the debate and that the Government will at last take notice of the problem.

I want to set out how the Bill would tackle this major problem for the countryside. Ragwort is a notifiable weed under the Weeds Act 1959 and owners are required to deal with it. To be fair, most farmers and landowners try to do so, although some do not. In those cases, the Department for Environment, Food and Rural Affairs could make more use of the available powers, but in practice it would be difficult to do so, due to the problems of finding out where the ragwort was growing. Education might be a better way to proceed, rather than heavy-handed enforcement of the law.

The Government could, however, take action with regard to Departments, as there are some bad examples of them completely ignoring ragwort on their land. An area that I know well is Salisbury plain, just outside my constituency, where land owned by the Ministry of Defence is covered in ragwort and no effort is made to eradicate it. Perhaps the Minister could raise that matter with some of his ministerial colleagues and ensure that they live up to their responsibilities.

The Bill would extend the duties already in force for private landowners and the Government to statutory undertakers—a nice expression—such as those who maintain railways, roads, canals and airports. Thus the Bill is not about private landowners but about statutory undertakers. The NFU highlighted that point in a letter to me praising the Bill, which states:

> "Last October, DEFRA Minister Alun Michael answered a parliamentary question which acknowledged that the spread of ragwort alongside roads and on railway lines was of particular concern to many people in the countryside, and he indicated that he had written to the Highways Agency, the Local Government Association and Railtrack reminding them of the serious problems caused by ragwort and urging them to ensure that they took effective clearance action."

I welcome the fact that the Minister took that action. Can he tell us about the reaction of those organisations? Are they taking the matter as seriously as we are? Unfortunately, they do not seem to be taking the problems nearly seriously enough—with one notable exception. The Bill's purpose is to introduce a statutory obligation on them to do so in future.

The notable exception is the Highways Agency, to which I pay tribute. The agency is doing extremely good work. It spends about £1 million a year to combat the spread of ragwort along the 5,841 miles of trunk roads and motorway that it operates across England. It is doing good stuff, and the other statutory authorities, including the county councils and Railtrack, could learn some lessons from it.

As the hon. Member for Teignbridge (Richard Younger-Ross) pointed out—my hon. Friend the Member for Huntingdon (Mr. Djanogly) discussed this issue at some length—it is disappointing that DEFRA is not doing more. Hardly any enforcement actions are taken through the 1959 Act, and it could do more in that regard. Such lack of action may be explained by an interesting quote that I spotted on The Donkey Sanctuary's ragwort campaign website—a website that I do not often look in on. The campaign had got in touch with DEFRA to suggest that more should be done about ragwort, and DEFRA replied that

> "the best course of action is for the complainant to seek a solution with the occupier of the infested land through constructive dialogue and persuasion."

To a degree, I agree with the sanctuary's complaints and with DEFRA's reply. None the less, the Department's arguing that it does not want to use the statutory powers at its disposal, and that it would much rather that such things be sorted out

> "through constructive dialogue and persuasion",

is a little disappointing. Instead, perhaps the Government might choose some high-profile occasion on which to take action against a particularly bad example of ragwort rogues, as it were. In doing so, they might encourage others to be more sensible about the issue.

I therefore welcome the introduction of this Bill by my hon. Friend the Member for Ryedale, because it closes what is, in effect, a gap in current legislation. At the moment, private landowners are required to clear up ragwort as a notifiable weed, but public authorities are not. The Bill therefore seems a very sensible closure of that gap. It addresses what is a very real problem in our countryside, and as my hon. Friend the Member for Huntingdon said, it sends a useful message to an equine industry that faces some difficult times for various reasons—not least because of the Minister's decision to ban hunting, which will have a great effect on that industry throughout England. In view of that background, it might therefore be a useful time to send a message to that industry that the Government and everyone in this House are determined to do something to help the 1 million horses, and the 2 million to 3 million people who ride in England every year. By abolishing ragwort—by taking action to ensure that local authorities, railways, canal authorities and others do so—the Government will send out exactly that message.

1.07 pm

The Minister for Rural Affairs and Urban Quality of Life (Alun Michael): I begin by thanking the hon. Member for Ryedale (Mr. Greenway) for the way in which he introduced this Bill, and the constructive manner in which he has dealt with a matter of great concern to the countryside. During 1997 and afterwards, when we both had different responsibilities, he and I had many exchanges relating to criminal justice. Those exchanges were almost invariably constructive—something that cannot always be said of exchanges in

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this House. The hon. Gentleman's approach and our discussions with each other and with the British Horse Society have been extremely constructive; indeed, they have pointed to a way forward, to which I shall return in a few minutes.

I acknowledge that ragwort poses a real threat to equine welfare—a point made by several Members—and its devastating, often fatal effect on horses, ponies and donkeys has been well publicised. Indeed, the hon. Member for Ryedale spelt that out in a contribution that ranged from the clinical to the almost poetic. Some might suggest that this is not an appropriate matter to debate in this House; indeed, one or two Members have contrasted the main topics for today's debate with other issues such as today's statement. However, the fact is that the death of a pony can have a devastating effect on a family, and on children who lose an animal that is more than just a pet. It is clear that we need to do more about this issue.

I also share with the hon. Gentleman a wish to achieve simple, practical and effective action. We want to avoid increasing the costs and bureaucracy for those who can take measures to eradicate ragwort. Several hon. Members made constructive contributions along those lines, including my hon. Friend the Member for Bassetlaw (John Mann), who effectively represented the ragwort warriors of his constituency. My hon. Friend the Member for Cleethorpes (Shona McIsaac) brought an informed approach to the debate. I understand that the issue formed part of her academic studies, which is why she has such an excellent knowledge of the topic. My hon. Friend and the hon. Member for Romsey (Sandra Gidley) mentioned other forms of ragwort, and the main point to make is that they also have poisonous effects but are nothing like as common as the common ragwort, which is the plant referred to specifically in the Weeds Act 1959. I am not sure about the relative toxicity of the other forms of ragwort, but I shall look into it and ensure that when we discuss it in Committee I am able to deal with those queries.

I also congratulate the hon. Member for Huntingdon (Mr. Djanogly) on his contribution, which was clearly derived from personal local experience. The hon. Member for North Wiltshire (Mr. Gray) covered ground on which we generally agree, although I suggest gently that he showed more enthusiasm for regulation than is often the case in our exchanges. He mentioned the messages that we send out to people who are concerned about horses and to the horse industry generally. I am pleased by the response that I have received from people in the horse industry on various issues.

The Government have sought to do more than in the past to assist the horse industry, not least by designating an official for the horse who has specific responsibility for working with the industry. That was not the case before. I am the third person to be the Minister with responsibility for the horse, but the flaw was the lack of specific and targeted back-up in the Department. That has now been corrected and Graham Cory, who leads on the issue, has had many meetings with the horse industry. That has been widely welcomed. We are also looking at working with those who are involved in the wide variety of organisations that comprise the horse industry to map out the benefits that can be achieved and to identify the future for the industry.

Ragwort poses a real threat to equine welfare. The focus of this debate has been on horses, but—as some hon. Members have pointed out—ragwort poisoning can also prove fatal for cattle, sheep and other animals, through cumulative liver damage. However, because of the differences in the digestive systems, the effect is most usually observed in horses and ponies, in which it arises more rapidly. The effect of ragwort on the liver is less noticeable in cattle and sheep because most agricultural livestock is slaughtered before the cumulative effect proves fatal. I also acknowledge that the emotional attachment to horses and ponies makes it all the more distressing for owners to see their animals suffering from ragwort poisoning and what can often be a slow and painful death.

Ragwort poses two specific risks to horses. First, there is a risk that horses and ponies will eat ragwort growing in field and paddocks. Secondly, as has already been pointed out, there is a risk that ragwort will contaminate dried forage. The latter is possibly the greater risk, as in its dried state ragwort is more palatable to animals. I do not have authoritative statistics about the number of horses and ponies which die each year from ragwort poisoning, although hon. Members have pointed to the estimate made by the British Horse Society of some 500 deaths. The BHS expects that number to increase. We all have a part to play in preventing those deaths.

I want to concentrate mainly on what the Government and public bodies can do, but I am sure that it will be accepted that horse and pony owners have responsibilities too. They must protect their animals from ragwort poisoning when they are able to take preventive action. That includes ensuring that bought-in feed is purchased from a reputable dealer and warranted to be ragwort-free. I have discussed the issue with the British Horse Society, and I am grateful for its work in bringing that message home to horse owners. I am delighted to learn that Pony Club messages have reached the homes of hon. Members.

It is essential that we ensure that horse and pony owners can recognise ragwort and other poisonous plants. The suggestion of using visual aids to widen coverage of the debate is a helpful one, although I am not sure, in the current climate, how extensive national coverage might be. It is important for people to know what action they should take to control poisonous weeds in fields or paddocks where animals are grazing. The Department for Environment, Food and Rural Affairs is helping; we have published identification leaflets and booklets describing weed control methodology, and those are available on our website. I shall send copies of that information to all the hon. Members who have taken part in today's debate. Anything Members can do to advertise the availability of that information would be most welcome.

Shona McIsaac: Are biological methods of control mentioned in the literature, and has the Department conducted any research into those methods?

Alun Michael: I am not specifically aware that that is covered, but I believe that all options are covered in the information. I shall make it available to all the hon. Members who have participated in the debate. That issue is the kind of thing that may be relevant to the code of practice, and it may well be touched on in Committee.

I am keen to ensure that the Government play a full part in controlling the spread of ragwort. Our powers derive from the Weeds Act 1959. Although that legislation is rather old, it is still an effective tool. Members have quoted from previous debates the authority that it gives to the Secretary of State to control the spread of ragwort as one of five weeds specified in the 1959 Act. The others are the creeping or field thistle, the spear thistle, the curled dock and the broad-leaved dock. It is important to note that the Act does not make it an offence to permit injurious weeds to grow on land. It is primarily concerned with preventing the spread of weeds.

Section 1 of the 1959 Act gives a permissive power to the Secretary of State to serve a notice on an occupier of land on which one of the five injurious weeds is growing, requiring the occupier to take action to prevent the weeds from spreading. Section 2 provides that where a notice has been served and the occupier has unreasonably failed to comply with it, he or she shall be guilty of an offence, and liable to a fine on conviction. Section 3 provides that where an occupier fails to take clearance action, the Secretary of State may take action to arrange for weeds to be removed and may recover the cost of doing so through the courts. Additional powers permit officials to enter land to inspect whether an enforcement notice has been complied with.

Mr. Djanogly: We have heard a fair amount about what the Secretary of State can do under the 1959 Act. It would be helpful if we could leave the House today with a commitment that the Government will do more to enforce the provisions.

Alun Michael: Let us work towards that point. The Government have used their powers under the 1959 Act mainly to prevent the spread of ragwort and the other specified injurious weeds to farm land. In 2000, recognising the horse industry's potential contribution to farm diversification activities, the then Minister of Agriculture, Fisheries and Food extended enforcement activity under the Act to on-farm diversified equine businesses.

DEFRA has maintained that approach, and enforcement work under the 1959 Act is still concentrated on investigating complaints where there is a risk to agriculture and farming. The situation has changed, however. DEFRA has much wider responsibilities than those held by the old Ministry of Agriculture, Fisheries and Food. Although it is important, agriculture is no longer our sole interest. We are concerned with the whole rural economy. Last year, in my capacity as Minister responsible for horses, I announced that we would discuss with industry representatives the best way to ensure that the horse industry plays a full part in our efforts. In other words, we must work together to strengthen the rural economy.

There are approximately 1 million horses in the United Kingdom, supported by 3,000 hectares of grazing and a further 3,000 hectares of feed production. Equine interests represent one of the largest economic activities in the countryside, and horse enterprises are major employers in rural areas. I do not underestimate the latent damage that ragwort poisoning could inflict on that increasingly important sector of the rural economy if weed control is not taken seriously. That is why we will review the way that we focus our available resources on those actions that can make the best contribution to protecting horses, as well as farm animals, while recognising the need to protect the rural economy. I hope that that will allow us to respond more effectively to the concerns of horse owners. In considering our approach to enforcement under the 1959 Act, we will need to pay due regard to animal welfare and human health considerations.

I want to make a point about timing. In his introduction, the hon. Member for Ryedale said that easy identification takes place in the latter part of the season when, to a considerable extent, the damage is already on the way to being done. It is already too late to influence the long-term weed control strategies for 2003. Many of the statutory undertakings whom we are targeting will determine their weed control policy over the winter months. Preventing the spread of weeds relies on early treatment before plants are allowed to seed. It was with that in mind that I wrote to the key organisations last autumn urging them to adopt a co-ordinated approach to weed control—in other words, not only to respond to complaints, but to consider the issues strategically. Over the next few weeks, I will remind statutory undertakings about the need to take weed control seriously and urge them to incorporate weed control activities in their routine maintenance programmes. Launching the voluntary code in the summer, as we intend, will link with the British Horse Society's "Let's rout ragwort" campaign—all the slogans in this campaign should be read out early in the day rather than after an entertaining evening—and will help to ensure that the code receives maximum publicity. A summer launch will also ensure that the code is in place in time to influence weed control strategy planning next winter. The hon. Gentleman's suggestion that we should give the House's support to efforts to put measures in place is extremely welcome.

I have a great deal of respect for the way in which the hon. Member for Ryedale promoted his Bill, and I share his wish to tackle the problem. He explained that the main target is statutory organisations, including local authorities, the Highways Agency and Network Rail. As matters stand, local authorities are responsible for the control of ragwort on minor roads, the Highways Agency is responsible for motorways and trunk roads—I was pleased to hear the comments made by the hon. Member for North Wiltshire about the work that it undertakes—and Network Rail is responsible for the clearance of ragwort on railway land.

Last summer, there was a proliferation of ragwort on roadside verges and on railway embankments. It is only fair to point out that circumstances over the past two years have been quite unusual. It is possible that the outbreak of ragwort is a result of the reduced clearance work undertaken in summer 2001, which was an inevitable by-product and consequence of foot and mouth disease. Some, however, suspect that it might be indicative of a change in approach by the responsible authorities. That is why I sent them letters to remind them of the importance of this issue. Last year, I wrote

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to the Highways Agency, the Local Government Association and the then Railtrack to stress the importance of keeping ragwort infestations under control, and they all responded by indicating that they recognised the danger that ragwort can pose to horses and other livestock.

The Bill places a wide-ranging obligation on statutory bodies to control ragwort on all the land that they occupy. The hon. Member for Ryedale has already described in detail the content of the Bill. I am with him on what he wants to achieve but I have concerns about the practical consequences of implementing the Bill in its current form. I had the opportunity to explain those concerns to the hon. Gentleman when we met a week ago, but it is only fair that I should explain them to the House.

As drafted, the Bill would place significant new burdens on local authorities and other statutory undertakings. That would have significant cost implications. The Bill is also rather a blunt instrument and in its current form does not focus on the real problem—which is how to prevent the spread of ragwort to land that is used to graze horses and other livestock, or to grassland that is used for forage. It would affect a wide range of statutory undertakings, including the Post Office, the Civil Aviation Authority, airport operators, the Environment Agency, and gas and electricity providers, as well as more directly relevant bodies such as local authorities, the Highways Agency and Network Rail Environment. Local authorities, as one or two hon. Members have acknowledged, have many competing bids for funding—for example, there is the need to provide social care and more money for education. Similarly, the Highways Agency and Network Rail are under pressure to find more money to maintain our roads and railways. In that climate, the Government cannot add to the financial burden falling on those bodies by giving them additional responsibilities. We need to help them to focus action where it does most to help to eradicate the problem.

I am not convinced that the additional administrative burden that the annual reporting procedures in the Bill would place on statutory undertakings would result in more being done to eradicate ragwort. It could just mean more bureaucracy. I am sure that the hon. Gentleman would agree that targeted action is preferable to more paperwork. For those reasons, it will be difficult for the Government to support the Bill in its present form. However, I am grateful to the hon. Member for Ryedale and to the representatives of the British Horse Society for our discussions, which gave an indication of the wish to find a way forward.

The positive aspect of the Bill as drafted is the code of practice, which forms a central plank of the Bill. I believe that that could be helpful in helping statutory bodies understand their responsibilities in relation to weed control. A code of practice would ensure that landowners who are required to clear their land of ragwort understand exactly what is required of them. A code of practice would also help local authorities and other statutory organisations assess the risk and plan the most effective use of resources to prevent the spread of ragwort. Finally, a code of practice could help with the enforcement of the Weeds Act 1959 by providing a blueprint against which compliance could be measured. That would be beneficial to the Department for Environment, Food and Rural Affairs, as the enforcement agency, and to the parties involved in any enforcement action that we take. It would simplify the evidential tests and reduce the work for all concerned. In other words, there could be a saving in bureaucracy if this is thought through in the way I believe the hon. Gentleman and I both wish. The Government are therefore willing to support a Bill that gives a code of practice on weed control statutory effect. That would give the authority of this House, and the support of Members, to what would otherwise be a voluntary code. In one sense, the difference is small; but in the sense of reflecting the views that have been expressed in this debate, the code could be an effective way forward.

I appreciate that what I have said will require extensive amendments to the Bill. However, I think the hon. Gentleman knows that I am proposing these changes in a constructive and co-operative spirit. To secure the outcome that I have described, it will be necessary to delete sections 1A and 1B of the Bill, which is likely to render sections 2 and 3 redundant as well. Some amendment to section 1C will also be necessary to ensure that a code of practice can be used in evidence for enforcement purposes. I believe that the hon. Gentleman would see that as a positive contribution.

As I have said, I have already spoken to the British Horse Society, as well as to the hon. Gentleman, to indicate the intention of the Department for Environment, Food and Rural Affairs to achieve a satisfactory outcome. The Department is providing money to meet the cost of producing the voluntary code on which work is already being undertaken. An outline of the code and a timetable for its preparation is in hand. That complements very well what the hon. Gentleman is proposing. To ensure maximum uptake, we would like to involve key statutory organisations in the code's preparation.

I was pleased to hear the hon. Member for Ryedale confirm that he has received letters of support for the code of practice concept from local authorities that have taken practical proactive steps themselves. I hope that we shall be able to involve the appropriate technical experts and representatives of Network Rail, local authorities and the Local Government Association, in preparing the code to ensure that it has a broad base of support amongst those statutory organisations with important responsibilities for the control of ragwort.

If the hon. Member for Ryedale is willing to support in Committee the amendments that I have outlined, I can confirm that the Government would support the Bill. I hope that he would be willing to make that commitment.

Mr. Greenway: I shall speak again.

Alun Michael: In that event, I hope that the hon. Gentleman will be able to respond in the way that I have suggested. I would then look forward to working with him on the Bill in Committee because I believe that the code of practice has an important role to play in clarifying responsibilities and best practice in relation to weed control.

We are already reviewing the way that DEFRA pursues its responsibilities under the Weeds Act 1959, but that is not to release additional resources. Anyone who is aware of the needs of the countryside and the pressure on the Department will be aware how stretched we are, but I do believe that there are things that could be changed to make a difference to horse owners and target more effectively the available resources and the action that is undertaken. I hope that the Government's offer of co-operation on the Bill, our willingness to work with the industry to prepare a code of practice and the review of enforcement policy that I have announced today will be a signal to the horse industry, as suggested by hon. Members, that we are listening, that we have taken note of their concerns and that we are prepared to do something about them.

I hope that we shall be able to move forward supporting the Bill—that will help to cement closer working relationships with the horse industry, which is such a strength in the rural economy—and that by protecting the welfare of the horse we shall be able to protect the welfare of the industry and the wider economy. Provided that the hon. Gentleman is willing to commit himself to the approach I have suggested, I will be in a position to recommend to the House that the Bill pass into Committee for further discussion and amendment.

1.32 pm

Mr. Greenway: With the leave of the House, Madam Deputy Speaker. I am grateful to the Minister but also to my hon. Friend the Member for North Wiltshire (Mr. Gray) and all hon. Members on both sides of the House for their attendance today and for their approach to the Bill. I do not want to detain the House further, as other hon. Members now wish to pursue their own Bills, but I am happy to respond very positively to what the Minister has said. We agreed earlier this week that the amendments of the kind that he has described would appear to be appropriate, and I am happy to give him that undertaking. On that basis I hope that the question can be put and that we shall have a positive response.

Question put and agreed to.

Read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Endangered Species (Illegal Trade) Bill

Order for Second Reading read.

1.33 pm

Hugh Robertson (Faversham and Mid-Kent): I beg to move, That the Bill be now read a Second time.

I should very much like to acknowledge the contribution already made by my hon. Friend the Member for Southend, West (Mr. Amess), who introduced the original Bill with this title, my hon. Friend the Member for Uxbridge (Mr. Randall), who encouraged me personally to take up this cause, and the hon. Member for Bassetlaw (John Mann), who tabled an amendment to the Criminal Justice Bill to the same effect. The Bill has cross-party support.

I do not intend to speak for long, because the Bill is simple. It has just one clause, which increases the maximum sentence for those caught trading in endangered species from two years to five years. That, in itself, is clearly a good thing. However, critically, under the Police and Criminal Evidence Act 1984, these crimes then become an arrestable offence, which they are not at present. Clearly, that would give the police a great deal more power to tackle these offences.

Why is the issue important? First, the illegal wildlife trade is now the second most important criminal activity worldwide after drugs, even more so than gun running. It is now worth over £5 billion a year. Given the current international situation, and the way in which terrorists and criminals trade their money, this trade needs to be closed down as a matter of urgency. In fact, it is a mystery to me why that has not been done already.

Secondly, the Bill would offer much-needed protection to some of the world's most precious and endangered species. I shall give the House a practical example: a recent police raid in the United Kingdom seized tiger cubs that had been killed when they were less than a fortnight old, before their eyes had even opened, and stuffed and mounted on a branch. The police have also found gorilla skulls, leopards, sparrowhawks, snowy owls, turtles, tortoises, parrots and a host of primates. The Worldwide Fund for Nature recently estimated that at least 20 per cent. of the world's species could become extinct in the next 30 years, and the illegal trade in animal products and the animals themselves is a major contributor to that.

It is worth briefly examining those propositions in more detail. I shall deal first with the use of endangered species as an international criminal activity. As I said, the illegal wildlife trade is worth £5 billion a year. More than 520 million animals and plants are traded internationally each year, and 25 per cent. of the wildlife trade tied up in that is illegal.

I regret to say that the United Kingdom is a major centre for the trade, acting as both a transit route and a final destination. There are clear and proven links to organised crime, with endangered species being traded along exactly the same smuggling lines as drugs and guns. A recent case in Moscow resulted in the seizure of 10 tonnes of caviar bound for Europe—harmless one might say, even tasty. However, with the caviar were 400 automatic rifles and 3,500 rounds of ammunition.

There are four main smuggling efforts: the endangered species are concealed; they are mis-declared; the permits under which they are brought in

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are fraudulent; and there is laundering through re-export. As a result, on average, Customs seizes 570 illegal wildlife items each day. Home Office figures for the period 1987 to 2001 reveal that only 51 cases were prosecuted. That bears repetition: there are 570 seizures of illegal items each day but there have been 51 prosecutions in 14 years. It is little short of a total disgrace.

We are now all aware of the threat posed by international terrorism. Clearly, if we are to defeat it, we must not only defeat the terrorists militarily but destroy their supply lines and finance. There has not yet been a recorded instance of a direct, proven link between endangered species and international terrorism, but the links with international criminal activity, which clearly reads over into terrorism, is very clear indeed.

As I said, we must also consider the effect that the trade in endangered species has on the world's reserves of wildlife. A taxidermist in Islington has admitted 29 charges of obtaining licences by forgery and 12 cases of keeping endangered species for sale without a licence. The endangered species found in the shop included the two tiger cubs that I mentioned earlier, leopards and an elephant's foot that had been turned into a table. The man responsible got six months' imprisonment.

In April 2000, a company was caught in possession of 138 shahtoosh shawls, made from the fleece of a slaughtered Tibetan antelope, which is an endangered species. The combined value of those shawls was £350,000; the fine for the people caught in possession was simply £1,500—an utterly pathetic £10.87 per shawl. Those shawls had a retail value of between £3,000 and £12,000.

In 2002, a survey by Traffic of Chinese medicine shops in the United Kingdom showed that 64 per cent. of them sold illegal products, such as protected plant and animal species, including leopards, bears, musk deer and the extremely rare costas root.

Finally, there is a recent case of a shop that sold whole lions, stuffed, for £5,000 each. It also sold antelopes, porcupines and large live snails. The man responsible received simply a four-month sentence. That is pathetic and extremely damaging.

Those are the reasons why I believe that the Bill is so important. That criminal activity has simply been allowed to continue unchecked for far too long. The current international situation lends the issue urgency, and the Government should act at once. The Bill could not be simpler—it has just one clause—and it would clearly make a demonstrable difference. I urge the House to give it a Second Reading.

1.41 pm

John Mann (Bassetlaw): I congratulate the hon. Member for Faversham and Mid-Kent (Hugh Robertson) on introducing this private Member's Bill, which will receive support from all corners of the House. It is timely and, if enacted, its result—raising sentences—will be long overdue.

Current provision is inadequate. The prison sentences are far too short—if they are imposed at all—and the fines are paltry, as the hon. Gentleman said so eloquently, so the incentives for those who take part in this lucrative trade are enormous. It is fair to say that the criminals involved in that trade are taking a disproportionately low risk compared with other types of crime, given the proceeds and penalties. He is rightly seeking to redress that imbalance with the Bill.

As the chair of the all-party endangered species group, I know that it has attempted to highlight wildlife crime in the past year. In the last Session, early-day motion 862 received the signatures of more than half the House. Indeed, if it were not for the protocol in relation to certain Opposition Front-Bench spokesmen and Ministers, in excess of 90 to 95 per cent. of the House would have signed that early-day motion. That demonstrates the depth of support for the Bill, for the early-day motion was precisely along the lines of the wording proposed by the hon. Gentleman.

The consensus in the House on the importance of the issue was further emphasised by the contributions in considering the Criminal Justice Bill in Committee, when an amendment that I tabled received open and positive support from Conservative and Liberal Democrat Members.

London has become something of a centre for the illegal trade in endangered species. The depth of the problem is best summed up by the case involving shahtoosh shawls. Not only was the fine absurd in relation to the possible profits, but the find represented at least 2 per cent. of the entire world population of that species. That haul shows how quickly and monstrously a species can be eliminated by such international crimes. The hon. Gentleman illustrated the range of different examples in this country, which I shall not repeat. If the trade has a good base in this country, many other international centres will be involved, too.

The better-known examples include ivory, rhino horn and tiger parts. There are tiny numbers of tigers left in the world, as the Indian Wildlife Board has explained in great detail to me, because they are constantly under pressure from poachers who are openly prepared to risk their lives for the profits available. Much of that trade finds its way to London, which is a significant danger. Of course, precisely the same problem occurs with less well-known species such as the chiru antelope.

The other issue that I want to bring to the House's attention is the linkage with criminal gangs. The survival of the tiger, the rhino and other endangered species should be a fundamental concern of politicians in this House and throughout the world. We would betray future generations were we not to make sure that our house was in order, in Britain, in terms of how we attempt to play our small role in protecting those species. That is precisely the aim of the Bill, which would assist in that attempt.

In addition, the House should be under no illusions about who are in these wildlife crime gangs. They are not localised, cowboy-type poachers who happen to encounter an animal, kill it and somehow try to sell its parts. It is an organised trade. The same gangs are laundering money and smuggling people, drugs and arms: the worst kind of arms. Even when that has been identified, it is difficult to catch them.

To give some examples, at Heathrow, a consignment of live foreign snails packed with heroin was found. In Miami, boa constrictors smuggled in as part of a shipment of 312 animals from Colombia were found to be filled with cocaine—39 kg of it—and all the reptiles died. The same gangs are involved. The profits are of similar margins, and, therefore, be it ivory, heroin or people, they will take their chance on each and every one.

The Indian Wildlife Board has illustrated that in great detail by tracking to whom the people doing the poaching in the wildlife sanctuaries and national parks in India are linked. It is the same organised crime gangs who are smuggling drugs from Afghanistan, and smuggling people from Albania and the Balkans, into Britain and other countries. Therefore, by increasing the penalties for this particular crime, we assist in tackling those two major problems in today's world.

I commend the Bill, and I hope that, in the same way that the Under-Secretary of State for the Home Department, my hon. Friend the Member for Leeds, Central (Hilary Benn) did, the Minister will be minded, considering his consultation on the issue, to give a clear guarantee to the hon. Member for Faversham and Mid-Kent that amendments will come forward at the appropriate time, later this Session, under the Criminal Justice Bill.

1.49 pm

Sandra Gidley (Romsey): I congratulate the hon. Member for Faversham and Mid-Kent (Hugh Robertson) on raising this subject. As he said, the Bill is extremely simple. I believe that it is the same Bill that was introduced in the previous Session, which was supported by my hon. Friends the Members for Lewes (Norman Baker) and for Portsmouth, South (Mr. Hancock).

The Bill increases the penalty for offences relating to endangered species from two years' imprisonment to five years' imprisonment. The hon. Member for Faversham and Mid-Kent cited the example of people caught smuggling lions at £5,000 each, who were sentenced to only four months. I wonder what we are doing if we already have a penalty of two years that we do not use. It seems to me that education is needed: we have to get through to the judiciary and others the message that this is a very serious offence. If, in a case such as that of Mobolagi Osaknadi and Rose Kinnane—difficult names to pronounce—a sentence of only four months was given, what guarantees do we have?

John Mann: Does the hon. Lady agree that one implication of raising the tariff from two to five years is that it would make the offence an arrestable offence under the Police and Criminal Evidence Act 1984, which would, for example, give police officers greater search rights? Is that not precisely why wildlife crime officers, 39 of whom are currently employed by constabularies, are so strongly in favour of the Bill?

Sandra Gidley: I thank the hon. Gentleman for making that important point.

The trade in shahtoosh was mentioned. As the only woman present in the Chamber, I hate to say this, but we somehow have to get the message across that shahtoosh are not acceptable—that they represent too high a price to pay for fashion or vanity.

Hugh Robertson: It is not merely a question of vanity. To make the shawls, the fur is taken from the underside of the antelope, which has to be killed to get it.

Sandra Gidley: I thank the hon. Gentleman. I am talking about the vanity of people—usually women—who give no thought to the terrible way in which a product is produced, but simply want the latest fashion. The reason why I make this point is that earlier today we debated a Bill on female genital mutilation. That might not appear relevant, but during that debate it was pointed out that women's magazines have done a good job of informing women about such issues. Perhaps through the all-party endangered species group, those magazines can be targeted to get the message across about endangered species. We are already seeing an increase in fur wearing by women. The campaign against fur was so successful that for years women did not wear fur, but this year on the catwalks—no pun intended—fur reappeared. We must do all we can to prevent its re-emergence in fashion.

John Mann: The hon. Lady makes an interesting and important point that I had not considered before, but I would hate the impression to be given that the problem is created solely by women consumers. In fact, and without going into lurid detail, claims made by some in the quirky pseudomedical professions that tiger parts and rhino horn have aphrodisiac properties are aimed specifically at men. The same educational message needs to be given to men, perhaps through the men's magazines.

Sandra Gidley: I agree entirely.

The hon. Member for Faversham and Mid-Kent outlined problems with the numbers. I have some recent figures for one year, which were produced in response to a question asked by my hon. Friend the Member for Lewes. His question was:

> "To ask the Chancellor of the Exchequer how many seizures were made of *(a)* species and *(b)* other material listed under the CITES"—

that is, the convention on international trade in endangered species—

> "regime . . . how many prosecutions were pursued and what the outcomes were of those prosecutions."

The answer was:

> "In the year 1 April 2001 to 31 March 2002 Customs made 337 seizures of imports or exports subject to EU legislation on endangered species. The goods seized were:
>
> Live animals—6,345
>
> Plants—8,734".

Nearly 2 million parts or derivatives were seized and the answer then referred to "items recorded by weight". It added:

> "In the same period Customs prosecuted six persons."—[*Official Report*, 28 November 2002; Vol. 395, c. 462W.]

Only six people were prosecuted.

[Sandra Gidley]

I hope that everyone supports the need for increased training of Customs officers so that they know what to look for. Increasing importance should be placed on that. Although the trade in endangered species is important in itself, we have already heard that it takes place alongside the traffic in narcotics and the arms trade. For those reasons, we need to ensure that Customs officers receive all the training that they need.

1.55 pm

Mr. James Gray (North Wiltshire): I congratulate my hon. Friend the Member for Faversham and Mid-Kent (Hugh Robertson) on introducing this small but important Bill. I hope that we give it a fair wind.

I inadvertently misled the House in the previous debate on ragwort. I congratulated my hon. Friend the Member for Southend, West (Mr. Amess) on introducing two ten-minute Bills on that subject. Those Bill were, of course, on the subject of endangered species. I was getting the two debates mixed up. I congratulate him on the two Bills that he introduced last year on this issue.

This is a small but important Bill that will increase the maximum penalty to five years in prison. As the hon. Member for Bassetlaw (John Mann) correctly pointed out, one of the important provisions in the Bill is that it would make the trade in endangered species an arrestable offence under the Police and Criminal Evidence Act 1984. I look forward to hearing from the Minister about the relationship between the Bill and that Act.

The Opposition are great supporters of CITES, and we always have been. The previous Conservative party manifesto supported the convention and talked about extending it. For example, we think that the Asiatic black bear and the large number of cetaceans that are in demand from commercial aquariums should be added to its list. It is a worthwhile international agreement that should be extended. We certainly support the determination of my hon. Friend the Member for Faversham and Mid-Kent to increase the penalties payable by those who trade in endangered species.

I shall add hardly anything to the remarks of my hon. Friend and those of the hon. Member for Bassetlaw. They outlined the awfulness of the trade and its links with narcotics, the arms trade and other smuggling activities. A large number of seizures have taken place, including 1,001 at Heathrow alone in the past four years. The trade is widespread.

The World Wildlife Fund produced the excellent report "Switching Channels", and I pay tribute to its work. The report has highlighted the fact that traders export illegally 25,000 to 30,000 primates, 2 million to 3 million wild birds, 10 million reptile skins and 500 million tropical fish. It is a huge trade and we must do something about it.

I was particularly struck by the examples that my hon. Friend the Member for Faversham and Mid-Kent gave of the short sentences that were dished out to people who had committed severe crimes. It is important that the penalties are increased. There is support from both sides of the House and outside for the increase in penalties. The organisation Traffic has been asking for that and Stuart Chapman, the head of species at the World Wildlife Fund, has been outspoken in calling for an increase in the penalties. I was delighted to discover that the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Scunthorpe (Mr. Morley) has stated his support for toughening the legislation. He said:

> "I am determined to toughen up the regulations and want the enforcement authorities to be able to throw the book at these criminals."

Throwing the book at them in the way that the Government say that they want to do is precisely what the Bill would achieve. I commend it to the House.

1.59 pm

The Minister for Rural Affairs and Urban Quality of Life (Alun Michael): I am grateful to the hon. Member for Faversham and Mid-Kent (Hugh Robertson) for bringing the matter to the House's attention and I congratulate him on securing his place in the ballot and on the topic that he chose for the Bill.

Many hon. Members have serious concerns about the illegal trade in endangered species and the Government are determined to tackle the problem. The hon. Member for North Wiltshire (Mr. Gray) quoted my hon. Friend the Under-Secretary, who is well known for his personal commitment to protecting wildlife in general and, especially, endangered species. Indeed, I hope that all hon. Members will join me in paying tribute to the way in which he has represented Britain in many international discussions about the issue because that has strengthened our position in the world.

John Mann: I endorse the Minister's comments about my constituency near neighbour the Under-Secretary. Has there been any discussion and consultation between the Department for Environment, Food and Rural Affairs and the Home Office about endangered species, because questions that I tabled to the Home Office on the matter have been redirected to DEFRA? I have received satisfactory answers but I have also talked to Home Office Ministers. What ministerial or departmental discussions have been held between the Departments on the subject?

Alun Michael: My hon. Friend will appreciate that I should not refer to conversations and exchanges in government. However, given his discussions during proceedings on the Criminal Justice Bill, he will know that Home Office Ministers and officials are working on the issues. DEFRA has lead responsibility for our policy on the protection of endangered wildlife, but there is a Government-wide approach that aims to strengthen the way in which we address it. The Bill and related initiatives would increase penalties for specific wildlife-trading offences, and Home Office and DEFRA Ministers are engaged in an approach to that.

John Mann: I was not attempting to entice the Minister to give us details of private discussions but his response was slightly vague. Will he confirm whether there have been formal discussions on the issue between the Home Office and DEFRA?

Alun Michael: I shall outline the ways in which we are pursuing the issue and deciding whether we should introduce legislation. I am not sure whether I misunderstand my hon. Friend. If he is trying to ascertain whether there is ministerial and official discussion between the Home Office and DEFRA on those issues, the answer is yes. My hon. Friend the Under-Secretary of State for Environment, Food and Rural Affairs responds on behalf of the Government as a whole.

Let me outline the Government's position. Many hon. Members have made it clear that they support increasing the penalties. I congratulate my hon. Friend the Member for Bassetlaw (John Mann) on attracting 344 signatures to his early-day motion in the last Session and on his tireless work that has done much to raise awareness of the issue. He made a strong point about the connection between different types of crime, including the read-across to drug and people smuggling. I am sure that he will agree that we need to ensure that people involved in the unpleasant trade are pursued effectively and strategically. There must be a lot of co-operation and the courts must be able to impose an appropriate penalty on people who are prosecuted.

We accept that increasing the penalties is justified. In fact, we suggested that in a consultation paper that we published in January, which covers a range of other enforcement issues. The consultation has not finished yet, but in the meantime my hon. Friend the Member for Bassetlaw has tabled an amendment to the Criminal Justice Bill currently going through Parliament, calling for increased penalties for illegal trade in endangered species. It was considered in Committee on 27 February, when the Under-Secretary of State for the Home Department, my hon. Friend the Member for Leeds, Central (Hilary Benn), said that, depending on the outcome of the consultation, the Government would return to the issue on Report. I hope that both the hon. Member for Faversham and Mid-Kent and my hon. Friend the Member for Bassetlaw will accept that it would be premature for the Government to support the Bill while public consultation is still in progress. We will, however, return to the matter during the later stages of the Criminal Justice Bill, when I hope we shall be able to introduce exactly the measures that the hon. Gentleman seeks today.

Hugh Robertson: Is the Minister committing the Government to supporting my proposals in the Criminal Justice Bill, subject to the positive outcome of the review? Can we therefore expect legislation in the current Session?

Alun Michael: It would be inconsistent for me to say that we should await the completion and outcome of the consultation before deciding firmly on the next step. My precise words were "We will, however, return to the matter during the later stages of the Criminal Justice Bill, when I hope we shall be able to introduce exactly the measures that the hon. Gentleman seeks today". I also referred to what was said by my hon. Friend the Under-Secretary in Committee. The hon. Gentleman should accept that as a firm indication of intent on the Government's part.

Hugh Robertson: Given that the Minister has been about as clear as it is possible to be, I do not think I need detain the House further. With the leave of the House, I will withdraw the Bill.

Alun Michael: The hon. Gentleman may wish to do that, but he has raised an issue, and I think it sensible for us to explore what is being done.

Hugh Robertson: On a point of order, Madam Deputy Speaker. Now that I have been given the commitment that I sought, I do not think we need detain the House further on my account. Is it in order for me to withdraw the Bill?

Madam Deputy Speaker (Sylvia Heal): In a sense the Minister is giving as firm a commitment as he can, but there is a hint, shall we say, of some objection to the withdrawal of the Bill at this stage. Perhaps it would be as well if we heard the rest of the Minister's speech.

Alun Michael: I am grateful to you, Madam Deputy Speaker.

Mr. Gray: On a point of order, Madam Deputy Speaker. I am a little puzzled. My hon. Friend has sought to withdraw his Bill, and the Minister has not formally objected to that. How can the Minister, who says that the Bill is unnecessary because its proposals will be included in another Bill presented by a different Department, none the less want to go on discussing a Bill which cannot now become law by any stretch of the imagination?

Madam Deputy Speaker: The Minister's objection is to the withdrawal of the Question. The debate can therefore continue.

Alun Michael: I have tried to help the hon. Member for Faversham and Mid-Kent—

Mrs. Cheryl Gillan (Chesham and Amersham): On a point of order, Madam Deputy Speaker. Friday's business always consists of a series of private Members' Bills, and several were tabled for discussion today. My hon. Friend the Member for Faversham and Mid-Kent (Hugh Robertson) has received assurances from the Minister which have allayed any fears he had that the Government would not consider the matter, and he has said that he no longer wishes to pursue his Bill. Surely it is not in order for a member of Her Majesty's Government to prevent discussion of another Bill when the promoter of the Bill currently under discussion has stated so firmly that he wishes to withdraw it. I seek your guidance, Madam Deputy Speaker, because that suggests that a private Member is not in control of his own legislation.

Madam Deputy Speaker: As I understand it, the Minister is responding to an intervention. I expect him to complete his response to that intervention.

Alun Michael: Thank you, Madam Deputy Speaker. In fact, these interventions are taking up time.

[Alun Michael]

I want to set the Bill in context, but first I wanted to satisfy the hon. Member for Faversham and Mid-Kent as to the direction in which I intended to take the debate. He has raised important issues, so it is only fair to ensure that the House is aware of the steps that the Government are already taking to deal with some of them.

Despite the strict controls on the trade in wildlife, there will always be people at one extreme who are genuinely unaware of them and, at the other, who deliberately and cynically breach them. People who bring home holiday souvenirs may not know that their new possession has been crafted from a highly endangered species, although they find out quickly enough when Customs officers seize the items.

However, the hon. Gentleman and my hon. Friend the Member for Bassetlaw want to deal with much more sinister wildlife criminals. Some of them collect wildlife specimens for their aesthetic appeal, breeding potential or rarity. They will pay almost any price and have no regard for the effect of their purchases on the conservation status of that species. The demand for traditional medicines fuels the trade in certain endangered species, especially the tiger, the bear and the musk deer. Although work is being done to identify alternative products, the demand continues and provides an incentive for illegal trade.

John Mann: If the Bill were enacted, what would be the position as regards European legislation on wildlife trade, such as EU regulation 338/97?

Alun Michael: We are working hard with our colleagues in Europe to strengthen the steps being taken by the Commission.

Mrs. Gillan: On a point of order, Madam Deputy Speaker. In response to my earlier point of order, you said that the Minister was responding to an intervention and that we must wait until he had done so before my hon. Friend the Member for Faversham and Mid-Kent (Hugh Robertson) could withdraw his Bill. It is obvious that the Minister has been reading from prepared notes and he has now responded to another intervention, so he must have come to the end of the—

Madam Deputy Speaker: Order. That is not a point of order for the Chair. I assure the hon. Lady that the hon. Member promoting the Bill will have an opportunity to respond.

Alun Michael: In view of the comments of the hon. Member for Faversham and Mid-Kent, I am shortening my contribution so as to place the Bill in context and not delay the House. However, it seems from her repeated interventions that the hon. Member for Chesham and Amersham (Mrs. Gillan) does not want the House to understand the context of the trade in endangered species—

Mrs. Gillan: Quite wrong.

Alun Michael: I agree that it was wrong of the hon. Lady and I hope that she will stop intervening.

Some wildlife crime is entirely profit driven and the National Criminal Intelligence Service has commented that ounce for ounce some wildlife products, such as rhino horn or deer musk, can be worth more than class A drugs or gold. That is an enormous incentive—a point strongly made by my hon. Friend the Member for Bassetlaw.

I want to make it clear that our approach is not only to increase the penalties for wildlife crime. We have taken several significant steps to improve the enforcement of wildlife legislation. In April last year, my right hon. Friend the Minister for the Environment launched the national wildlife criminal intelligence unit. The Government are contributing £440,000 over three years to get the unit off to a strong start. In conjunction with the Magistrates Association, he also launched, in November of last year, an information toolkit and guidance to help magistrates to deliver effective sentences for environmental offences. That is an important point in view of the comments made by Members on both sides of the House about the use of the sentences available to courts. We accept the need to increase the penalties for illegal trading in endangered species. The current maximum penalty of two years' imprisonment is not sufficient in, for example, cases where specimens of a high value are involved, where illegal trade may affect the conservation status of the species concerned, or where the trade is highly organised or part of a pattern of ongoing illegal activity such as that referred to by my hon. Friend the Member for Bassetlaw.

John Mann: Have officers involved in the wildlife intelligence initiative been involved in the consultation process to 4 April, and has evidence been requested from them concerning the effectiveness of that initiative? For example, how will enabling officers to perform searches by making such activities arrestable offences under the Police and Criminal Evidence Act 1984 impact on that initiative?

Alun Michael: My hon. Friend is right about the additional strengthening that that would bring to bear. Through the involvement of the National Criminal Intelligence Service, all avenues are being looked at to ensure that these matters are dealt with.

It is our responsibility to ensure that the courts have appropriate penalties for serious offences of this type, which is why we have already proposed that the current penalty be increased. As I said, we hope to address this issue through amendment to the Criminal Justice Bill, once we know the outcome of the current consultation exercise. In view of the fact that the hon. Member for Faversham and Mid-Kent said that he is prepared to withdraw the Bill on the basis of the assurances that I have given, I am certain that we can move forward in a way that will be applauded on both sides of this House.

Hugh Robertson: In view of the almost cast-iron assurances that the Minister has given, I am more than happy to beg to ask leave to withdraw the motion.

Motion and Bill, by leave, withdrawn.

Greenbelt Protection Bill

Order for Second Reading read.

2.17 pm

Mr. John Baron (Billericay): I beg to move, That the Bill be now read a Second time.

In my constituency, we are very concerned about the various threats to our green belt. One growing danger is that of unauthorised development, especially by the travelling community, who buy land and quickly develop it without planning permission. A recent example at Sadlers farm, which I have highlighted before, involved a field next door to a roundabout. On the Friday, a 6 ft earth mound was constructed around the perimeter; on the Saturday, hardcore was laid; on the Sunday, caravans were moved in. By the time the council reacted with enforcement and stop notices, the development was complete. As a result, we have now entered into a lengthy planning and appeals process. Meanwhile, the illegal development continues. Similar situations have occurred at Hovefields in Wickford, and at Oak road in Crays Hill. In trying to combat the situation, Basildon district council—whether under Labour or Tory control—has found the existing law inadequate. This Bill attempts to put that right by giving local authorities additional powers to prevent the unauthorised development of green belt land.

Before describing the suggested measures, I should like briefly to make two things clear. First, no one is looking to discriminate against a minority, but it is only fair that all those who live in the community should abide by its laws and regulations; otherwise, it is the majority who are discriminated against. Secondly, this Bill is the product of a long consultation exercise in which party politics has played no part. It has support on both sides of the House, and whatever the outcome, I should like to take this opportunity to thank all the sponsors for their support during its preparation. I also wish to thank my hon. Friend the Member for North Wiltshire (Mr. Gray) on the Front Bench, and all those in their places who are supporting the Bill, as well as the many people who have written to express their support—including the Association of Essex Authorities and Basildon district council. In that spirit, I wish to present the Bill.

Local authorities face two key problems when trying to deal with the issue. The first is that they have difficulty acting quickly enough to prevent the problem of unauthorised development. If an injunction is granted, it can be difficult to serve on the owner or occupier, as they are often difficult to pin down, especially if land has been sold on quickly or individuals are unco-operative. The second problem is that—although local authorities can issue stop and enforcement notices—in reality, rights of appeal and retrospective planning applications unnecessarily prolong the issue. The result is that the planning and appeals process can often take months, if not years. Even when that process is exhausted, local authorities often have to resort to the courts to reinstate the land. That can be a long process that does not necessarily result in the clearance of the land. Some planning departments, especially my own, believe that decisions go against local authorities because there is inadequate provision of sites.

The Bill contains three proposals. First, in order to share the responsibility of site provision for the travelling community, the Bill would introduce the requirement for all local authorities to provide authorised sites. The target figure should be identified by the Government in consultation with regional bodies, county councils and local authorities. The allocation could be met by public or private sites and so would not necessarily cost local councils money. It would be up to them how the target was met, and it could be done entirely by granting planning permission on private sites.

John Mann (Bassetlaw): Will the hon. Gentleman give way?

Mr. Baron: No, because I wish to make progress.

Secondly, the Bill will introduce powers to enable local authorities to more easily obtain an injunction, by allowing it to be served on a landowner whose identity is unknown to the local planning authority. Thirdly, local authorities would have a further power to serve a notice to remedy, the aim of which would be to reinstate the land to its original condition. That would be a discretionary power available to local authorities, with guidance that it should be used only when, in the opinion of the local authority, significant harm had been caused to the green belt or greenfield land under its control. If the land were not made good within a specified time, the local authority could arrange to put that right, the costs being reclaimed from the perpetrators where possible.

The powers would interact with each other, so that the additional powers would be available to local authorities only if the agreed provision of pitches and sites had been met by the local authorities, which seems only fair if we are to recognise the way of life of the law-abiding traveller. It is important to stress that, apart from the provision of authorised sites, the additional powers would not be mandatory. They would be additional options, available to local authorities to choose to use if they so wished. Local councillors, democratically elected, would make the decisions.

By ensuring that a sufficient number of authorised sites were provided and giving local authorities additional powers to combat large scale unauthorised development, whether by travellers or others, the Bill would create fairness for all. It is badly needed by local authorities and local communities, and I commend it to the House.

2.24 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): Before I address the substance of the Bill, it might be useful to put it into context, because much policy development regarding gypsies and travellers has taken place recently, and certainly within the past year. I congratulate the hon. Member for Billericay (Mr. Baron) on the tone and manner in which he introduced his Bill. There are those—some in this House, sadly—who treat this subject with a degree of mischief or even

[Mr. Tony McNulty]

malevolence that is not appropriate to the Chamber. One recalls a classic intervention from a right hon. Member who is not in his place today, but who shouted that gypsies were

"... scum. They are scum".—[*Official Report, Westminster Hall,* 15 January 2002; Vol. 378, c. 66WH.]

I shall name him—it was the right hon. Member for Bracknell (Mr. Mackay). That happened some time ago, but he should still be suitably admonished for it.

The hon. Member for Billericay has not gone down that path. I know from a range of meetings that I have had that his Bill has cross-party support in this place. There is a good deal of cross-party support, too, in Essex, as he said, and the issues that he highlighted are matters of real concern and are best dealt with responsibly. If for nothing else, he is certainly to be congratulated on the responsible way in which he raised them today.

It is important to dwell on the context surrounding the Bill because a lot has happened over the past year or so. For the first time in a long while, there has been substantive research into gypsy and traveller site provision. There has been a rather tortuous process—I shall probably be in trouble for saying that—by which we have tried to update guidance on unauthorised encampment. The gypsy site refurbishment grant has also been introduced. It would therefore be useful for me to say a few words about those matters before turning to the substance of the Bill.

Planning policies concerning provision of suitable locations for gypsy sites, whether local authority or private, are set out, as the hon. Gentleman will be more than aware, in Department of the Environment circular 1/94, which was published in 1994, entitled "Gypsy Sites and Planning". Although that circular is eight years old, the policy advice that it contains remains valid and should continue to be applied. The circular places gypsies and travellers on the same footing as others in relation to the planning system while recognising their special accommodation needs and the desire of many gypsies to buy their own sites to develop and manage.

Gypsy sites constitute development and therefore require planning permission. In formulating development plans, local authorities are encouraged to discuss the accommodation needs of gypsies and travellers with local communities with a view to identifying suitable locations for sites in plans wherever possible. For many local authorities, especially in rural areas, the identification of specific sites is not easy. Where they have found it impossible to identify suitable locations, local authorities must define clear and realistic criteria as a basis for site provision. It is the responsibility of the local authorities to judge how they frame their policies, and those are open to public scrutiny and comment at inquiries. Development plans must still take account of local circumstances. For example, gypsy and traveller sites are not among what is normally thought as appropriate uses of green belt land, a point to which I shall return when I reach the substance of the hon. Gentleman's Bill.

Mr. Baron: Time is short, as the Minister will be well aware. He has referred to the fact that the Bill has good cross-party support. Does he intend to talk it out, or will he allow it its Second Reading?

Mr. McNulty: As I was saying, gypsy sites are not among the uses of land normally considered appropriate for green belt land, areas of special scientific interest or open land where development is severely restricted. The onus rests on the applicant to prove that there are special circumstances that overcome harm by reason of inappropriateness. In gypsy and traveller cases, special circumstances often include health and educational needs. Unfortunately, gypsies often establish sites without first obtaining the necessary planning consent, which lies at the heart of the hon. Gentleman's Bill, and is why I dwell on the point. In many cases, the locations that they choose are inappropriate in land use terms; for example, the land may be green belt or open countryside. Enforcement action by local authorities against such unauthorised development is therefore common. As the hon. Gentleman says, there may be some need to review that aspect of the law, but for reasons to which I shall come, that should not be done in the manner suggested by his Bill. The availability of alternative sites can be a consideration when appeals against enforcement notices are determined.

Given that the Bill raises those matters, it is important that I should talk about the enforcement of planning control in general. The Government share the view that local planning authorities should take appropriate enforcement action if they consider that an unacceptable breach of planning control has occurred. They have a range of weapons at their disposal, and I should like to outline what they are, not least because many of the suggestions in the Bill are inappropriate, impractical in terms of the law, or simply—

Madam Deputy Speaker (Sylvia Heal): Order.

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 13 June.

Remaining Private Members' Bills

CROWN EMPLOYMENT (NATIONALITY) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 28 March.

GOVERNMENT POWERS (LIMITATIONS) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 28 March.

Fairtrade

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

2.30 pm

Mr. Eric Joyce (Falkirk, West): I want to take this opportunity to say a few words about the Fairtrade Foundation and the Fairtrade brand. I also intend to say a word or two about the Soil Association, an excellent organisation, and similar related organisations. Finally, I shall make a number of points about the interrelationship between what one might call the international development charities behind the Fairtrade Foundation and domestic agricultural interests, with particular emphasis on the possibility—in my view, ill advised—that the produce of developed economies such as the United Kingdom could in future receive a Fairtrade mark.

The Minister will be aware, having attended the recent seminar at Stonleigh park on 14 March, and no doubt through many other channels, that the Fairtrade Foundation and similar organisations are wholly independent of Government yet dependent at various levels on taxpayers' funding, irrespective of whether the direct source of grants to and agreements with the organisation is the European Union, the UK or a regional body. That means that the Government have an interest in monitoring whether money is being well spent and that recipient organisations are effective and fit for a purpose that is in itself useful. The Fairtrade Foundation appears to be on a firm footing in that respect.

Perhaps some information about Fairtrade is appropriate at this point. I have borrowed extensively from literature provided by the foundation and related organisations, since that seems to be the best way of putting on the record the organisation's description of itself and its objectives. The Fairtrade Foundation exists to ensure a better deal for marginalised and disadvantaged developing world producers. It was set up in the early 1990s by CAFOD, Christian Aid, New Consumer, Oxfam, Traidcraft and the World Development Movement. Its formation was a response to the collapse of world commodity prices in the early 1990s. The foundation awards a consumer label, the Fairtrade Mark, to products that meet internationally recognised standards of fair trade. In the foundation's own words, the brand challenges the conventional model of trade and offers a progressive alternative for a sustainable future. It also empowers consumers to take responsibility for the role that they play when they buy products from the developing world.

Crucially, in recent years Fairtrade has placed great stress on quality issues. That means that supply chain consistency issues must be in order and, fundamentally, that the stuff people buy off the shelves is edible and drinkable. I have to say that during the mid- to late 1990s my family had two or three packets of Fairtrade tea and coffee permanently in the cupboard. We would take it out of the cupboard and use it once so that it did not look as though we were wasting it, then it would stay in the cupboard to be replaced by a new one three or four weeks later. Although that practice, albeit inefficient, produced a passable turnover for Fairtrade branded products, the recent focus on quality has produced remarkable results, with sales now up 90 per cent. on previous years. Indeed, the House has Fairtrade products located in each dining and recreational area, and I understand that sales are brisk.

The foundation lays down five principles of fair trade. The first is to assist disadvantaged producers. That means developing access to markets in developed countries for producers who tend to be marginalised by conventional trading structures. There is a focus on smaller-scale producers, although that depends on the commodity in question. Coffee producers tend to be small and family owned, with production and marketing organised through co-operatives. Tea, on the other hand, is produced on estates where the focus of the Fairtrade brand is oriented on employment and environmental practices.

The second principle is direct trade—in other words, cutting out the middle person and buying direct from farmers' organisations at a guaranteed price. The world coffee market militates against many small producers, who may sometimes receive far less than a reasonable rate—even in local terms—for their labours. Often, production methods are not what consumers in developed countries would approve of, but consumers cannot know, in the usual run of things, that that is the case. In the Fairtrade Foundation's words,

> "By bypassing the international commodity market and buying direct from farmers' associations or co-operatives, Fairtrade enables farmers to get a greater share of the rewards for their labour."

The third principle is a fair price. For most products, Fairtrade criteria establish a minimum guaranteed price that covers the cost of production and ensures a living wage for growers. The set Fairtrade price is always the minimum price paid, but it rises in line with market prices if they rise above the minimum Fairtrade price.

The fourth principle is pre-finance. Some small producers find it difficult to obtain finance to make their products available for export. They often have to pay very high interest rates. Producers may therefore request part payment of orders in advance of delivery, for which a fair commercial cost should be passed on by the importer.

Finally, the fifth principle is that of a premium being payable by importers in addition to the purchase price. This payment is designated for social and economic development in the producing communities. The farmers and growers themselves decide how those funds are to be allocated. The money is normally used for improvements in health, education or other social facilities, although it is sometimes used to improve productivity or to reduce risk by introducing diversity into the product range of the producers.

In addition to these principles, the Fairtrade Foundation seeks to establish long-term trading relationships, with orders being placed early in order to enable longer-term economic planning in the areas of production. The Fairtrade Foundation lays down criteria for product and producer eligibility that extend from the principles that I have just described. These are oriented around ingredients, labour management, monitoring and inspection processes, and licensing. The foundation lays out the details of the Fairtrade supply chain, which covers producers, importers, licensees and retailers. The assumption in this description of the

[Mr. Eric Joyce]

supply chain that importers will always play a key part is important. I will come back to that later in my remarks. For the moment, I will augment that comment with a quote from the Fairtrade Foundation literature.

> "The success of the Mark depends on consumer confidence in the guarantee it offers that third world producers receive a better deal."

I agree wholeheartedly. In many ways, that is the nub both of this debate and early-day motion 865.

Just to put a bit of flesh on the bones, it is worth mentioning some of the products and countries of origin. Typical products include—as I am sure that you and the Minister are aware, Madam Deputy Speaker—coffee, tea, bananas, chocolate, honey, mangoes, sugar and orange juice. The producers are based in countries such as Belize, Bolivia, Ghana, Cameroon, Haiti, Ecuador and the Windward Islands. There is no doubt that the Fairtrade brand, founded by international development organisations, is doing fine things for producers in the developing world. The Fairtrade brand is in the ascendant, with sales for 2002 exceeding £63 million in the UK. I understand that that is 90 per cent. up on the previous year.

I have already mentioned quality. Quality is vital when it comes to getting major retailers in the UK to take on Fairtrade products as a wholly viable commercial venture. The Co-op has now, for example, switched all its own-label chocolate bars to Fairtrade, and all filter coffee in the sandwich chain Prêt a Manger [illegible] now Fairtrade. That is commendable of both organisations, of course, but ultimately both require a solid rate of return, which means sales in volume. Quality lies at the heart of that.

Growth in sales is leading to an early form of mainstreaming of Fairtrade products, which in turn helps some of the world's poorest people. The Fairtrade Foundation locates its role not simply in helping countries in the developing world but in reforming international trade. That may orientate around what might be called the Fairtrade philosophy. We do not have time now to interrogate the philosophy, but there seems to be a significant gap between the philosophical aims of the Fairtrade Foundation and the reality that most people buy Fairtrade products to help the developing world rather than as a critique of the world farming economy per se. The important thing to note is that while most people would concede that there are maleffects on developing world producers as a result of the common agricultural policy and other aspects of production in the developed world, they do not necessarily extend that to a philosophy that includes producers in the developed world. Of course it is perfectly possible to argue rationally that producers in this country, such as small producers of organic products, could benefit in the same way as producers in the developing world, and for the same reasons under the fair trade banner, but there are usually a number of competing but equally rational lines of argument available in any situation. The question is which is the most appropriate and effective in the context in which it is presented.

The Fairtrade Foundation is at present conducting a study, in conjunction with the Soil Association, which could result in granting some United Kingdom producers the right to use the Fairtrade label. That is something with which I and many of my colleagues and our constituents disagree profoundly. The study will end in early 2004, at which point Fairtrade Labelling Organisations International will decide whether producers in the UK will qualify for the Fairtrade label. MPs and others have been asked to take part in the consultation phase, yet at one level that seems tokenistic, since it seems to me that the philosophy of the consultation, laid out in a number of Fairtrade Foundation documents, is already clear and mitigates in favour of so extending that label.

One release said:

> "The Fairtrade Foundation is investigating if and how the philosophy and principles of Fairtrade could be applied in the UK. We are doing this mainly because over the past two years, as the profile of Fairtrade has grown and as the situation facing many UK farmers has deteriorated, our supporters . . . have asked us to. There is a body of opinion who believe that extending the principle of Fairtrade could actually help build its constituency."

The release says that

> "the problems facing farmers in the developing world are not only due to trade rules. Equally problematic is the position of farmers as the weakest participant in a long supply chain onto whom all the risk and all the price reductions are always pushed . . . eleven UK farmers go out of business every day, their profits squeezed to non-existence."

The same release notes:

> "Enabling farmers to stay on their land and find sustainable livelihoods must be central to the agricultural and rural futures of this country."

That release was issued after an excellent article by *The Guardian* journalist Charlotte Denny.

It is perfectly logical and desirable that an organisation such as the Fairtrade Foundation should be based on a wider philosophy. Indeed, many hon. Members have been an integral part of the development of that philosophy, including my right hon. Friend the Secretary of State for International Development. I have no doubt that many hon. Members lent their support to the idea because they saw it fundamentally as something that aided the developing world, and if we introduce a new feature into the equation, which is essentially that it becomes an argument about world farming and therefore has significant implications for UK farmers per se, that becomes a rather different proposition from what I think hon. Members, and members of the public and consumers, have supported until now.

I happen to have a high regard for the Soil Association, which is the UK's leading organic organisation. I would say more about its merits, but I am constrained by time. Suffice it to say that the organic sector is a crucial part of the UK farming economy and the Government recognise that. I am sure that the Minister will say that in due course. However, if Fairtrade labels were to be extended to UK organic products, the same philosophy would have to be extended to UK non-organic products because Fairtrade products are not necessarily organic. Therefore one would effectively be extending the label possibly to a large number of producers in the developed economies. That would fundamentally damage the Fairtrade label. As early-day motion 865 says, many of my colleagues now believe that the extension of that label could be profoundly deleterious to the Fairtrade brand.

I can only speculate as to the reasons why the Fairtrade Foundation has extended its underpinning philosophy to the conservation of UK farming. Although it is an argument that many well-known bodies put, it seems clear as day that it should not be a function of an organisation with a mission to help the developing world. However, if we were to speculate we might look closely at the influence of particular interest groups on the internal politics of the Fairtrade Foundation. That might include the excellent women's institutes or indeed the Soil Association or other farming interests. It is not to say anything negative about those organisations—quite the reverse. It is simply to say that where successful non-governmental bodies such as Fairtrade grow, their growth becomes central to their operations and people's careers come to depend on liaisons with other organisations, with perhaps overlapping but not necessarily exactly similar objectives.

I conclude by reiterating my belief, and that of many of my colleagues, that extending the Fairtrade brand to cover UK products would be seriously detrimental to that brand. I hope that the Minister will continue to engage with the concept of fair trade and encourage his colleagues in the Department of Trade and Industry and Department for International Development, to whom I will also write, to express their concern about what I regard as a worrying development.

2.45 pm

The Minister for Rural Affairs and Urban Quality of Life (Alun Michael): I congratulate my hon. Friend the Member for Falkirk, West (Mr. Joyce) on securing this debate and on choosing such a fascinating subject. Organic farming and fair trade are two very important but, as he has indicated, distinct subjects. Nevertheless, it is important to try to wrestle with the principles to which he referred.

I have a long-standing interest in fair trade, both through the co-operative movement and through Traidcraft, which my wife promoted in our home town of Penarth for many years. I am not sure that it is an interest in the declarable sense, but it is certainly an enthusiasm, and it continues to occupy a considerable proportion of our cellar.

Individual consumers can exercise choice in their moral and purchasing decisions. Together we can make a difference and achieve a great deal, especially with the encouragement of the Government's engagement in these issues, and I join my hon. Friend in applauding the work of the Secretary of State for International Development. It is a matter of pride to me that the House can make a difference, and not only in the availability of tea and coffee—the point at which I thought we were getting the message across was when the Churchill Room's selected wine for the month turned out to be Traidcraft wine from a co-operative in South Africa.

I join my hon. Friend in applauding the efforts of the Fairtrade Foundation and others working in this field to promote equitable trading practices for producers in developing countries. The fair trade certification and labelling scheme responds to concerns, increasingly held by our society, about poverty and disadvantaged groups in developing countries whose living depends on fair prices and fair terms of trade. Such schemes also respond to the willingness, and indeed enthusiasm, of much of the business community to demonstrate concern for fair trading practices, reflecting the views of their customers.

The Government strongly support organic farming as a sustainable method of production that provides significant environmental benefits. I gave organic farming targeted support when I was Secretary of State for Wales, and the Department for Environment, Food and Rural Affairs strongly supports it. Last year, we developed our organic action plan for England with a wide range of stakeholders, and it is now being implemented. It concentrates on sustainable growth of the organic sector in this country. We are also very much alive to the potential of organic trade to help disadvantaged producers elsewhere in the world. We are, for example, supporting moves in the European Community to change the legislative requirements to facilitate trade from producer groups in developing countries, while maintaining the integrity of the organic certification system.

The initiative outlined by the Fairtrade Foundation and the Soil Association in January has promising aspects that may help to meet fair trade objectives while also achieving benefits for trade in organic products. Co-operation between the respective certification bodies is to be welcomed, and I particularly support the plan to identify more organic producers in developing countries who can be certified to fair trade standards. I do not think that my hon. Friend's concerns extend to those proposals.

The other stated objective of the initiative is to consider the introduction of fair trade certification—together, presumably, with labelling to inform consumers—for organic products from the UK. I understand that no decision has yet been taken by the sponsors of the project on the form that that could take. The Government do not necessarily have a role in the development of private certification schemes, where those are consistent with existing legislation. However, I recognise my hon. Friend's points about the confusion, and indeed harm, that could arise if fair trade labelling, in the form associated with products from developing countries, were to be applied to products from the UK and other developed countries.

The connection between the concerns of farmers in the United Kingdom and the challenges of helping farmers in third-world countries is interesting. When I first had agriculture responsibilities, particularly in Wales, I was struck by the continual wish for a fair return to the primary producer. In fair trade, much the same concept takes the form of encouraging people to seek an assurance that the primary producer is not being squeezed by those who process and trade commodities around the world.

In many ways, there is also an emphasis on the way in which farmers want to produce to a level of quality, to co-operate to ensure that they have some strength in the market place and to benefit from added value in products. That is very similar to the challenges of ensuring that such things can happen in other countries. Indeed, I have often underlined the importance of co-operation, and I am very pleased that the Curry commission's recommendations suggest that co-operation, quality and connection with the market can

[Alun Michael]

increase the returns to farmers in this country. At one level, there is a philosophical similarity between the wish to ensure a fair return to farmers, who have gone through extremely difficult times in recent years, and the concepts that underlie fairness in international trade.

As my hon. Friend said, I took part in a conference discussion at Stoneleigh park only last Friday that brought together those two issues. It was fascinating to attend a conference, promoted by organisations such as the National Farmers Union, Christian Aid, the co-operative movement and a variety of others, in which people referred to what can we learn from one another and what are the points of dialogue. Some people might have the concerns that my hon. Friend has expressed, but debating the issues is certainly well worth while.

As the later part of the discussion continued and as I was asked questions following my contribution, I was a little concerned about the extent to which people returned to speaking about the need to protect farming in this country or to have an international trade regime that protects the poorer producers in third-world countries and retreated from dialogue to emphasising their priorities. So bringing together the two issues is not easy, and I am certain that the Soil Association, the Fairtrade Foundation and the others who have become involved in that debate will find that some extremely difficult and challenging issues remain.

It is also worth underlining the fact that the Government strongly support world trade liberalisation under the Doha negotiations for agriculture. The Doha mandate makes a commitment to substantial reductions in subsidies and market protection and to special and differential treatment for developing countries. Our objectives in reforming the common agricultural policy are based on a market-led approach that will place the European Union on a stronger footing in the World Trade Organisation talks on trade liberalisation. All those issues are interrelated to a degree, and they are difficult to separate if we want to make sense of the world in which we live and if we believe in ensuring that fairness is achieved, as I know my hon. Friend does from his interest in this issue.

On the other half of the debate, the Government fully recognise that British farmers face very serious difficulties caused by many factors, including declining markets and poor returns. It is important to underline the fact that our strategy for sustainable farming and food, based on the work of Sir Don Curry and the policy commission on the future of farming and food, sets out the new approach that is needed for the future.

Our approach involves moving agriculture away from the constraints of production-related subsidies; reconnecting farmers with markets and strengthening the food chain; improving co-operation, performance and quality; enhancing training and opportunities to learn from best practice; and ensuring a secure basis for the future founded on the principle of sustainability, thus meeting economic, environmental and social objectives.

Many of those principles, particularly the principles of sustainable development, are relevant to producers in the third world and to those economies. In an age in which commodity prices on the international market can fluctuate rapidly, the need to find the right way forward, which is not protectionist and does not encourage the production of goods for which there is no market, is extremely important. Certainly, none of that is easy. A resonance exists in terms of ensuring that the primary producer receives a fair return, or the return from adding value, and is well connected to the market, in terms of what consumers wish to receive, and to the point of quality, to which my hon. Friend rightly referred. I endorse strongly, like him, the way in which fair trade products nowadays are of a high quality and are able to compete on those grounds. That is important if they are to have a long-term and sustainable future.

I note my hon. Friend's concerns, and Government colleagues will see what he has said. At the end of the day, however, it is for those who undertake this work to consider the pros and cons in relation to the launch of the consultation in January. I am certain that they will take to heart many of the points that he has raised. The House should consider the issue with care: we must take our decisions on purchasing not only as Members of Parliament but as individual consumers. The issue of how we best promote choice for consumers—whether choice of organic products or choice to purchase fairly traded products knowing that a reasonable return goes to people in those developing economies—are all things that are important for us as citizens and for the House as a whole.

Mr. Joyce: Does the Minister think that it might be appropriate to have a particular label, which the NFU or some other organisation might establish, which might have some function in this respect for UK produce that was distinct and different from the Fairtrade label? That would preserve the brand as things stand at the moment.

Alun Michael: My hon. Friend makes an important point. The Government's approach to the matter is that assurance schemes, whether the Soil Association scheme, schemes that give assurances about the fat-free nature of products, the red tractor scheme or the Fairtrade label, are best dealt with primarily on a voluntary basis, with the encouragement of Government, rather than through a top-down approach. Having said that, my personal view as a consumer, more than as a Minister or Member of Parliament, is that a variety of labels can become very confusing. Often, people who are concerned about the quality and health benefits of the products that they buy are also the sort of people who would look for organic products and fairly traded products.

My hon. Friend has raised an extremely important issue, which poses a lot of challenges to which there is no easy answer. I hope, however, that the views that he has expressed will be taken into account by those who have the responsibility for responding to the consultation and discussion in January. I congratulate him on bringing such a big issue—it is not a small one—to the attention of the House in this Adjournment debate.

Question put and agreed to.

Adjourned accordingly at one minute to Three o'clock.

Westminster Hall

Tuesday 11 March 2003

[SIR NICHOLAS WINTERTON *in the Chair*]

Women's Pensions

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Woolas.]*

9.30 am

Vera Baird (Redcar): A subtitle for a debate on women and pensions might well be, "A Tale of Poverty and Inequity". As many as 46 per cent. of single female pensioners now live in poverty. I do not feel very happy about the fact that, in the early part of a new century, almost half of single female pensioners are in such a state, but poverty there is. Another 31 per cent. of single elderly women—I assume that that figure is additional, but I am happy to be corrected—are in danger of falling into poverty compared with 25 per cent. of elderly men.

The average single female pensioner has £153 a week; the average man has £194. For couples, the average man gets £248, and the average woman gets £96. The debate is about inequity, not inequality. The situation is particularly harsh in that women make up the majority of pensioners—almost two thirds of pensioners, about 7 million, are women. More women pensioners than men live on their own and therefore have to manage their households out of reduced and limited earnings and 70 per cent. of female pensioners have no private pension. Before I weary the Chamber with more statistics, I shall pick out the last and the first figures: 70 per cent. of women pensioners have no private pension and 46 per cent. of single women pensioners live in poverty. What does that say about the adequacy of state provision for women pensioners?

There are of course cultural and historic reasons why women pensioners are poor. The lifetime model for the generation of women now in retirement would have been to leave school, work for a few years and then marry, stop work, make a home and, usually, raise children. However, not all women wanted to stop work on marriage. Lest anyone should think that by following the cultural norm, those women are reaping their current poverty from having led pleasurable lives of economic inactivity, I shall mention two factors. First, I doubt whether anyone nowadays is prepared to say that caring for a partner and family, particularly and exclusively in the absence of any other role or identity, is either easy or, in a modern sense, fulfilling. Secondly, in many cases it was compulsory for women to leave work not on having children but on getting married. My mother in law had to give up her job as a civil servant not when she became pregnant but on her marriage. I assume that in the post-war era it was regarded as important to preserve jobs for men. Whatever the cultural norm, however, some women simply did not have a choice.

The present generation of pensioners is reaping the result. As women have participated less in the labour market, they have built up less state income in their own right. Until 1978, even when they were working, women usually paid the reduced rate of national insurance—the women's contribution. They never became entitled to a pension in their own right, but depended instead on a category B state pension—a maximum of 60 per cent. of the full rate. That would be calculated on the husband's contributions, which may or may not have been sufficient. Women's more limited participation in the labour market of course meant lower rates of pay. They either withdrew or worked part-time when they had their children, and part-time rates of pay are lower. Very few women in the generation that is receiving pensions had the opportunity to invest in private pension provision to supplement state provision.

In 1978, there was a helpful change and home responsibilities protection was introduced. It reduced the number of years needed to qualify for the state pension for every year—up to a maximum of 19—that a person looked after children. One can now qualify for a basic state pension after just 20, not 39 years of work.

In the Social Security Pensions Act 1975, Barbara Castle abolished the married woman's option, although she allowed those who had taken it to retain it. In 1975, she called the option the "alibi" for the inferior treatment of women. Ever since, however, the terms of the partial abolition and retention of the married woman's option have remained a source of great contention between older women and the Government. Its removal was not the unalloyed benefit that Barbara Castle—that truly great pioneer of women's equality—intended it to be.

Eileen, my caseworker in Redcar, is highly articulate and very skilled and she is a case in point. She started work 36 years ago and was told, "You don't need to pay. Your husband's payment will cover you." She told me, "In those days, husbands told wives what was good for them and so did bosses." The chances are—this is certainly true in Eileen's case—that women thought that the man's stamp was for both of them and that it would be silly to pay more. It is eminently believable that that would be the view. However, as Eileen put it to me, women were not covered as adequately.

Eileen opted for the small stamp. In 1989, she took the option to change over, but she has not accumulated enough years to get a proper pension. She worked part-time while her children were young. She never worked less than 20 hours, but she was not allowed to join the company pension scheme, so she lost out there as well. She therefore has no full retirement pension. Her occupational pension is starting to accumulate, but it is severely reduced. She also lost out on home responsibilities protection because her children were born a shade too early for the system to apply. She expects a basic pension of about £30 a week.

We should not rest easy, telling ourselves that these women were simply victims of the bad old days and that we now look at things from a more modern and egalitarian standpoint. We should not simply say that it will not happen again, because women have been given the minimum income guarantee and are supported. As a nation, we treated those women unfairly.

Governments have said that a leaflet was sent out explaining to women that those who did not pay the full stamp would not get any pension, but that is not an adequate response. Everyone understands that women were just starting to emerge into the world of affairs—

[Vera Baird]

by which I mean business affairs. They were unlikely to take that information on board. If they did, their husbands would tell them—again understandably, given the culture at the time—"Of course, the Government have to send information out. Some men are villains, but I'll look after you. You're quite safe. There's no point having independent provision."

These women are now likely to be poor and to be on the minimum income guarantee or perhaps pension credit, with its different criteria. They have been left with low incomes by an act of unfairness. The Government should return to the issue when, in pursuit of their Green Paper consultation document, they consider the position of pensioners. They should examine whether it is possible to return to the question of women who paid the small stamp, which was sometimes bigger than the one that would have qualified them for a category A pension. They paid as much as £19 a week for nothing. For instance, a woman who had not paid any stamp would receive a category B pension, based on her husband's national insurance contributions, as would the woman who had paid the £19 stamp.

I invite the Government to consider giving those women, on retirement, some form of accumulation of what they have forgone—whatever proportion it might be practical to disburse in that way. That would help them to remain off state benefit, or less dependent on it, so it would be in the interests of all of us. At the same time it would be fair and would redress a wrong that is harshly felt, particularly in places such as Redcar, for a long time home to heavy manual industry such as steel works, in which gender roles were extremely polarised. Women there were late to emerge in their own right, continuing to be dependent on their men for longer than metropolitan women might have been. They, like my researcher Eileen, now find themselves in a predicament. They were denied financial self-determination in their youth and they were denied it by the culture in their middle lives. If some recompense is not made, they will be denied financial self-determination in their old age and will spend it in pensioner poverty.

Nothing in my contribution is intended to be critical of the Government. They have done an enormous amount, quickly, to pour money into the poorest pensioners, predominantly women. Nevertheless, about 1 million women pensioners are on the MIG. When pension credit comes in, two thirds of those entitled to it are likely to be women, although that is designed for those who are slightly better off than those on whom I have focused. The Government have acted, and they have acted well.

Lynne Jones (Birmingham, Selly Oak): Recalling my hon. and learned Friend's comments about her case worker, who has a small occupational pension, is she not concerned that Eileen will not receive the benefits of pension credit because she does not have a full basic pension?

Vera Baird: I suspect also that because the pension credit is assessed on Eileen's income and that of her husband, she is likely to be outside its limitations. That is another problem with pension credit—the incomes of both parties are aggregated in considering whether they qualify. I thank my hon. Friend for that point.

Mr. Oliver Heald (North-East Hertfordshire): Does the hon. and learned Lady agree that one concern is the low take-up of minimum income guarantee and pension credit? About 770,000 households do not take it up with the result that, despite what the Government have done, the income of single pensioners as a percentage of national average earnings has remained exactly the same since 1997 and the gap between the richest and the poorest pensioners has widened.

Vera Baird: I am not sure that the hon. Gentleman's figures are right, but I shall leave it to my hon. Friend the Minister to correct them if necessary. It is a continuing problem that older people are reluctant to take up benefits such as the MIG. It is difficult to get them to do it, and nobody could have tried harder than have the Government. The hon. Gentleman makes an opportune intervention. This Saturday, a team of Labour party activists in Redcar, led by me, will go out to try to encourage better take-up of those benefits by older people. We Labour MPs have good relations with our pensioners' forums. From them we get advice on the best ways to encourage take-up.

Mr. Heald: I am grateful to the hon. and learned Lady for giving way to me again. Is she aware that in 1996 the number of pensioner households not taking up income support was 600,000 and that now, despite all the efforts that she has mentioned, the figure is 770,000? Is that not a sign that despite the best efforts of Governments we have not cracked the problem of getting the money to those who need it?

Vera Baird: As I said, the difficulty is almost intractable. There are problems with the complexity of forms, although many of those have been substantially tackled. The leader of my pensioners' forum tells me that although the application form is quite a few pages long, it is now just over a third of what it used to be. Many unnecessary questions have been cut out. One cannot fault local authorities, the Government and Labour councillors and MPs who have gone to the trouble of setting up such liaisons to find out what the problems of take-up are.

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): On a point of information, the minimum income guarantee claim form has been cut from 40 pages to 10—questions such as, "Are you pregnant?" have been removed. It is a quarter of its former length.

Vera Baird: I thought it was a third, but I shall leave most of the figures to my hon. Friend, who is a mistress of figures.

Mr. Mark Francois (Rayleigh): On the complexity point, most pensioners receive their pension over a post office counter. Many pensioners, many of whom are women, are extremely concerned that the Government have made the process of collecting their pensions more complex by insisting that pensioners have some form of bank account at their post office. That is highly unpopular with pensioners. The system was not broken, so why on earth did the Labour party have to fix it?

Vera Baird: The hon. Gentleman is being somewhat unfair. It will still be possible to pick up pensions and associated benefits at a post office by using a card. I have received few complaints about that. I have heard concerns about the closing of post offices, and that is entirely natural, but I have not heard many concerns about pensions no longer being available.

Limited take-up has more to do with the complexity of the forms and the process than being unable to find the way to one's local post office. Fortunately, the process has become less complex. I suspect that hardest for all Governments to get to grips with is that older people are reluctant to apply for anything that they do not regard as absolutely theirs by right. That is a hopelessly intractable problem. All we can do is improve our literature and our efforts.

Moving on to future women pensioners, I shall quote the Green Paper and raise some concerns about it. It says on page 57:

> "Much of the improvement in the pension provision of future female pensioners will come from labour market improvements—higher employment rates and better pay."

I detect a worrying tinge of complacency there. However, the paragraph after that readily concedes

> "pension provision will still lag behind that of men for some years."

My concerns are not allayed by the next sentence, however, which states:

> "Many of these problems flow in part from a lack of awareness and understanding of the pensions system."

It is not a good idea to blame the victim. Had I done a PhD on "Pension Planning for Women in the 21st Century" it would not be of much use to me if I were one of the 40 per cent. of women who earn less than £100 a week. Let us consider women earners and not women pensioners. Knowing a lot about how pensions work would not be a great deal of use to me if I were one of the 40 per cent. of women who still earn less than £100 a week. Consequently, with the thesis that we will rectify the poverty of women on pensions by gradual trickledown, I have some concerns. I appreciate that the document is a Green Paper and so the Government are open to argument. However, the suggestion that the problems that women face about pensions will decline and eventually disappear in time is a myth. There are still fundamental socio-economic differences between men and women that will impact on their financial provision in retirement for a generation.

Women still suffer from a gender pay gap, which is not really closing. The first reason for that is because there are 1.4 million women who are below the lower earnings limit and are not in the national insurance system at all. There are far more women than men in that position. The Equal Pay Act became law in 1970, some 33 years ago. As the Green Paper says, the real landslide that has taken place since then is that average female pay is no longer two thirds of average male pay but is now four fifths. The average weekly male pay for a full-time worker is £100 more than the average weekly female pay for a full-time worker. Again, that figure is from the Green Paper.

Although we have the highest female participation in the labour market in Europe, only 40 per cent. of it is full-time. When the average male and female wages are compared, taking into account part-timers, the gap is £200. Calculations by the Fawcett Society and the Women's Budget Group clearly show that, at that landslide rate of progress, it will be 75 years before there is anything approaching equal pay between men and women.

There is no doubt that the increase of hourly pay for young women has progressed well; it is now about 95 per cent. of the hourly pay for young men. However, that is not reflected in the incomes of women over 40, which have simply not moved. Between the two—earning reasonably close to what men earn in one's 20s but substantially less per hour in one's 40s—is the second socio-economic difference between men and women that stops women from trickling down to having good pensions, which is the career break. After she has been out of the labour market for a year, the average woman's drop in pay is 16 per cent. That is a wage penalty that is apparently double that to which men in the same situation succumb.

I am again grateful to the Women's Budget Group for calculating that a woman who starts contributing to a pension when she is 25 and takes five years out when she is 30 will have a fund worth 20 per cent. less than it would have been had she worked consistently. If the woman waits until she is 38 before having a child, the reduction is 18 per cent. A woman who does not start paying until she is 30 will build up a fund worth 25 per cent. less at 60 even if she does not have any break at all. Despite the HRP all that time ago in the 1970s being almost fully operative, women who take career breaks still face real problems in saving for their retirement.

Angela Watkinson (Upminster): The hon. and learned Lady is bringing back all sorts of memories. I started work in 1958. I remember very well the days when there were two different salary scales for men and women doing the same job. On the reduced stamp for women, when I married in 1961 I was persuaded to go on to a reduced married woman's stamp, but I did so in full knowledge of the implications. After quite a substantial career break, during which I brought up my family, I was given the option of going back on to a full stamp. Again, I made a fully considered decision to do so. The literature that was available at the time was clear and I knew exactly what I was doing, so it is not fair to paint all women as victims who did not understand the implications of the reduced women's stamp at that time. That is rather a dangerous generalisation.

Vera Baird: I do not accept that. On what the norm was, I have my informant Eileen, who is my caseworker and was my predecessor's caseworker too. Over the years, she has dealt with a large number of women who were in exactly the same position that she is and who were of exactly the same understanding, namely that they needed to do more than rely on their husbands for future resources. Although I entirely accept what the hon. Lady said about her state of mind, I simply do not accept that that was widespread.

On future pensioners, the second state pension will be immensely helpful to future women pensioners and will assist carers. I understand that it is passported via child

[Vera Baird]

benefit until the youngest child is five. Passported by the presence of an invalidity care allowance, the second state pension will assist 2 million carers, almost all of whom are likely to be women, to accrue some more pension. However, it is a relatively modest step—I think that the fund is £2.3 billion. Although that is progress, it is small progress that will make some difference but not an enormous amount.

I shall quote a few more figures to try to make that point. At present, to avoid making a claim on minimum income guarantee, it will be necessary to have a stakeholder pension—a third party pension income—of about £30 a week. By 2060, that figure will be about £100 a week. Someone who saves from the age of 25 will have to put aside about £22 a week to be able to receive that income. A person who saved for only 20 years of their life before retirement would need to put aside £62 a week to get that level of income. Given the figures on equal pay that I have quoted, it is self-evident that many women will not be able to set aside that amount of money every week. If they have that money at all, they will have far more pressing needs for it and some apprehension about locking it away in a fund that is not easily liquidated if there is further need.

Those figures show how difficult it will be for many women to climb significantly above the minimum income guarantee. They also point to this truth: that unless radical change is made toward pension financing for women—way beyond what I slightly unkindly characterise as the trickle-down theory on page 57 of the Green Paper—women will not in the foreseeable future be able to acquire significant pensions to keep them out of poverty in old age. Again, the Green Paper says that the Government currently finance 60 per cent. and the private sector 40 per cent. of pension provision. However, it is key to switch that ratio around, so I point again to the figures to which I referred and to how difficult that switch-around will make matters for women in low pay.

What is to be done? First, let me excuse myself by saying that the document is a consultation paper and I introduced the debate not because I have cut-and-dried answers to the problem but because I am keen to put forward a few pointers and suggestions and anxious that others should also put forward their pointers. Certain facts seem plain to me. At present, only the state can remove the unpredictability of women's working lives in relation to pension provision. If both current and future generations of women pensioners are to come out of poverty, it is essential that the basic state pension should be improved, for example, by increasing it at least to the current level of means-testing, by linking it to earnings growth and considering raising age-related additions.

Obviously, the remaining gaps in basic state pension coverage must be plugged by changing the eligibility criteria. The system was designed around a post-war breadwinner-dependent model of work, which is in radical need of updating. It does not fit many men's work patterns these days and it certainly does not fit women's. The requirements have now become unrealistic. People are going into education for longer and starting work later. Further minor but important proposals include reconsidering the lower earnings limits. At present, 1.4 million women earn less than £75. At that rate, they will never accrue any NIC credits at all.

Clearly, the number of years of paid employment that is required for entitlement to a full basic state pension should be reduced. I suggest that the definition of "contribution year" could be altered to allow for some sort of aggregation of part-time work into the contribution rate. As I understand it, the Government currently contribute £60 billion to pensions but, in a different sense, they also contribute £20 billion through the tax relaxations available for investors in private pensions. That money could be better used to redress the imbalance in pension provision. I fear that if none of those ideas is taken up and if more radical steps are not taken, in 15 or 20 years, when Eileen is retired on her £30-a-week pension and I have retired on my gold-standard—relatively speaking—parliamentary pension and we tune into the Parliamentary channel to hear someone talking about women and pensions, the appropriate subtitle of the debate will continue to be "A Tale of Women's Poverty and Inequity".

Mr. Deputy Speaker: Order. I intend to start the winding-up speeches at, or just after, 10.30 am. I think that four hon. Members want to catch my eye in the debate, so if they are self-disciplined and speak for six or seven minutes each, we shall get them all in.

10.3 am

Annabelle Ewing (Perth): I congratulate the hon. and learned Member for Redcar (Vera Baird) on securing this important debate. As has been said, the majority of the poorest pensioners are women. There are several reasons for that, including the well-documented pay gap that women experience during their working lives, even if they are working full-time. Many women work part-time, mainly because they have commitments to look after children, older relatives or both. In addition to receiving lower pay for such part-time work, those women are also unlikely to have any pension provision additional to that of the state pension. Many women have incomplete national insurance contributions records. What should the Government be doing to deal with those problems and ensure that women have decent pensions and are not forced to live in poverty?

In light of the time constraints this morning and the fact that other hon. Members wish to contribute to the debate, I shall simply examine a couple of issues. First, the married woman's stamp is a matter of concern to many of my constituents. Were women who paid the reduced stamp made fully aware of the consequences? Many of my constituents were unaware of the consequences of exercising that option in any detail and they now find themselves facing a bleak future. Does the Minister think that that is equitable and do the Government intend to offer any hope to women in such a position? What plans do the Government have to provide women who have not yet reached pension age and who have incomplete national insurance contributions records with pension forecasts? That would be a useful exercise.

The second key issue, to which the hon. and learned Lady alluded, is the provision of a decent basic state pension. The lack of a decent basic state pension penalises those women who have an incomplete employment history. The Government's latest approach to the issue is the pension credit, but it is difficult to see how that is compatible with ensuring a decent state pension for all because it is premised on a massive extension in means-testing of pensioner benefits. As I have said many times, the massive extension of means-testing runs contrary to the Labour party's 1997 manifesto commitment.

Maria Eagle: Is it not the policy of the Scottish National party to abolish pension credit?

Annabelle Ewing: Today, we are talking about the Government's policies. The Scottish National party is arguing for a decent basic state pension and we are not in favour of the massive extension of means-testing proposed in the State Pension Credit Act 2002. The Minister will be aware that I voted in favour of that Act, but I did so having expressed concerns about the effect of means-testing on take-up, concerns that I have expressed again today.

Maria Eagle *rose—*

Annabelle Ewing: I will not take another intervention because I have only a few minutes left if I am to allow time for other hon. Members to speak.

That is the key issue for dealing with pensioner poverty and women pensioners in the long term. Means-testing demeans pensioners. They feel disinclined to take up means-tested benefits. The system is incredibly complex. It acts as a disincentive to save and has a negative impact on take-up. The Government's record on the take-up of means-tested benefits is poor, as is their record on tackling pensioner poverty. Indeed, in Scotland, after six years of a Labour Government, one in four pensioners lives in poverty. That is a scandal at the beginning of the 21st century. The most effective way to tackle pensioner poverty, including poverty among female pensioners, is to set the basic state pension at a decent rate.

10.9 am

Lynne Jones (Birmingham, Selly Oak): I congratulate my hon. and learned Friend the Member for Redcar (Vera Baird) on raising this important issue. Women are, and are destined to be, among the poorest pensioners. I am old enough to have paid the married woman's stamp for a short time. I did so simply because I was just starting my career and life was tough. Every penny saved was welcome and I did not look beyond my immediate needs. That must apply to many women.

As my hon. and learned Friend said, many people who carried on paying the married woman's contribution ended up contributing more than they would have done had they paid earnings-related national insurance contributions. I hope that my hon. Friend the Minister will respond to that point. It is important and relevant to the fact that women who do not have a full pension contribution record will not benefit in full from the Government's pension credit. Something should be done to recognise that fact and to improve married women's basic state pension.

The pension credit is a useful mechanism to assist men and women on small occupational pensions who feel aggrieved because, having put by savings for an occupational or personal pension, they find themselves no better off than if they had relied on the state. Instead of being penalised 100 per cent. for every additional pound of savings, they are to be penalised by only 40 per cent. However, I echo the calls from both previous speakers that a more effective way of dealing with the problem would be to set the basic state pension at the same level as the means-tested benefit. There is a growing clamour for that, not just among old socialists such as myself, but increasingly in the pensions industry.

The Government said that they wanted to increase the proportion of pension savings from the private sector and reverse the current balance of 60 per cent. state and 40 per cent. personal, but they will not succeed unless the basic state pension provides a secure platform so that people can have confidence that everything that they save will benefit them in the long run. It is not only the Institute for Public Policy Research—the so-called favourite left-wing think tank—that is calling for that measure, but other bodies, pension experts and organisations such as the Pensions Policy Institute and the Faculty of Actuaries. That is crucial if we are to have a stable, long-term pensions policy.

The Government have made pensions so complex that people can have no confidence in what the future will bring. I hope that we shall have a Labour Government long into the future, but if no one understands the pensions system it is easy for it to be undermined by future Governments. That occurred with the state earnings-related pension scheme, which the previous Tory Government undermined and, to some extent, the basic state pension with the removal of the right to earnings-linked basic pension and the link to prices.

It is now possible for people to receive annual statements and if we still had the system that Barbara Castle put in place it would be difficult for future Governments to undermine it because people would receive a statement of their entitlement year on year, but that is not the case with the current complexity. It would be difficult to tell people about the interaction between their private, personal pension and the state pension. When I ask parliamentary questions on that matter, the Government always shy away from answering them. We are to require occupational providers to give an annual statement, but there is no provision for giving information about the interaction between the occupational or personal pension and the loss of state entitlements to means-tested benefits because of small pension savings.

In my book, the Government need to be more concerned about the pension savings of people on low incomes than of people on higher incomes, who can take care of themselves. People in this Chamber have access to a good pension and the interaction with mean-tested benefits is of no interest to them. It is of interest to the people for whom saving for a pension means doing without other basics that we take for granted. It would be wrong for the Government to encourage people to embark on personal and private pensions that will leave them no better off than the pension they would have received had they relied on the state. That is the great danger of the Trades Union Congress campaign for

[Lynne Jones]

compulsory pensions. We could find ourselves forcing people to make savings for pensions that will leave them little or no better off than if they had saved in other vehicles.

If future generations are to be better off than today's pensioners, we will all have to save more than we do. The question is how we make those savings. It is essential that we have a strong platform of state benefits, which will enable people to make personal savings with confidence. That particularly affects women, who, as my hon. and learned Friend explained, earn far less and have a shorter earnings span than their male counterparts. If women have private pensions and are not fortunate enough to have good occupational pensions with defined benefits, which will increasingly be the case, they will find that if nothing is done on average their personal pensions will be 10 per cent. less than men's, because of the difference in annuity rates.

The Green Paper touched on that matter, but the Government have shied away from doing anything about it on the basis that because women live longer it would be wrong to require that their pensions from annuities be set at the same level as men's. On average, wealthier people live longer, but if anybody suggested that a rich person should have a lower annuity rate people would be outraged. The Government should deal with that question and make it illegal to discriminate against women in relation to personal pensions.

The Government do not need to worry too much about more affluent people setting money aside for their pensions, but they need to do more to encourage people on low incomes to do so. According to a parliamentary answer on the cost of giving tax relief on pension contributions to higher rate taxpayers, if that tax relief were withdrawn and tax relief were given only at the basic rate, it would save about £1.7 billion. I strongly advocate that, in the interests of having a more robust pension system, the Government should consider redistributing that money to encourage people on low incomes to make more pension savings, perhaps by having a £1 Government contribution for every £1 of savings that people make. That would be much easier for people to understand than current tax relief arrangements. I welcome the proposals in the Green Paper to simplify the tax basis for pension contributions, but there is no real proposal for the distribution of Government support for pension savings. I hope that the Minister will consider that matter.

Time is short, so I shall make my final point. The Green Paper shows that the Government recognise that low-paid and part-time working women may face difficulties in accruing sufficient individual rights for their state pension. It also said that the Government would continue to review the effect on overall entitlement to contributory and other benefits in retirement. Would the Minister give us some idea of the Government's thinking on the matter?

Mr. Deputy Speaker: Order. Before I call the next speaker, I wish to thank the hon. Member for Perth (Annabelle Ewing) for her self-discipline. Unfortunately, just as she sat down, I was advised that a Member who I thought was seeking to catch my eye had to leave to go to a Committee of the House. Therefore, there is not as much pressure on time, but I thank the hon. Lady for her self-discipline and co-operation.

10.20 am

Mr. Mark Francois (Rayleigh): I shall still attempt to abide by your earlier instruction, Mr. Deputy Speaker, not least because the subject is highly complex. If I keep my remarks relatively brief, I will allow more time for the real specialists to discuss it in their winding-up speeches.

I congratulate the hon. and learned Member for Redcar (Vera Baird) on securing this important debate. I was intrigued to hear that she and a team of Labour activists will be out pounding the pavements in her constituency on Saturday. I would be genuinely fascinated to hear about the results of their endeavour as I suspect that they could be in for a fairly lively morning, given present circumstances.

If we are to have a broad debate on pensions, we must debate them in the context of what is happening to all pensioners, whether they rely solely on a fixed state pension or also belong to a final salary scheme or have made private pension provision. We must discuss pensions against the background of, effectively, a collapse in the stock market in the past few months. At the close of business last night, the FTSE had fallen below 3,500, compared with a peak some two years ago of, I believe, well over 6,000 points. That has several important implications for people with private personal pensions, which, obviously, are largely dependent on stock market values.

It is fair to ask what the Government have done to influence such matters, and it is impossible to ignore the Chancellor of the Exchequer's £25 billion raid on pensions, which began during the first Parliament of this Labour Government. At that time many people, particularly Conservative Members, warned that such an act was not as simple as it first appeared and that the Government could not take £5 billion a year in taxation without important knock-on consequences. That has proven to be exactly the case. Many final salary schemes have closed and that has affected many women.

Mr. Deputy Speaker: Order. The thrust of the speech of the hon. and learned Member for Redcar (Vera Baird)—and, therefore, the subject of the debate—is pensions and women, not pensions in general. As long as the hon. Gentleman relates his remarks to women, he will remain in order.

Mr. Francois: I am grateful, as ever, for your guidance, Mr. Deputy Speaker.

Mr. Heald: Does my hon. Friend agree that one of the hopes for the future for women's pensions had been the fact that 66 per cent. of women in work have some private provision and that 58 per cent. have occupational pensions? Does he agree that the effect of the Chancellor's raid on pensions and the disastrous impact that that has had on the stock market has damaged women's prospects in a very real way?

Mr. Francois: I entirely agree with my hon. Friend. As he pointed out, many women are very reliant on that type of pension and took reasonably rational decisions to invest in them some years ago when the stock market appeared to be performing in a particular way and, crucially, against a certain set of taxation rules. Those have now, in effect, been altered by the Chancellor with his grab raid.

Maria Eagle: Will the hon. Gentleman give way?

Mr. Francois: I will in one moment, when I have finished my point. Now that the Chancellor has altered those rules, many of those women, who took perfectly rational investment decisions at the time, have suffered mortally.

Maria Eagle: Given that the hon. Gentleman is discussing my right hon. Friend the Chancellor's taxation regime, will he mention the £3.5 billion a year offsetting corporation tax reductions that my right hon. Friend instituted at the same time?

Mr. Deputy Speaker: Order. I really do not think that the hon. Gentleman needs to respond to that question, as it is not entirely relevant to pensions.

Mr. Francois: I thank you for your guidance to the Minister, Mr. Deputy Speaker. I am sure that she has listened to it carefully.

Many female pensioners live on fixed incomes, as the hon. and learned Member for Redcar mentioned. Any sudden increase in taxation can therefore have a particularly adverse effect on them. They often have few financial resources on which they can fall back to pay the increases. I realise that we are debating not council tax this morning, but pensioners living on fixed incomes, many of whom are women. They will suffer in particular when large council tax increases are introduced in April. I shall not dwell further on that matter.

I intervened on the hon. and learned Member for Redcar on picking up pensions at post offices and her reply did not entirely satisfy me. At a post office on pension day, the majority of people picking up their pensions with their giro books are women. A straightforward system has been in place for many years, under which pensioners take their giro books to the post office every week to pick up their pensions. That is beautifully simple and everyone can understand it. Several hon. Members have pointed out that pensions are complicated to begin with. The Government have now complicated the matter further. When those women pensioners go to the post office to pick up their pensions, they will no longer be able simply to use their giro books, which they have been accustomed to for many years. They will either have to have a card or open a bank account at the post office.

We are not debating post office closures this morning, although I think that the hon. and learned Member for Redcar thought that that was the point that I was seeking to make. Several female pensioners have come to my surgery to protest at the change because they are very anxious about it. I have also had quite a few letters from anxious pensioners. Their simple point is that the system works very well and is not complicated. They want to know why they have to go through all these new-fangled arrangements when the old method worked well. I have written to Ministers to try to get that argument across and have been met with, in effect, a stone-wall response.

Given that we are debating the complexity of pensions this morning, my real point is that the system is complex enough, but that one aspect of the payment of pensions to our pensioners, many of whom are women, was delightfully straightforward. This Government, who cannot resist meddling, had to go in and fix something that was not broken in the first place.

Vera Baird: Will the hon. Gentleman give way?

Mr. Francois: I will in a moment, but I have an eye on the clock.

The change has caused a great deal of distress to pensioners who do not think that it is necessary. It has worried them and it did not need to happen.

Vera Baird: So far, the hon. Gentleman has ranted about the stock market, post offices and taxation. I am beginning to think that the Conservatives are not interested in the topic of this debate, which is women.

Mr. Francois: The hon. and learned Lady is entitled to her opinion, but I have some bad news for her. It is because of such actions that the Labour Government's poll rating has imploded in the past 18 months. Labour Members do not like it, which is why I am delighted to mention it. With that, I conclude my remarks.

10.29 am

Mr. Steve Webb (Northavon): I sincerely congratulate the hon. and learned Member for Redcar (Vera Baird) on bringing this subject to the Chamber this morning. It is vital that the position of women and, in particular, the married woman's stamp, to which I shall return, are considered as an all-party matter. We are all hearing from our constituents about the matter and I hope that the Government will respond positively.

The hon. and learned Lady signed early-day motion 131 on the married woman's stamp, as have other hon. Members who have spoken this morning. It has been signed by more Labour Members than those from other parties and I hope that that will send a signal to the Minister that both sides of the House believe that the issue needs to be addressed. I shall return to the married woman's stamp because one aspect of it is not understood as well as it might be in terms of how we might deal with the problem.

I have a couple of suggestions to the Government on pensions policy that would particularly benefit women. The first relates to the basic state pension. As the hon. and learned Member for Redcar said at the outset, she would like the basic pension to be substantially increased for everyone and referred particularly to older pensioners. Increasing their pensions substantially would be a step in the right direction and would profoundly benefit women. When I asked written questions about that the Government replied that their minimum income guarantee strategy is more effective at targeting the poor.

The Minister should be aware, as I am sure she is, that the computer models used by the Department to estimate the effects of the minimum income guarantee

[Mr. Steve Webb]

policy assume that everyone takes it up. As a result, two inconsistent policies are compared. Everyone takes up the age addition policy because we know that the pension take-up is, as near as damn it, 100 per cent. It is assumed that the minimum income guarantee take-up is 100 per cent. when another arm of the Department assumes in its public spending projections that two thirds take it up. Both cannot be right. The Government say that they are doing more for the poor because the MIG goes only to the poor. My answer is that the poor who receive it obviously do better, but the poor who do not receive it do not receive a penny. When age additions are used, they are all taken up, predominantly by women, and that is the only guaranteed way of getting money to the poor. Some will spill over to woopies—well-off, older people—but that is the price for guaranteeing that money goes to the poor. There is no mechanism for guaranteeing money to old, poor people other than through the basic pension.

Maria Eagle: Does the hon. Gentleman accept, as my hon. and learned Friend the Member for Redcar (Vera Baird) certainly would, that some younger pensioners are also poor? How would age additions help them?

Mr. Webb: The Government have decided that the extra money they give to pensioners, instead of going on the basic pension, will go on earnings-linking the MIG. That is a legitimate policy choice, which the Tories accepted in the 1990s. They decided to put more money not into the pension but into the means test. That benefits young and old alike if they claim it, but one third of those who are entitled to it do not benefit. My strategy would get money to all older pensioners, many of whom are poor and form the majority of the poorest pensioners. I am not suggesting that we scrap the MIG but asking that when a decision is made about the marginal pound it should go on age additions.

Maria Eagle: I thought that the hon. Gentleman's party wanted to scrap the pension credit, which is the MIG.

Mr. W[illegible] We are saying that, starting from here, when the pension credit has not come in, we would have spent that £2 billion on age additions and extra pensions for older pensioners. However, the pension credit will be introduced next year. We would not scrap it, but in time we would reduce dependence on it by increasing pensions for older pensioners. That is our strategy and I hope that it is clear.

No one is denying that there are poor pensioners in their 60s, but the Government's approach fails to realise that non-take-up is predominantly a female phenomenon. Most pensioners who do not take up the MIG are female and most are old. Only age additions are guaranteed to get money to them.

My second point concerns compulsory private pensions. I agree with the hon. Member for Birmingham, Selly Oak (Lynne Jones) that we must ask the question, "Compulsion on top of what?" Compulsion on top of a pathetic basic pension that only brings people up to a means test is a dud deal. However, compulsion on top of a basic pension that is worth living on is a pro-women policy. In Australia, where that is done, the people who gained were those who had not previously been covered by occupational provision, and guess who they were—women and part-timers. Therefore, in Australia, mandatory employer contributions to pensions have boosted those who were previously not pensioned, and they are predominantly women. If the state does its bit through redistribution and by paying a decent basic pension to older pensioners, in particular, mandatory private provision need not be a pro-men policy. It can fill the gaps, which predominantly affect women. Compulsion can therefore be a pro-women policy.

I was delighted that the hon. and learned Lady mentioned the married woman's stamp, which is my main topic. I raised it with the Paymaster General in Committee last Thursday, when we debated a regulation on the rate of that stamp. Other hon. Members and I opposed the decision to increase it by 1 per cent., and the House will have a chance to vote in a deferred Division on Wednesday on whether to increase the rate. We took the view that we should not increase it because it is unfair and already too high.

The interesting exchange between the hon. Member for Upminster (Angela Watkinson) and the hon. and learned Member for Redcar about whether women knew what they were doing when they signed up for the married woman's stamp demonstrated that some did know and some did not. I do not pretend that no one had a clue what they were doing. However, I have had thousands of letters from women throughout the country who say, independently, that the issue was not explained at the time. As the hon. and learned Lady mentioned, their employers did not explain it to them. They would be 19 or 20 and would have just got back from their honeymoon when the man from payroll would come round and say, "Did you have a nice honeymoon, love? Sign here. You're a married woman now and this is what married women pay." I do not pretend for a second that no one knew; I am simply saying that some people did not. That said, we will not get far with that argument because no one can prove anything now.

Incidentally, the Paymaster General told me that she paid the married woman's stamp but later realised that she had made a mistake. If someone that financially literate made a mistake, one wonders how clear the choices were. None the less, the Minister will no doubt tell us, "All these women signed a form, read a leaflet and knew what they were doing." Even if we suppose that that is true, we must remember that women subsequently had to decide whether to carry on paying the married woman's stamp, and various changes to the women's pension regime made the stamp less attractive.

The hon. and learned Lady mentioned home responsibilities protection, but her caseworker would not have got it even if she had had her children later because women on the married woman's stamp were excluded. As they say, not a lot of people know that. Once HRP came in, many women who were on the married woman's stamp in the early 1980s should have switched back and got it. That said, the hon. and learned Lady was talking about the end of the 1980s, by which time a lot of the damage would have been done to her caseworker's pension record. In the early 1980s, many women could have switched back but they did not do so. The issues were too blooming complicated and women did not get proper explanations.

I do not expect the Minister to pay much heed to me, but I urge her to listen to her colleagues, more than 70 of whom signed the early-day motion. I urge her to get the Government Actuary to examine the issue independently—there is no need to listen to me or to anyone else. The Government Actuary should look at the value for money, or otherwise, of the married woman's stamp, how changes in the women's pension regime in the 1970s and 1980s affected the attractiveness, or otherwise, of that stamp and whether people had the necessary information to make an informed choice.

The Minister will tell us that officials wrote to women in 1977 and 1989, but even now, with all the advantages of decades of technology, the Government do not know where half of them live. I therefore do not believe that in 1977, or even in 1989, the Government could have written to all those women telling them how the system worked so that they could make an informed choice.

You will have gathered that I could drone on all morning, Mr. Deputy Speaker, but I will not do so and I am sure that you would not let me. I enormously welcome the fact that the hon. and learned Lady discussed the married woman's stamp in such an informed way. Married women's pensions are on the agenda and a chapter in the Green Paper listed the problems quite well, although it contained virtually no solutions. There are things that could be done. Age additions benefit women and mandatory private provision for the long term benefits them, too. Action on the married woman's stamp would also be hugely beneficial.

We are calling for a fair return for married women, not something for nothing. These women paid thousands of pounds in national insurance and they should get a fair return on their contributions, rather than nothing.

10.38 am

Mr. Oliver Heald (North-East Hertfordshire): I should declare an interest. As a barrister, I practised in the area of divorce law, and I want to make a point about pension sharing.

We have had a good debate and I start by congratulating the hon. and learned Member for Redcar (Vera Baird) on raising one of the most important issues to do with pensions. My hon. Friend the Member for Rayleigh (Mr. Francois) said that we could not ignore the background to pensions when considering the position for women. It is true that the present situation has many depressing features. However, it is especially sad that the positive picture and hopes for the future—the predictions that, by 2025, women would receive on average 90 per cent. of the basic state pension rather than the current 70 per cent.; the fact that two thirds of women now have private sector provision; and the fact that more younger women are investing than younger men—have been so grievously undermined by the Government's policies.

There is no doubt that the Chancellor's raid on pension funds will have a special impact on women. That is because 58 per cent. of the two thirds of women who have private provision do so in occupational schemes, which are closing at a record rate. According to the National Association of Pension Funds, the rate has doubled in the last year. The association is warning that many schemes are to move towards wind-up. We face a depressing background, given what might have been had the Government not acted as they did.

I agree with the hon. and learned Member for Redcar that every person, man or woman, should have an adequate pension. At the moment, we are in a period of transition from an earlier age, when a spouse tended to rely on the main earner's pension, to the current—and, let us hope, permanent—stage, when everybody has independent pension provision of their own. At the moment, women receive on average only 71 per cent. of the basic state pension. The Pensions Policy Institute recently published "The Pensions Landscape", which shows that the poorest pensioners are older, single women. As the hon. and learned Lady said, the Fawcett Society has recently produced a survey that shows that 46 per cent. of single women pensioners are in poverty, which is a sad and unsatisfactory position for a modern, civilised, western society.

The Government's response has been to load their hopes on to means-testing. However, the sad fact is that the approach is failing. On page 14 of "The Pensions Landscape" there is a good survey of what has happened between 1996–97 and now, which shows that the income of single pensioners as a percentage of national average earnings has not changed at all since 1997, and that the gap between rich and poor pensioners has widened. Means-testing is failing. Some 600,000 households were not receiving income support in 1996. Now, 770,000 do not receive the minimum income guarantee.

For all the talk of take-up campaigns and other things with which we would all agree, the policies have failed and the predictions and targets for the future are even more depressing. The Government's target is for 1.8 million households not to receive pension credit, which replaces the minimum income guarantee, because those households will not take it up. Even by 2006, the Government's target is for 1 million households not to receive the benefits.

There is a sleight of hand in all that. The Government like to say how generous they are through their various means-tested benefits, while recognising that large numbers of people—a third—will not take them up. The Government get a very good press release at a modest price. I worry that that [illegible] the reason for such an approach. It is worth pointing out that a consensus is emerging, through Help the Aged, the National Association of Pension Funds and the CBI, that we should be considering whether we could simplify the state system to make it of more benefit to women and men so that they have an incentive to save on top of the basic state pension.

The hon. Member for Birmingham, Selly Oak (Lynne Jones) made an important point about giving people genuine, attractive incentives and flexible methods of saving. The lifetime savings account, which was announced at the Conservative party conference last year as a step in that direction, would allow Governments to add contributions to individuals' savings. People could withdraw money for important events, such as a deposit on a house or a school trip; indeed, for anything. Provided that they had returned

[Mr. Oliver Heald]

the money to the account by the time they retired, they would get the Government contribution. It is worth considering whether the present savings system, with its very tight lock-in arrangements for pensions, will encourage the maximum number of people to save.

It is worrying that young people are deferring the decision to invest in a private pension scheme. Every five years, fewer young people go into pensions. They may be saving for other things and find it impossible to put money aside at that age for their retirement. However, a flexible lifetime savings account would enable us to tackle that problem by allowing the money to be withdrawn and returned while retaining the incentive.

Two thirds of women are in an occupational pension scheme, and the concern must be that the collapse in the occupational pensions sector will damage women more than men. It would be a good thing if the Government could find ways of helping those who did not understand the married woman's stamp system when they entered into it. I will listen to the Minister with great interest on that.

It was thought that one of the reasons that women did not have the pensions they should have had was that, on divorce, they did not receive adequate provision to have a pension of their own. Pension sharing was introduced to tackle that. However, there are problems with how it works. The cash equivalent transfer value that is used to value the assets of the pension at the time of divorce can be valued in a way that causes surprise in many cases. The cash equivalent transfer value is often very low considering the sort of benefit that it is supposed to be marked against.

In one recent example, an investment yield of 11.22 per cent. was used as an assumption in achieving a cash equivalent transfer value. The Government's Green Paper contains a presumption of 6.55 per cent. The effect of the transfer value being too low is that when the woman's share is paid out—if it is a woman—the capital that she receives is much too low to establish the sort of pension that the court thought it was establishing for her. There is a real issue of fairness there, and I should be grateful to know what the Minister says about it.

The second point is that, all too often, if the wife's share remains in the scheme it is a money-purchase share, whereas the husband's is a defined benefit share. He gets a return of 10 per cent. and she gets a return of 5 per cent. What does the Minister have to say about that?

I want to move on to equivalent benefits in public sector schemes. If the husband can take his pension at 50 but the wife must wait until she is 60, as is the current position, the husband can have lost his pension share and be receiving a lower pension at 50. A court can require him to pay maintenance to the wife until she is 60 and can receive her pension share, but his income is inadequate to pay her a reasonable level of maintenance. I am interested to hear what the Minister says about that.

Are we to move to a situation where private pension provision must be taken at 55 rather than the current age of 50? Several existing court settlements have been achieved on the basis that maintenance will be paid by the husband until the age of 50, at which point the wife will receive her pension share and rely on that. Will provision be made in any change to reflect the fact that existing court settlements have been based on the current law and that there may be some disadvantage to women if those settlements cannot be continued?

This has been a fascinating debate, but my time is up.

10.51 am

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): I agree with one thing that the hon. Member for North-East Hertfordshire (Mr. Heald) said, which is that this has indeed been a fascinating debate. As ever on such occasions, we never have time to get through all the points that need to be raised. I apologise in advance because I will not be able to answer all the questions that have been put to me. I will, of course, try to write to hon. Members who have not had an appropriate response by the end of the debate.

First, I congratulate my hon. and learned Friend the Member for Redcar (Vera Baird) on securing the debate and also on the way in which she set out her points. I shall try to answer some of her main points. She is absolutely right that the demographic features and realities that face us today are obvious; people are living longer and women live even longer than men.

As we are all living longer, our pensions system must be able to deal with that by funding longer periods of retirement. That is a challenge for men and women alike. However, if a woman retires at 65—as will shortly be expected of her in any event—her life expectancy thereafter is 19 years. It is salutary to bear that in mind. The general challenge of extended lives is a good thing—I am not advocating shorter lives—but extended lives present a challenge to the state and the private pensions system of which we must be aware.

Of course, it is not just this country that is facing up to those challenges. In many ways, this country is in a better position than others that have large, unfunded, pay-as-you-go state systems. Despite the doom and gloom that one hears, we have a relatively high level of privately funded pension provision in comparison with international standards, and with European standards in particular. Therefore, the combination of targeted state support with a well-developed private funded pension system puts us in a relatively strong position.

We are still in the consultation period, and I am sure that today's debate will be taken as a contribution to that. I have said that we are in a strong position, but the Green Paper recognises that there are particular issues that make it harder for many women to build up adequate pension provision. We are alive to those issues and are actively consulting and taking views from organisations such as the Fawcett Society about what we might do to improve the situation.

There are specific challenges that face women that can be expressed in a nutshell as lower employment rates and longer life expectancy, as my hon. and learned Friend the Member for Redcar put it. However, it is not all bad news. Women in full-time employment are just as likely to have occupational pension coverage as men. In fact, 60 per cent. of women in full-time work have occupational pension coverage, the same percentage as for men. So, there are some good signs. Those women will benefit from many of the proposals in the Green Paper in the same way as full-time working men.

Also on the positive side, the employment rate for women continues to rise. Between 1979 and 2002, the employment rate for women aged 25 to 34 rose from around 52 per cent. to over 70 per cent. and childbirth and child care now have a far lower impact on women's employment rates than they did in the 1960s and 1970s. That should have a positive impact on tomorrow's female pensioners.

We have to face up to some issues, particularly in respect of existing pensioners. Pensions are an intergenerational contract; they must be fair and equitable between generations and affordable and sustainable in the long run if the regime that we end up with is to last long enough to enable people to plan. We have to keep in mind the intergenerational importance of the pensions promise.

Lynne Jones: Does my hon. Friend consider that the current melange of provision can continue for the next 30 to 50 years?

Maria Eagle: I certainly think that it is affordable. One of the main elements that a system needs if it is to last is affordability. The others are fairness and equity.

I should like to deal with some of the issues that have been raised. The first is the married woman's stamp. Since 1997, women have been unable to elect to pay married woman's reduced rate contributions and those who had already elected to do so have been unable to continue paying at that level. Many hon. Members—not only my hon. and learned Friend, whose researcher is in that position but the hon. Member for Upminster (Angela Watkinson) and others—have made it clear that it is a difficult issue. There is no doubt that people had different perceptions. I receive as many letters from those who tell me that they knew exactly what they were doing and that those around them opted to pay less because they did not want to pay as much—knowing what that would mean for their pensions—as I do letters saying, "I did not have a clue what I was signing up for."

Many hon. Members have suggested that we should enable those who made that election to go back and make a different choice. The difficulty—administrative issues aside—is what that would mean for those who made a different choice. Should we also give them the opportunity to go back and choose again, and to rejig their contributions? I have only to mention that to put across the problem that we face in trying to do anything. One has to be fair to the entire population, which is not easy.

I do not accept that those married women received nothing in return for their contributions. They paid a much smaller stamp and have always been eligible for widows' benefits. They later became eligible for statutory sick pay and statutory maternity pay, although I agree that that election affected their pensions most of all. Nevertheless, married women who opted to pay reduced rate contributions made an informed choice. They were required to give written notice of their decision and had to complete a form saying that they had read information. At any time since, they could have opted back in to the full rate. It is not true that they made a once and for all decision and nothing more could have been done. I accept that there are aggrieved people around, many of whom are now seeing the consequences of their decisions, but it is not easy to deal with the matter in the ways that have been suggested.

Vera Baird: Was my hon. Friend indicating a willingness to look for a way to assist those women?

Maria Eagle: The Government accept that the issue has to be considered; we are always willing to do that. However, there is no easy solution and none that would be fair to women of all ages. We are considering not only the women who elected to pay the reduced rate stamp, but those who, in full knowledge, did not; they wanted to make pension contributions. We have to be fair across the board, which makes the issue very difficult. I shall have to answer the many other points that have been made by hon. Members by writing to them.

Mr. Deputy Speaker: The Minister is right. Time is up.

Turkey Imports

11 am

Mr. Mark Todd (South Derbyshire): Mr. Deputy Speaker, I sense that this subject will strike a chord with you, bearing in mind matters that you raise in the House from time to time.

The United Kingdom's turkey industry is large, but it does not often attract a great deal of attention. One would not necessarily guess that more turkey is produced in the UK than sheep meat, but it is true. The industry receives no subsidy. Like all poultry producers in the UK, it is a free enterprise section of agriculture that relies on the wits and investment of those who choose to manage it and produce the turkey meat that we consume. Indeed, it is disadvantaged by operating within the common agricultural policy, because the cost of cereals to feed the birds represents a substantial part of its costs. Under CAP, those costs are higher than they are in an unregulated sector in which feed can be procured on the open market.

The industry has a steadily improving food safety record, and has invested in safety consistently over the years. Some 90 per cent. of the turkeys produced in the UK are produced under the British quality turkey scheme, an industry-driven regulatory framework with independent inspections of the quality of production. That is consistent with the self-reliant approach that the industry has adopted. It is not an industry that comes round with a begging bowl at regular intervals when it runs into trouble. It has sought to solve its own problems and to operate as any other free enterprise producer would in this country. However, it has faced considerable problems over the last two or three years. Imports have increased in the past 10 years, driven by the same factors that have increased the flow of imports in other sectors; not least the relatively high value, during much of that time, of the pound against other currencies. Most turkey producers, like most other manufacturers, accept those disadvantages as being part of their business.

I should like to draw attention to some issues that most regard as being outwith the normal concern of the exchange rate. One example puts it into stark focus. Most of our constituents have a turkey at Christmas. It is a traditional British choice, one that I normally make. The difficulty this year has been a concerted campaign by Brazilian turkey producers to achieve substantial penetration of our traditional marketplace. They were assisted by some of the supermarket chains, which were happy to try to source turkey meat at the cheapest possible rate.

I congratulate the National Farmers Union and representatives of the British poultry sector. It was only because of their strong campaigns that Brazil was prevented from supplying a significant proportion of supermarket frozen turkeys last Christmas. I congratulate all the organisations that were involved in that campaign, which dissuaded, for example, Asda from continuing with a contract that would have allowed Brazil to supply a substantial proportion of frozen turkeys for the expected Christmas market.

However, the campaign did not wholly succeed. Two supermarket chains eventually let a contract to the Brazilians at a rate of €1.34 per kg. The industry has worked out the actual cost of producing turkeys. Taking a reasonable perspective of the costs of producing a bird in Brazil, which has much lower labour costs and other advantages—I shall return to those advantages, some of which are unfair—the cost after landing in this country is €2.21 per kg.

How does one explain the ability to support a substantial contract at what appears to be a below-cost price? The only explanation that the turkey industry has come up with is that it is, effectively, dumping. The Brazilians produced heavily for an expected Christmas market but found themselves short of contracts. They had a substantial number of surplus birds that they wished to get rid of, and they wished to persist with their strategy of breaking into our market. That meant that they were happy to sell substantially below cost price.

A presentation has already been made to the European Union on behalf of the turkey industry, which has argued that that was a case of dumping. If true, it was an illegal act and should be taken to the World Trade Organisation. I hope that the Minister will give an update on the British Government's approach to that invasion of our marketplace. What steps have they taken with EU authorities to reinforce the points that have been made by the British turkey industry?

It is important to understand the dynamics of the turkey sector. Many of the birds that we consume at Christmas are fresh birds. However, if turkey producers in this country are to be economic, they cannot simply produce fresh birds for the Christmas market. They must maintain a capacity all the year round, which means that they must provide turkeys for the frozen market for a substantial part of the year. We all recognise that demand for turkey meat is not consistent throughout the year, in spite of the efforts to market the meat for use at other times.

The aim of the Brazilian campaign—which is supported by Cargill, one of the major commodity brokers in the agriculture sector—is to take away a substantial proportion of the frozen market. If that campaign were to succeed, it would not merely take away a significant chunk of the frozen meat market, but would substantially damage the market for fresh British birds, because it simply would not be economic for British producers to maintain a supply for the much narrower portion of the year about which we would be talking.

Let me turn to the second breach that requires attention. We must understand the way in which the EU imposes tariffs on imports. There is a recognition that tariffs should differentiate according to the added value of the imported product. In this case, a seasoned bird bears a tariff of 8.5 per cent. of the value of the product, but a standard frozen bird bears a tariff of €340 per tonne. Therefore, simply pumping the bird with a small amount of basting material that makes no substantial difference to the meat or to the keepability of the product will enable one to avoid a substantial proportion of the tariff that one would bear at our borders. It is important to recognise that we are talking about EU borders. It is perfectly possible for an import to come into an EU port on the continent and to be shipped on to this country without further intervention or additional tariff.

The same scam—it is essentially a scam—was identified with lightly salted chicken some time ago. Imports were coming into this country with a little sprinkling of salt that added virtually no cost to the process but which made a substantial difference to the tariff levied at the border. I expect the UK Government to have made representations to the EU on this obvious evasion of controls at our borders.

Let me turn to perhaps the worst example. The EU has rightly set high standards on the use of drugs and other additives to meat imports into this country. It does so partly for animal welfare concerns, but mostly to protect the health of our citizens. It is recognised that pumping animals full of drugs that enhance growth as well as prevent disease may be harmful to the humans who eat them.

Nitrofurans are antibiotics that are banned in the EU. In the past three months, nitrofurans have been positively identified in 33 cases in Brazilian poultry at EU borders. I say "poultry" because I recognise that it applies to chickens and to turkeys. That report came about only because we had already put in place a control based on a visit of the EU food and veterinary office to Brazil. As a result of that visit, a control is in place on the borders, requiring consignment checking for such products. That was absolutely the right step to take. The food and veterinary office's visit identified several alarming aspects, and I wish to quote from its report:

> "The Brazilian legislation on veterinary drugs, which allows for their therapeutic use or as feed additives, does not offer the same degree of control as in EU legislation. A number of drugs prohibited in Europe are still available on the Brazilian market place and some substances, although prohibited in Brazil are still in use by the Brazilian livestock industry. Results from the national sampling plan for 2001 reinforce concerns over the use of potentially hazardous veterinary drugs in all sectors of the livestock industry in Brazil."

I should qualify that by saying that the original purpose of the visit was to look at the livestock sector. However, only when it became clear to the food and veterinary office that it was unearthing substantial abuse of drugs in all forms of meat production in Brazil did the office recommend the border consignment checks. We have identified the problem at the border, and I should like the Minister in his response to tell us how it has been dealt with.

What representations have the British authorities made about the consistent—the examples I have quoted are not isolated—import of products into this country in breach of European Union controls? Further to that, what steps has the Food Standards Agency taken? Although we are taking our checks seriously, it is not unreasonable to suppose that some of the production is creeping into the country. What suggestions has the agency made to control the risk to human health from the consumption of meat containing nitrofurans?

I conclude by saying that Brazil has demonstrated general failures to conform to EU veterinary medicine residue testing and meat certification obligations. Again, I quote the food and veterinary office's report on its visit to Brazil. That report notes that

> "certificates containing false information are issued by the . . . competent authority. Virtually all recent missions to Brazil have detected deficiencies in the certification system and have made appropriate recommendations for improvements to the system. As a consequence, the Brazilian system for certification of meat must be considered to be unreliable."

A critical part of the mechanism for deciding whether a product should be imported into this country is whether we trust the certification arrangements of the exporting country. In the case of Brazil, we do not. What steps are we taking to ensure that Brazilian standards are raised? I have presented evidence of dumping, failure to comply with reasonable expectations on certification and controls on the use of drugs, and the naked abuse—as far as I can tell—of loopholes in the tariff system to import scarcely touched meat under a framework that effectively results in the avoidance of a substantial tariff.

Given all that, I argue that there is a strong case for the Government to seek action through the EU to restrict the access of Brazilian turkey products to the UK and European markets. Our industry is affected. Brandons in Scropton, an employer in my constituency, is considering closing one of its major plants in the UK to deal with the threat of imports from that source; that is why I have raised the matter at all. It cannot be right that British jobs are being sacrificed when Brazilian product is brought into the country in flagrant breach of a number of controls that we should expect any exporter to comply with.

11.17 am

The Minister for Rural Affairs and Urban Quality of Life (Alun Michael): I thank my hon. Friend the Member for South Derbyshire (Mr. Todd) for the manner in which he has introduced the debate. He touched on a number of important issues. I certainly agree with his introductory remark that poultry meat is an important product on the international commodity market, as well as on the EU and UK wholesale and retail market. UK poultry producers do not receive any direct support from the common agricultural policy, and prices therefore closely reflect market supply and demand. The poultry sector is a success story.

Nitrofurans are an issue for the Food Standards Agency. We shall relay the concerns that my hon. Friend has raised in this debate to that body. I assure my hon. Friend that action is being taken at the EU level. All poultry imported from third countries must enter the EU through designated border inspection posts, where it is subject to veterinary inspection. All consignments are subject to documentary and identity checks, and at least 20 per cent. of consignments undergo physical checks in the normal course of events. The purpose is to ensure that import conditions are met and that the products remain in a satisfactory condition during transport. That is the context in which nitrofurans have been identified.

Nitrofurans are unauthorised veterinary medicines and were found in poultry meat from Brazil. They are not permitted in the EU for use in food-producing animals because of public health concerns. Those residues should not be present in food, and I share my hon. Friend's concerns about them.

Recently introduced Community rules require all consignments of poultry meat from Brazil to be subjected to a chemical test to ensure that they do not present a danger to human health. The test must be carried out with a view to detecting the presence of antimicrobial substances and in particular nitrofurans and their metabolites. The consignment must remain at the border inspection post while testing takes place and

[Alun Michael]

it is allowed entry into the Community only after favourable test results. If nitrofuran residues are detected, the consignment is destroyed, which is a stringent measure that sends a strong message on the commercial impact of nitrofurans being detected.

My hon. Friend referred to the basting scam. We will make representations to the Commission—along with Customs and Excise, which is responsible for duties—if the industry gives us the details. We need evidence in order to make the case to the Commission. We suspected that there was a problem in that area but the industry has not confirmed it, and I hope that my hon. Friend will reinforce that message. The Department for Environment, Food and Rural Affairs is willing to represent the industry to the Commission, provided there is evidence on which we can make a strong argument. We need such evidence in order to be taken seriously.

My hon. Friend referred to the question of dumping. We are aware that the UK poultry product market can be threatened by low-price imports from a third country. In those circumstances, safeguard actions may be taken. When it is reasonable to do so, the Government are prepared to argue for those measures to be taken.

There is also the issue of the unfair application of WTO rules. For instance, concerted pressure from a number of member states, including the UK, recently led to the amendment of the classification of frozen, salted poultry meat imports to close a loophole, which some importers were exploiting to pay less tariff on lightly salted frozen products; my hon. Friend referred to that situation. That loophole has been closed but, as I have indicated, we need evidence to go further. There has been direct representation by turkey producers, rather than the UK Government, to the EC. Given the evidence, we are happy to represent the industry.

WTO rules allow for temporary special restrictions to be imposed on imports to offset a sudden significant drop in market prices or a surge in the volume of imports. Under WTO rules, however, those additional duties can be applied only to a limited number of chicken and turkey products. In general, it is fair to say that there is little obvious prospect of reducing the level of imports. Indeed, the Government's wider policy is to open up trade and it would be inconsistent to exclude poultry. In the longer term, import volumes are likely to grow further, particularly following further tariff reductions as part of a WTO settlement. Consequently, UK producers are unlikely to be able to compete on price alone, which means that they will have to rely increasingly on producing quality assured products for which they will obtain a premium price. My hon. Friend has rightly indicated the steps that the industry has taken effectively to compete in that market. It is fair to say that local and regional marketing can also assist the industry, which is something that DEFRA and the Government seek to promote.

There are other issues of concern, such as the additional costs faced by UK producers for higher welfare standards. A positive note is our success in ensuring that animal welfare issues are recognised in the Doha ministerial declaration. There is obviously a long way to go before a final settlement, but we will work hard to ensure that the issue remains part of the negotiations. In other words, we will balance the need to pursue animal welfare considerations with the need to achieve a level playing field for home producers and those who produce imported products.

Mr. Todd: My right hon. Friend will accept the distinction between long-term planning of trade policy—I entirely agree with what he has said about that—and the short-term issue of dealing with apparent naked abuse of existing trade rules. Will he focus more on the steps he can take in such cases? He has referred to the need for better evidence; I have some on the dumping issue. Will he agree to meet representatives of the poultry sector to build up a portfolio of knowledge on such abuses so that action can be taken by the UK?

Alun Michael: I should be very happy to take up that sort of issue. It may be better for my noble friend Lord Whitty to undertake such a meeting. I shall draw my hon. Friend's concern and his earlier correspondence to Lord Whitty's attention, and I am sure that a meeting can be arranged.

I am sure that my hon. Friend will accept that the issue is to identify where there are breaches of WTO regulations or the controls appropriate in the UK and Europe and to take action in those cases, rather than taking action when there is no strong evidence. Evidence is at the heart of what actions can be taken. There are also issues relating to the burden of the large numbers of regulations to which the poultry industry needs to conform. There is always a delicate balance to be struck between the need for regulation, and the need not to overburden industry. Although there is still much more to be done in that area, I hope that the efforts that we take not to over-regulate the industry are recognised.

It is true to say that, in recent years, the EU turkey market has been over-supplied. The UK industry has taken significant steps by reducing production and placings to compensate for problems of oversupply in import penetration. The industry is to be congratulated on its past voluntary efforts to improve the market situation. As my hon. Friend will agree, we must ensure that dumping does not take place and that rules are not breached to ensure that the competitive situation allows the UK industry to retain as much market share as it can fairly do.

Mr. Todd: I would not wish to set aside the reputation for self-reliance that the industry has established, but it would be helpful if the Government participated in a review of the trade environment of the sector, so that it can be assisted in planning further ahead. The Minister has rightly focused on the added-value, high-quality elements of the potential product range for British turkey in the future, but that has not had much assistance from Government. Perhaps he can consider research that may assist them in future planning.

Alun Michael: I am glad that my hon. Friend does not want the self-reliance of the industry to be undermined, and I share that view. The British quality turkey standard and the farm fresh turkey assurance schemes help to promote UK-produced turkey. There is a market, and a response from the public to home-produced product of high quality. I am sure that that is the way to go. The scheme has set turkey production standards from the sourcing of breeding stock, to all aspects of rearing, right up to final processing. Traditional farm-fresh turkey producers also set a code of practice for the production of traditional free-range turkeys for the Christmas market. Those schemes will help to ensure quality products that are likely to receive premium prices, which is the way to compete in the market, alongside taking measures to ensure that advantage is not taken of the ability to breach regulations.

My hon. Friend rightly referred to the poultry sector as one of the success stories of UK agriculture. Sustained growth has been achieved through investment, innovation, skilful marketing of products and offering value for money, of which it can be justly proud. The Government recognise the benefits that that has brought to the poultry industry. Our role is to act on evidence to maintain the level playing field.

I understand the industry's concerns about the competition it faces due to imports. As a result, it is not surprising that poultry producers see the Government's main role as ensuring that the field upon which they work and trade is level. That role is comprised of our work on international negotiations, our overall approach to regulation and a range of specific environmental, animal health, welfare and food-related concerns, which we shall be able to go into in more depth if my noble friend and I meet my hon. Friend and representatives of the producers, as he suggested.

I am happy to explore those issues to ensure that all imported meat from third countries complies with EU animal and public health standards, and we have the appropriate checks in place.

11.30 am

Sitting suspended until Two o'clock.

Rural Housing

Mr. Deputy Speaker: We now come to a debate on a most important subject.

2 pm

Andrew George (St. Ives): Indeed, Mr. Deputy Speaker, you are right. This is a very important subject, and I am delighted to have been successful in securing the opportunity to kick off the debate. I noticed that last week the chief executive of the Countryside Agency, encouraging the Government to look again and give a better definition to the matter of rural proofing in respect of housing, commented in a press release circulated jointly with the Local Government Association:

> "All our evidence points to the fact that the lack of suitable affordable housing is one of the biggest barriers to keeping rural communities sustainable."

Speaking as a representative for a Cornish seat—I also represent the Isles of Scilly—I would say that that is certainly true, and that it is the biggest barrier. Enabling people to have a home of their own, and ensuring that there is adequate affordable housing for local people in rural areas, is key in the maintenance of rural communities.

Rural areas face a crisis as great as that of the late 1980s, when we experienced a sustained period during which private house prices spiralled upwards out of control. They then fell. In the early 1990s many people were caught in negative equity if they had bought at the crest of the market. I am not sure that on this occasion the market will necessarily behave in that way. Many people in rural Britain will experience sustained levels of high house prices that are completely out of kilter with rural wages for many years to come. Therefore, the problem will not resolve itself through the activities of the marketplace. That is why it will require important Government intervention, and I am pleased that the Minister is here today.

Together with local authorities, the Local Government Association and others, I was of course shocked that the Government announced their intention to withdraw local authority social housing grants. Those were significant in providing for a large number of schemes in rural areas. The Government gave local authorities only seven weeks' notice of the withdrawal taking effect prior to the beginning of April this year. I do not doubt that it was in anticipation of the debate, and the fear of the mauling that I would give the Government, that they announced last week a three-month transitional arrangement, leading from the beginning of the next financial year. Although that is welcome, I shall argue that the Government need to do a great deal more if they are to resolve or begin to make any kind of inroads into the problems experienced by rural areas.

Mr. Geoffrey Clifton-Brown (Cotswold): The withdrawal of the local authority housing grant is important, as the hon. Gentleman said. In fact, the situation was worse than he suggested because it was within three weeks of the statutory date for the setting of some local authorities' budgets. Undoubtedly some local authorities will be forced to set a supplementary

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council tax part of the way through their financial year. As I understand it, as of yesterday councils still had not been officially informed of the withdrawal of the grant. Does the hon. Gentleman agree that the matter has been handled incompetently?

Andrew George: It is certainly true that representatives from local authorities in my constituency made strong representations at the time of the announcement and made exactly that point about budgets being set and programmes being largely put in place. It was anticipated that there would be a continuation of the kind of affordable housing developments that local authorities in many rural areas desperately require, but the rug was pulled from under their feet. No doubt the Minister will want to address the points that that hon. Gentleman and I have made in his reply.

Let me explain the extent of the problem in Cornwall. When we are talking in terms of generalities, sometimes we miss specific points about local areas. I will talk about my constituency, which includes west Cornwall and the Isles of Scilly, where there is a significant and large private housing market. I call it that because I do not like using the phrase "open" housing market. The market is not open to all local people. It is important to call it a private housing market. It is a bit like a golf club: one can enter only if one has certain credentials and can pay the membership fee.

The private housing market is extremely restrictive in places such as Cornwall. House prices have doubled across much of Cornwall over the past three years—no doubt that is reflected across much of the rest of the country. There is a serious affordability gap. Since records began, Cornwall has been at the bottom of the earnings league table. The mismatch between earnings and house prices in Cornwall—especially the far west of Cornwall—is probably greater than it is in some areas of the south-east, where house prices are significantly higher. There is a significant problem because of the affordability gap between earnings and house prices, which is not properly taken into account in the way in which housing grants and investments are made.

On the Isles of the Scilly, the problem is even more significant. Earnings are no higher than they are on the mainland, yet house prices are similar to those in London and the south-east. It is difficult to find a flat with two bedrooms—a leasehold property—for less than £250,000, and that is the most bare and basic property that one can possibly get. House prices are astronomically high in such areas.

For people who cannot even begin to look at the private market, which is the vast majority of people on ordinary local wages, the question is where else to look. Of course, they look to the private rented sector. The private rented sector in Cornwall accounts for less than 10 per cent. of the housing stock—it is rather lower than that across most of Cornwall. That figure is much higher in many urban areas, but in areas such as west Cornwall and the Isles of Scilly the private rented sector has to compete with what sensible landlords wanting to maximise the return that they get from the investment of their capital will consider, which is the holiday trade. Many properties are lost to the holiday trade because one can get a far better income and there is also the security of being able to retain the property regularly if that is required. For example, one might want to sell it into the private market, given that house prices are very acceptable to someone with a spare property.

The private rented sector therefore affords little opportunity for people looking for accommodation. Rents in the far west of Cornwall are astronomically high. People who are entitled to housing benefit often receive a benefit level that in no way makes up the full cost of their rent. Where else can they live? They look to the social rented sector, which used to be called council housing. In my constituency, both Kerrier and Penwith have gone through stock transfers and all the properties are, one way or another, the responsibility of housing associations. On the Isles of Scilly, few properties—there are little more than 100 of them—are council houses. Even there, somewhere between 11 and 12 per cent. of the stock consists of social rented units.

According to a recent parliamentary answer, in urban areas 19 per cent. of stock consists of social rented units, but in many towns and metropolitan areas the social rented sector is more significant than that. The opportunities to get rented accommodation in urban and suburban areas are therefore significantly greater than in many rural areas.

Mr. Paul Tyler (North Cornwall): I am following my hon. Friend's speech with great interest because his experience is paralleled in my constituency. I wonder whether he has seen the figures in the *Western Morning News*, which has done an admirable job in bringing the matter to the attention of local decision makers, demonstrating the effect of the forced sales of properties, which local authorities did not want to sell, under the right-to-buy scheme. North Cornwall district council, for example, currently has a waiting list of 1,600 persons, but it has had to sell off 1,247 properties in recent years, which is a major discrepancy. In Restormel, there are 2,700 people on the waiting list while 1,939 properties have been sold off. Does my hon. Friend accept that any extension to the right to buy affordable housing would be devastating in a rural area such as Cornwall?

Andrew George: Absolutely. My hon. Friend makes the point well. In North Cornwall, where only 3,500 properties are available for rent through the local authority, given that there are more than 1,600 people on the waiting list, nearly half the properties could be immediately let again to people on the waiting list.

Penwith went through the process of stock transfer in 1994. As a result, it is debt free and is therefore entitled to levels of housing grant for further capital investment to which many other local authorities are not entitled. With the money from the stock transfer, and the extra money that it is able to obtain from the Government through local authority social housing grant and other sources, it is able to engage in a social housing building programme that many other local authorities would envy. Last year, it built 40 properties of which it is particularly proud as a result of its investment, but it had to sell 45 of its properties under the right to buy. It is therefore running as fast as it can in order to slide backwards, which is the nature of the unsatisfactory system.

Many of my constituents in Penwith find themselves with no alternative but to be housed in entirely unsatisfactory bed-and-breakfast accommodation. Many of them come to see me in my casework surgery. I know that many hon. Members who have experienced the problem feel, like me, absolutely helpless. One can ensure that the system works fairly on behalf of one's constituent, but one knows full well that there are not enough private rented and social rented properties in the marketplace. We are talking about families who have to uproot themselves from their local communities and live in bed-and-breakfast establishments in which people's children are often not even in neighbouring rooms. The accommodation can be small and cramped, which is totally unsatisfactory, and located far from people's workplaces and their children's schools. The issue increasingly affects local authorities.

I know that the Government have set a target that within the next year local authorities must no longer have people living in bed-and-breakfast accommodation. In Penwith, 80 households are living in such accommodation and I doubt whether an authority such as Penwith district council, even if it works heroically during the next year, can achieve the Government's target. I have serious concerns about that.

I have talked specifically about west Cornwall and the Isles of Scilly, but rural areas in general have fewer properties available in the rented sector and people in such areas have to wait longer to find accommodation. A parliamentary answer to me from the Minister on 27 February stated at column 732W that people in urban authorities must expect to wait 370 days to be housed, but in rural areas they must expect to wait 426 days. That is a significantly longer wait. No one can say that the housing crisis in this country is an urban one when people on waiting lists in rural areas must wait longer. If people in my constituency thought that they would have to wait only 426 days, they would be pleased.

There are fewer opportunities for people in rural areas. There is also the issue of invisibility. In deep rural areas, people who want to remain living in their community because they are farm workers or work in the area know that all the council properties have been sold off and that there is no point in trotting along to the local authority or housing association and putting their name down on the waiting list. They also face the added problem of invisibility. What is the point of waiting for a bus on a Sunday if there is no bus? What is the point of putting their name down on a local authority waiting list if there are no houses in the vicinity in which they want to live? People in rural areas on the Isles of Scilly and mainland Cornwall sometimes find themselves living in cramped accommodation with three generations in one household if they want to stay in the vicinity. Because of the informality of rural areas, people tend to be tolerant of such arrangements and do not sleep on park benches. Homelessness is hidden in rural areas, but it certainly exists.

If the Government are saying that they want to invest in the completion of affordable new units to meet that need, I would point the Minister to a parliamentary answer on 6 February at column 418W. In reply to a question about how many social rented unit completions in local authorities are defined as rural, the answer was—I shall give only two figures for comparison—5,514 in 1989 and 2,021 in 2002, a significant drop of more than 60 per cent. There are significant difficulties in rural areas and the Government are not keeping up with that need, which is increasing.

Mr. Tyler: My hon. Friend will recall that in the White Paper on rural affairs in 2000 the Government gave a commitment to double the Housing Corporation programme for rural housing in 2003–04 and in so doing to provide a total of 3,000 affordable homes a year in small settlements and to provide a total of 9,000 homes a year throughout all rural districts. He will also recall that just four months after publication of that White Paper the Government's implementation plan downgraded that commitment to just 1,100 homes in 2001–02 and 160 in 2002–03. Does he accept that the problems in Cornwall to which he has rightly referred—he and I have a direct personal interest in the matter—are reflected all over rural Britain?

Andrew George: Absolutely. My hon. Friend makes a good point and no doubt the Minister will wish to address that serious concern. We want to support the Government if they intend to match their words with actions in rural areas. There are concerns—perhaps the Minister can reassure us on this—that the Government's primary focus on housing is a belief that there is only one region with a housing problem, which is the south-east and London, and that there is little need for action beyond that. People are getting that impression, although I hope that that is wrong. Perhaps the Minister will address that.

I must congratulate the Government—the Minister will be pleased to hear it—on having listened to a campaign, in which I have been much involved, to bear down on the large number of second homes in rural areas. That includes withdrawing the absurdity, which some people find offensive, of spending more than £200 million a year subsidising the wealthy through a 50 per cent. council tax rebate on their second homes when, as I have pointed out, thousands upon thousands of people live in appalling situations such as the bed-and-breakfast arrangements that I described. That is clearly unacceptable. That £200 million could be far better spent meeting the needs of local people in rural areas. If we want to spend Government money, that is a more effective use for it.

I was pleased that one of the Minister's predecessors, the hon. Member for Sunderland, South (Mr. Mullin), in a debate with me on 9 February 2000, although successive Ministers had previously failed to accede to my request to review the 50 per cent. rebate, put down his notes—I hope that the Minister will follow that precedent—saying that he was no longer willing to read from the notes given to him by his civil servants and that he would examine the provision. As a result, we had a change in the White Paper on rural areas in November 2000. I congratulate the Government on having listened to the case and made that change.

However, I urge the Minister to look again at how the receipts from the withdrawal of that council tax rebate are used. Local authorities, under the Local Government Bill, can increase council tax on second homes only to 90 per cent., not to 100 per cent. If the money is to address the problems created by second home ownership in rural areas, the Government should

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ensure that local authorities can direct it at social housing. It should not be withdrawn and used for other local government purposes. I urge the Minister to listen to the many authorities directly affected by high levels of second home ownership and ensure that the money is kept within the billing authorities. The Government should then urge billing authorities to direct the money at social housing.

Peter Bradley (The Wrekin): I agree with much of what the hon. Gentleman has just said, but he will be aware that the local economy in Cornwall is greatly reliant on tourism. As one who spends his Whitsun week in Cornwall—perhaps in the hon. Gentleman's constituency—I would not want to be deprived of the ability to rent holiday accommodation. There is a difficult balancing act to be performed. Is the hon. Gentleman aware of any research that shows what proportion of receipts from holiday lets go into the Cornish economy rather than into the pockets of landlords who, perhaps, live primarily in London, the south-east or elsewhere?

Andrew George: I must point out to the hon. Gentleman that there is a distinction between second homes and holiday homes. Holiday homes pay business rates, not council tax. However, the 140-night rule enables people to net an income for 140 nights and still pay council tax. Many people find that even more offensive. There are many second homes used as holiday homes that produce a great deal of income.

The hon. Gentleman, by implication, is absolutely right. Where those second home owners live elsewhere, as many of them do in the case of Cornwall and the Isles of Scilly—where about a quarter of properties are second homes—that money goes out of the local economy to be spent elsewhere. If people are not living in an area, they cannot support the local shop and local facilities. Of course, they spend money on improving their properties. However, we would prefer to see the limited supply of accommodation available in west Cornwall and the Isles of Scilly being used to meet the area's needs and not used purely for recreation and investment. Such secondary purposes will be acceptable only after all the local housing need has been met. At present, however, they are unacceptable. I urge the Government to consider changing the use class order for second homes purely for the lifetime of a particular occupancy in order to discourage further second home ownership. That would give local authorities powers to deal with those issues.

I want to draw my comments to a conclusion as others wish to speak. I urge the Government to address a few issues of future work. The first is exception sites. In rural areas under planning policy guidance note 3, which was introduced by the last Conservative Government, there has been a complete change in the ethos of the planning system. The change was in accepting that planning could take account of the user as well as the use of land. That policy allowed local authorities to discriminate in favour of local housing need in developments on the edges of villages and rural settlements. That is very welcome, as it has enabled a few—a very few—schemes to meet local housing needs. The problem in developing them is matching the money with the planning opportunities so that landowners understand that they are not subsidising the scheme; rather it is the planning system that is enabling the low land price. There is a distinction between a small multiple of agricultural value and full development value, which in places such as west Cornwall can be up to £500,000.

That subsidy comes in through the planning system and enables social housing to be developed. I urge the Government to consider ways of strengthening that policy in order to encourage local authorities to use it; otherwise, on sites on which there is a cross-subsidy, there will be bungalows all over the hills. If we want to retain our valuable countryside, the Government should recognise that we cannot have a let-rip planning policy in rural areas in the hope that a small proportion of those properties will meet an affordable housing need.

Secondly, I urge the Government to take a second look at the question of second homes to ensure that the receipts are properly spent to meet a social housing need. The Government should also look at planning policy and at a change in the use class order for the lifetime of the occupancy of a property.

Thirdly, I urge the Government to look again at developing what I call the twilight market: those who cannot get council or housing association properties and who cannot make the enormous leap into private market housing but who could go somewhere in between. That could be through shared equity or leasehold schemes. I know that many housing enablers, housing authorities and housing associations have very imaginative ways of helping that group of people. I urge the Government to invest in such schemes to ensure that the golden share can be retained for perpetuity and that there are constraints on market equity schemes in market town sites.

I ask the Government to extend the approach that they have adopted in the south-east of England on the right to buy, key worker housing and investment in social housing so that rural areas are given the same priority that the Government have given to the south-east and London.

2.29 pm

Peter Bradley (The Wrekin): I start by thanking the hon. Member for St. Ives (Andrew George) for introducing the debate. It is not the first time that these issues have been discussed either in the Chamber or in Westminster Hall. It is a very important issue, and, although I realise that important debates are taking place in the Chamber, it is a shame that this debate is so poorly attended. I must own up to feeling disappointed that representation on my side is not impressive; it may be thought impressive because I am on my feet, but it is not impressive in numbers.

There has been much discussion in recent years about what matters most in the countryside. Frankly, nothing matters more than housing, especially the provision of affordable housing. The future of rural communities depends on it. In fact, a significant increase in the provision of affordable housing is needed. The recent decline in rural communities is a direct result of the loss of affordable housing to which the hon. Gentleman referred. I shall try to substantiate those remarks.

The Rural Development Commission estimated that between 1985 and 1990, some 91,000 homes in the countryside were sold under right-to-buy legislation. It further estimated that in the next six years, about 80,000 homes would have to be built to meet demand. In fact, as few as 17,700 were built, which has left a significant deficit. The market in what was once socially rented accommodation brought about an influx of commuters, retirees and people wanting to buy holiday homes. There is nothing wrong in that, or in people exercising their right to buy if they can afford to do so, but the direct consequence of social housing stock not being replaced has been an exodus of people who have been priced out of their communities.

It may come as a surprise to discover that 25 per cent. of people living in the countryside are living in poverty or on the margins of poverty. According to the RDC, 40 per cent. of people living in the countryside cannot afford to own a home. That puts into stark context the impact on rural communities of the wholesale disposal of affordable housing.

Between 1971 and 1996, there was population growth of 24 per cent. in the countryside. That compares with national growth of only 6 per cent. According to the Countryside Agency, 25,000 new households a year in the countryside are formed through inward migration; and 25,000 new households have formed themselves from existing communities. However, no housing provision has been made for many of those new households.

I suspect that the figures have not changed a great deal since, but in 1999 about 77 per cent. of homes in urban communities were owned or mortgaged by the occupier. That figure is 86 per cent. in rural communities. That means that only 14 per cent. of homes in rural communities are available for rent, compared with 23 per cent. in urban neighbourhoods.

The lack of affordable housing has far-reaching consequences. Young people who are forced to migrate to the towns, either to the local market town or further afield, take with them the children who would keep the village school going, and they take their custom from the village shop, the post office, the pub and the church—all of which are landmarks of community life. Those who replace them in the homes that they may once have hoped to rent, but which are now available only on the open market, typically do not have children of primary school age; and they shop and conduct business near their places of work or, increasingly, online. Housing shortages also have a knock-on effect on the business community and the rural economy, because a vital source of labour has been lost.

It is a vicious circle. Community breakdown leads to increasing difficulties in securing sustainability, and that loss of sustainability leads to further community breakdown. We need to reverse that process. I believe that it can be done, but it requires concerted and more determined action than we have seen over the past few years.

I welcome the Housing Corporation's target, mentioned by the hon. Member for North Cornwall (Mr. Tyler), who has left his seat. The corporation plans to provide 9,000 new affordable homes in rural settings by 2003–04. That is not a long way short of the Countryside Agency's target of 10,000. The situation is not as bad as the hon. Gentleman suggested, because the Housing Corporation has exceeded its targets in the rural programme, but he was right to point out that currently only 1,600 homes a year are being provided in settlements of fewer than 3,000 people. I believe that we need at least to double that figure. Moreover, we need to ensure that those homes are provided where they are needed, and not just in the south or the south-east. Those are the target areas established by the Housing Corporation, but housing must be provided where it is needed—that is the key. Unfortunately, until now the planning system has been too inflexible and too rigid to assess housing need properly or to meet it when it is identified. Planning officers are often more committed to development control than to the more creative discipline of planning.

Matthew Green (Ludlow): The hon. Gentleman says that there is concern about the fact that the Housing Corporation has primarily identified the south-east as a target area. Surely he would have been encouraged in the year 2000, when the Government White Paper identified a severe shortage of affordable housing in the west midlands. The Housing Corporation, however, seems to be ignoring the fact that that problem was identified two years ago.

Peter Bradley: I am sure that the Housing Corporation would dispute the fact that it is entirely ignoring the problem. As we are all aware, the greatest pressure, particularly for key members of the labour force, is in the south and the south-east. In that respect, I am arguing not that resources should be diverted away from the south and the south-east but that they should also be provided to those regions that need them, including the west midlands.

I was referring to the role of planning and planners. I have said many times, because I believe it, that planning can be a very creative engine of social change. Too often, however, it has become bogged down in development control and heavily weighted—too heavily, in my view—towards protecting the environment against the interests of the people who live in it. A balance must be struck, but, too often, it has not been.

Andrew George: Does the hon. Gentleman not accept that for an exceptions policy to be successful in rural areas, it is important not only to adopt a rigid and strict planning policy but to stick rigidly to it? If a planning authority fails to do that, and shows too much flexibility, there is little likelihood that landowners will want to deal with an exception site, because there will always be the possibility of achieving a much larger value on their land.

Peter Bradley: I accept the hon. Gentleman's point, but I would make one point. It is clear that exception sites have often made an important contribution to the provision of social housing, but they are not the answer on their own. They are not sufficient to provide for all the needs of all the people who require affordable housing. I shall try to outline in a few minutes some of the steps that the Government and, indeed, local authorities must take to overcome that problem.

The hon. Gentleman's reference to exception sites has provoked me to refer in passing to the Conservative party's extremely unhelpful intervention in the past few months. Its announcement that it would extend the right to buy to housing association properties had an

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immediate and direct impact on the provision of exception sites. That is curious, and it is difficult to divine what caused that response. It seems to have been predicated on the conception—perhaps the misconception—among many landowners that there would be a Conservative Government in the not-too-distant future who could actually implement that policy. The hon. Gentleman shows by his facial expressions that he finds that as bewildering as I do. Nevertheless, it meant that, almost overnight, exception sites were being withdrawn from the market, which caused dismay among social housing providers, including the rural housing trust, with which many hon. Members will be familiar.

I want to refer to one recent Government initiative, the basis for which I accept and applaud. We need to ensure maximum use of brownfield sites in order to protect greenfield sites from the pressure of private development. However, PPG3 and the sequential test therein continues to force young people out of their villages and into local market towns. The hon. Member for Ludlow (Matthew Green) may wish to comment on that because it is a feature of the local housing plan in Bridgnorth, a district that both our constituencies share. If local people want to remain in the village where they were born and raised, which is especially likely to be the case if there are jobs there for them, they will also want housing to be developed there, not in the local market town simply because it happens to be near a motorway or major road or on a railway line. If young people are forced away from their communities against their will, we shall continue to break family connections and community links, contribute to the downward spiral of community life in rural neighbourhoods and reduce the scope of the local labour force.

We need less top-down and more bottom-up planning. I am pleased that the Government are committed to the future of parish councils. The vital villages programme, funded by the Countryside Agency, has given parish councils not only a key role in determining the future of their communities but the wherewithal, the programmes and funding to fulfil that responsibility. Parish councils really can show local leadership, both in identifying the need to which I referred earlier and in building the essential consensus on which a successful planning system must be based. We are talking about sensitive environments and landscapes, but we must also consider the needs of people who live in those landscapes and try to build agreement about what a community needs to sustain itself.

Mr. Clifton-Brown: The hon. Gentleman talks about a bottom-up approach and building consensus in local areas but, unfortunately, his Government are doing precisely the opposite. Creating regional housing and planning bodies simply takes power away from local communities and will make the consensus and bottom-up approach that he advocates much more difficult.

Peter Bradley: I do not agree with that. There is a great deal of sense in strategic planning, both nationally, through planning guidance, and in the regions, but it makes it all the more important that there should be grass-roots regeneration of our democratic system and grass-roots identification of what is needed to give substance to those strategic plans and ensure that they meet local needs. I see no conflict at all between those arrangements. It is a shame that the Conservative party does not spend more time encouraging parish councils to fulfil their potential, rather than spreading scare stories about the Government's intentions to abolish them and place what the Conservatives claim are such onerous new burdens on their members that 75 out of a total of 70,000 have thrown up their hands and resigned. The Conservative party needs to talk more sense about parish councils and give them more encouragement to fulfil their huge potential.

Mr. James Gray (North Wiltshire): I broadly agree with the thrust of the hon. Gentleman's remarks. I am just a little puzzled by one aspect of what he says. Parish councils have no formal role to play in the planning process. Is he advocating that parish councils have a formal planning role under regional government, which, as my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) mentioned, his Government are introducing?

Peter Bradley: I am coming to my wish list, or shopping list, for the Minister, and all will be revealed shortly. Indeed, parish councils have an important role to play, along with their local district or borough council, in undertaking housing needs surveys. There should be an obligation on every local authority to undertake such surveys and to incorporate parish plans in the local planning framework. Recently, in Portcullis House, the clerk of Little Wenlock parish council, which is in my constituency, unveiled a parish plan that he and the parish council, working with the community, had developed—an ambitious but very practical plan. His task now is to convince Telford and Wrekin council to treat it with the seriousness that it deserves.

Matthew Green: That might be tough.

Peter Bradley: I hope that it will not be tough. I hope that, in future, there will be a genuine compact and that parish councils will live up to the expectations of their communities, rather than letting them down, which has been a feature of some parish councils. The very best have been doing a much more important job during the past five years than they were previously allowed to do.

Therefore, parish plans should be developed and incorporated into local plans. Sites for housing should be allocated beyond the exception sites, and the village envelopes that have constrained the development of affordable housing in recent years should be loosened.

Central Government, as well as local government, need to do more. We have depended far too much in recent times on crumbs from the developers' table, such as the odd affordable home here or there that is contingent on planning consents for private housing developments. The presumption should be reversed. Registered social landlords should be given the opportunity to fund at least part of their social housing provision by building perhaps one or two private houses for sale on the open market.

A threshold should be introduced for communities with a population of fewer than 3,000, and it should be reduced for communities with a population of more than 3,000. There should be a moratorium on the right to buy in communities of less than 6,000. If I caught correctly the drift of the comments of the hon. Member for St. Ives on tenure, discretion should be given for specified tenure in the granting of planning consents in areas that are experiencing housing pressure.

Council tax should be hypothecated for the provision of affordable housing. I do not entirely agree with the hon. Gentleman that it should be limited only to the district in which it is raised. We must take a balanced view of need and understand that the opportunity to sell housing to people who seek second or holiday homes is rather limited in some areas, but that does not mean that their housing need is lesser.

The sequential test that I alluded to earlier should be suspended in designated areas, in so far as it prevents people from finding housing in their own community and forces them away to the towns. A rural key workers strategy should be adopted, similar to the key workers strategy that has been developed for the south and south-east.

There is a need for boldness, courage and commitment. When a community says that it wants housing on greenfield sites or even in the green belt, there is a case for providing it. People live in such landscapes, and we should encourage them to remain in them. We must listen more attentively to what rural communities tell us. They are far more permissive than they have been represented as being in the past.

We can reverse the decline. We have levers to pull, if we choose to pull them. However, those decisions need to be taken now because it is almost too late for the current generation. We owe a duty to the next generation to ensure that they can bring up their own children and find a prosperous future in the villages in which they themselves were raised.

2.49 pm

Matthew Green (Ludlow): This is a welcome debate and, in my Front-Bench role, I welcome the fact that it has been raised from a Back-Bench, constituency point of view. I am grateful to my hon. Friend the Member for St. Ives (Andrew George) for securing the debate. He made a thoughtful speech, which was followed by a similarly thoughtful speech by the hon. Member for The Wrekin (Peter Bradley), who proposed some ideas with which I had a great deal of sympathy. Perhaps there could be some unity of thought in dealing with the problems of rural housing.

I realise that the Minister has a great deal of sympathy with the problems. I know from discussion that he understands many of them. Pressures in London and the south-east seem to be drawing the Government's attention away from rural areas—perhaps one could argue rightly so—at a time when the problem is getting worse. The Government and the Minister need to resist the temptation to be drawn entirely to London and the south-east, to see where the other problems are.

The Government's figures show that the number of rural households in England deemed to be unintentionally homeless and in priority need has increased by 13 per cent. in the last five years from just over 15,000 to 17,000. We have heard figures from my hon. Friend the Member for St. Ives, the hon. Member for The Wrekin and, through interventions, my hon. Friend the Member for North Cornwall (Mr. Tyler). They identified some of the statistics that show the real scale of the problem in rural areas.

Problems in rural areas have a variety of causes that are not the same as those that fuel the affordable housing shortage in London and the south-east. Ludlow, North Cornwall and St. Ives are all constituencies that suffer from people buying second homes—in the case of Cornwall—or retiring into the area from London and the south-east. People sell a three-bedroom semi-detached house on the outskirts of London for a third of a million, and wander up to Shropshire and buy a country cottage for £250,000. However, in Cornwall or Shropshire, £15,000 is a good salary.

How can one afford a family home that costs £250,000? I see the hon. Member for Cotswold (Mr. Clifton-Brown), and I am sure that the problem is the same in his constituency. People who are working and living locally cannot afford to purchase homes in their area. If they want to buy a home, they are driven away from the area in which they live. That economy is fuelled not by salaries, or people commuting, but by people retiring into the area, particularly from London and the south-east, and using the capital advantage that comes from having worked and lived there to force up the house prices elsewhere.

In some ways the problem is hidden. We have heard about the problems of the number of people in rural areas that cannot afford to live there. However, that is only part of the problem. Many young people in those rural areas move away.

If one looks at the demographics of my constituency—I am sure that the problem is the same in St. Ives—one finds that there are next to no people between the ages of 18 and 35 living there. They cannot afford to live in their communities. People move back into the housing market in their area when they are in their 30s or 40s after they have established careers and built up some capital in other parts of the country. There is a 20-year gap that has a huge knock-on effect, as we have heard from the hon. Member for The Wrekin, on primary schools. There is a declining number of children of primary school age, and when the school is lost, the community suffers. The shop goes, the pub goes, and there is a loss of community purely as a result of house prices.

On several occasions, not least in the rural White Paper of 2000, the Government have identified the problem. We cannot fault them in that regard. They share our concern. However, the record shows one step forward and four steps back. We welcome the one step forward—the changes to the second-home discount. We are delighted that the Government have finally done something. However, they would do well to take note of the concerns of my hon. Friend the Member for St. Ives about building social housing.

That was the step forward. Let us consider some of the problems that have taken us backwards. The first is the right to buy. That has had a disproportionately devastating effect on rural areas. To be kind to the Conservative Government who introduced it, they

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sought to break up the large-scale social housing estates so that they contained a mixed tenure. One reason for the introduction of the right to buy was to enable people to own their homes. However, the reality is that home owners cherry-picked. Those who lived in desirable country council houses bought them; those living on large estates did not. Therefore, the problems in the large estates in metropolitan and northern cities have not gone away, but the social housing stock in rural areas has been decimated, with the result that we no longer have the social housing stock that we need.

There are two districts in my constituency. One, South Shropshire, did large-scale voluntary transfer; the other, Bridgnorth, did not. Both are losing 100 homes a year. Their housing stocks are just over 2,000 apiece. Work it out; we shall not have any homes in 20 years unless we keep building them. There was a solution, particularly in South Shropshire—local authority social housing grant. The electors there, in survey after survey, identified social housing as the No. 1 priority, and the district council recycled every capital receipt that it had through the local authority social housing grant. Magnificently, over five or six years, it has managed to increase by 5 per cent. its number of affordable homes—they are available through housing associations rather than through the council. The council managed to increase its stock, but only by allowing it to be taken from it.

The Government's White Paper hailed the Ludlow foyer project in South Shropshire as an excellent example of rural regeneration and affordable housing for young people. It has had £300,000 of local authority social housing grant. I suspect that if it had had to go through the normal Housing Corporation route it might have arrived several years late, if at all. Therefore the local authority social housing grant has enabled at least one rural district to deal with its problem.

With the announcement that local authorities had to make known details of their schemes by the end of February, the Government have shown that they realise that they must do something. They backed away to an extent, but the abolition of the scheme is a mistake. The fact that they gave only three extra months and £275 million instead of £500 million means that if all the affected authorities rush to register their schemes, and they exceed £275 million, someone—the Government—will have to prioritise between areas. I am afraid that in some parts of the country where social housing would have been built in the next 12 months there will be none. Although I welcome the slight backtracking of the Government, and I appreciate that they might not have realised the full extent of the problem when they first made the move, they should reconsider the matter and go further still.

The Government allocated £250 million to their starter home initiative, announced in March 2002, of which £8.7 million was allocated to rural areas. After some quick maths, I reckon that about 3 per cent. of the total was allocated to rural areas. Once again that is an indication that the Government are tackling what they perhaps see as a more urgent problem, while there is, frankly, a problem in the rural areas as well.

Finally, there is at times an artificiality about the housing numbers. The Minister has considerable sympathy on that point. I realise that the changes that the Government are making mean that in a couple of years the housing numbers will not be a problem. However, I should like to highlight the case of South Shropshire, which had a disagreement with Shropshire county council over the number of houses. South Shropshire wanted more because of the social housing need, but the county council wanted to allocate them elsewhere. An agreement was reached, but then the Government office for the west midlands stepped in, took 500 homes away from South Shropshire's allocation and gave them to Telford and Wrekin to build the millennium village—an excellent idea—at Ketley. South Shropshire has 569 housing permissions left by 2011, yet its survey identifies a need for 1,400 affordable homes. I realise that the Government will tackle that and the Minister has considerable sympathy on the matter, but those are some of the problems that impinge on rural areas.

It is not all about problems. What are the solutions? We need to see a change to the right to buy. That change should be not just for areas in London and the south-east, but made available to any council that wishes to make those changes, because there are pockets around the country where the right to buy has devastated the social housing stock. The problem is not confined to London and the south-east. Councils should be able to change the discount, and in some circumstances any discount under the right to buy should be ended. I would much prefer encouragement of the right to invest. Ironically, the Conservatives introduced the right to invest at the same time as the right to buy, back in the 1980s, but they then abolished it because no one was using it because everyone was taking advantage of the right to buy. In my mind, the right to invest is the shared equity route, and very much the way forward in ensuring that houses remain in the stock but also that people pay back and build up their capital receipts.

I should like to share with hon. Members news of a successful scheme in South Shropshire, which I have mentioned to the Minister. The golden shares scheme seeks to create a middle tier of housing. It uses section 106 agreements about local need housing, often when a farmer builds in an adjoining field for his family. Under those provisions, individuals are tied, and must sell to other local people at an agreed maximum growth rate in house prices. The result is that the housing remains affordable to local people but that that person still owns 99 per cent. of their home. I would recommend that laudable scheme to hon. Members around the country as a practical, middle way—for want of another term—forward between the social housing market and the open housing market.

I would urge the Government to encourage councils to increase targets for the percentage of affordable homes. In South Shropshire we have now achieved the position where there is 50 per cent. affordable housing on all new sites over two homes. That is probably the most draconian—or radical, depending on how one looks at it—set-up in the country, and a pragmatic approach to dealing with a problem in rural communities.

However, there is another matter that is perhaps a little difficult for the Government to deal with and is not an easy problem: the effect of PPG7, which defines sustainable communities. The hon. Member for The Wrekin touched on that matter in a way. That guidance says that housing can only be built in settlements of a certain size and with certain facilities. However, there are villages just below that size that have village shops, pubs, a church, a village hall and a community. In some of those cases, some affordable housing is necessary to ensure the future viability of that village. The problem with PPG7 is that it will cause communities below a certain size to stagnate. This is a difficult issue. We do not want random growth; we do not want to concrete over the green belt as people often say. We need a sliding scale that allows communities that are a little below the scale to have the housing that will ensure that they remain viable for the long term.

I am very pleased that my hon. Friend the Member for St. Ives introduced the debate, as it is an important matter for many in rural areas. Lack of affordable housing in rural areas blights lives. It is a shame that events in the other Chamber have taken many hon. Members away, but I hope that the Minister might, in the words of my hon. Friend the Member for St. Ives when talking about another Minister, throw away his notes for once and pick up the baton. I hope that he will act on a matter that gives him concern by fighting for an increase in affordable social housing in rural areas.

3.5 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I am grateful to catch your eye, Mr. Deputy Speaker, and I pay tribute to the hon. Member for St. Ives (Andrew George) for securing the debate. Lack of affordable social housing concerns all of us who represent rural areas and, sadly, it is a problem that is getting worse. Lack of affordable housing is a problem everywhere but it is particularly bad in rural areas. Homelessness in rural areas has soared by 13 per cent. since the Government came to power. Rural homelessness has risen more than three times faster than that in urban areas. At present, more than 17,000 rural households are unintentionally homeless and in priority need. Only 20 per cent. of the affordable social housing built between 1997 and 2001 was built in rural areas. In that time, the Housing Corporation's budget was reduced by more than £300 million.

In March, the Government announced that they had allocated another £250 million for starter home initiatives to help key workers to buy homes over the next three years. The trouble was that only 360 key workers were in rural areas. Rural property prices are 15 per cent. above national averages, so locals cannot afford them. That is the root of the problem. Many people dream of a rural idyll where it is easy and cheap to live, and that is why they move to rural areas. Once there, however, they find that the idyll is not what they expected.

In an excellent article in *The Guardian* in October 2002, Alexander Garrett makes the point very well about higher costs in rural areas. He makes the point that the high cost of rural transport is a long-running sore. He also says that fuel costs and council tax are higher. One or two things are cheaper in rural areas, such as parking, insurance and domestic help. However, he concludes his article, which I commend to anyone who has not read it, by saying:

> "Overall, though, the cost of living means many areas of the countryside are becoming increasingly exclusive, says Professor Shucksmith. 'The real issue is that there are some people in rural areas facing a high cost of living and with poor access to services and markets, and who are on low incomes,' he explains. 'There are others who have professional salaries and who can afford to pay the prices. They are also more likely to be oriented to the nearby urban areas, and so have more choice about the price they pay. So it's not just about town versus country: there is inequality within the rural community.'"

The hon. Member for Ludlow (Matthew Green) made the problem very clear, and his analysis was exactly right. The question is: what is to be done about it? In my own area, Cotswold district council did a large-scale voluntary transfer four years ago. It sold 500 houses, and with the interest on the money and with the local authority social housing grant it has managed to build in the past four years 480 additional houses. The problem is that councils will no longer be able to do that because of the changes that the Government are making. The disgraceful withdrawal of the local authority social housing grant at very short notice will hit debt-free councils very hard indeed. It will make it much more difficult for them to build affordable social housing. The pooling of capital receipts will make it even harder for them to build.

It is wrong, just because those councils are debt free, that they should be punished in that way. After all, the people who live in those areas have as much right to affordable social housing as those living in other areas. In fact, it is largely those debt-free councils in the south-west and south-east of England that have the biggest problem in building affordable housing. The difficulty is caused by the very word affordable. In those areas, land prices are so high that the ratio between the permissible rent and the cost of building such houses makes it difficult for registered social landlords to build new affordable houses.

What is to be done? Hon. Members have come up with a number of solutions. One area that needs to be looked at closely is the planning system. It is highly regrettable that the Government have ripped up the planning system and are replacing it with a new system. Whether it will work does not matter; it will take a number of years to bed in, and in the interim it is bound to be slower and less responsive. We regret, from the Conservative point of view, that it will be based on the regions. That is not the correct way to run a planning system. We think that local councils and local people should have more say.

The hon. Member for The Wrekin (Peter Bradley) is entirely right; where they are able and willing to do so, parish councils—on their own or in clusters—should have a greater role in the planning system. That must be entirely right, because local people know what is needed, particularly what is needed for local people rather than for incomers. The Government are going in the wrong direction by moving planning and housing to the regions.

I urge the Government in a non-partisan way, but I hope that the regions will use a light touch in planning and housing matters and that those powers will be used only in extreme circumstances. By and large, local authorities should be left to make their own housing plans, which they are required to do under the Local Government Bill, and their local development frameworks, which they are required to do under the

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Planning and Compulsory Purchase Bill, and they should be able to do so with little interference from the region.

Peter Bradley: I am glad to discover that we agree at least about the role of parish councils. However, would the hon. Gentleman accept it if a parish council said on behalf of the local community that it needed to develop affordable housing in the green belt?

Mr. Clifton-Brown: The hon. Gentleman might be slightly confused by the difference between greenbelt and greenfield land. The green belt itself is a difficult issue. On the whole, green belts should be preserved, although a case could be made for replenishing the green belt with other areas, and for building on the green belt itself provided that areas are added in compensation. There is a clear need for more affordable housing—for more housing, full stop. That will involve some building on green fields, although the Government could do far more to encourage the use of brownfield land.

The Government's target is for 60 per cent. of new housing to be built on brownfield land. They will find it difficult to achieve that target when the rate of housing building accelerates—as it must. We are now building the fewest houses since 1924. That is unsustainable. It is also unfair, particularly to those at the bottom of the pile who need affordable housing. That is why the number of homeless people is at its highest level, and why we have the highest number of people in bed-and-breakfast accommodation. The Government have clearly got us into an unsustainable position.

We need to build more houses, but they need to be built on brownfield land. I have met many councillors, particularly in the south-east, who have told me that they do not have any land, but when I start examining their plans, I find that they have allocated 5,000 homes on brownfield land. Even in the Cotswolds, which is one of the most difficult areas to find building land, because 80 per cent. of the land is designated in one way or another, they have found brownfield land such as old airfields and other such places, where they could build houses—and they should be doing more of it.

Hon. Members have cited the right to buy as part of the problem of the shortage of affordable housing. Let me put right one mistake that hon. Members have made today. When a house is sold off, it does not disappear from the housing stock. If one is at the bottom of the pile, one needs availability. The average tenure of an affordable house is between 10 and 20 years. That is a fact. In a small village where there are, for example, half a dozen affordable houses, the chance of one coming up often is very small.

The problem with the right to buy, which we introduced, was that all the proceeds were first applied to paying off debt, although there was a good reason for that. Under the new extension of right to buy that we have proposed, all the proceeds will be ploughed back into building further affordable houses. By extending the right to buy to registered social landlords, we could sell up to 30,000 houses and build an additional 15,000 affordable houses. Given that the Government are currently building only 21,000 additional affordable houses in any one year—down from 35,000 when we left office—we would, at a stroke, increase the number of affordable houses that could be built in this country by about 70 per cent., at no cost to the taxpayer.

Matthew Green: The problem is that once houses are bought under right to buy, their prices rocket up to normal house prices. When I looked at the housing market recently, I found that the cheapest former council house in Much Wenlock was £160,000. Given that the average salary in Shropshire is £15,000, that has been taken right out of the affordable market. Because of the discount, even under the hon. Gentleman's scheme, there would be less money available to build homes.

Mr. Clifton-Brown: That is just a function of the market. If the Liberal party thinks that it can buck the market, it has another thing coming.

I have nearly finished, because I want the Minister to have plenty of time to reply to this important debate. The Government have, at my urging—I raised the subject three years ago, long before almost anyone else in the House—amended the council tax in the Local Government Bill currently in progress so that local authorities have the discretion to charge council tax on second houses at up to 90 per cent. My party welcomes that, but it raises only £60 million. The Government have, quite rightly, said that local authorities can keep that money, but they will be able to use it to subsidise services in general. We would have preferred it to be ring-fenced for additional affordable housing.

The real problem is that although the Government have given local authorities the power to raise council tax on empty homes, which could raise a maximum of £160 million, they will take all the money away. There is therefore no incentive whatever for councils to charge council tax on empty homes. Obviously, with 753,000 empty homes in this country, that is a real problem. We must address it, and not in some of the draconian ways that the Government and the Liberal party propose, but by incentives. There is an awful lot that we can do to encourage some of that empty housing to be brought back into use, as it should be. It is a waste of national resources.

There is clearly a problem in rural areas, which must be addressed. It is part of the Government's policy of not giving fair treatment to people in rural areas, compared with people in some of the urban areas that they control. We must have a better distribution of resources. We need to build more affordable housing in rural areas. We must look at the planning system. We must see whether we can bring brownfield land and empty and second homes into use. There is much that can be done; I urge the Government to do it.

3.18 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): I apologise to the hon. Member for St. Ives (Andrew George) for having so little time to respond to what has been, in the main—I exempt the last contribution—a serious and properly focused debate. I have to say, with the best will in the world and in the nicest possible terms, that what we have just heard was clumsy, cliché-ridden drivel, as usual. There is no justification for the real, substantial damage that the extension of the right to buy would do—in rural areas in particular, as alluded to. The hon. Member for Cotswold (Mr. Clifton-Brown) implicitly suggests that registered social landlords can magically sell a house, collect the proceeds and persuade the banks that the phantom house still exists and should still be on the books as a suitably valued asset. His policy is complete and utter nonsense. Simply because the right hon. Member for Haltemprice and Howden (David Davis) had to pull a rabbit out of the bag at the last party conference, it is not appropriate substantively to fool people that his policy will magically secure an addition to the stock of affordable housing in rural areas, for which there is a real need.

Equally, it is not terribly helpful to run around like the soothsayer in "Up Pompeii!"—I know that that shows my age—shouting that we are all doomed because any number of councils up and down the land affected, albeit temporarily, by the abolition of the local authority social housing grant will suddenly impose supplementary rates. There is no such thing as supplementary council tax or the ability to secure supplementary council tax in this land. Unless the hon. Member for Cotswold is suggesting that affected councils should act illegally, he is talking complete and utter nonsense. With the greatest regard, under British law councils do not have the ability to lay a supplementary council tax. It is not possible and to suggest otherwise is nonsense.

Mr. Clifton-Brown: Will the hon. Gentleman give way?

Mr. McNulty: With the greatest will in the world, I have nine minutes in which to address the important comments made by the hon. Member for St. Ives and my hon. Friend the Member for The Wrekin (Peter Bradley). However, I could not let that matter go.

It is not appropriate to say that councils only had seven weeks' notice for the abolition of local authority social housing grant. They were consulted last autumn on the impending abolition of LASHG in April 2004. If people were making plans in perpetuity for April 2004, it was an error. *[Interruption.]* I shall come to the hon. Member for Ludlow (Matthew Green) presently. The transitional arrangements are generous: it is misconstruing the matter to suggest that things are somehow worse in the transitional period than they were before it.

I have not yet come to my notes, but I must tell the hon. Member for St. Ives that we were not quaking in our boots last Wednesday morning when we saw the title of today's debate. The communities plan mentioned a £175 million initial transitional payment, albeit for debt-free authorities. Although there was a coincidence between the publication of the debate's title and the issue of the statement, sadly statements do not drop from the sky. It was well into Tuesday, the day before I had any hint of the debate's title, when the appropriate written statement was signed off. None the less, when one puts together the £275 million transitional relief for debt-free authorities with the relief offered on the interest that will accrue for non-debt-free authorities, which is what they will be seeking to do over the next year with LASHG, cumulatively £550 million of programmes will be sustained over the next year rather than the anticipated £500 million. If anything, the settlement errs on the side of generosity.

Mr. Clifton-Brown: Pure sophistry.

Mr. McNulty: With the best will in the world, the hon. Gentleman has already shown his complete lack of understanding of LASHG. Please do not compound the matter by repeating the point about sophistry, which LASHG is not. For those authorities with debt, LASHG was about sustaining and funding the interest accrued on investment, not spending money. If the hon.Gentleman thinks otherwise, he is simply showing his lack of both information and comprehensive understanding, which is the polite way to put it.

The hon. Gentleman showed his misunderstanding in spades when he discussed the right to buy. Government and Opposition Members have accepted that right to buy is important because it has had a measured and substantial effect on rural housing, which is something that the Conservative Government accepted in their initial designations and exemptions. It troubles me that any number of the authorities that are covered by the designation and the widening of the ability to alter the criteria have not yet used that ability. Many of the authorities that the hon. Gentleman quoted are covered in some way by the restrictions. In Caradon and North Cornwall there is a requirement on the buyer, if he or she wishes to resell within 10 years, to offer the property back to the authority, returning it to the affordable housing stock. In Carrick, Kerrier and Penwith, people are allowed to sell only to somebody who has lived or worked locally for at least three years. We do not yet know about Restormel. If those restrictions are not working, the relevant districts need to reconsider the matter.

When we announced the 42 areas in which we were restricting the discounts on right to buy, at the same time—receiving far less press coverage—we said that we would extend the ability of all the areas designated as rural to consider whether any of the criteria should be further restricted. We have heard only from the Isles of Scilly and we are talking to people there about the home ownership taskforce. We are considering not merely reforming right to buy. As the hon. Member for St. Ives says, one way in which we can tackle housing in rural areas is to find new models of low-cost home ownership—equity transfer, shared ownership or any new way of giving people scope to get on the property ladder without taking the social unit with them and denuding progressively the limited social housing stock. I am happy to discuss further why the restrictions are not working in relation to particular authorities, or where the Isles of Scilly go from here in terms of the low-cost home ownership taskforce. I have come to know in detail some of the authorities in Cornwall, not least because, in some cases, fairly eccentric—

Mr. Clifton-Brown: The names.

Mr. McNulty: Kerrier, for one, absolutely.

Mr. Clifton-Brown: The names.

Mr. McNulty: Kerrier is the one that I am referring to in terms of its eccentric interpretation of some national

[Mr. McNulty]

Government policies and policy planning guidance. I have written to that authority on a number of occasions, not least about PPG7. Much existing policy is in the hands of local planning authorities.

I agree wholeheartedly with my hon. Friend the Member for The Wrekin about proper reform of the planning system. The hon. Member for St. Ives will know that we are looking seriously at 6/98 and I look forward to hearing his points about greater flexibility in the review of affordable housing and the notions of exception, especially in rural areas, when we review PPG3. The point about the new planning system enabling us to be more sensitive and more flexibly responsive to strange and complex things was well made.

If we are talking about sophistry, the hon. Member for Cotswold needs to understand that until now the Housing Corporation has imposed downwards any notion of what is going on in the regions and the counties. Moving that down to regional level will mean greater sensitivity and flexibility within each locality where planning is concerned. The relationship between the regional spatial strategy and the local development framework will also be more sensitive. I have already spoken specifically to the hon. Member for Ludlow about the numbers in South Shropshire and I shall continue that investigation.

I apologise; I have limited time. I can tell the hon. Member for St. Ives that we take the matter very seriously. Other hon. Members have shown that they do too, except, sadly, the hon. Member for Cotswold, who clearly knows nothing about the matter, and given his contribution, could not care less about it. That is a matter of some regret, given that in assorted rural forums, there is a goodly deal of cross-party consensus on the matters, the seriousness of which belies the yah-boo tactics of the hon. Gentleman.

Mr. Deputy Speaker: Order. I hesitate to interrupt a Minister in full flow—a torrent, I would have said—but I have done, and I am grateful to him for sitting down.

Hospital Services

3.30 pm

Dr. Richard Taylor (Wyre Forest): I greatly enjoy debates in this Chamber, because there is a seat for me, bang in the middle between the two warring factions. I am particularly delighted to see the Under-Secretary of State for Health, the hon. Member for Salford (Ms Blears), because the document that has sparked off this debate, "Keeping the NHS local—a new direction of travel", reflects something she wrote in September 2001 that I often quote. As I am sure she remembers, she wrote:

> "The culture within the NHS needs to change so that the views of patients and citizens are not only valued but listened to and acted upon as well."

I had been rather sceptical about that, but now we have a document that provides strong evidence that the Government are listening and are prepared to act on the views of citizens. I would go so far as to say that some of us could have written the document almost as well as the Department of Health has.

In the time available, I will touch on three topics: the key messages from the document, with reactions from some groups; an outline of some of the difficulties the Government will face as the champion of the people, to whom the NHS belongs and who pay the staff salaries; and a brief mention of local situations. I hope to finish two or three minutes early to allow another hon. Member to speak—with your permission, Mr. Deputy Speaker.

Mr. Deputy Speaker: I am grateful to the hon. Gentleman for mentioning that another hon. Member wishes to speak. In a personal debate, it is normally the form that any additional hon. Member wishing to take part in the debate should not only get the permission of the owner of the debate—in this case, the hon. Gentleman—but that of the Minister and the occupant of the Chair. I have made the point.

Dr. Taylor: Thank you, Mr. Deputy Speaker. I apologise.

I can pick out only a few key messages. First, the document recognises that patients want more, not fewer, local services. It encourages the NHS to work

> "in a new stronger partnership with the public and staff to find high quality, sustainable solutions for local services, and deliver the agenda for reform."

The document describes what consultation should be, stating that consultation

> "with patients and the public, and with staff, needs to begin right at the outset— before minds have been made up about how services could or should change."

That makes a delightful change from some of the mockeries of consultation that we have seen.

One of the core patient principles—the word is patient, not NHS or staff principles—is

> "developing options for change *with* people, not *for* them".

The document also recognises that patients will accept the need to travel for high-powered specialist services, but not for bread-and-butter services relating to common emergencies. That fact was picked up by the Nuffield Trust in its 2001 publication, "Local medical emergency units". Referring to Downe hospital in Northern Ireland, which was due to be drastically downgraded, it acknowledged that people would not budge from their resistance to the removal of basic local emergency services. A pilot involving Downe hospital and hospitals in Belfast, which is intended to work out a partnership arrangement that will work, is mentioned in the document.

There are major messages about changes in the roles of clinical staff, involving teamwork within hospitals, networking with other hospitals, the information technology necessary for communication, different ways of covering night work, balancing generalist and specialist work and, most important, integrating primary and secondary care. I have time to mention only two reactions. The Royal College of Physicians has made a brief comment, prior to making a much more detailed one, that welcomes the challenge of improving the NHS and looks forward to responding to the document in detail. It pleases me by stating that the document recognises the need to balance three carefully chosen concepts: convenience, humanity and safety. Those words say an awful lot. The Royal College of Physicians also points to the difficulties, which I will deal with later.

The only contrary view of which I am aware was expressed in a letter to *The Times* on 18 February. The chair of the junior doctors committee of the British Medical Association obviously fears that the document is politically inspired and will be to the detriment of hospital services. I do not take it that way at all. The document is a very definite example of the Government listening to people. If it was inspired by the ballot box, so be it—perhaps that is the function of the ballot box.

The first difficulty is medical staffing and the European working time directive, which cuts junior doctors' hours dramatically. I cannot help wondering how continental European countries will cope. Will they be bound by the directive as tightly as it seems we plan to be, or will they turn a blind eye to some of it? At one of the public meetings of the Select Committee on Health not that long ago, we were talking about the European working time directive and a senior civil servant said that there was "a plurality of solutions." He did not give details of that plurality, but the document mentions some of the solutions. I hope that the Minister will tell us a little about them and say whether the pilot schemes are compatible.

A crucial difficulty in relation to the European working time directive is the way in which we cover continuity of care. In its initial comment, the Royal College of Physicians stated:

> "Continuity of care will be one of the greatest challenges for the new NHS."

It is easy to reminisce about the time, relatively few years ago, when people worked with their own teams and continuity of care was natural. I realise that that has gone and is impossible to recreate, but I hope that it might be a little more possible in some of the small units that are to come.

The second big difficulty is financial. Despite the extra money that the Government are putting into the NHS, primary care trusts will have little, if any, money for development, and both overspending and underfunding will be a problem. The primary care trusts are also overstretched managerially. I hope that the Minister will tell us whether the GP contract, if it is accepted, will help the smaller hospitals by making it more possible for GPs to cover some of the night-time work.

The third difficulty is information technology. The Royal College of Physicians puts it rather nicely. It says that the document reflects

> "perhaps an optimistic view of the benefits of the early application of information technology in the NHS."

My plea is that we concentrate on IT that actually works. We know that digital X-ray services work. I would be very grateful to know the proportion of trusts that have such services, because they are by no means widespread.

Andrew George (St. Ives): The hon. Gentleman is making a very important point. I congratulate the Government on putting £250,000 into the West Cornwall hospital pilot study on the reconfiguration of local services. I am a stakeholder member of the steering group for that project. To pursue the hon. Gentleman's point, does he agree that it is important that emergency services are as close to home as possible? If information technology services cannot provide back-up to small hospitals, we need a system whereby staff from larger hospitals are rotated to give smaller hospitals adequate staffing cover and to ensure that emergency services are properly supported.

Dr. Taylor: I do not mean to imply that information technology can wholly replace the presence of emergency services in a community. I am simply saying that the digital transmission of X-rays actually works.

My last point is about local situations. The sites of the pilots that have been set up—in Penzance, to which the hon. Member for St. Ives (Andrew George) referred, in Downe hospital, Northern Ireland, and in Bishop Auckland hospital—make me absolutely green with envy, because they are all so much better than what my poor constituents have. The document recognises that unsympathetic, drastic downgrading of an acute general hospital does not work. In a sentence that was excluded from the final version, a draft of the document acknowledged that, in some cases, local access to hospital care had suffered as a consequence. I am not surprised that the sentence has been left out.

Sadly, in Worcestershire, everything is happening as predicted. Waiting times are rising, ambulances are queuing more, stressed staff are walking away, there are insufficient staff and beds, and the elderly are frightened. Two and a half years after the downgrading, the flow of letters to me continues. However, hope has been rekindled for the rest of the country and even for Worcestershire by this document.

I conclude with two quotes from the document. The first is that

> "the objective is to provide as a minimum a "first port of call" (a service able to receive and provide assessment, initial treatment and transfer where necessary)".

That is described as a minimum. The pilot areas will have that minimum—that first port of call; other areas will not, but should have it. Secondly, the document is about

> "working with local communities and staff to rebuild local services around local needs."

[Dr. Taylor]

I thank the Department of Health and the Minister for recognising that local people need local services, and for acting on behalf of citizens and the public to try to make an incredibly difficult compromise work.

Mr. Geoffrey Clifton-Brown (Cotswold): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Before I call the hon. Gentleman to make his point of order, I wish to tell the hon. Member for Wyre Forest (Dr. Taylor) that I might have advised him incorrectly. If an hon. Member wishes to intervene during a half-hour Adjournment debate such as we are having, they may do so. Whether to give way is entirely up to the hon. Member who is speaking. It is only if an hon. Member wishes to participate in the debate that he or she must seek the permission of the Minister and the occupant of the Chair.

Uniquely, I shall allow the hon. Member for Cotswold to raise a point of order. I believe that hon. Members will understand why when he has given his short address.

Mr. Clifton-Brown: I apologise to you, Mr. Deputy Speaker, and to the House. I spoke in the debate on rural housing, but forgot to declare my interests before I spoke. I am a fellow of the Royal Institution of Chartered Surveyors and own rural property, although I do not believe that it will be affected by the debate. I should have declared my interest.

Mr. Deputy Speaker: The House is grateful to the hon. Member for Cotswold. He has proven himself to be a truly honourable Gentleman.

3.45 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I genuinely congratulate the hon. Member for Wyre Forest (Dr. Taylor) on securing this debate on reconfiguration of hospital services. I am aware of his keen interest in health matters, not only in his own constituency but across the wider canvas. From the quotation that he used to start the debate, I know that he is aware of my personal commitment to making sure that citizens, the public and patients have a real role in shaping their future health services.

I am delighted that the hon. Gentleman welcomes the publication of the guidance "Keeping the NHS local—a new direction of travel". He rightly highlighted that it challenges the "biggest is best" mindset in respect of hospitals and hospital services, which we in this country have perhaps suffered from for many years. We believe that the twin opportunities offered by technological change and changing workforce roles—including developments such as new equipment, new information technology, telemedicine and other new technologies that are coming on stream, alongside the changing work force roles and the new issues relating to the skills mix, whereby nurses are beginning to do things that only doctors did and doctors are doing things that only consultants did—will enable us to design services in a very different way in future. They also open up a new range of possibilities for smaller hospitals, which are dear to the hearts of many local communities.

I must make it clear that the guidance is not a blueprint for hospital design. If it were, it would almost defeat its own object, because talking about keeping things local means that solutions must come from local communities themselves, so that people feel a real sense of ownership and that they are stakeholders in the design. What the guidance does is try to empower the NHS to work in partnership with local people and to decide together what range of services will meet the needs of that community.

The guidance has three core principles that will in future underpin everything that we do in this field. The first principle is that options for change should be developed with patients not for them, and that before we even start to formulate preferred options, we have a sense of sitting down right at the outset to design what services should look like—their essential features—and where they should be. In the NHS in the past, a preferred option would emerge and people were presented with it almost as a fait accompli. Consultation was sometimes simply the expiry of a period of time, people would do the first thing that they had thought of, and the process was not altered by the involvement of the public. The first underlying principle is that we develop proposals for change in consultation with local communities and that we start at the outset to think about what service redesign should look like.

Mr. Peter Luff (Mid-Worcestershire): My constituents will be encouraged to hear what the Minister has just said. Will the principles that the Minister has just underlined be expected to apply in the consultation at Evesham community hospital and in every circumstance, or is that an ideal approach that will not always apply? Do the Government expect it to apply to every consultation on hospital developments?

Ms Blears: If the hon. Gentleman listens as I develop the argument, he will see that they are core principles that underpin the whole thrust of our future policy development.

The second principle is that, where possible, services should be redesigned rather than relocated. That is a really important statement, because it means that we will look at services rather than at shifting them around the area. We will consider how services can be redesigned, and ways in which to get consultants to come out of hospitals to do things in local communities and the primary care sector rather than expect patients to travel to where the services are. It is a shift in the balance of power towards the people who use the service rather than the people who provide it. There are important constraints, which the hon. Member for Wyre Forest has mentioned, and I will try to deal with them.

The third principle takes a view of the whole system, not an isolated part, and looks at the networks between different institutions. To an increasing extent in areas such as cancer services, people receive services, including diagnostics, screening, treatment or palliative care, in as many as three or four different places. The aim is to look at the patient pathway across those different institutions rather than simply at the bricks and mortar of the institution that has provided care in the past. We want to take a whole systems view and look at genuine integration and joint planning to see who can bring what to the overall design of services.

The first principle, involving patients and the public, is now underpinned by a new legal framework. Last year, I was delighted to introduce the new system for patient and public involvement. Despite being the former chair of a community health council, I am absolutely convinced that the new service will be more vigorous and vibrant and will get patients involved in service redesign. We now have a legal basis for that framework in section 11 of the Health and Social Care Act 2001, which places a duty on the NHS to make arrangements to involve and consult the public in everything that it does. Under that new statutory framework, the NHS has a duty to involve the public in planning and developing services and in making decisions about how services will operate.

That is a world away from the old system in which people were left with the options of complaining after the event or objecting to a proposed service redesign. It is difficult to get one's views heard when a decision has almost been made and one is on the outside saying, "This should not have happened." We all know how difficult that has been, whether the complaint has related to the process or to the merits of a proposal. If we can get people involved in designing services, community involvement should be vastly increased by the time we reach the decision-making stage.

Andrew George: Despite all that, what can the Minister say to reassure our constituents about the delivery of emergency services? Consultants have shown a tendency to retreat from local hospitals to a few large centres. What can the process she describes do to reverse that trend?

Ms Blears: I direct the hon. Gentleman to the document that we published last year, "Reforming Emergency Care", which emphasises the need to take a whole systems approach. Emergency care is not only about what happens in accident and emergency. About 40 per cent. of people who turn up at A and E could be better served in primary care, by community mental health teams, crisis teams or access outreach; and some of the capacity problems in A and E are the result of delayed discharges at the other end of the system.

Whole systems redesign is the third principle of "Keeping the NHS local". We must look at the patient pathway and find out which services are most appropriate for the person who needs emergency care, primary care, acute care, residential social care, outreach care or community care, then put those services in place around the patient. We should engage consultants in the whole systems redesign, rather than see them as part of the bricks and mortar of the A and E department and a separate part of the system. If the hon. Gentleman looks at that document in detail, he will see that the emergency care networks that are being established throughout the health service bring together primary, secondary and community care.

We are publishing guidance entitled "Strengthening Accountability" to put flesh on the bones of the section 11 duty. That guidance and the document "Keeping the NHS local" provide two powerful tools to ensure that the new way of working will be embedded in the NHS. The guidance contains some really good practical suggestions for people in the health service. It is all very well for the Government to say, "You must do this or that", but we also have a responsibility to give people good practice cases so that they can share good ideas about practical ways in which they can make a difference.

The Health and Social Care Act has given new powers to local authority overview and scrutiny committees. As the democratically elected representatives of communities, local authorities will have the opportunity to look at reconfigurations to see where there is conflict. I urge local authorities to become involved at the outset in the service redesign process so that we can minimise the occasions on which there is real conflict. In addition, there is the independent reconfiguration panel. On 14 February, we announced eight members of the panel and we expect to be in a position to make the final appointments shortly.

The panel, chaired by Dr. Peter Barrett, will offer another means by which the voice of the patient can be heard. The panel will use the two documents—"Keeping the NHS local" and "Strengthening Accountability"—as the basis for its considerations. It will look at how patients were consulted and local people were involved. It will ask whether that process was real—did patients have a good opportunity to participate, or was it a matter of two public meetings held on a Thursday night in a far-flung part of the area that nobody attended? The independent reconfiguration panel will take a pretty robust look at the involvement processes and will also set great store by "Keeping the NHS local".

The panel will look closely at whether NHS bodies and their partners have incorporated the three core principles that I have described. There is a series of checks and balances in the system to ensure that there is not merely a headline message, but permeation through every part of the service.

Matthew Green (Ludlow): That is a welcome announcement, but for Kidderminster hospital, which serves about 15,000 of my constituents, it is six years too late. If only what the Minister describes had been in place six years ago. Is there anything in the document that might encourage health authorities and primary care trusts to consider bringing back some services that were wrongly taken away?

Ms Blears: I shall mention Kidderminster hospital at the conclusion of my remarks. There are great grounds for optimism, and I urge the hon. Gentleman to consider matters in a more positive light.

The process of redesign is near the top of the agenda for all primary care trusts. In their commissioning processes, they will look at how services can be redesigned. PCTs have 75 per cent. of the budget and are in the driving seat when it comes to asking what local services should look like. PCTs are increasingly developing their skills in process redesign, which is new for them. The best PCTs now have skilled people who are looking at the patient pathway and asking, "How can we redesign our services to have more things at primary care level than in the acute sector?" There is now the money to make those commissioning decisions a reality. Again, we have put in place not only the ideas but the tools to do the job.

Let me explain about the pilot projects. At West Cornwall hospital, people are looking together at the emergency services. Specialist medical staff from Truro

[Ms Blears]

are advising via a telemedicine link so that more people can be kept in the local area. Clinicians in Penzance and Truro will make the decisions together on whether someone needs further treatment, and then refer them without a further wait in A and E. The second pilot is at Bishop Auckland hospital, where emergency medical care and critical care is being looked at, but only in relation to elective surgery. Those involved have to depend on networking between the three neighbouring institutions—Bishop Auckland hospital, Darlington Memorial hospital and University Hospital of North Durham—and see how those networks develop. The third pilot is at Central Middlesex hospital, London. That hospital provides both emergency medicine and emergency surgery, and is strongly reliant on networking with neighbouring sites for critical cases. There are new series of networks there.

The pilots illustrate the whole systems approach to service redesign. We want to learn what the good things are and what the problems are. We recognise that the processes are not easy to go through. The hon. Member for Wyre Forest has mentioned three imperatives: the working time directive, continuity of care, and funding. Those are serious issues. We can learn from the pilots how to provide services in a smarter way, rather than sweat services more so they produce more. We have lessons to learn.

We are putting in place a major independent evaluation of the pilots. The NHS research and development programme has just advertised in respect of that evaluation. We are really keen to learn the lessons, and we want them to provoke discussion and debate across the health community to see what we can learn.

The hon. Member for Wyre Forest and the hon. Member for Ludlow (Matthew Green) are concerned about Kidderminster hospital. The guidance does not say that we should go around unpicking decisions that have been made. The health service develops and thinking moves on all the time. We shall probably move on from the pilots as we develop the process. However, the decisions made on services at Kidderminster hospital have led to substantial new investment, including £13 million to develop a state-of-the-art diagnostic and treatment centre, an ambulatory care centre, a modern minor injuries unit, a primary care centre, outpatient clinics, operating theatres with 23-hour recovery facilities, and radiology facilities, including X-ray and a computerised tomography scanner.

Those services are not all in place yet, so I entirely understand why people do not feel as confident as they might do. I urge both hon. Gentlemen to help the new services at Kidderminster hospital to get established. Now is the time to start to work with those services and to look to the future. When the new facilities come on stream, both hon. Gentlemen can play a real part in encouraging the people in the local community to have confidence in their health services. They can continue the debate on service redesign so that we get services that meet the expectations and aspirations of that community. I know that both hon. Gentlemen want to lead on these issues in the local area, and I urge them to join me in ensuring that we help local people to make the most of the benefits on offer.

Mr. Deputy Speaker: I am grateful to the Minister for her reply. We now move to today's final debate in Westminster Hall, on a subject initiated by the hon. Member for Stafford (Mr. Kidney): the future of farming and food in Staffordshire. I welcome the Minister for Rural Affairs and Urban Quality of Life to Westminster Hall for the second time today.

Farming and Food (Staffordshire)

4 pm

Mr. David Kidney (Stafford): It is a pleasure to see you in the Chair, Mr. Deputy Speaker, and the Minister in his place.

I am genuinely [illegible] to have this opportunity to tell the House about the positive attitude developing in Staffordshire towards the farming and food sectors and to say a little about a conference held on that subject in Staffordshire last month. I shall put to the Minister some of the issues that came across very strongly during that conference and describe the aftermath witnessed in Staffordshire.

By way of introduction, I shall say something about my approach to the subject. It is important to examine the farming and food sectors in the broader context of the rural economy as a whole. Agriculture is without doubt the foundation of the rural economy, but clearly if the foundations are weak, the buildings on them are at risk. It is therefore important to examine agriculture in particular.

Recent years have seen falling employment and declining wealth-creation in farming. There are several reasons for that, not least a run of food scares, BSE, classical swine fever, and the recent outbreak of foot and mouth disease. Another factor has been the launch of the single European currency and the weakness of the euro against the pound—although as far as I can tell from current movements in the exchange rate, that is beginning to turn the other way around—and the fact that for several years, British farmers and British manufacturers have struggled with competition from people who have an edge in terms of the value of the currency in which they are dealing. A further factor has been international over-production of food in some key sectors, leading to incredibly low commodity prices. Milk is a good example. Farmers struggle to fetch a price for their milk that is greater than their production costs.

Against that background, it is not surprising that farmers in Staffordshire have asked their Members of Parliament whether there is a future for farming. I am sure that that question is echoing round the whole country. I am happy to say that I think that the answer is yes, there is a future. Last year at national level we began to see why that is so. First, we had the impressive report on the future of farming and food from Sir Don Curry and his colleagues on the policy commission on that subject. That gave an acute analysis of the problems and possible solutions. Secondly, at the end of last year, the Government issued a response to that Curry report and their own strategy for sustainable farming and food. That, too, answers the question resoundingly: yes, there is a future for farming in the UK.

If we lift our eyes beyond the boundaries of our country for a moment, there are big international pressures that must also be responded to if there is to be a healthy future for the industry. Perhaps the most important is the reform of the common agricultural policy, but not far behind are the talks on trade in the World Trade Organisation. If our Government's ambitions are to be realised, we must see European and international recognition of the validity of agri-environmental schemes to support farming rather than old-fashioned production support.

I shall say a little on the conference that we held in Staffordshire last month on the future of farming and food in our county. It was a staggeringly successful event and there were three very good elements. The first was that it was a genuine partnership arrangement, the second was all that went into it, and the third was all that came out of it. I shall elaborate on those three elements.

The partnership was a genuine one between the National Farmers Union at county and regional levels, the Country Land and Business Association—the CLA—at regional level, and all the county's Members of Parliament, irrespective of political party. It was understandable that I took the lead for the Members of Parliament because the venue was the county showground in Stafford, which I have the honour to represent in Parliament. All the Members of Parliament expressed their support for the event, which was helpful in preparing for the day.

When we arrived, we found that we had drawn all the relevant people together into the same room at the same time, including farmers, food processors, food retailers, other rural interest groups, environmental interest groups, Government agencies and non-governmental organisations. We had a superb range of speakers and presenters to assist us in our deliberations and, not surprisingly, there was a combination of successful presentations, workshops and question and answer sessions that helped us to examine the future of farming and food in Staffordshire.

Before moving on to what came out of the event, I shall pause to speak about Staffordshire's position, as it were, on the ground. Eighty per cent. of Staffordshire's land area and 20 per cent. of its population are rural. We have 190,000 hectares of agricultural land in 5,000 holdings. One fifth of the agricultural land and one quarter of the farm holdings in the west midlands are in Staffordshire. The farming is mainly livestock and dairy, but if we add the farming sector to the food and drink, leisure and tourism sectors, together they account for 13 per cent. of employment in the county. We are discussing a substantial and significant countywide and regionwide presence.

What came out of the conference? To start with the most obvious negative, there were too few examples of co-operation within the same sector, for example, between farmers. There were also too few examples of co-operation between sectors, for example, between farmers and food processors. That was disappointing, but we recognised that there was a gap. More encouraging was the evidence of local interest from producers and consumers in farmers' markets, organic farming, reducing food miles and so on. Also encouraging was a desire for more co-operation between the sectors, stronger food links, shorter food chains and more emphasis on local and locally produced food. We recognised that we need more business advice, training and support from external sources.

That conference took place three or four weeks ago, and during the brief time since, my response to what happened that day has been as follows. Last week in Staffordshire, by great good fortune, a conference was organised by Rural United, a rural economic forum that was created in response to and in the aftermath of the dreadful foot and mouth disease outbreak. It was led initially by the county council but is now widely based in our rural economy as a whole. At the conference I saw

[Mr. David Kidney]

the launch of a new website with the address www.GetRural.co.uk. That was helpful for making contacts, which I now want to discuss.

First, we considered a "Taste of Staffordshire" brand for local marketing and local foods in Staffordshire. We have a "Taste of Staffordshire" awards evening once a year, which is about the service of food in restaurants and other eating places. It is promoted more widely in the region by Heart of England Fine Foods, which is replicated in each of the counties involved. My suggestion was to take that one step further and brand locally produced food in Staffordshire as "Taste of Staffordshire" food. My vision is to have shelving in all the local supermarkets carrying the label "Taste of Staffordshire" so that people know that that food has been produced in their own locality.

I have also had discussions with the local business link, which has been our adviser to businesses, and Rodbaston further education college—a college with particular expertise in land-based sectors—on whether we could have some unified support for businesses in food and farming relating to business management skills, lifelong learning, and the acquisition of the skills necessary for the jobs that they want to do. I have also had talks with those involved with the local health economy, such as health trusts and local agenda 21 organisations, about health links, such as healthy diet, exercise, and environment. Finally, I have been incredibly lucky in the ballot to secure this debate so soon after the conference.

With that wealth of information and research behind me, I come to the debate on behalf of Staffordshire to put three issues to the Minister. They come under three loose headings: joined-up businesses, a stronger rural business economy, and specific help for farmers in particular. On joined-up businesses, all sectors would like to feel that they can co-operate with others in the same sector and between sectors—I include farmers in that. I want to ask more widely about the help that is available for any sector connected with farming and food that wants to build co-operation between its members. We want stronger links in Staffordshire between farming, the food and drink sector and the leisure and tourism sector. I would like the Minister to say something about the support that is given to people who appreciate what they want to do, but are not sure how to go about achieving it.

On the same subject, it is important to establish stronger links between town and country—after all, most of the food that farmers and others produce and process will be consumed in towns and cities by people who might never have seen a farm, or food production in process. It is very important that people understand the provenance of food. They should know whether it is wholesome, how, in the case of livestock, it was raised, and how, in the case of other foods, it was produced. They need to know where food is coming from and how safe it is. We see the importance of that in the health scares. Farmers' markets carry out a good, educative job by enabling producers to understand the needs and wishes of consumers, and consumers to understand what goes on in the production of food. More education of that sort can be provided. Labelling is part of that process because it gives people the information that they need.

There is a big role for local sourcing of local foodstuffs. I would like many Staffordshire businesses to source their food requirements locally, but I want the public sector to do the same. In Stafford, we have the headquarters of the county council, the local education authority, the police, the ambulance trust, several health trusts and the fire service. They are all big buyers locally. I would be interested to know if the Minister has a view on what public procurement policy ought to be on buying food locally. Will the Minister offer help to those who want to brand locally the food that they produce? I would like "Taste of Staffordshire" to be more than my vision, but a reality on the shelves of the supermarkets in Staffordshire.

The whole of the rural business economy is important, and a number of issues are relevant to all rural businesses. I shall start with new technology and access to broadband, which is the foremost issue that business people raise with me. I was frequently harassed about that when I recently attended the fourth annual Women in Rural Enterprise conference at Harper Adams university college in Shropshire. Many admirable female entrepreneurs from rural businesses accosted me about their inability to access broadband.

Although about two thirds of the country has access to broadband, the third that does not is the most remote—usually the most rural. Does the Minister have a view on how his colleagues in other Departments could more actively promote the take-up of broadband throughout the country? All businesses want help with managing change. We have done a marvellous job in establishing the small business service through business link, which is already having some success. How do we help all businesses, large or small, when they want to make change but need guidance, help and reassurance? Broadband is also important—farming is a good example of this—in helping to drive up efficiency and productivity. Again, those are things that people in Staffordshire want but sometimes need outside help to achieve.

Similarly, I want to ask the Minister about his support for new types of businesses as well as the diversification of existing businesses. I am particularly interested in non-food crops, which apply to not only agricultural processes but most parts of the economy such as cosmetics and toiletries, energy and fuels, pharmaceutical products and textiles, which are all areas in which non-food crops can be developed.

I have mentioned people's desire to access business advice, training and support. People say to me that there are many schemes for getting advice and access to grants, loans or venture capital, but there seems to be a multiplicity of suppliers of those services, even when the initial source is the Government. Some help with simplifying access to funding and advice would be useful.

I have briefly mentioned the third issue of specific help for farmers, to whom many of the things that I have said apply. Perhaps it is a new desire, but they are particularly keen on co-operation. They want help with becoming co-ops, which is a worthwhile aim for the Government to encourage. They would like to know more about best practice and how to spread one farm's best practice to other farms that do similar work. There is a role for the Government in helping that to happen. Demonstration farms are a good way to provide a practical best practice guide on the ground.

Farmers are keen to promote the wholesomeness and safety of their food through food assurance schemes. The red tractor scheme, which was launched by the National Farmers Union a couple of years ago and relaunched last year, is perhaps the most eminent scheme, but it is not the only one. Last year, the Food Standards Agency carried out a review of all food assurance schemes, and the Government could help consumers to get the message that there is a strong and reliable assurance scheme.

Those are the three issues that everybody in Staffordshire wants me to put to the Minister. Along with the residents of Stafford, I have a particular and personal interest in the future of a scheme called "The Great British Kitchen", and I should like to know whether he has any information about it. For several years, it has been the dream of Prue Leith and the British Food Trust to create a visitor attraction following British kitchens through the years and covering the history of cooking and catering. That would be allied with a hotel and training college for this country's chefs of the future and a retail hall selling every kitchen item that people might want to buy. It is a superb idea, and a site has been identified in Stafford. The site is in public ownership and the public authorities are willing to use it for the scheme. A developer, St. Modwen Properties, has been identified, but there seems to be a delay for some reason in getting the last contract for the work. I wonder whether the Minister knows anything about the scheme, whether he would be willing to find out what the hold-up is and whether anything can be done to help.

One day, the kind of responses that the Government made to the Curry commission, such as the new food chain centre, could be located at "The Great British Kitchen" in Stafford. What a boost it would be for the farming and food industries of Staffordshire. I am sure that I have given the Minister more than enough food for thought and I should give him a little time in which to respond.

4.18 pm

The Minister for Rural Affairs and Urban Quality of Life (Alun Michael): I congratulate my hon. Friend the Member for Stafford (Mr. Kidney) on securing the debate. I commend the leadership that he has offered not only by raising these issues in today's debate, but in the conference to which he referred. He has demonstrated his capacity to be both entrepreneurial and co-operative in the way in which he represents his constituency and farmers in the wider Staffordshire area. His approach is impressive because he has looked at farming's needs and the way in which those needs fit into the wider context of the future of rural communities. He has raised several key issues, and I am grateful to have a little time in which to reply, although it is doubtful that I shall be able to cover everything. I will follow up in writing on some of the detailed issues that he has raised.

I agreed when my hon. Friend said at the beginning of his speech that there is a future for farming, provided that a positive approach is taken and the agenda set out by the Curry commission is pursued with enthusiasm by the farming industry and by the Government. I also agree on the importance of and the interrelationship between CAP reform and the world trade round. Both are crucial for creating the right arrangements for trade and for the future prosperity of farming.

As this is fair trade fortnight, it is appropriate to point out that the importance of fair trade has been recognised by farmers in this country. In fact, later this week I shall speak at a conference organised jointly by the NFU, Oxfam, the co-operative movement and a variety of other partners. The future of farming must be viewed not in terms of protection or production-related subsidies but, as my hon. Friend rightly said, in terms of relating the needs of farming to the needs of the market and consumers and ensuring that we have a high-value farming industry in which added value brings the necessary added income.

My hon. Friend covered a variety of issues. He engaged directly with the issues that affect the farming industry in the wider economic and social context. I am pleased that last year the Labour party held a conference, which I believe was the first rural conference held by any political party, at Harper Adams university college in the constituency of my hon. Friend the Member for The Wrekin (Peter Bradley). After some fairly horrendous times for the farming industry, such engagement across boundaries is a most exciting development.

I echo the point of my hon. Friend the Member for Stafford about co-operation. There are some good examples. In December 2001, the Bishop of Hereford organised a conference deliberately to enable people to speak about their successes in breaking through the boundaries. It was a remarkable day, especially as we were only starting to lift our eyes from the impact of foot and mouth disease. It was an example of how one could be positive, given the right conditions and support and an understanding of what has worked elsewhere.

I will reflect on the accuracy of my hon. Friend's comment about the desire for co-operation, which is encouraging. I am delighted to hear that that is the case in Staffordshire, and I believe that it reflects a wider feeling. The Government certainly recognise the importance of co-operation. It forms a central strand of the strategy for sustainable farming and food, which was launched on 12 December.

To encourage co-operative activity, we are supporting an industry-led initiative to establish a new body, which will be called the English farming and food partnership. We have worked with industry to establish the new food chain centre and are partially funding its initial programme of work. We provide £5 million a year through the agriculture development scheme to strengthen collaboration, employ benchmarking and spread good practice. Grants to encourage collaboration are available under the processing and marketing grant scheme and the rural enterprise scheme.

My hon. Friend referred to local food sourcing. We have established a cross-departmental working group to develop Government policy. We have also set up workshops with the Institute of Grocery Distribution to bring supermarkets and small local producers together to explore how barriers to local sourcing can be

[Alun Michael]

overcome. Much is in the hands of the industry, but we need to encourage all parts of it, large and small, to engage in the process. I hope that my hon. Friend, through his co-operation with the Department, will ensure that Staffordshire is tied into the new initiatives.

The Department for Environment, Food and Rural Affairs, Food from Britain, the regional development agencies and the Countryside Agency have prepared a new structure for supporting regional food initiatives. Emphasising what is special and local in the context of a region is the key to success. The west of England has done that particularly well by identifying food from Cornwall, Devon and other parts of the south-west, but doing so within a wider regional marketing plan. Many other localities and regions of England could learn from that.

A good example from the Food from Britain initiative is Heart of England Fine Foods, which was established in March 1998 and helps to deliver projects within the regional speciality foods and drinks sector of the west midlands. I have seen a number of good products that it has supported. In line with the Curry recommendations and our policy on a co-ordinated regional food strategy, we support that sort of joined-up approach.

On public policy on purchasing, there is a danger of distorting the market or contravening procurement rules. That would be unwise from the point of view of British agriculture, which wants to sell abroad. It is necessary that we consider competition in the supply chain. We want to support measures to enable the industry to operate on a level playing field and be successful.

I am fully aware of the importance of links between agriculture, tourism and the rural economy. I was interested to read that some 13 per cent. of the work force in the county of Staffordshire are engaged in farming, tourism, leisure and the food and drinks industry. It is an interesting percentage because it demonstrates a considerable contribution to the economy, but when one breaks it down, one discovers that it comprises about 2 per cent. in agriculture, some 3 per cent. in food and drink and about 8 per cent. in tourism and leisure. The farming element is fairly small in terms of the numbers employed, but linked into the wider economic driver, it becomes immensely important. That is far more understood nowadays.

Reference was also made to access to new technology, which is a key priority for the Government. The Department of Trade and Industry has made £30 million available through the UK broadband fund to help the regional development agencies and devolved Administrations to develop schemes to extend broadband networks. Many people in rural communities pick up the theme. Some fully understand the potential of broadband, but others do not. We need to ask why connections need to be made and to ensure that there is a good business argument and that opportunities are being taken up properly.

The strategy on broadband draws heavily on the recommendations of the Broadband Stakeholder Group, which was set up in February 2001 and which is now an independent body that brings together infrastructure, service and content companies with broadband users from the public and private sectors. The Government and the industry agree that there is no magic bullet that will deliver broadband roll-out in the UK, but there is a virtuous circle, which we need to stimulate, in which demand and supply grow in parallel. I am engaged with colleagues in other Departments in discussing the way in which broadband delivery, for instance in relation to schools and health, can help the wider community. My right hon. Friend the Secretary of State for Education and Skills is a great personal supporter of ensuring that we take such opportunities.

"The Great British Kitchen" is an interesting project and I know that my ministerial colleague Lord Whitty has met with my hon. Friend the Member for Stafford to discuss it. There have also been a number of meetings between my officials and the British Food Trust. We are happy to continue that dialogue and, from the Government's point of view, I am certainly not aware of anything that would obstruct it. The challenge is whether a real business case can be made, whether the figures stand up and whether the undoubted enthusiasm that my hon. Friend has for the project is reflected by potential investors and participants. None the less, I commend my hon. Friend for not letting go and for trying to ensure that the initiative is followed through.

It is true to say that the strategy for sustainable farming and food arising out of the Curry report is crucial to the future of farming and its context in the wider rural economy. The strategy will help farmers to manage change and reconnect with their customers and the rest of the food chain. I have already given the example of the creation of the food chain centre. The strategy will reward them for providing environmental goods—for instance, there is the new entry level or broad and shallow scheme. I agree with my hon. Friend about the importance of agri-environment schemes in future. The strategy will also help farmers to get the right training and advice to develop their businesses. I agree about the importance of the demonstration farms, and pilot demonstration farms are being established. The first event took place on 29 January, and there will be work for the next for 15 months or so, after which we will review the lessons that can be learned.

I agree entirely with my hon. Friend about the engagement that is necessary if the farming industry is to have a successful future. We should build on the good examples, rather than in places in which people, perhaps understandably given the challenges of the past few years, have given in to being negative and depressed about the whole thing. If we can link the farming industry within the wider rural economy and food and drink industry, there is every reason to anticipate success. I commend my hon. Friend and others like him who take a full part in providing leadership and partnership to the industry in their constituencies.

It being half-past Four o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 12 March 2003

[MR. EDWARD O'HARA *in the Chair*]

Community Pharmacies

Motion made, and Question proposed, That the sitting be now adjourned.—*[Dan Norris.]*

9.30 am

Mr. Deputy Speaker (Mr. Edward O'Hara): Before I call the initiator of the debate, may I point out that 16 hon. Members have expressed in writing their desire to speak in the debate, and they will have priority? Others may hope to make a contribution, so Members who speak should take that into account and tailor their speeches accordingly.

Mr. Anthony Steen (Totnes): The timing of this debate is critical, because the Government have to respond to the Office of Fair Trading report on "The Control of Entry Regulations and Retail Pharmacy Services in the UK" by 17 April. I thank the Speaker for selecting this morning's debate. The Government will have adequate time to hear from both sides of the house. In view of how many hon. Members wish to speak, would colleagues consider adopting a five-minute limit? I shall speak a little longer than that, but not much.

Mr. Deputy Speaker: Order. I should point out that the Deputy Speaker has no power to curtail contributions, but I am sure that hon. Members will take note of what the hon. Member said.

Mr. Steen: I was not suggesting that you should curtail contributions, Mr. Deputy Speaker, but I am sure that hon. Members will respond to that request.

What should the Government say in response to the Office of Fair Trading report, which in effect recommended the wholesale deregulation of pharmaceutical services in England and Wales? I like to think that I am a model of a modern deregulator: I dislike unnecessary rules and regulations, and I chaired the Conservative party's committee on deregulation in the 1990s. I believe that our business ethos has been hijacked by a culture of over-regulation, which has resulted in batteries of officials, all armed with handbooks and directives, justifying rigid adherence to a bureaucratic straitjacket in the name of public protection.

The purported liberation of the pharmacists by removing the sluice gate currently operated by the local primary care trusts is not deregulation at all. The Office of Fair Trading proposals are not deregulatory: they are more about competition and price considerations. The report concludes that the public will be better off if the primary care trust is no longer involved. I do not believe that. Although a balance is needed between a planned and centrally controlled NHS and locality pharmacists, an unrestricted free market is neither relevant nor desirable in this instance.

We must consider whether the small amount of money saved by the consumer justifies the impact on existing Government policies. I cannot believe that the progressive closure of neighbourhood pharmacies will fit into the Government's aims of social inclusion, urban renaissance and sustainable development.

Mr. Adrian Sanders (Torbay): Will the hon. Gentleman give way?

Mr. Steen: Not quite yet.

Furthermore, the closure of neighbourhood pharmacies would be counter-productive to patient welfare, as I shall explain. About 80 per cent. of a pharmacist's income comes from their contract with the local primary care trust to dispense NHS medical prescriptions. They assume a satellite role in relation to the NHS. The remaining 20 per cent. of the income of most pharmacies comes from marketing and selling other goods in their shops.

Mr. Sanders: Will the hon. Gentleman give way?

Mr. Steen: No, not yet. I know that the hon. Member for Torbay (Mr. Sanders) is my next-door neighbour, but I should like just a little longer to get the argument going.

It must be made clear that NHS prescriptions will cost the consumer the same amount, wherever purchased. I want to ensure that hon. Members understand that. Wherever people buy their NHS prescriptions, whether in a supermarket or a high street chemist, they will cost the same. Supermarkets will not be able to undercut their competitors' prices for prescriptions. The Office of Fair Trading report argues that, if supermarkets provide the NHS prescription service, they will also attract unprescribed, over-the-counter sales of items such as aspirin or cough mixture. Although supermarkets can sell such general items without the presence of a qualified pharmacist, they cannot sell what is known as P-list medicines without a pharmacist on duty.

However, the OFT argues that supermarkets should automatically be able to supply NHS prescriptions with a pharmacist on duty, and that they should not have to be regulated by primary care trusts. Supermarkets can apply to the PCT for a contract to dispense NHS prescriptions, and their applications, like any others, are considered according to the desirability of having another chemist in the locality. Many pharmacists with NHS contracts are based in supermarkets. That is just one of the factors that the local PCT considers.

The OFT says that the consumer will be able to save some £30 million each year, but I am not quite sure why. The industry says that the figure is nearer £8 million, or 0.08 per cent. of the £8.6 billion drugs budget. I am told that, if supermarkets open up NHS-subsidised pharmacies, more than 50 per cent. of the 12,250 community pharmacies are likely to be phased out over the next five years.

Mr. Sanders: The hon. Gentleman has made the precise point that I was going to raise. He mentioned that there would be savings for the consumer, but rightly

[Mr. Sanders]

referred to the evidence that throws the figures into doubt. There may be no saving whatever for the consumer.

Mr. Steen: I expect such a sensible remark from the hon. Gentleman, as he is a next-door neighbour of mine and benefits from all the good sense that I put out at my end of the bay.

Mr. Patrick McLoughlin (West Derbyshire): If the Government accept the report, they will be doing to community pharmacies exactly what they have done to our rural post offices. It will be seen as yet another death nail in the coffin of village life and local shops. This situation is exactly the same, and it worries a great many people.

Mr. Steen: My hon. Friend is a clairvoyant, because he anticipates the closing lines of my speech. Having taken those interventions, I shall deal with the points that have been made. If community pharmacies go, some could relocate to health centres. That has already happened, but it would be detrimental to the high street, because they would cream off NHS prescriptions, taking away the 80 per cent. of business that high street chemists need to survive.

One concern is the extent to which NHS money could be saved by eliminating the contract with local pharmacists. That costs £18,000 per year per pharmacy. If that £18,000 retainer is to be extended to all new outlets as a result of the so-called deregulation, it must end up costing the NHS more. In fact, it could cost the NHS a fortune, because every time a new outlet opened, with no regulation to prevent that from happening, it would require another £18,000 per pharmacy. However, that is unlikely to happen. It is more likely that the £18,000 retainer will be discontinued. If it is discontinued or reduced, that will lead to the collapse of the local community pharmacy, so either way there will be a knock-on effect if the PCT no longer hands out licences. The Minister is in a Catch-22 situation: he cannot win either way.

Mr. David Drew (Stroud): I am sure that the hon. Gentleman is aware of the long-standing dispute between the British Medical Association and pharmacists over rural dispensing. My worry, which I am sure that he shares, is that that dispute, which I gather was close to being settled, is likely to break out again on the back of what we are discussing. What are his views on that?

Mr. Steen: I am quite sure that once the Minister has heard all the views of hon. Members this morning he will be able to say something that will prevent any further disagreement between the BMA and the local rural pharmacists. If he does not do so today, I am sure that he will do so very shortly.

That brings me to the nub of my speech. What is the role of local pharmacists and how do they protect the quality of life for the elderly, the poor, the handicapped and other vulnerable people in our society? I approach this issue as a representative of one of the most beautiful rural constituencies in England, according to the House of Commons Library. It is scattered with historic towns, market towns, villages and hamlets. The vagaries of public transport and the cost of private travel for an ever-increasing retired population, many of whom lack mobility and suffer from physical frailty, make neighbourhood pharmacies essential.

Given the current location of our pharmacists in the South Hams, people living in villages and hamlets can include their visit to the chemist as a part of their weekly trip into the nearby town. However, a journey to the supermarket is often a much more difficult manoeuvre, and hazardous to arrange if public transport is involved.

Mr. Adrian Bailey (West Bromwich, West): Will the hon. Gentleman give way?

Mr. Steen: If I must.

Mr. Bailey: I concur with the hon. Gentleman's judgment about his constituency. I understand the particular problems that arise in rural areas. Would he not agree that the problem of accessibility is equally great in some inner-city constituencies with a disproportionate number of elderly people on low incomes and low car ownership?

Mr. Steen: I am glad that I gave way. As the hon. Gentleman may know, I represented an inner-city seat in Liverpool for nine years. I am familiar with the points that he makes. The major supermarkets are on the outskirts of Liverpool, and to get there from the inner city is a day's job. The hon. Gentleman's point is extremely valid.

Mr. Paul Tyler (North Cornwall): Will the hon. Gentleman give way?

Mr. Steen: Once more.

Mr. Tyler: I am extremely grateful. I entirely endorse the hon. Gentleman's view that this is an inner-city, outer-city and rural problem. Would he have time to address my concern that the professional pharmacist in a community pharmacy often gives a whole range of free advice, particularly to elderly people, that simply would not be available in a supermarket?

Mr. Steen: I know that Conservatives are clairvoyant, but I did not know that Lib Dems were too. The point I was making is that if the convenience of the old, the infirm and the handicapped is regarded as important by the Government—I do not know whether it is—especially in rural areas but not exclusively, supermarket shopping is not the answer. In my area of south Devon, the major towns of Totnes, Kingsbridge, Dartmouth and Brixham are all convenient, whereas the outer town supermarkets are extremely difficult to get to. They may be more convenient for city dwellers. I often wonder why reports tend to liberalise regulations for the people who live in urban areas rather than concentrate on the mainstream needs of rural England.

Mr. Mark Todd (South Derbyshire): Will the hon. Gentleman give way?

Mr. Steen: Not at the moment. I should just like to finish this point.

Lord Borrie, the former director general of the Office of Fair Trading, said:

> "I think the risk of ending the entry regulations would mean competition from supermarkets that could not be with stood very easily by pharmacies in the High Street."

How is the service provided by high street chemists different from that which could be provided by the supermarkets? First, it is personal. John Burkimsher's pharmacy on Bolton street in Brixham has a continuity of staff and delivers medication free of charge to elderly and housebound NHS patients. He is familiar with his local customers, and is able to provide a weekly medicines management system if they find it too difficult to control their own medicine intake. He offers a whole range of services that sadly are increasingly rare in today's world. Pharmacists such as Karen O'Brian in Torbay, who has been of great assistance in preparing this speech, work closely with local doctors, forming a bond of trust and reliability. She will go out at unsociable hours to supply crucial medicines in difficult circumstances.

Mr. Mark Francois (Rayleigh): That is a very important point. There is a national shortage of general practitioners, as the Minister well knows. Community pharmacists can provide a valuable service by dealing effectively with minor ailments, so that people do not need to see their doctor. That eases pressure on our already hard-pressed GPs. Surely we should bear that important point in mind when discussing this subject?

Mr. Steen: The problem about giving way is that my speech is being undermined by the tremendously insightful interventions of my colleagues.

There is a shortage of pharmacists. If supermarkets provide pharmacists with a national health contract, two pharmacists will be needed because of supermarket hours, thus taking them away from the high street.

The Office of Fair Trading suggested that access to pharmacies would be enhanced by the removal of the primary care trust's involvement in the entry regulations. It claimed that supermarket pharmacies were open more regularly and for longer than high street stores, so more of them would mean greater convenience.

Linda Gilroy (Plymouth, Sutton): Will the hon. Gentleman give way?

Mr. Steen: Plymouth will have to wait a moment.

Strangely, the Office of Fair Trading's own findings dispute the supermarkets' claim about opening hours. Its polling showed that 90 per cent. of respondents had no difficulty accessing pharmacies when required, largely because the current regulations allow for a good distribution of pharmacies. Community pharmacies keep irregular hours. They co-ordinate their hours with local GPs, and ensure that they are open up to an hour and a half after the surgery closes, so that patients can pick up their prescriptions straight away.

Linda Gilroy: Will the hon. Gentleman give way on that point?

Mr. Steen: On that point.

Linda Gilroy: I am most grateful to the hon. Gentleman.

Mr. Steen: The hon. Lady should be.

Linda Gilroy: I hope that the hon. Gentleman does not have experience of this, but some of Plymouth's inner-city pharmacies play a key role in supervising the self-administration of methadone and other drug substitutes. Does he believe that such a service could continue in a deregulated market?

Mr. Steen: That is a rhetorical question, to which I am sure that the hon. Lady knows the answer. Clearly, that service will not continue in a deregulated market. *[Interruption.]* I shall not repeat what my hon. Friend the Member for East Devon (Mr. Swire) just said, as it would be totally unparliamentary.

Pharmacies are not just distributors of NHS prescriptions. My hon. Friend the Member for Mole Valley (Sir Paul Beresford), who is a distinguished dental surgeon, told me that his local pharmacies also provide other essential services, such as running a grocery store or even a post office, which are maintained solely because the pharmacist has a guaranteed income retainer.

The Government's strategy document "Pharmacy in the Future" suggests that the Department of Health is considering radical options for innovation. The pharmaceutical industry has proved willing to support and work alongside the Government in trying to achieve such objectives. When considering that report, the Department of Health should examine the system on the continent or the pilot schemes in Scotland, where community pharmacists have been allowed to treat minor ailments and have responsibility for repeat prescriptions. If the Government want to save money, those reforms should do just that.

The regulatory impact unit of the Cabinet Office calculated—I do not know how—that transferring responsibility for repeat prescriptions could save GPs up to 2.74 million hours. Perhaps that is why there are so many civil servants: they have been counting the number of hours that GPs could save if the responsibility for repeat prescriptions were transferred.

Estimates suggest that the NHS could save £380 million each year if only a quarter of all patients went to see their local pharmacist about their ailments instead of their doctor. I agree with the Office of Fair Trading report that competition, innovation and quality improvements are important measures of progress and desirable objectives, but the question is whether abolishing the current control of entry regulations in favour of an unregulated market will be more conducive to achieving those objectives. I do not believe that it will be.

Pharmacies are committed to providing health care to all at the point of delivery. The NHS is a centrally controlled body. Therefore, pharmacies cannot be

[Mr. Steen]

based on a free market model, as that would clash with NHS objectives and the principle of delivering access to all who need it when they need it.

Mr. Swire: That is precisely the point in a rural area such as ours in Devon. There is a disproportionate number of elderly people in Devon, and they need to get to their local pharmacies but can do so only on foot. They might need transport to get to a supermarket, and we all know the state of the transport system in Devon.

Mr. Steen: I am grateful for that comment. Some of my constituents live in far-flung areas such as East Prawle, which is three-quarters of an hour by car to the nearest town. It takes some people living on Dartmoor up to an hour to get to a supermarket, and the cost of doing so is prohibitive. I agree entirely with my hon. Friend.

An important point about prescriptions is that 85 per cent. are free of charge; they are free of charge to the elderly, so the fact that there are cheaper over-the-counter medicines available at supermarkets is not a great help to many people compared with the advantages of location and access to pharmacies. It is not relevant to elderly people to know that aspirin is 2p less in a supermarket than in their chemist.

Mr. Todd: Will the hon. Gentleman give way?

Mr. Steen: I will give way to the hon. Gentleman, but I will not take any more interventions.

Mr. Todd: Would the hon. Gentleman be surprised to know that the OFT report provides the data to back him up? In the survey, 89 per cent. of people said that they found it easy to get to a community pharmacy from their home and 86 per cent. said that they found it easy to get there from their GP's surgery. The report addresses the point of access, but does not follow it through in its conclusions.

Mr. Steen: I said that a moment ago, but I am grateful for the hon. Gentleman's confirmation of the point.

Change for change's sake has little merit. I do not believe that most consumers aspire to shop in out-of-town shopping malls, nor do they want to see skyscrapers where there are now supermarkets, with one-stop shops providing every facility. That would lead to the collapse of the high street and the high-street chemists, and would result in deteriorating, soulless neighbourhoods.

It may sound as if I am pleading for a return to the past, but that is not the case. I am a moderniser and I recognise the need to move forward and respond to the times in which we live. However, not everything new is better, and innovation is not always progress. The existing arrangement gets the balance right. We are talking not about deregulation but about the destruction of the high street as we know it and the quality of life of existing neighbourhoods. Destroying a community and neighbourhood facility, a network for people's care and health, and replacing it with an impersonal, off-the-shelf facility in a supermarket will bring little comfort and solace in an increasingly uncaring world.

9.52 am

Dr. Howard Stoate (Dartford): I congratulate the hon. Member for Totnes (Mr. Steen) on securing the debate. All credit to him for doing so; it is an extremely important issue.

I met the Minister in the Library last night when I was preparing for the debate. He said that I was the parliamentarian whom he seemed to run into more than any other. That is a reflection of how seriously he takes his role as the Minister responsible for pharmacy, given that it is a small part of his wide brief. He regularly attends meetings with me to discuss these issues. It is also a reflection of how seriously I, as chair of the all-party pharmacy group, take the OFT report on an issue that affects many people.

The fact that so many hon. Members wish to speak in the debate also reflects how important this matter is, and it must not be underestimated. It hinges on three issues: first, whether any changes are necessary to the control of entry regulations for pharmacies; secondly, whether the OFT report is the way to go if such changes are necessary; and, thirdly, and most importantly, the role of community pharmacies in an ever-changing world. The fast-developing NHS needs to become much more consumer-responsive, to deliver more front-line patient services and to develop in a way that improves patient access to vital services.

The first thing that the all-party group on pharmacy did when the report was published was to hold an inquiry. There was a proper debate and consideration was given to all aspects of the report to see whether we could enlighten Ministers in their decision making. The debate was extremely well attended: more than 200 people turned up, including a large number of parliamentarians. There was a first-class discussion, and we examined both sides of the argument in as much detail as possible to see what, if anything, the OFT report could do for pharmacy. We found that changes in the control of entry regulations were needed. We are not opposed to change, because it is often an important way of improving service. I want briefly to read from some of the conclusions in the report that we produced, which has been circulated widely. If anyone who has not seen a copy of the all-party pharmacy group report speaks to me after today's debate, I will ensure that they get one.

The report says:

> "The OFT in its report has sought ways of increasing access, choice, competition and quality. We have no dispute with these objectives, indeed we share them. If achieved, they would bring tangible benefits to patients. However, we are not convinced that outright de-regulation would achieve these outcomes.
>
> We therefore recommend that the Department of Health works together with the NHS Confederation, on behalf of PCTs, and the PSNC, on behalf of the community pharmacy sector, to identify ways of achieving improved access, more choice, service development, competition, and quality improvements."

Pharmacists are very much in favour of improving choice, quality and access for patients. The report continued:

> "We also recommend that, as part of that collaborative process, problems caused by the current control of entry arrangements are identified and proposals developed for resolving them . . . We recommend that the collaborative efforts we have described, and consequent changes to control of entry, take place in the context of changes to the national contractual arrangements, since the issues are so closely linked."

Pharmacists are currently in negotiation on their contract to see how they can improve their services and access for patients. This is a critical time in the history of pharmacy, because such wide issues are being discussed at the same time. It is important that any changes take place in the context of the overall changes to pharmacy arrangements needed to ensure that patients get the best possible access.

In the meeting, there was an interesting contribution from Dr. Peter Fellows from the British Medical Association. He made an impassioned plea, which has not been fully recognised but which adds to the debate, about the relationship between pharmacists and GPs. We are not just talking about large supermarkets opening shops in out-of-town centres and sucking the high street dry, although that is an important issue. There is another, even more important, issue.

I have been a GP for more than 20 years, and the relationship between pharmacists and GPs has changed immeasurably in that time. When I first started, it was unusual for GPs to have much respect or time for pharmacists. There was certainly little contact between the two. Pharmacists were seen as just the shopkeepers who handed out the drugs that we prescribed. However, we have developed a much closer relationship over the years. They regularly come into my practice to look at patient notes and suggest how we can improve access to medicine, medicines management and concordance with patients. They make proposals about rational prescribing, improved drug regimes to make it simpler for patients to take medicines and so on. There is wide interaction.

The BMA representative said that that relationship could be put at severe risk by the regulations. It has not been mentioned that many GPs may decide to open pharmacies in their GP practice. That may be good news for them and, on the surface, for their patients, but it would not be good news for their relationship with pharmacists. It would have many unpleasant repercussions, and the damage could be immeasurable. That has not been significantly brought out in this debate, and it is important to put that on the record. I would hate to see the return of the days when GPs were suspicious of pharmacists and vice versa. That would be counter-productive.

A measure of how seriously pharmacists took that view was the large round of applause for Dr. Fellows when he made that comment. As I said at the time, I never thought that I would see the day when 200 pharmacists applauded the BMA. That is a reflection of how times have changed and how important it is for the relationship between pharmacists and GPs to be fostered and improved.

That brings me on to my third point, which is to ask about the future role of community pharmacists. I travel round the country and meet many pharmacists. I contact them in my constituency, and they come to many meetings of the all-party pharmacy group. It is clear that there is an enormous amount of good will and professional expertise to improve patient services. In meeting after meeting, I am made aware that pharmacists have set up patient group directions and are dealing with emergency hormonal contraception, anti-smoking mechanisms, lipid management and watering clinics, which takes some of the strain off GPs and front-line hospital services. That is to be welcomed. We are only just beginning to tap the role of the pharmacist. They have huge expertise, as they are highly qualified and dedicated. They do an enormous amount for the NHS, and we must ensure that that is not damaged.

The debate hinges on whether the Office of Fair Trading sees the pharmacy as a high street shop or a front-line NHS primary care service. Unfortunately, as the hon. Member for Totnes said, the OFT is far more interested in retail competition than professionalism and the front-line delivery of NHS services. I shall give a few examples of what might happen if the pharmacy becomes nothing more than a high street shop.

How many high street shops would telephone patients on a Sunday to make sure that they are okay? How many would deliver an oxygen cylinder late on a Saturday night to someone dying of lung disease? How many would tell a GP, "We are worried about Mrs. Smith, she is not a good colour today"? How often does that happen? It does not happen with retailers, but it does with pharmacists.

The level of service could easily be put under threat. We have already heard that as many as 6,000 of the nation's 12,000 pharmacies could theoretically be threatened. That may be slightly alarmist, but even a small proportion is not acceptable. As we have heard, access for people living in inner cities and in rural areas is difficult, and it is much more problematic for people who are housebound—the elderly, the frail and the infirm.

I agree that we need changes in control regulations, but pharmacy services are already being improved and there is already market competition between pharmacies. However, we must not undermine the close relationship between pharmacists and GPs. The report deals only with competition but, for the reasons highlighted by the hon. Member for Totnes, competition is far less important than in other retail sectors, because as much as 80 per cent. of a pharmacy's income comes from the NHS. For all the reasons that I and the hon. Gentleman have outlined, it would be dangerous to follow the report.

More than one Minister is involved. The lead Department is the Department of Trade and Industry, but the Department of Health will of course have an input. However, I gather that the final decision rests with the DTI. When Ministers meet to deliberate the Government's response, will the Minister ensure that the main point to be raised—it is the main reason for having community pharmacies—is the professionalism and the delivery of front-line NHS services? The competition issue, although important, is not paramount. Above all, patients want first-rate, front-line NHS services, as the hon. Gentleman said, rather than tuppence off the cost of aspirin.

10.2 am

Mr. Robert Syms (Poole): I congratulate my hon. Friend the Member for Totnes (Mr. Steen) on making a compelling case in his own particular style. I shall not repeat the arguments that he adduced. Instead, I shall concentrate on a few points. Most of my constituents have pretty good access to pharmacies, but they are worried about the impact that the changes may have. As the hon. Member for Dartford (Dr. Stoate) said, it may be alarmist to say so, but if 6,000 of our 12,000

[Mr. Robert Syms]

pharmacies close, my constituents will not have access to a local pharmacy. I have received many petitions, letters and telephone calls on the subject. Attendance at today's debate by Members from all parties proves that there is genuine concern.

Many of us have seen the closure of local post offices, the removal of public telephones, and the diminishing of general services for our constituents. This is the one area in which most of us are determined to do our best to ensure that our constituents, many of whom are elderly or not mobile, have access to that very important service.

As my hon. Friend the Member for Rayleigh (Mr. Francois) said in an earlier intervention, the key to the future is innovation. It is important that pharmacists are given more responsibility for treating minor ailments, and a number of tests have proved successful. Another question is the issuing of repeat prescriptions. Various assessments have been made of the savings, but we all know about the tremendous shortage of GPs. The Government have a number of targets for recruiting and training people, but it seems sensible, when possible, to relieve some of the burden on GPs and to provide a greater service.

Mr. James Gray (North Wiltshire): My hon. Friend comes from an urban constituency, but does he agree that in a rural constituency such as mine repeat prescriptions are particularly important? The GP's surgery may be some miles away from the patient's home, and it would be a huge help if the patient could nip down to the local pharmacy—for instance, in Box, a village in my constituency. The argument on repeat prescriptions is one of the most important in the debate.

Mr. Syms: My hon. Friend reinforces what I said. It is a very important point. Many measures could be taken to improve the service that pharmacists provide to integrate them into the NHS without necessarily going down that route. We have already heard about the close relationship between many GP practices and pharmacists, who sometimes go the extra mile if people need oxygen or additional help. That service might not be offered by a supermarket.

There is also concern because the pharmacies that have been opened in several supermarkets are not necessarily open during the same hours as the supermarkets, sometimes for the understandable reason that they have difficulty recruiting pharmacists. We have already heard that there is a shortage of pharmacists.

I want to put on record the concern of my constituents in Poole, who are determined to fight substantial change. If the Minister is unable to give us a full answer, I hope that he will give us substantial reassurance. This issue will become very important for my constituents over the next year.

10.5 am

Mr. Tom Cox (Tooting): All of us here today know from our correspondence of our constituents' deep concerns about the future of the typical pharmacy shop that we have in our constituencies. I totally reject the Office of Fair Trading's proposal that the regulations that control pharmacies should be abolished. On issues of fair trading, I always want proposals to be for the benefit of the consumer. Should these proposals be introduced, in my view they would most certainly not be for the benefit of the general public.

As we know, the general public very soon understand if a proposal meets with their approval, and these proposals most certainly do not meet with the approval of our constituents, from whichever part of the country. All of us have used and still use our local pharmacist. I stress the word "local", because that is what they are. They operate in the area where most people live. We get to know, trust, respect and listen to the people who run pharmacies. Opening up such services to supermarkets would, without doubt, present several concerns and problems.

Mr. Swire: Will the hon. Gentleman give way?

Mr. Cox: No, I do not intend to give way.

Many people do not shop in supermarkets. As we have heard, many retired people do not drive, so what has been a local service often becomes a service that is nowhere near where the person who needs it actually lives. The personal relationship no longer exists. As people have said to me in letter after letter, "I know my pharmacist, and they know me. They know who my doctor is, and I can talk to them in confidence about myself and my health. I would not feel confident trying to do that in a large supermarket." Pharmacists know their area and community, but I doubt that that knowledge would still be found if services were transferred to large supermarkets.

I also believe that the proposals would lead to many shop closures in our communities. As all of us have seen over the years, when large supermarkets open up, local shops, many of which have been in the local community for years and have been very popular, can no longer survive and compete against the supermarkets, given the opportunities and trade that they develop. That is what would happen to pharmacists in many areas of the country. Is that what the Government and the Department of Trade and Industry want? I do not want that to happen, and neither do the general public.

When the Minister replies to the debate, it would be very interesting to hear about the thinking behind the Department's policy on the issue. It would also be interesting to find out what the Department of Trade and Industry thinks. What complaint is made against local pharmacists? I get many letters of complaint about many issues, but I must say to my hon. Friend that, despite many years in the House, I have never received even one letter from a constituent complaining about the service that their local pharmacist provides.

The control of entry regulations have been in force for some years. Why seek to change them now? I am not opposed to change when it is of clear benefit to the consumer who wants it. However, these proposals for change are being strongly opposed across the country by the people who use pharmacies every day. The Government have enough problems already, and I do not mean Iraq. Like me, the Minister is a London

Member, and he knows his constituency as I know mine. He knows that the Government will face problems if they push ahead with these proposals against the will of the people whom we represent, be it in London or in any part of the country.

10.11 am

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): I, too, congratulate the hon. Member for Totnes (Mr. Steen) on securing the debate. Judging by the size of our mailbags, this is a most pressing issue.

I should like to start by considering the motivation for change. It is worth while considering the arguments for removing the barriers to entry: excessive profits is the obvious one. However, there is no evidence that pharmacists make excessive profits. There is a claim that consumer choice is restricted. The difficulty with that argument is identifying the consumer. In a sense, the national health service is the main consumer, but the front-line consumer is the patient, and one must distinguish between the two.

How would the patient benefit if the barriers to entry were removed? There would be changes; there may not necessarily be fewer pharmacists, but they would be in different places. There is no evidence that removing the barriers to entry would lower prices, because, as the hon. Gentleman pointed out, many elderly people are exempt from prescription charges. We must consider whether there would be net gains from removing the barriers, and we must admit that that is very difficult to establish. It is significant that the former director of the Office of Fair Trading, Lord Borrie, opposes the change. He spent many years introducing more competition so that there would be more choice and lower prices, and he says that it is not appropriate to remove the barriers.

An argument for retaining the barriers to entry is to create a climate for investment, and this is an instance of when we need a climate for investment. The NHS plan proposes a greater role for pharmacists, which we all welcome. In fact, some of us would like pharmacists to do even more. For example, when one goes to one's GP for a blood test one is often sent to hospital. Many believe that, given our lifestyles nowadays, it would be better if such minor matters could be dealt with by a nurse based in a pharmacy.

Weighing the arguments for and against barriers to entry, one comes down in favour of retaining them. We may not want to keep them in exactly the same form; that could be an issue for future debate. The important thing is that there would be a net welfare loss if they were swept away. I concur with other hon. Members that there does not seem to be much evidence that patients want the change, and that is the critical point. The statistical survey that was mentioned showed that over 80 per cent. of patients do not want a change. I am sure that other hon. Members have, like me, received petitions, letters and surgery visits on the matter.

I represent a diverse constituency with pharmacies in many settings—supermarket, village, market town and neighbourhood urban shopping centre. I have been receiving representations from all quarters. In the village, the petition has been signed by nearly every resident, because for elderly people and mothers with young children, for example, the GP's surgery will be very far away. The pharmacy is their first stop-off and it is vital to them. Devon is a similar case. Dorset is renowned for having exceedingly poor public transport outside its conurbation, and, in contrast to some areas, our senior citizens' concession is only for half-price, rather than free, travel, so any savings that they make will soon be swallowed up by the costs and difficulties of travelling.

At my surgery on Saturday I met a pharmacist who works in Upton, an area attached to the main conurbation. I asked him what he does that supermarket pharmacies may not do. We should not suggest that supermarket pharmacists are in any way less qualified. He ran through a long list of what really amounted to voluntary work: home deliveries after 6 pm, which is an excellent service; making up the weekly medicine dosage tray; visiting a home if a doctor rings to suggest a change to a prescription; and taking oxygen out to people.

Sandra Gidley (Romsey): As the only pharmacist present I have listened to the debate with interest. I am the villain of the piece, having worked as a pharmacist in a supermarket, when I provided all those services—they are not unique to community pharmacies. However, that does not mean that we should deal with supermarkets in a way that enables them to deprive community pharmacies of the opportunity to do that work.

Mrs. Brooke: I thank my hon. Friend. The point that we are making is that the relationship with the pharmacist in the community is a much closer one, involving continuity of contact with people. People prefer their local service to that provided in a supermarket, which may not be so near to them.

As time is short, I conclude with a summary provided to me by the Dorset local pharmaceutical committee. It argues that the change

> "would create unnecessary and untimely instability in the pharmacy sector",

which is an important point. In addition, it would

> "jeopardise pharmacy investment and developments in primary health care planning. It would delay the process of recognising the potential role community pharmacy can play in primary health care provision. It would have a seriously adverse impact on local community services".

A whole neighbourhood centre can be affected, as we know, which is why the supermarket issue is cause for concern. The summary continues:

> "The public would not be able to enjoy the benefits offered by the enhanced services at their local pharmacy. This would particularly affect those living in rural areas or isolated housing estates who rely heavily on their local pharmacy. It will be the elderly and mothers with young children who will suffer most."

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Before I call the next hon. Member to speak, it may be helpful if I point out that it would be desirable for the first of the three Front-Bench spokespersons to be called not later than 10.30.

10.18 am

Linda Perham (Ilford, North): I congratulate the hon. Member for Totnes (Mr. Steen) on securing this timely debate. I am interested in the issue as a member of the

[Linda Perham]

Trade and Industry Committee and of the all-party group on pharmacy. I am motivated also by the concerns of pharmacists in my constituency, who were among the first groups to contact me when I was elected. I met them in June 1997 and have remained in contact with them ever since.

My hon. Friend the Member for Ilford, South (Mike Gapes) received a petition last week with 20,000 signatures from our area alone. I expect one to be delivered today. A key issue for community pharmacists and patients in my constituency is access and convenience of location. That point has been well made by other hon. Members. Elderly people and those without access to private transport do not want to travel to supermarkets for their prescriptions.

Community pharmacists are not afraid of competition. For many years two pharmacies have been practising successfully opposite the health centre in my constituency, and another, closer to where I live, is just 10 or 15 minutes' walk from those two. Those pharmacies have been thriving for many years. Local pharmacists are approachable and knowledgeable, and they have forged a key role in delivering NHS services. As the Secretary of State said at the Labour party conference in October, pharmacists are clinicians, not shopkeepers. I would say that they are not retailers but rigorously trained professionals.

Marshall Davies, the president of the Royal Pharmaceutical Society, said in January:

> "We know that nearly 2 million people seek healthcare advice from their community pharmacist."

Community pharmacists play a vital part in treating a range of illnesses, in managing chronic diseases and in complementing and alleviating the work of GPs. My hon. Friend the Member for Dartford (Dr. Stoate) made that point and it was also highlighted by the King's Fund, with which I spent a year on a National Council for Voluntary Organisations secondment. The fund's report, "Developing Community Pharmacy", found that community pharmacists were keen to play a greater role in the NHS.

I cannot emphasise enough the importance of community pharmacists in providing for the health and social needs of local communities. Today, on national no-smoking day, I pay tribute to their work in combating the scourge of smoking. Many community pharmacists work in partnership with smoking cessation services, and they can train to become community smoking cessation advisers, of which there are 18 in the boroughs of Redbridge and Waltham Forest. Some 260 people were helped last year, with a 50 per cent. success rate. For national no-smoking day today, pharmacists in my constituency are putting up posters and displays in their windows offering nicotine replacement therapy.

The help given to people to overcome that addiction and all the other vital services that pharmacists provide reinforce the crucial role that pharmacists play in their local communities.

Mr. Gareth Thomas (Harrow, West): My hon. Friend has, like me, the good fortune to represent a suburban constituency in outer London. Given that we have heard much about the impact of the proposed change in regulations on rural and inner-city areas, is it not also important to recognise the impact that the implementation of the Office of Fair Trading report would have on secondary shopping centres that provide a crucial sense of community in such constituencies?

Linda Perham: My hon. Friend is right. That affects us all. Other hon. Members have made that point and will continue to reinforce it for the Minister. I am sure that the Minister, to whom I pay tribute for his willingness to listen, will consider carefully the representations from hon. Members today on the necessity of encouraging community pharmacists to continue their positive contribution to primary care services and to the improvement of the nation's health.

10.23 am

Mr. Roy Beggs (East Antrim): I congratulate the hon. Member for Totnes (Mr. Steen) on securing this debate, which enables many of us to convey our views and those of our constituents to the Minister before the Government act on the report.

The proposal of the Office of Fair Trading to deregulate pharmaceutical dispensing is vigorously opposed by all my hon. and right hon. Friends. We believe that the OFT report is entirely misguided, and that its recommendations will impede access to, and the provision of, pharmaceutical services.

The New Economics Foundation recently raised the prospect of Britain as a nation of ghost towns. In its report "Ghost Town Britain: A lethal prescription", the foundation highlighted the negative impact that supermarkets, hypermarkets and out-of-town shopping centres have had on local services in our towns and villages. That might still be a relatively new phenomenon in Northern Ireland. The development of stores previously seen only on mainland Britain has occurred largely from the peace process of the last decade, yet our villages and towns are already witnessing the virtual disappearance of the high street. Our corner shops, post offices and banks are finding it increasingly difficult to compete with the large one-stop-shop supermarkets in out-of-town venues.

Clearly, such supermarkets provide many advantages to the consumer, such as greater choice and more competitive prices—not to mention the convenience of being able to buy all one's necessities in one place. However, people must be able to get to such facilities if they are to take advantage of them. What about the elderly, the disabled, single parents, young mothers and those without access to private transport? The high street is their lifeline. In a country such as Northern Ireland, whose economy and geography are predominantly rural, the local high street remains vital.

Mr. Swire: Is not there an inherent contradiction between the Government's sponsorship of the legislation, which will lead to more people having to use cars, and their attempts to persuade people not to use them?

Mr. Beggs: The hon. Member takes a keen interest in Northern Ireland affairs. He makes a valid point, which the Minister will have noted.

The community pharmacy will become unsustainable in the face of competition from the pharmacies that spring up in our supermarkets. The Office of Fair Trading estimates that deregulation will result in 900 new pharmacies in large supermarkets and a further 2,127 in medium-sized stores across the United Kingdom. I sincerely hope that that does not happen.

Rev. Martin Smyth (Belfast, South): Is my hon. Friend aware that GPs in Northern Ireland have said that they will be unable to give their attention to the anti-smoking campaign, which will therefore depend largely on community chemists? Given that today is no-smoking day, should not that issue be borne in mind?

Mr. Beggs: I thank my hon. Friend for that valid contribution, which highlights the fact that pharmacists' activities involve much more than just dispensing.

Research conducted by Lloyds Pharmacy at the beginning of the year estimated that more than half the pharmacies are in the catchment areas of two or more supermarkets, so the potential for many of them to fall by the wayside is high. Northern Ireland may be predominantly rural, but it is also small, and our pharmacies will inevitably be within the catchment areas of supermarkets. The number of community pharmacies lost could therefore be huge.

Why should we make people who are disadvantaged suffer increased inconvenience by forcing them to travel further to see their local pharmacist? Many people already have to wait a week or 10 days to get an appointment with their doctor. However, they can get instant access to the local pharmacist, who can often prescribe something for their ailment. Is the creation of such problems what the Government have in mind when they speak about access to health care for everyone?

The proposals will have an enormous impact on the delivery of health care. The OFT report fails to acknowledge that pharmacies provide much more than daily necessities. They are not there just to sell toiletries—they are more than a convenience store. According to the National Pharmaceutical Association, 80 per cent. of a typical pharmacy's turnover comes from providing NHS services, particularly from dispensing NHS prescriptions. The community pharmacy cannot be regarded as a typical high street shop. We cannot realistically subject health care to the free market.

Community pharmacists do more than dispense drugs. Many provide a very personal delivery service for prescribed medication, and often respond to patients' requests outside normal working hours. They are almost part of the family. They are trusted members of the local community, and provide health advice for those who cannot or will not see their GP. People are much more likely to seek advice from someone they know, trust and see often than from an unknown individual sitting behind a busy supermarket counter.

Face-to-face contact with patients, and the delivery of primary health care, encourage many young students into the pharmaceutical profession in the first place. Northern Ireland is already facing a shortage of qualified pharmacists, and students who decide to study in other areas of the United Kingdom invariably do not return. If we replace the essential caring element of the profession with a concern for profit margins over consumer health, it will be even more of an uphill struggle to entice young people into pharmacy in Northern Ireland and elsewhere in the United Kingdom. My party urges the Government to reject the proposals and to continue to support the present network of community pharmacies as an essential mechanism in the provision of health care and a vital part of community life.

10.29 am

Dr. Evan Harris (Oxford, West and Abingdon): I pay tribute to the hon. Member for Totnes (Mr. Steen) who introduced the debate in his typically clear way and was generous in giving way to interventions by hon. Members from all parties.

I do not have time to comment on all the points that have been made, and I have others of my own to add. There is a great deal of interest in the subject, as evidenced by the record numbers present from all political parties—13 Labour Members, nine Conservatives and nine Liberal Democrats, or 3, 5 and 17 per cent. of each party's respective parliamentary strength. On occasion, among all its disadvantages, the first-past-the-post system works to our advantage.

The hon. Gentleman pointed out, rightly, that there is a difference between deregulation and the need for increased competition. I was pleased to hear him say that a free market is not always appropriate, even in the retail environment. The Liberal Democrats strongly support deregulation if it means that every effort will be made to reduce the burdens on business. However, that does not mean having completely free competition.

Mr. Michael Weir (Angus): On deregulation, does the hon. Gentleman accept that the original reason for introducing regulations was to avoid the situation in which pharmacies clustered around doctors' surgeries and health centres and to ensure a wide spread of pharmacies throughout the community? The OFT report would reverse that process.

Dr. Harris: That is a fair point. It should be borne in mind that even if the OFT report were implemented, there would be other restrictions that none of us would want to lose. For example, planning restrictions impact on the number of retail outlets, especially supermarkets. The OFT seems to consider that, in the name of advantage to consumers, there is automatically a good argument for the abolition of any regulation. However, we should consider planning. To give just one example, removal of regulation would mean the abolition of controls on out-of-town supermarkets. In paragraph 1.11 of its summary, the OFT claims that

> "the regulations have acted to impede entry and expansion by pharmacies that offer consumers lower prices, more convenient opening times, or valued and innovative services."

Even having read the report and the responses to it, I do not think that the case has been made.

Brian Cotter (Weston-super-Mare): Does my hon. Friend agree that it is striking that the OFT report says that there is clear evidence that the current system works

[Brian Cotter]

well in terms of locality? The OFT itself draws attention to the importance of the fact that there are local pharmacists where people actually want them.

Dr. Harris: Yes, indeed. I pay tribute to my hon. Friend, who is probably more in touch with small business interests than any other hon. Member. He has done a huge amount of work to protect the interests both of consumers and of those who run small businesses.

It is argued that there are lower prices in supermarkets. However, where that is so—and it does not exist everywhere—it is not clear that it is anything other than loss-leading intended to increase footfall for the much wider range of goods that supermarkets can offer in comparison with pharmacies. Those goods include—even today, on national no-smoking day—cigarettes. Supermarkets want people to buy cigarettes and other products whereas community pharmacies, which do not sell such products, do not have that need.

The abolition of resale price maintenance has not necessarily and invariably led to maintained reductions in prices of over-the-counter medicines. I am concerned about the way in which the OFT report deals with international comparisons. It states, almost parenthetically, that Britain does better than average in the number of pharmacies per head of population—which counters its own case—and then lists only those countries that do better than this country. If one claims that an investigation is impartial, one should set out both sides of the argument.

There is inadequate consideration of work force issues, which are important. There is not a free labour market in the area, because it is comprised of professionals, and it does not follow that there should be a free market in retail if the work force does not have that freedom.

Throughout, the report refers to the people who rely on pharmacies as consumers. Many of us are concerned about the increasing redefinition of patients as consumers. Not all consumers and their interests should be considered equally. There are equity issues. It is not simply a matter of consumer choice but of ensuring that we give sufficient regard to those who are especially vulnerable. We must ensure that choice for the many is not increased at the cost of choice for the vulnerable few, such as low-income groups, the elderly and the sick. We should bear that principle in mind, although it is not endorsed by the OFT, which says that there should be no barrier to entry that does not best serve the interests of consumers.

The OFT mentions that it wants to be mindful of the public policy objectives of health departments. That will mean having regard for access by elderly people. The report found no sign of profiteering, although that usually follows when there is an inadequate market. The failure to find evidence of profiteering is a strong argument against the report's recommendations.

I want to say one word in defence of pharmacists who work in supermarkets, as did my hon. Friend the Member for Romsey (Sandra Gidley), because they, too, are professionals. They know local people, can assist with medicines management and do all the other things that we want them to do. The question is not about the professionalism of pharmacists employed by supermarkets, but the impact that greater competition in our supermarkets will have on the viability of local stores. I want all pharmacists to take part in medicines management work.

Finally, I want to offer the Government some better ways to reduce costs than those suggested in the OFT report. Clearly, more intervention by pharmacists actively to manage the way in which patients—consumers, if it wants to use that word—take their medicines will reduce costs, because there is much waste in prescribing. Increasing the supply of pharmacists will also ensure that there is more and better medicines management.

I want to suggest three better ways to increase access. The first is to freeze prescription charges, which, for many people who fall just outside the exemption, are a barrier to accessing medicines. The Government should ensure fair remuneration for pharmacists, so that they are able to do all the things that the Government want them to do without finding that they are unable to do the work that makes them viable. Pharmacists receive no money for making up dosage boxes, although that is time consuming, but we know that compliance with medicines is a critical factor in effective medical treatment—no medicine works if it is not taken.

The Government must do something to improve the supply of pharmacists and to ensure that supermarkets and independent pharmacists do not have to shop around for locums, because, in the current labour market, community pharmacists will always lose out against the wider multiples. Although the Liberal Democrats are in favour of greater deregulation, we do not believe that the OFT report makes an adequate case. The interests of vulnerable patients and consumers will not be safeguarded if community pharmacists are driven out of business by increasing competition from supermarkets and large multiples.

10.39 am

Chris Grayling (Epsom and Ewell): I, too, congratulate my hon. Friend the Member for Totnes (Mr. Steen) on securing this extremely important debate on an issue that is clearly of concern to hon. Members from all parties. The fact that he initiated the debate emphasises the Conservative party's concern about the future of community pharmacies. It comes at a time when local centres, stores and communities are, increasingly, under threat from the Government's policies. Thousands of post offices are already disappearing throughout the country. There is now the risk of local pharmacies doing the same, the consequence of which would be devastating for local communities. That is why I am extremely concerned about the impact of the OFT recommendations and why I believe that the Government should scrutinise them fully before they consider adopting them.

A local pharmacy is important for several reasons, which Ministers must not forget as they set about studying the detail of the OFT report. The first reason is access, to which many hon. Members referred. The elderly and the infirm have always relied on going to their local chemist to get the drugs and treatments that they need. They have also relied on a friendly and supportive word from their pharmacist, whose professional skills contribute significantly to health care in today's world, as several hon. Members have said. The hon. Member for Dartford (Dr. Stoate) made that point especially well. As chairman of the all-party group on health, he, perhaps more than most, recognises the importance of the role played by the local pharmacist in our communities.

Many families also need the local pharmacy for treatment for their children. The reality for many families is that one partner takes the family car to work, and the other is at home with the kids. He or she will walk to the local centre and pick up the necessary drugs from the local pharmacy. We must not run the risk of that disappearing. The damage that that would do to the fabric of local communities would be enormous.

Mr. Henry Bellingham (North-West Norfolk): My hon. Friend may be aware of a village in my constituency called Snettisham. It has an excellent pharmacist called Alan Stockley who does a superb job serving what is now a predominantly ageing community. That community is very worried about the report, and I am glad that my hon. Friend mentioned elderly people who need advice from their friendly local pharmacy.

Chris Grayling: I thank my hon. Friend for his comments, which speak for themselves. They reflect the strength of feeling across the House about the risk to our community pharmacies.

There is a practical point to be made about the viability and future of local centres. As I said, post offices and banks are disappearing, and local food stores have gradually moved out of local communities. In many places, the local pharmacy is the anchor store on a small parade. Its disappearance will not only cause a reduction in local services but kill other businesses. The consequences of that to the people who live in those areas could be very significant.

It is interesting that planning policy guidance 6 sets out to protect the local pharmacy and post office as an important part of the fabric of those local centres. In many ways, it seems, the OFT is arguing against established Government planning policy, and the Government should think carefully before they go against their own planning policy.

As many hon. Members have said, the local pharmacy has a role in supporting the national health service. Pharmacists have profound skills and years of experience with individual patients and the treatments that they dispense daily. Those skills can and must be an important part of the provision of health care in the future. There is a clear role for the pharmacist as our society looks to new ways to deliver health care closer to the communities that benefit from it. There is also a clear role for the pharmacist in providing more of a gateway to our over-pressed GPs by giving basic advice and guidance to people about ways to tackle their health problems, That role must not be undermined by local pharmacies in local communities disappearing as a result of these measures.

The OFT report will clearly open up the market. It will allow supermarkets to move into the market in a big way. I accept the professionalism of the pharmacists who work in our supermarkets. None the less, I was surprised to hear the two Liberal Democrat health spokesmen weighing into the debate in defence of supermarket pharmacies. We must be careful before we see significant additional provision of pharmacies in supermarkets. There is no doubt that supermarkets play an important role in our society, and there are places where supermarkets can and do provide good pharmacy services, but we must be careful about giving supermarkets the opportunity to have an additional and substantial presence in this market.

Sandra Gidley: Will the hon. Gentleman give way?

Chris Grayling: I have only a minute left, so I hope that the hon. Lady will forgive me if I do not give way.

Before I give the Minister a chance to wind up the debate, I shall refer to the nature of the market with which we are dealing. In recent months, we have had a debate on the over-the-counter market. Many pharmacists told hon. Members on both sides of the House that, if they lost the resale price maintenance that applies to over-the-counter drugs, they would lose an important part of their business. They said that there would be price cutting and that they would be unable to compete with supermarkets. To a significant degree, however, that has not happened. There was some crying of wolf in the pharmacy industry. I have talked to many local pharmacists who say that the situation has not proved to be as bad as they thought.

However, that experience does not justify deregulating the NHS prescription dispensing market, because that market does not depend on excellent service, innovation and competition. It is largely a fixed market. It is not as fixed as Ministers might like, given its escalating budgets, but we are talking about a fixed cake. If we allow new entrants into the marketplace to take a share of that cake, some of those who are there today will inevitably lose. That is basic economics; it cannot be any other way. Given the fixed or limited prescription market for those businesses to draw on, a significant expansion of the number of pharmacies, as the OFT envisages, cannot but ensure that pharmacies in local communities throughout the country will disappear. That must not happen. It would be a devastating blow to those communities, so the Government must think carefully about what lies ahead.

I know that the Minister is in the middle of consultation and likely to be reticent about anticipating the results of that consultation, but my message to him is that we have heard from hon. Members on both sides of the House who come from different backgrounds, persuasions and viewpoints. The views of the hon. Member for Tooting (Mr. Cox) are well known, and I respect him for his long service in his constituency. He made an impassioned plea from his political perspective about the importance of local pharmacies. My hon. Friend the Member for East Devon (Mr. Swire), who represents rural communities—small villages in the countryside—also saw as enormous the dangers that could result in those communities from the disappearance of local pharmacies.

As I have said, the Minister has heard views from hon. Members on both sides of the House, from different types of constituency and political perspective. I very

[Chris Grayling]

much hope that he will take from the debate a clear understanding that the House does not want local community pharmacies to be undermined. He must not take decisions in the wake of the OFT report in a way that is likely to cause further damage to the people who most depend on the services that community pharmacies provide.

10.47 am

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I congratulate the hon. Member for Totnes (Mr. Steen) on securing the debate and on the spirited way in which he made his contribution. A wide cross-section of Back Benchers have made quality contributions. I am particularly grateful for the views of my hon. Friend the Member for Dartford (Dr. Stoate), the work of the relevant all-party group and the powerful contribution from my hon. Friend the Member for Tooting (Mr. Cox).

Ms Joan Walley (Stoke-on-Trent, North): Does my hon. Friend accept that many more hon. Members wished to contribute to the debate? We want him to take away the strong message that this issue is about public health. We want primary care trusts to consider health planning and community pharmacies, and we want a deal negotiated with the pharmacies for the new contract. We do not want medicine to be treated as an ordinary item of commerce.

Mr. Lammy: My hon. Friend is right to point out that many hon. Members have spoken on this subject in this Chamber, and many are concerned about the report and anxious to express their views. We heard from constituencies as far apart as those of the hon. Members for Mid-Dorset and North Poole (Mrs. Brooke), for Rayleigh (Mr. Francois), for East Antrim (Mr. Beggs), for Belfast, South (Rev. Martyn Smith) and for East Devon (Mr. Swire), and of my hon. Friend the Member for Harrow, West (Mr. Thomas). *Hansard* will also contribute to the Government's deliberations.

Much has been said about the contribution of community pharmacies in rural, suburban and inner-city areas. All Ministers, of whatever Government, are also informed by their constituency experiences. From the inner-city constituency that I represent, and in which I grew up, I know that people in deprived communities rely on three people in authority. They rely on the general practitioner and often on the local priest. However, they traditionally have to get an appointment to see the GP, and the priest is not to everyone's taste, so they most definitely rely, as my family did, on the work of the community pharmacist at the bottom of the road.

In preparing for a speech that I made to the pharmaceutical services negotiating committee eight days ago, I spent Saturday not only rushing to the bank and paying the bills as one does, but also incognito in north London in some of my community pharmacies.

Chris Grayling: The mystery shopper.

Mr. Lammy: The hon. Gentleman is right—I watched what was going on in our community pharmacies. During the day, I saw a desperate father rush in to get drugs for his epileptic son, a bus driver who was worried about shortness of breath, and many mothers, with children who had sticky fingers and runny noses, looking for cold medicines. What struck me was the fact that the community pharmacists knew the name of the epileptic son of the man, and that they came from behind the counter to help the mothers with their children and advise them what cold remedies to buy. Importantly, they knew people's histories—for example, the bus driver's grandmother had a history of high blood pressure.

Mr. Paul Truswell (Pudsey): Does my hon. Friend appreciate the concern shared by hon. Members throughout the House that when the Government come to take a decision, the Department of Trade and Industry tail will wag the Department of Health dog? Will he give a categorical assurance that he and his colleagues will do their utmost to ensure that patient care and public health take precedence over any considerations of commercial practice?

Mr. Lammy: My hon. Friend will know that the Government will deliberate on the issue in the usual way.

Mr. Eric Joyce (Falkirk, West): Further to that point, my hon. Friend will know that whether this matter is regarded as a health or consumer protection issue is important in Scotland, as one matter is devolved and the other is not. There is a Scottish health and medicines plan, called "The Right Medicine". A Health Minister is responding to a debate in Scotland today, and the argument deployed in Scotland is that we are discussing what is essentially a health matter. That is also the general view of hon. Members present today, so will my hon. Friend convey that fact to Ministers at the DTI? I appreciate that Ministers have to consider important competition points, but this is an important issue for the Scottish Executive and for people with the same interests.

Mr. Lammy: I am grateful for that, and as I have said, many Departments have a stake in the issue. We will deliberate and make our response as a Government in due course.

My ministerial portfolio is very diverse, but in the past few weeks and months, pharmacy has taken up the lion's share of my diary. With officials from both the DTI and the Department of Health, I have met a wide range of stakeholders and interest groups to listen to their points of view. I know that hon. Members have also been lobbied intensely, and for me, to go through a Division Lobby at the moment is to run the gauntlet.

Mr. David Lepper (Brighton, Pavilion): Does my hon. Friend acknowledge that the importance that so many of our constituents attach to maintaining community pharmacies is shown, for instance, in the petition that I received this week from Fields pharmacy in Eldred avenue in my constituency with 400 signatures and the petition that I received this morning from Stallion's pharmacy in Preston Drove in Brighton with 960 signatures? That was received in one week, and I am told that other pharmacists have similar petitions awaiting collection.

Mr. Lammy: Democracy is alive in this place. I know that as I walk through the Lobby and receive advice from hon. Members of all parties.

It is important that I set out the course of events. The remit that the director general set himself was to examine the UK market for retail pharmacy services, and to consider whether consumers are best served by the current statutory controls under which pharmacies can dispense NHS prescriptions. His conclusion was that they are not. He therefore recommended abolition of controls to improve competition, to reduce prices for over-the-counter medicines and to improve access to and the quality of pharmaceutical services.

Ms Walley: Is my hon. Friend aware of studies made in Stoke-on-Trent by local pharmacists that show that the basket of different items is cheaper in independent pharmacies? Will he accept that even where the OFT report says that there are reductions, that is not necessarily the case, particularly when one takes transport issues into account?

Mr. Lammy: I am aware of that study. There are many studies in this area.

We recognise that the report marks a significant watershed, but its implications go wider than community pharmacy. They involve GPs, the NHS more widely and—most importantly—patients. We have therefore made it clear that we would study the report carefully, canvass views, and consider the impact on our plans to improve services. I wrote to all hon. Members in England and, as I said, I have met leading professional bodies to hear their reactions. Those include the pharmaceutical services negotiating committee, the National Pharmaceutical Association, private companies, the British Medical Association, the all-party pharmacy group and a cross-section of supermarkets.

Mr. Steen: Having met all those key people, what is the Minister's conclusion?

Mr. Lammy: As I have said, the Government will let their views be known in due course, as the hon. Gentleman knows very well.

My officials have also met representatives of patient, consumer and NHS groups. I understand that the Health Committee wants to undertake a one-day inquiry on 3 April into the possible impact of the OFT report on community pharmacy services, and I urge Members to feed into that very useful inquiry. We are giving the report and the many hundreds of responses careful attention. We have heard a wide range of views. I have listened keenly to all the arguments. I wish to assure the House today that I, my colleagues across Government and the devolved Administrations will give them the fullest attention when we consider our response to the report.

Mr. Tyler: In the final moments of his speech, will the Minister tell us whether he expects legislation to be required? What sort of legislation might it be, and what priority would it be given in view of all the other pressures should the Government eventually decide to activate the OFT recommendations?

Mr. Lammy: I am advised that if the Government accepted the report's recommendations in full, primary legislation would be required.

In the remaining time available I am not able to talk about the other important things that are taking place in pharmacy across the board. I should have liked to set my remarks in the context of pharmacy in the future, which includes local pharmaceutical services projects, medicines management, repeat dispensing and supplementary prescribing. I accept that the OFT report has an important bearing on all those issues. However, I encourage hon. Members to make their views known. I can tell them that the Government are taking the report, and their views, seriously.

Ms Walley: On a point of order, Mr. Deputy Speaker. In view of the obvious cross-cutting issues relating to the Department of Health and the Department of Trade and Industry in the light of the OFT report, what powers do you have to recommend a cross-cutting debate in Westminster Hall so that we can consider the issues in relation to both Departments?

Mr. Deputy Speaker: I have no such powers, but I am impressed by the amount of interest in the debate. I am concerned that so many Members wish to participate in the debate, but cannot, and I shall certainly draw that to the attention of the Speaker.

Fruit Farming

11 am

Hugh Robertson (Faversham and Mid-Kent): May I begin, Mr. Deputy Speaker, by saying what a pleasure it is to sit under your chairmanship? Unless I am much mistaken, I note from your curriculum vitae that you are vice-chairman of the National Wildflower Centre. It is a particular privilege to be under the chairmanship of someone who is clearly such a horticultural expert.

I thank the Minister for the Environment for taking the time to respond to the debate on behalf of the Government. I am particularly pleased to see him here today. I say that in all honesty, because his knowledge of, and concern for, the environment is well recognised. Fruit farming makes an important contribution in that regard. This is also the first debate to be held in Westminster Hall on that important subject.

I have asked for the debate to highlight fruit farming and the wider horticultural sector and to raise a number of current issues. I do so both as secretary to the all-party group on the fruit industry and as one of the few Members who represents a constituency in which fruit farming predominates.

My starting point is that we should all support fruit farming. The industry is wholly unsubsidised, produces high-quality produce close to the marketplace and is good for the environment. It is largely thanks to fruit farmers that Kent enjoys its reputation as the garden of England.

Fruit farming also has a disproportionate effect on the local economy in those areas where it is the main type of agriculture. In my constituency, it is a key employment provider on farms and associated industries such as packing and transportation. Shepherd Neame, the oldest family brewery in the country, is based in my constituency and exclusively uses Kentish hops. As I have hinted previously, jobs in the tourist and leisure industries also rely on fruit to shape the landscape.

Fruit farming is a significant contributor to the agricultural sector as a whole. According to figures produced by the National Farmers Union, horticulture accounted for 13 per cent. of agricultural output in the year 2000. If direct subsidies to other sectors are disregarded and packing is added, the figure rises to 19 per cent. However, the growers are deeply troubled; their sector is in decline, and they are voting with their feet.

Figures from the Department for Environment, Food and Rural Affairs, revealed to me in a parliamentary written answer on 23 October 2001, show that 10.8 per cent. of the national orchard has been lost since 1997. That is a staggering figure, and one that would not be tolerated in any other sector of the economy, particularly when the environmental impact is taken into account.

So, what has caused the decline? The answer is, of course, a variety of factors. The actions of supermarkets, increased regulation, climatic changes and a huge increase in imports have all played their part, but there are several areas in which we could offer the sector worthwhile help. Before I outline those, however, I want to thank the Minister for the Government's help to the sector, even in the short time that I have been a Member of Parliament. The climate change levy rebate for horticulture has been a considerable boon, and it is vital that it continues.

The increase in the seasonal agricultural workers scheme to 25,000 this year, and the move to an open bidding system next year, provides the key to the whole sector. I want to flag it up to the Minister that any proposal to widen employment opportunities under the scheme would be the death warrant for fruit farming. Proposals to amend the EU marketing standard for apples and pears have disappeared off the radar—and long may it remain that way. Finally, having debated the issue with the Under-Secretary of State for Environment, Food and Rural Affairs, I want to express my gratitude to him for securing an exemption for orchards from the environmental impact assessment.

I should like to enlist the present Minister's aid on several fronts. First, what do the Government want from horticulture in general, and fruit farming in particular, over the next five to 10 years? What is their strategic vision for the sector? Many growers were deeply concerned by a letter, written on 12 February, from DEFRA's horticulture division to John Breach, chairman of the British Independent Fruit Growers Association. DEFRA states:

> "The future of the British industry appears to lie in serving niche domestic markets".

DEFRA's red book on horticultural statistics shows that home-produced marketed apples account for 31.2 per cent. of total supplies and the figures for pears and plums are 24.6 per cent. and 13 per cent. In all honesty, that is hardly a niche market. Will the Minister deal with that problem and articulate his vision for the sector's future?

Secondly, I am concerned about the activities of the agricultural wages board and it is difficult to overstate its importance to growers. Wages account for between 40 per cent. and 60 per cent. of the average grower's cost base, so when profits are tight, any increase will have a disproportionate effect. This is not the time to reprise the events of last summer. Two independent members of the board, who each attended only one meeting in four last year—the critical year—and the chairman have now resigned, and a new settlement will be on us next month.

May I ask the Minister to take home the following three points? First, the key figure for growers is not the headline rate but the casual workers' rate, which rose from £4.30 an hour last October to £4.91. Any repeat would simply break the sector.

Secondly, the agricultural wages board looks increasingly anachronistic. We rightly have a national minimum wage, and it should provide the basis for future wage settlements. As the Minister will understand, when farm profits are at rock bottom, growers feel increasingly discriminated against because only the agricultural sector is treated in this fashion. If abolition is politically unacceptable, will the Minister consider offering some special treatment for casual workers in the horticultural sector, who are, after all, increasingly from eastern Europe? The scheme that brings them here is terrific and is vital to the horticultural industry, but it is clearly daft if the price of implementing it is grubbed orchards.

Thirdly, I am concerned about the future of Horticulture Research International, East Malling. The Minister will understand that a vibrant research base is crucial if horticulture is to have a viable future. HRI East Malling has an unrivalled reputation worldwide as a provider of high-quality and commercially relevant research. It is a national treasure, and we should do everything possible to ensure its survival.

Many of those points, and other more detailed ones, were discussed in a separate Adjournment debate sponsored by my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley). The quinquennial review has reported, and DEFRA is considering its position. The Government's plan, in outline, is to transfer the research station to the East Malling trustees, who will run it on a commercial basis. That will work only if the Government are prepared to back that outcome and, at least initially, to provide hard cash to ensure that the transfer and start-up costs of the new East Malling are met in full. Unless a proper business case is presented, the East Malling trustees cannot, under their agreement, agree to the proposed transfer. However, if it can be achieved it is perfectly possible that a new, independent East Malling will emerge to continue the best traditions of the current station.

I should add that there are several specific concerns about DEFRA research grants. The quinquennial review group recommended that at least 40 per cent. of income for research should be provided as a core grant to ensure that core skills are retained and developed. Will DEFRA provide that? Will it continue to place DEFRA-commissioned projects at the new East Malling? Will the new East Malling still be able to bid for open competition funding from DEFRA and for competitive funding from the Biotechnology and Biological Sciences Research Council?

It would be unfair of me to expect the Minister to answer those detailed questions today, but perhaps he could relay the contents of our debate to his noble friend Lord Whitty, the Minister responsible.

I hope that the Minister will not consider me churlish if I say that considerable offence was caused by the review team's decision to define East Malling's commodity base too narrowly as top and soft fruit. East Malling's work encompasses all perennial crops grown in the UK, and it would be reassuring to know that that wider role is recognised, particularly at a time when such serious structural change, with its impact on jobs and livelihoods, is being undertaken. However, the key point is that horticulture needs research as never before if it is to succeed. In East Malling, we have the world's foremost research station. I therefore urge the Government, in the strongest possible terms, to provide the transitional funding necessary to allow its tradition of excellence to continue.

Fourthly, the Minister is aware of the controversy about the French grubbing and replanting scheme. I understand that France applied for, and got, state aid for the scheme, which allows French farmers to claim a grant for switching from other agricultural sectors into horticulture. That means that they can replant orchards in such a way as to give them an unfair competitive advantage over their English counterparts. At the risk of giving the Minister too much homework, I ask him to look into that to see whether any protection can be offered to English growers.

Finally, I want to flag up the industry's concerns over the new Water Bill. Trickle irrigation is of particular importance to many growers who have previously been exempt from the abstraction licensing system. That will change under the new Bill. The Government have signalled their intention to consult the industry about the issue, which is greatly welcomed. It is important that trickle irrigators are treated equitably within the system.

Time constraints have necessarily resulted in a fairly rapid canter through the main issues affecting the fruit farming sector. It is right to finish where we started: fruit farming is an activity that we should all support. It is wholly unsubsidised, produces high-quality food close to the marketplace and is good for the environment. It also has a disproportionate effect on the rural economy in those areas where it still predominates. However, it sits on the cusp; some of the reasons for that are outside our control, but others definitely are not. I hope that the Minister will confirm the Government's commitment to the future of East Malling and reassure me that they fully understand the difficulties caused to growers by the recent agricultural wages board settlement. I hope that the Minister will be able to articulate his vision for the future of horticulture and that he will take note of the detailed points on East Malling, the Water Bill and French grubbing and replanting grants.

Growers in my constituency want no more than to run their farms as small businesses, free from over-regulation with an achievable vision for their future. In my part of Kent they also have a vital role as guardians of the countryside. I hope that the Government will help them to achieve those aims.

11.14 am

The Minister for the Environment (Mr. Michael Meacher): The hon. Member for Faversham and Mid-Kent (Hugh Robertson) made a thoughtful and serious speech. He made an important case, which is of great concern to the Government, and I will certainly try to satisfy the hon. Gentleman on the points that he raised.

The hon. Gentleman is quite right to say that there has been a marked decline in our orchard fruit area in the past few years, and he gave some of the reasons for that. The market for English apples has faced tough competition from imports for many years. I regret that our climate does not allow us to grow high-yielding varieties such as golden delicious, which have the advantage of storing well and being cheap. Costs have risen, but prices have not, and that has led to many growers leaving the market. We are not satisfied with that, and I am as determined as the hon. Gentleman to deal with it.

The hon. Gentleman asked several questions that I shall try to answer. First, I would like to say something about the Government's strategic vision for horticulture. Eighteen months ago, in response to a Select Committee report on Horticulture Research International, DEFRA commissioned a report from Sir Colin Spedding on the objectives of horticultural

[Mr. Michael Meacher]

research and development in the UK. He called his report, which was published early last year, "A Vision for Horticulture", and it identified a need for

> "a vision for horticulture, to guide and inform the industry, its stakeholders and Government."

That was to be produced by a forum made up of people who were capable of taking a broad view of the needs of horticulture. The Government are pleased that such a forum was set up by key horticultural bodies towards the end of last year and that it is working on some of the issues that Sir Colin identified.

Sir Donald Curry's report on sustainable food and farming is equally relevant. It too articulated a vision of a profitable and sustainable farming and food sector that can and does compete internationally, is a good steward of the environment and provides good food and a healthy diet for people in England and around the world.

That is the vision. However, I am the first to say, "That is fine, but how do we deliver it?" That, of course, is exactly what my Department has spent a great deal of time and effort on over the past year, and it will continue to do so. That vision forms the basis of the sustainable farming and food strategy that we published before Christmas. To answer the hon. Gentleman, it informs our approach to agriculture just as much as it does our approach to horticulture.

Our vision of the future does not involve Government in prescriptive control of the production industry—not that the hon. Gentleman was suggesting that for a moment. That is not a policy that we would support. It is not for Government to decide what will be produced or where. Instead, with Sir Donald Curry, we envisage a Government who support the industry and who facilitate the business decisions of others by improving the implementation of regulation and by clearing the path if anything blocks the functioning of the market. We want that to be achieved as smoothly and as effectively as possible and to be in no way burdensome.

I do not have the time to go into detail on the vision, but the essential document is the strategy for sustainable farming and food. If the hon. Gentleman has issues that he wants to raise concerning horticulture, the Department and I will be more than pleased to work with him.

The hon. Gentleman expressed concern about the agricultural wages board for England and Wales, about the wages that it sets and about the effect of the recent rise in certain aspects of those wages. We consulted on the future of the board in 1999–2000, and that provided an opportunity to see how the national minimum wage, the working time regulations and the agricultural minimum wage were working alongside each other. In general, the review concluded that the current arrangements were working well.

The hon. Gentleman asked about the continuing relevance of the board. The close link between job and home evidenced by the fact that 60,000 agricultural workers or managers are in accommodation provided by the employer reinforces the view that it is difficult for agricultural employees to conduct meaningful direct negotiations with their employers. I do not say that they are in hock to their employers, but they do not have the degree of independence that most other employees enjoy. That is why we believe that there is still a rationale for retaining the agricultural wages board.

The hon. Gentleman also asked me to consider the points that he made about the wages of workers recruited from eastern Europe. I accept that that is an important point. He said that the scheme was good, but that it undermined the future of horticulture in the UK, and we should take that into account.

We are committed to the programme of modernisation that we announced following the review of the board in 1999. My noble Friend Lord Whitty will take the matter forward and will arrange further discussions with the employers' and the workers' sides on the scope of any changes to be introduced. Those discussions will also provide an opportunity to consider the NFU's suggestion that changes to the negotiation process should be introduced as part of the modernisation package.

At this point, that is all that I can say about the agricultural wages board. However, I understand the significance of the points raised by the hon. Gentleman, and they will be pursued during the current review process.

I will address the question of research and development and the future of East Malling. In horticulture in particular, research and development plays a vital part in determining future possibilities for the sector. As part of DEFRA's work on a science and innovation strategy, we have invited industry stakeholders to help us to identify, evaluate and prioritise opportunities for and threats to future competitive production, storage and distribution of horticultural produce. We seek to commission work that will make a real difference to our industry and that will be complementary to the work funded by the industry through the levy bodies.

The East Malling research station, which is currently part of Horticulture Research International, has, as the hon. Gentleman said—and I would be the first to endorse it—a proud tradition of work that is highly relevant and valuable to the fruit industry. The station was originally set up by far-sighted growers who knew that an effective research programme was vital to a successful future. The East Malling site is still owned by the original trustees and, following the quinquennial review of HRI, we are discussing the future of that site. The review concluded that HRI was not sustainable in its present form and that the East Malling research station should either close or, preferably, be established as an independent research station under the aegis of the East Malling trust for horticultural research. We very much hope that negotiations with the trustees will result in a positive outcome that combines DEFRA funding for strategic research, industry funding and work from other sources.

Like other bodies, East Malling will be able to bid in competitions. We recognise its role, particularly in relation to hardy nursery stock. Details of the work to be done and of the funding are being examined as part of the negotiations, and we will be happy to contact the hon. Gentleman about that.

The hon. Gentleman raised a couple of other issues, and I shall deal briefly with them before saying a further word about the sector's future. First, he mentioned

French grubbing grants. I do not carry knowledge about that issue around in my head, but he was good enough to give me advance notice that he was going to raise it, so I can give a slightly more informed reply than I might have done.

My Department is aware of the French orchard grubbing scheme, which provides national aid of 74.5 million euros over four years to producers of apples, peaches and nectarines. That aid is for grubbing up orchards and planting new varieties that are better adapted to market needs. As the hon. Gentleman rightly said, the scheme has been submitted to the European Commission for approval and has been approved as consistent with the objectives of the common organisation of the market in fruit and vegetables. It is designed to deal with a particular problem of overproduction in France. The hon. Gentleman's point is that that is all very well but that the extra money could be construed as giving French growers an extra advantage over English growers. I am happy to take his point that we should consider the problem to see what, if anything, we can do about it.

The last issue that the hon. Gentleman raised was trickle irrigation and the Water Bill. We accept that future arrangements for licensing trickle irrigation are a matter of concern to growers. The Bill is going through Parliament and is needed to implement our commitments under the water framework directive. It contains new powers, which are necessary to manage water resources effectively and to prevent environmental damage. We expect new controls on trickle irrigation to be introduced in 2005 at the earliest. Again, however, we will consult further before new regulations set out detailed licensing arrangements. We are well aware of the concerns, which are justified by the overriding need to protect the environment. We are prepared to consult further and to listen to those who have concerns.

Let me conclude with a few words about the state of the sector. The present review of the common agricultural policy is geared towards making agriculture less dependent on subsidy. The horticulture sector, of course, receives very little subsidy and already relies on efficient and competitive production to meet its customers' needs.

The industry is to be congratulated on the work that has gone into developing the assured produce scheme, which now covers the majority of UK fresh produce. The scheme provides traceability and the assurance that production has met high standards of quality and safety.

From May, the organic farming scheme will be amended to provide conversion aid of £600 a hectare for top fruit production. That will help English growers meet consumer demand for organically grown fruit.

The Government are working with their own procurement agencies—I chaired one of two seminars on sustainable food procurement for the public sector—to identify opportunities to supply more English produce under public contracts. Under EU procurement rules, the Government may not specify local or UK sources. However, such sources may be able to play a greater role in meeting UK needs as part of a sustainable procurement strategy. That is certainly our wish.

I congratulate the hon. Gentleman again on expressing the concerns of his constituents and of this important sector of agriculture. The Government are as keen as he is to support it.

11.30 am

Sitting suspended until Two o'clock.

Supporting People

2 pm

Mr. David Drew (Stroud): I am delighted to have secured this debate because we are less than a month away from some momentous changes. I congratulate the Government on the initiative that they have taken in pulling together services for vulnerable people. Many older people are not vulnerable, but the changes will impact most on the older generation. The debate will give us the opportunity to discuss both the principles and the detail of the changes.

I have just returned from a conference this morning organised by the Hanover group, at which I chaired a meeting on the single assessment process. It is quite difficult to separate the supporting people initiative from the single assessment process, which I shall mention again later. The keynote message that I received from those at the conference was that they welcomed the changes, but they were worried that the profile was not as high among the general public as it could and should be. I hope that, with this debate, we can put that right.

I would not pretend that I have a considerable background in this area, but I have a long relationship with Care and Repair, the main home improvement agency in Stroud, and I am a long-standing committee member of Stroud Age Concern. Towards the end of my remarks, I want to discuss mental health and disability issues, although those are not the Minister's main concern. I shall mainly address the way in which the changes will affect housing, and home improvement agencies in particular.

I thank the Government for entering into a long period of consultation. I was pleased that Bert Provon, who is, I understand, head of the supporting people initiative within the Office of the Deputy Prime Minister, was able to visit Stroud about 18 months ago, at the instigation of the Minister's predecessor, now the Under-Secretary of State for International Development. Mr. Provon met people from the sheltered housing community, which will undergo some fairly considerable changes as a result of the initiative.

I should like to thank the people who helped me to prepare for the debate: Sue Adams and Jane Creed of Care and Repair, Jon Shaw of Stroud district council, Alistair Shute and Gary Thorogood, who work as part of the supporting people team in the county of Gloucestershire, and my friend Chas Townley, who was involved in the South Gloucestershire supporting people team.

I shall first map out the context fairly quickly, then I shall look at the progress that has been made and the implications of the changes, and finally I shall examine some issues in greater detail, starting with the impact of what I see as the key vehicle for change—housing. The original document, "Supporting People", published in December 1998, was a pioneering piece of thinking. It has taken us four and a bit years to get to the stage that we are at now, but we must look back and remind ourselves how important those statements were.

The system will change according to four key principles. First, people will be put first, so that the funding is with the people rather than with the system. Secondly, the needs of the most vulnerable people will be highlighted, which will include those outside the normal group, such as rough sleepers, drug users and ex-offenders. Such people do not necessarily fall under the catch-all phrase of vulnerable people, but they will now be part of the changes relating to supporting people. Thirdly, there will be reprioritisation of high quality services and clarification of funding arrangements. Lastly, there will be a logical and transparent approach to planning those services, which will be done in a much more rational, consistent and, dare I say it, integrated manner.

I shall consider those principles in more detail. First, the idea of putting people first is being handled through major budgetary changes. Transitional housing benefit levels determine the size of local funding. It is pleasing that the criticisms that I have heard voiced have not been over that issue. This matter is complex, and the criticisms are mainly detailed. The overall question is what will happen after the transitional period. Perhaps the Minister can give a guarantee that once we get through that period there will be no attempt to claw back resources.

Secondly, the reprioritisation of what is meant by a vulnerable group is obviously a grey area, because it is always possible to include some groups and exclude others. I shall say more about how one can begin to find more moneys for such groups. However, the main argument that has been made to me is that financial help for those groups should not be found at the expense of existing arrangements. Perhaps the Minister will say something about that too.

The third point, about high quality services, pulls together the first two points and the argument that I am advancing, which is that we need to clarify the funding streams after the transitional period to make it clear that those local pots of money will be sacrosanct and will, I hope, increase over time. However, I should like to know to what extent, once there is even greater devolution of responsibility to the local level, the Office of the Deputy Prime Minister will continue to monitor individual cases to ensure that the money reaches the front line, rather than getting lost somewhere in the system.

That links directly to the last point, which is about how we can make the planning system more integrated. I suppose that the matter will come to a head when we consider the introduction of the needs-based formula, which, I understand—the Minister may correct me—will come into play in 2006. Again, some important changes relating to overall funding are under way, and they will impact on planning.

A considerable sum—in the order of £1.4 billion—has been set aside for the supporting people initiative. There is some tension between the centre and the localities about how much direction there should be. There is evidence that some of the new arrangements are already causing difficulty. There is, for example, an implication that to find new moneys one has to go along with the Government's idea that savings of 2.5 per cent. must be found. I accept that money can always be reallocated, but there are many differences around the country, and local authorities operate in a variety of ways. It is questionable that all of them can find the money and whether that is the best way to pump-prime new initiatives. I hope that the Minister will tell us how the savings situation will relate to the funding of local authorities.

There is some concern, as is evident from numerous websites that I have consulted, about the readiness of each area for the start of the initiative, which is now only weeks away. The problem is not how we communicate the fact that the changes are taking place but how we simplify their complexity to reduce the risk of people feeling that they are not for the better. It would be a shame if that were the feeling because most people in the field are very supportive in principle. We must try to get right our communications strategy.

Looking specifically at home improvement agencies, we welcome the fact that the money is being ring-fenced from the outset, but it is not entirely good news. I have been, as I mentioned, at Hanover housing association conference, looking at changes in the way that we assess the needs of people in hospital. It was bluntly put to me that the housing association, one of the smaller providers of home improvements, with 10 or 12 schemes, is in deficit. Because it is now clearer about the likely funding stream, it is threatening to pull out of home improvement. That is not good news, and I hope that the threat is designed to sort out the problem, rather than to be carried through. As I said, Hanover is a small provider; most home improvement agencies are sponsored directly by local authorities. The biggest provider is Anchor Housing Association, which has not made any criticisms. We should be aware that in one of the key areas of delivery there is concern among those through whom delivery will take place.

There is a link to another problem. Under the previous Government, there was a view that home improvement agencies would largely be funded by the state, but that there would also be some attempt to derive income from fees. I can give a clear account of how difficult it has been to organise that in my local care and repair agency. The assumption has been that some £6 million will be raised nationally through fee income, and in a sense it is pleasing that that is no longer the case—the £6 million appears somehow to have been lost amid the calculations. Unless the Minister tells us otherwise, agencies will lose the ability to raise money through fees, and that is probably right, but it could add to the pressure on them, with adverse consequences.

Although I am talking principally about the tenancy sector, I shall spend a little time discussing sheltered housing. I am a great advocate of sheltered housing as the answer to many of our problems in this regard. I have debated it before; it is moving with the times and is becoming more attuned to the need to link with social services and health. Some areas use the term "ultra-sheltered housing". In my area we call it very sheltered housing. Both are important in the context of supporting people schemes, because the funding stream, although it now comes under one heading, will be split between the different functions of sheltered housing. There will clearly be some difficulties because new tenants will be treated differently from existing tenants. As with all changes in regulations or in Government policy, the initiative cannot be retrospective; nor can we pretend that it should be rolled forward indefinitely.

I am a little concerned that trying to disaggregate some of the costs to make it clearer what people are paying, and why, will make it more difficult to cross-subsidise, which is not always a good thing. More particularly, I am worried that people will end up facing a stark picture of what they will have to pay for each of the various services, which could be rather a disincentive for them to go into sheltered accommodation. That is the last thing that the Government would want. They, like me, see such accommodation as an important route for people who want to move away from owner-occupier status or some forms of renting into a more appropriate property—usually something smaller. Again, I would like an assurance about whether new tenants will be treated in a similar way to those who have that protection under existing arrangements.

Rents have risen. In my area, that is partly because we are also undergoing rent restructuring—another reason why the picture is so complex. A whole raft of changes is being made at the same time. The supporting people budget includes everything except accommodation—I am sure that civil servants will find that far too simple an explanation—and we must ensure that everything else, such as payments for those who manage the facilities and other associated expenses, will be treated separately. However, we must remember that making the different streams of funding more obvious could put people off.

Having spoken to many people, I find that the danger of disaggregation is worst for those who do not receive housing benefit. I am aware that some of those people will still be helped under the supporting people budget because of the different ways in which it will be able to measure who is eligible for help. The last thing that we want is for people who are not eligible for help to be asked to pay such steep charges that they might think it wrong for them to be housed in sheltered accommodation. More important, such people may not go there in the first place. I am sorry to have taken so much time to make that point, but it is crucial. We are talking about a significant number of people. It is a route that we should explore again; sheltered accommodation is a highly sensible and sensitive way to house older people and other vulnerable groups, and we should not make it prohibitive.

By chance, the conference made clear the link between the supporting people programme and the changes involved in the single assessment process. I know that the Minister is not solely responsible for the initiative, and he may be grateful for that because it is complex. However, the overlap with the changes involved in the single assessment process adds to the complexity, and we should try to cut through that complexity.

I hope that individual assessments will be conducted with due regard to the supporting people arrangements. More particularly, I hope that the professionals involved will meet to exchange information. The question of what information may be exchanged is one that has recently emerged for society to deal with, and we shall have to be careful about that in the present context. Data protection is relevant, as is the natural resistance of some people to undergoing the assessments. I know that concern has been expressed about the reason for the review process. There is obviously a conspiracy theory, but people who will clearly remain within the criteria for the funding that the state has always provided are concerned. Some people are suspicious and will not, therefore, willingly participate.

[Mr. David Drew]

If nothing else, we need to make sure that the teams doing the work—and they are teams—communicate with one another and share information. The aim is to make the arrangements as seamless as possible for those to whom they will apply. Not only should people be in the most appropriate accommodation, but, for those who spend time in hospital, we should be studying approaches to their leaving hospital. We need to get rid of the dreadful notion—I never want to use the term, but there is no better one—of bed blockers. Help should be provided in discharging people from hospital and ensuring that they go to the best, most appropriate accommodation.

That is the essence of the single assessment process. In its broader approach, which needs to be improved, it provides links and support. It is a matter of diversity and choice, to use the terminology regularly used by the Government. People must have choice, so a range of different services must be available.

I said that I would comment on mental health and learning disabilities. One of the best aspects of the initiative is that it does not only involve changes to funding for older persons' care; as well as considering groups that have traditionally fallen outside the net, we are also thinking about groups that never did, but were probably dealt with in the Cinderella part of the service. Those groups include people with mental health difficulties and people with learning disabilities.

I have noticed that residential homes meant principally, but not entirely, for those with learning disabilities, have reclassified themselves to enable people to claim transitional housing benefit. That is a good thing. It encourages independence and new ways of going on and living life. All that I ask is that the Government make it clear that they do not intend suddenly to drop the portcullis and try to reclaim money. The arrangement is expensive. It applies to people who, traditionally, have not been able to obtain additional funding by using housing benefit avenue. We need to make it clear that we shall continue to treat it as appropriate and allow them to draw those funds.

I welcome the permitted earnings changes that the Government have pioneered to allow people with mental health difficulties to earn money and to go through a transition back to work. I should like things to be made clear. Housing benefit should not be affected, but other benefits are. I mention the matter to the Minister, although it is not his responsibility but that of the Department for Work and Pensions. We need to ensure that Departments are talking to one another.

We are talking largely about people in some form of specialised housing, and we must ensure that they continue to receive support and that assistance is not taken away from them as a result of any reduction in the supporting people budget. There is much detail to consider, and I make no apology for doing so. If my constituency can be used as an exemplar, I am pleased, because we have found more accommodation in supported lodgings. However, that comes at a price and we must ensure that the stream of money is not suddenly cut short for any reason. The Minister will need to have a dialogue principally with his colleagues in the Department for Work and Pensions, although there could also be health-related matters, depending on the nature of the illness from which a person suffers. I hope that the matter can be clarified.

Some of the Government's motives, including those concerning the amount that they are contributing, have been questioned, but I think that they should be congratulated. The saddest part of the process relates to the notion of pipeline schemes, whereby we would find new ways of arranging care and would encourage health, service services, housing and, under its aegis, the voluntary sector, to work in different ways.

By chance, I was talking to the director of social services for Leicester city council, Andrew Cozens, who is an old friend of mine because he used to be the director of social services at Gloucestershire county council. He said that the council bid for £4 million for pipeline schemes and received £40,000. He felt that social services could find some money through savings. He said that he had set great store by some of the new initiatives that he wanted to undertake, but that was the response that he received. I would like some guarantee that the pipeline schemes, which are at the really innovative and integrative end of the work that needs to be undertaken, will not be denuded of funds, because that would prevent the implementation of the changes of which the Government have spoken.

To conclude, I hope that the Minister will respond to the following issues that I have highlighted. First, how are we trying to improve co-ordination between at least three Departments, and local authorities and the voluntary sector? As I have said, the complexity of the issues is causing confusion and the message is not getting across. That is true not only of the supporting people initiative but of the single assessment programme.

Secondly, to take matters forward, we need security of funding into and after the transitional period. Many of the people to whom I have spoken told me that they are holding fire and have negotiated one-year contracts. With the best will in the world, because of the nature of the work that is being undertaken, they cannot keep renewing one-year contracts. We need some guarantees about where funding will come from. We need to know what shape the new funding formula will take, how we will consult on it and whether 2006 is a realistic deadline for putting it together.

Lastly, there is the fact that we are trying to change the whole working culture of the various professions involved. The area has been bedevilled by people working in their own particular field and not sharing information more widely. How can we make progress on that, given the problems that I have highlighted, including information sharing and the operation of different budgets? How can we overcome those problems?

I will finish as I started by saying that the Government should be congratulated on taking the initiative. The move is long overdue, and they have a lot of guts to see it through, because we can see why it has not been done before. If the Government communicate more widely to the general public why and how the programme is happening, today's debate will have served a purpose. I hope that, with the other contributions, we can use today as an opportunity to take forward this important change.

2.30 pm

Matthew Green (Ludlow): I congratulate the hon. Member for Stroud (Mr. Drew) on securing a debate on an important and complex subject. He has shown a detailed mastery of the complexities of a subject with which, I suspect, few people could cope.

We welcome the steps that the Government are taking. The ideas of inter-agency work, putting funds into a single budget and bringing the management under a single committee are welcome. I remember early steps towards such a system in Herefordshire when the Liberal Democrat-controlled council merged the social services and housing departments. The council chief executive became the joint chief executive with what was then the Herefordshire health authority, which worked well until the health authority was abolished to make way for the strategic health authorities. The general principle of trying to bring the various agencies together to secure support in housing vulnerable people is welcome, and the Government have taken a bold step towards it. In the light of that, I hope that the Minister will take my questions as an attempt genuinely to be helpful in teasing out some of the problems. *[Interruption.]* The Minister shakes his head and he probably suspects that I never aim genuinely to be helpful. He will have to take it on face value that I am.

The primary area of concern is about the budget. Age Concern, and other bodies, have expressed unease since the beginning of the consultation stage about the introduction of a cash-limited budget compared with the previous open-ended funding through housing benefit. There is a contradiction between a needs-led approach, which is welcome, and a cash-limited budget, so will the Minister assure us that it will not lead to problems for the agencies?

The Minister may recall that I wrote to him recently, after I received a letter from Bridgnorth district council. In the letter, Councillor Jenny Collingridge, who is chair of the council's community improvement programme, raised the problem of the budget. She wrote:

> "This concern is exacerbated by the very real concerns that Members have over the adequate funding of the Supporting People programme from 1st April 2003. The basic pot is being determined by the current contributions to Supported Housing Services from the public sector, which in this County—

Shropshire—

> "accounts for less than 25 per cent. of all the households; yet is eventually expected to cover all tenures. Unless there is a process for identifying and making available continuing adequate resources from Central Government Supporting People will not achieve its intended aims. Past experiences of Housing Benefit administration for Council tenants and Care in the Community, where there have been effective year on year cuts do not auger well for Supporting People. Many potential recipients of Social Care are excluded from the process at the assessment stage, not because they would not benefit from the services but because there have never been sufficient resources to fund all that is required. Services are rationed and some clients do not receive services that they would clearly benefit from."

That is an important concern that is not being taken into account. Perhaps the new funding formula will solve that by 2006. I hope that the Minister will deal with that in a bit of detail.

The Minister's reply dated 10 February reads:

> "Dr Collingridge also sought clarification on the funding arrangements for Supporting People. Announcements on the Supporting People pot will be made in February."

I had a meeting with Bridgnorth district council officers and members on Monday and they have not heard anything. I asked my researcher to delve around and her note presciently says:

> "We can't find any announcement."

We are now in March. Perhaps there has been an announcement and the Minister will leap to his feet to tell me that I am wrong. We would obviously welcome that information as soon as possible so that the councils can focus on implementation.

My second area of concern, which again was raised by Age Concern, is how support needs are prioritised. The fear is that certain vulnerable groups, which have traditionally been a low priority for local authorities such as ex-offenders, young people leaving care and single homeless people, will lose out in the allocation of resources because of the pressure on local authorities' budgets. In a sense, that comes back to the concern about the cash limiting of the budget. I realise that there have to be limits on how much can be spent in broad terms but budgets are now defined and the housing benefit budget, which previously was open ended, will not be available in quite the same way.

My third area of concern, which I have also written to the Minister about, is the constitution of the committee that will administer these matters. I shall quote from a letter written last February to the former Secretary of State for Transport, Local Government and the Regions, the right hon. Member for Tyneside, North (Mr. Byers), by Roger Walker, the Labour leader of Shropshire county council. He wrote:

> "The guidance issued by your Department in December is inconsistent with our respective obligations under the Local Government Act 2000 and these inconsistencies need to be eliminated as soon as possible and revised guidance issued. We hope that you will be able to arrange for this to be done and revised guidance issued as quickly as possible.
>
> Our ideal model would be for there to be a Joint Committee with formally delegated Executive responsibilities. This Joint Committee—drawn from the membership of each of the Partners—would take decisions in relation to the Strategy and Implementation Plans. We would, of course need to build in a form of joint scrutiny for decisions made."

Shropshire is obviously a two-tier area. The letter continues:

> "Your Department's December guidance suggests Partners set up a Commissioning Body, comprising officers, this Body to take all strategic decisions. We are concerned at this on two counts. First, such decisions are more properly the province of Elected Members . . . and secondly, it appears unconstitutional for formal decisions . . . to be delegated to a collective Officer Body. Officers can be empowered to take single Council decisions only. Our preferred model would overcome this democratic deficit of an Officer Body but it also is constitutionally impossible at present. A key element of this model would be equal status for all representatives and at the moment, Health and Probation colleagues would have to be non-voting under the Local Government Act 2000, despite their financial commitment to this programme. We would therefore press for legislation to be changed to permit our preferred model with all partners having voting rights."

That letter is a year old, but the letter from the Bridgnorth district council is only a couple of months old. That council makes the same point about the role

[Matthew Green]

of elected members and the voting rights of officers. The Minister's response confused us. In his letter of 10 February, he says:

> "I agree that setting priorities for Supporting People strategies is something that elected members must be fully involved in. Senior officers who attend meetings of the Commissioning Body can only act in accordance with the wishes of elected members and the level of authority that has been delegated to them."

However, we learned from the other letter that they can act only for each authority rather than voting for the body as a whole. The letter continues:

> "There is no reason that elected members should not themselves sit on the Commissioning Body, should they wish to do so."

That is fine, but unless the voting rights are sorted out, the body cannot take strategic decisions effectively.

We continue to seek clarification from the Minister, because we want this Government initiative to work. We want to help it to work, but there are genuine concerns about whether it will be the success that it deserves to be in the long run, or whether it will not deliver in the way in which many of us, including many organisations and agencies, hope it will. For the sake of vulnerable people and their needs, I hope that the Minister will address my points and the detailed points made by the hon. Member for Stroud in his thoughtful contribution.

2.41 pm

Mr. Desmond Swayne (New Forest, West): I congratulate the hon. Member for Stroud (Mr. Drew) on securing the debate and on the comprehensive way in which he dealt with a complicated subject. Both he and the hon. Member for Ludlow (Matthew Green) have done the House a service by covering the subject in such detail. I shall therefore be able to reduce considerably what I was going to say. However, I fear that form and convention require me to say something.

The debate is welcome, and I am glad that it was selected, but we would have benefited from a statement, as their lordships did on 20 February during the recess. After all, the programme affects the housing of 1 million people, and has a £50 million impact on local government funding. There is bound to be a huge consensus throughout the House, and I do not disagree with anything that has been said so far.

The programme is a great opportunity to improve the quality of life of vulnerable people by providing a stable environment and greater independence. I wholly support that laudable objective. The existing system for providing services is hampered by overlapping and complex funding streams. It is much easier to secure funding for some forms of housing, but much more difficult for others. There is a lack of focus on quality, and a lack of ownership and responsibility. There is certainly no transparency in the allocation of funds. Therefore, there is no question of the need for this reform and the opportunity that it affords. There is, however, a question of whether we are ready for implementation from 1 April. We seek reassurance from the Minister about how ready we are.

I would like the Minister to answer several questions that I fear overlap with questions that have already been asked, but I would be interested to hear his responses. I fully understand that he might not have all the answers to hand this afternoon, but it may be possible for him to write to hon. Members with the answers afterwards. Will he tell us how many significant changes have been made to the guidelines and the guidance issued to local authorities in, say, the past four months? Will he also say what the implications of those changes are? How many local authorities have and, perhaps even more importantly, have not yet agreed contracts and pricing schedules with service providers? Can the Minister reassure us about the robustness of estimates of support costs? I ask that as there is evidence that providers have been underestimating those costs to maximise the receipt of housing benefit subsequently. That will clearly have implications later for the adequacy of funding.

The announcement of 20 February arrived with an appendix listing the grants, which is now available in an excellent document produced by the Library in preparation for this 90-minute debate. Unfortunately, I was handed it only as I sat down for the debate. That strikes me as extraordinary, because I visited the Library on Monday evening to ask for a briefing for the debate, and was directed by e-mail to a couple of websites, which I subsequently visited. As I had asked for a briefing for the debate, surely it should not have been beyond the wit of someone to let me know subsequently when the briefing was available.

Setting that aside, I have a question about the list of grants to local authorities. I wonder whether the Minister might answer it. I did a little number crunching, and it appears that the grants available to Conservative-controlled county councils are, on average, £1.3 million lower than the grants available to Labour-controlled county councils. That disparity is even greater for London boroughs. Conservative-controlled London boroughs are, on average, £4 million worse off than Labour-controlled London boroughs. The Minister might be able to deal with that when he sums up.

The supporting people programme does not stand on its own as an isolated programme. Each of its component parts fits within a wider strategy to address the needs of specific groups. I said that the announcement of 20 February had an implication of £50 million for local government funding, but we discovered in that week or the following week that at the same time, on 1 April, £400 million is to be taken away from it as a consequence of the abolition of social housing grant. It was always expected that social housing grant would go, but everyone believed that it would go on 1 April 2004.

That is a significant cost to local authorities, which by and large had already set their council charges before that bolt from the blue arrived. However, it will have a particularly deleterious effect on a particularly vulnerable group of my constituents who certainly require support. The occupants of dwellings in mobile home parks are among our most vulnerable people. They suffer as a result of a form of tenure that has to be less eligible than any other. The law is stacked against them in terms of the power of the landlord. Perverse incentives are almost built into the law to maximise turnover by making, in the case of unscrupulous landlords, tenants' lives unbearable.

In my experience, a significant minority of landlords of mobile home parks have neither the social nor the managerial skills to make a success of them. We await the implementation by Ministers of the findings of the working group and a comprehensive reform of the law on mobile home parks.

I shall exemplify the fear of the owners in some mobile home parks. In Ringwood in my constituency, the district council was required to realise its assets and sell a mobile home park. The mobile home owners, determined not to be owned by some ghastly private landlord, having seen examples elsewhere and not wanting to be at such a disadvantage, and horrified at the prospect of being owned even by a social landlord who was one of the bidders, struggled to find a £1 million mortgage to buy the park themselves. The attendant stamp duty and other costs are loaded upon them but they do it and the deal is in train. Suddenly, however, the social housing grant is withdrawn, pulling the rug from under them. Can the Minister guarantee that the undertakings that have already been entered into under the terms of the grant, those that are in the pipeline, will be guaranteed to continue even if the contract cannot be exchanged by 1April?

Homelessness has risen by 15 per cent. from 1997 to the end of last year. The Prime Minister promised

> "a society where we don't spend millions on bed and breakfast for families, but spend it on housing them instead."

In the New Forest, although there was a period about three years ago when there were no families in bed-and-breakfast accommodation, there is now a considerable increase in the numbers. A gentleman, who I hope will benefit from the supporting people programme, came to my surgery recently complaining that he had been to see a house in Ringwood that suited his needs absolutely, as it had been converted for people with a disability and problems like his. He said, "Why can't there be a house like that for me? Why can't more properties like that be built to accommodate me?" He told me about the appalling circumstances in which he had to live because there was no such provision.

Part of the answer is that the district council is not allowed to use its funds to build such dwellings because it is required by the Whitehall-imposed policy to use its budget to renovate its existing housing stock rather than building new houses. I have raised the matter with Ministers in written questions, in oral questions and in debates on the Floor of the House in the hope that the Minister would address the issue on summing up. I have even raised the matter in Standing Committee, but it is like having a dialogue with the deaf. Perhaps this afternoon the Minister will break the mould and answer my question directly.

I fully understand the motive that underlies the policy; there are local authorities in this realm that have so neglected their housing stock over a number of years that some of it has become uninhabitable. Of course, those local authorities should be constrained by Government policy to do something about it. However, not all local authorities are in that position; there are beacon local authorities that do not have that problem. One size should not fit all; one policy should not be applied to all local authorities irrespective of the needs of their housing stock.

The tragedy is that New Forest district council will not be able to build properties for the vulnerable people I have described. Instead, it will have to rip out perfectly good kitchens from its existing properties and replace them with new ones in order to abide by the Government's policy directives. I believe that local councillors should take those decisions and be accountable for them; they should not be imposed by Whitehall.

Matthew Green: The hon. Gentleman is making a very good point, although perhaps it is a little off the subject of supporting people. Is he aware that the Conservative Government introduced the policy that he is talking about? It is a shame that the Labour Government have not altered it, but the reality is that it is a Conservative policy. Is the hon. Gentleman now saying that he regrets it?

Mr. Swayne: No, I am saying that it is horses for courses. This was once an enormous problem, but we have now dealt with it and moved on. The hon. Gentleman might recall that some time has passed since the last Conservative Government—though it might not be so long before we have another one. As for the hon. Gentleman's other point, I am confident that if I had strayed beyond the confines of the debate, you would have called me to order, Mr. Deputy Speaker.

Finally, I entirely support the objectives of the programme. It is time that we did something like this. An opportunity is to be had, but I caution hon. Members in the way that I caution my constituents that not all expectations can ever legitimately be met.

A lady came to see me recently to complain about the provision made for her son, who requires supported housing. She complained that he did not want to live in residential care, but on his own in the community. After all, the cost of providing him support to live on his own in the community would not be wholly dissimilar from the current cost of providing him with residential care. Consequent upon that exchange, I made one or two inquiries and discovered that the young man had moved out of residential care and had shared a home in the community with two others. However, because he did not want to live with the others and because of his limitations and disabilities—I attach no blame—he had assaulted both his co-residents and their carers. That is why he had had to be moved back into residential care.

When I followed the matter up with the local authority and inquired, in view of his choice to live on his own, what provision could be made to support him in the community, I was told that the constraint was not mainly financial—though it could be in certain circumstances. The reality was that providing care for the young man would require the full-time support of two people 24 hours a day, which has implications for the employment of rather more than two people. Ultimately, the state is limited in what it can do: it cannot satisfy every demand and every need. We can, however, go a long way and certainly do better than under the present system.

2.57 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): It has been a worthwhile and timely debate—perhaps rather déjà vu in view of yesterday's debate when again we heard two eloquent, comprehensive and well-informed contributions, and then the Conservative stood up.

[Mr. Tony McNulty]

My hon. Friend the Member for Stroud (Mr. Drew) has done the House and the wider community a service in initiating the debate. I fully appreciate his experience with home improvement agencies such as Care and Repair. He expressed understandable worries about the programme's complexity. I welcome his introductory comment that the scheme is overwhelmingly in the right direction and the underlying principles sound. I was slightly worried when my hon. Friend said that the Government had lots of guts for introducing the scheme: I rank that as similar to when Sir Humphrey says that a Minister is being brave and dire consequences follow.

It used to be said, in the days before some Ministers, my hon. Friend the Member for Stroud and the hon. Member for Ludlow (Matthew Green) got their heads round the issue, that only three people knew anything about how supporting people worked—it is rather like the Schleswig-Holstein question, one is dead, one is mad and the other is Bert Provan! I am happy to say that he still exists and is very much in charge of the programme.

I shall try to respond to my hon. Friends' questions and others, if relevant. The programme is a matter of real importance. I am not attempting to impugn Mr. Deputy Speaker's judgment as to whether certain subjects are in order—everything clearly has been, because he has not suggested otherwise—but I will not be responding to the comments that have been made about the partisan nature of the allocation because they are nonsense. Also, I will not respond to comments about the abolition of local authority social housing grant, which is not relevant to the debate, or about park homes, even though I am the Minister with responsibility for them.

The hon. Member for New Forest, West (Mr. Swayne) raised some serious issues, but with the best will in the world I cannot deal with them because I will have enough to do answering questions about the supporting people programme. I congratulate him, however, on at least seeking to hide the fact that he knows little about the programme, although he was not terribly subtle about it. However, that is by the by. If he wants to write to me subsequently with inquiries on those other issues, I will be more than happy to respond. That is particularly true of park homes, for which I have responsibility, as I said.

As my hon. Friend the Member for Stroud said, the timing of the debate is fortuitous because the programme goes live on 1 April. However, all will not be resolved then despite the welcome that the principles underlying the programme have been given in the main by the professions and local government. Given the programme's complexities, the serious concerns about it and the issues that will arise as it beds in, the system that we introduce on 1 April may not be 100 per cent. the same by the time that we sort out the allocations in 2006. We are talking about an organic process—that is the nature of the beast.

Let me try, however, to answer some of my hon. Friend's specific inquiries. He asked whether there would be an attempt to claw back resources after the transitional period. He will know from the allocations that there has been a large increase in transitional housing benefit in recent months and it is right that we ensure that the money is spent on high-quality, value-for-money services that meet the needs of those who are, as he said, very vulnerable. We expect local authorities to study those issues with service receivers.

My hon. Friend also asked about sacrosanct local pots. Again, he will know from the allocations that there are major disparities between the amounts of supporting people grant available in different areas. We must consider how we deal with that to ensure that authorities can meet the needs of local people. As has been mentioned, we have consulted on an allocation formula and in the coming months we shall consider responses to the issues raised.

My hon. Friend also spoke about monitoring the process. We want to unpick much that is opaque and complex, which by definition is a complex exercise. We shall monitor all aspects of the provision of housing-related support, including the supporting people programme. Supporting people strategies must contain details of how commissioning bodies plan to spend grant money and we shall monitor the process carefully.

Mr. Drew: I share the concerns of the hon. Member for Ludlow (Matthew Green) about a possible problem with two-tier authorities. Can we ensure that housing benefit departments share their knowledge with the supporting people team? Concern has been expressed in some of the literature about the degree to which district authority departments will tell the team what information they have.

Mr. McNulty: That is a fair point. As my hon. Friend suggested towards the end of his contribution, there must be an almost root-and-branch cultural change in the way that all the assorted bodies share information among and within themselves so that they can work in the best interests of the most vulnerable people, on whom the programme will impact. There may need to be greater exhortation and guidance so that there can be discussion within and between local authority departments. The same is true of the various Government Departments and agencies in the field. I do not want the programme to flounder because people do not talk to each other about vulnerable people in their areas when they should be doing so. We are also aware that simplifying the complexity is a major task. Local authorities and providers have been working hard on preparations.

I was asked whether we are sure that everyone is ready for 1 April. We have trailed and monitored the process carefully and, in the main, most local authorities have climbed mountains and made enormous steps to be ready. There is an overwhelming desire that there should not be any mistakes or an absence of provision for those extremely vulnerable people. Without wishing to tempt fate, I would give local government a huge slap on the back for how advanced they have been. I may subsequently be giving local authorities a slap on the back of a different kind—things may be rather less amiable post-April and we will have to see how it goes, but people have generally taken the preparation very seriously.

We have issued guidance on monitoring and review that is designed to make the process as unbureaucratic as possible. We are piloting procedures in seven local authorities to find out how the review and monitoring on the ground works out. We will consider the outcome and review procedures if necessary. We all know what outcomes we want to achieve in service provision for the most vulnerable people in local authorities but, by its nature, unpicking complex schemes, myriad programmes and revenue streams and putting them into simplistic form for the most vulnerable people will take time. We will have to keep a close watch and monitor the process.

In one sense, my hon. Friend was not entirely right when he suggested that there is a £6 million gap in terms of home improvement agencies. HIAs are already exempted from the rule regarding charges for short-term services during the first year of supporting people and will retain the ability to charge fees until April 2004. The statutory guidance is being amended to make it clear that HIAs are not to be considered as short-term services when it comes to their ability to charge fees. We will ensure that that situation is confirmed as a long-term arrangement when we revisit the grant conditions after the first six months of the programme.

My hon. Friend appreciates that much of what goes on in single assessment is not directly in my area, but housing is an important aspect. As supporting people unfolds, we will explore how teams are communicating with one another to ensure as seamless an experience as possible for service users, as my hon. Friend pointed out.

I agree that supporting people has a vital role to play in enabling access to housing support and reducing bed blocking, delayed discharge or whatever we want to call it, and in co-ordinating and looking specifically at how local health services and primary care trusts in particular are engaged with the process. Again, it is not simply a cultural rethink and change for many of the agencies and professions involved; it is also about rethinking their engagement with the most vulnerable people and engaging with other agencies in a productive, fruitful and cross-agency fashion.

As my hon. Friend pointed out, supporting people will make the real cost of support more transparent, which was part of the aim. Anyone who receives housing benefit will not have to pay under supporting people. Councils can provide protection to new tenants who are not eligible for housing benefit during the interim period until the first service review.

Statutory guidance emphasises that local authorities should not put in place eligibility criteria for sheltered housing that would dilute its preventative role or does not allow a balance of people with different levels of needs in the same scheme. Local authorities need to know the cost of support to ensure that services are being delivered in the most sensible, cost-effective way.

My hon. friend's arguments about learning disabilities and mental health were well made. As he said in the early part of his contribution, supporting people is not simply about the approximately 530,000 household units for older people, mostly in sheltered services; it is also about a range of other users defined as vulnerable. For example, there will be provision for 45,000 household units for people with learning difficulties and mental health problems, which he mentioned, 4,000 household units to support the rehabilitation of ex-offenders, 3,000 household units for women fleeing domestic violence and 75,000 units for people who have been homeless or belong to other vulnerable client groups. It is more than simply a reconfiguration of what we do with sheltered housing. Supporting people will help vulnerable groups to maintain secure houses. It will remain the responsibility of social services to provide care, and local commissioning bodies will ensure that partnerships between supporting people and social services develop appropriate solutions. Service reviews will ensure that supporting people grants are spent on support services.

As my hon. Friend pointed out, the income arrangements for people with mental health problems who are entitled to housing benefit are the responsibility of the Department for Work and Pensions. That was what I meant to say about four paragraphs ago. I reassure him that we will be monitoring the provision of services for all client groups as programmes get under way. We are keenly aware that we must capture developments in provision and support in each group and not just in a vague general sense. The vulnerable groups that I mentioned have specific needs and concerns. We will continue to work closely with the Department to ensure that supporting people links into other strategies to give a good service to vulnerable people.

I welcome my hon. Friend's endorsement of pipeline schemes and assure him that we welcome creativity and innovation in such schemes. We will shortly conduct an exercise to assess the amount of supported housing management grant pipeline required for 2003–04. Most pipeline schemes will not need full-year funding in the first year of operation and many will not be ready in 2004–05. If he wants to write to me on the matter, I will look into it for him in more detail.

As we approach 2003–04, authorities will be able to keep better estimates of the supported housing management grant required. The Office of the Deputy Prime Minister has made provisional allocation for pipeline schemes, and schemes with a confirmed capital commitment will be funded. Authorities have been advised on how to deal with specific schemes when there is a query about the provisional funding. Until those queries have been resolved, we cannot give more detailed funding figures.

The hon. Member for Ludlow asked about the allocation formula and whether 2006 is a realistic date. Throughout the process we heard many comments on the consultation on the formula. We will consider them carefully when deciding how to make progress. We must also consider timing, although we remain wedded to 2006. The intention is that the allocation formula will provide a guideline for allocation. However, the Government are intent on avoiding sudden, dramatic changes in allocations to areas during the transition period when supporting people is being introduced. That is because, as both my hon. Friend and the hon. Member for Ludlow suggested, we must bear in mind the needs of these very vulnerable groups.

The hon. Member for Ludlow spoke about the commissioning bodies. It is for member organisations to decide the delegated authority that they give officers. He read from a letter that said that elected members may sit on the commissioning body if they want. The voting rules are one vote for the chief authority that administers the supporting people grant, one vote for

[Mr. McNulty]

each district council in the area, one vote for local probation services, and at least one vote for local primary care trusts, or more by agreement. All decisions must be unanimous; that is to ensure that all parties sign up to the arrangements. Exactly who attends the meetings is for the commissioning body to decide.

Despite the confusion in the letter, let me assure the hon. Gentleman that the arrangements are rooted in section 93, "Grants for welfare services", of the Local Government Act 2000. That is slightly different from the areas discussed in the letter that he quoted. They seem to be more about substantive points of committee membership and joint commissioning between two levels of authority that have more to do with the political and constitutional dimensions of local government, rather than being specific to the grant conditions of section 93. I am sure that that is the case, but if it is any different I shall write to the hon. Gentleman.

I invite any hon. Member who feels that I have not dealt with a relevant matter to write to me and I shall try to provide appropriate answers, given that we have a lead-in time of less than four weeks. First and foremost, the supporting people initiative aims to make things as clear as possible for the most vulnerable people who need housing. It requires a degree of cultural change among all who have at heart the housing needs of such people—how to work together in their interests is one of the most important matters to be addressed by the programme.

I know from the tone of the debate that other hon. Members will agree that the programme offers local authorities and their partners an exciting new opportunity to develop local partnerships that effectively meet local needs. It is far better than the existing systems that we are unscrambling, using innovative new models of preventative services. We look forward to developing and sharing positive practices that enable vulnerable groups to achieve social inclusion in their local communities.

I leave the hon. Gentleman with one thought: please do not pack up your tent, fold it away and go home on 1 April, but keep in touch as things unfold and bed in. No doubt there will be teething problems, but we should work collectively, cross party, with no obtuse partisan dimensions to minimise any dislocation or disruption to the services we provide. The system will be vastly improved and vastly more transparent. Its success is in our collective interest as public representatives, and certainly in the interests of the vulnerable people whom we choose to serve.

3.16 pm

Sitting suspended

National Minimum Wage

3.30 pm

Mr. John Lyons (Strathkelvin and Bearsden): I begin by declaring an interest. As a member of Unison and, previously, of the National Union of Public Employees, I have a background of campaigning for low-paid workers and of fighting for the establishment of the national minimum wage.

I, and millions of workers throughout the United Kingdom, think that the national minimum wage is a huge success story. Its introduction is a tribute to the work of Rodney Bickerstaffe, Lord Sawyer and many other trade union and political leaders who campaigned for so long to establish it.

I will highlight a number of concerns, including the fact that there is no rate of pay in the national minimum wage for 16 to 18-year-olds, and the issue of the development rate for 18 to 21-year-olds. I will also address the question of home working in the UK and its relationship to the national minimum wage, and deal with the rate of the national minimum wage.

The National Minimum Wage Act 1998 came into force on 1 April 1999 and there is no evidence to suggest that the national minimum wage has had a negative impact on employment, but there is evidence to show that it has delivered gains for the lowest paid in society. There are now 1 million more jobs in the economy than in 1999, so it is safe to say that we have all-party support for the national minimum wage, which never previously existed. That is a testament to its success.

The legislation does not include a rate of pay for 16 to 18-year-olds, however, and I believe that to be a mistake—a deficiency—that creates major exploitation in our towns and cities, and in some rural areas. Many youngsters leave school at 16. Some will not go on to higher or further education, but will go straight into the labour market to look for employment. Those young people must be protected against unscrupulous employers, and the way to do that is to establish a payment for the 660,000 young people aged between 16 and 18 who have no such protection at all. It is a simple balance: if there are youngsters in the work force, they must be protected. They should not feel isolated and unsupported.

Good employers are unhappy with the situation, and no guidance is given to them on what they should do when employing 16 to 18-year-olds. If an employer agrees a rate of pay for that age group, no matter what it is, someone will criticise it. If the rate is considered to be too low, the employer could quite properly say, "I am doing nothing wrong or illegal. I am paying the rate that I think is appropriate for the job." That is where the disparity creeps in throughout the UK, because different employers have different estimates of what appropriate pay should be.

As well as school leavers in the employment market, young people who are still at school often seek employment at particular times of year—in school holidays, for example. Employers in places with tourist attractions that are busy in summer, at Easter or at Christmas time need additional labour in those periods. Whether we like it or not, those employers often recruit those who are still at school, who will work for a few weeks and then return to school. That highlights the crux of the problem.

Last summer, a man and wife came to my surgery to complain on behalf of their 17-year-old daughter, who was working in a store. The employer had decided to pay her £2 an hour. I had to say, "The employer is doing nothing wrong. There is nothing in the legislation to protect your daughter. I may disagree with the rate of pay, but the employer will say that he is doing nothing wrong."

When I visited the employer, that is, of course, exactly what he said. He told me, "If the Government will give me some guidance, I shall be happy to follow it." In the end, he paid the young woman the national minimum wage. He said, "If that is what you want me to do, Mr. Lyons, I am happy to do it." The major problem is not only employees' need to fight for their rights, but employers' need for guidance and support.

We need to review the situation—it is as simple as that. There is an argument for post-legislative scrutiny, which is ideal, as it would enable us to discover what is happening without relying on horror stories or anecdotes. We could simply consider the evidence provided by Citizens Advice and other organisations. It is unfair to treat young people as we do. Often we criticise them for not taking enough interest in society or politics, but the truth is that we do not take enough interest in them. What I have described is proof of that.

We need also to tackle the question of the development rate for the pay of people aged 18 to 21, which has existed since 1999. In evidence to the Low Pay Commission, the TUC said:

> "The TUC believes the full adult rate of the national minimum wage should be payable at age 18. We have consistently argued that the lower rate is discriminatory, contrary to the principle of establishing a fair rate for the job and counterproductive for those who choose to use it. The fact is that most people believe adulthood starts at 18 and pay should reflect this norm. In most cases young people are taking on the same responsibilities and delivering the same productivity and performance as their older colleagues."

It is offensive that employers can legally pay lower wages to workers just because they are younger. I should be offended if that practice were applied to older people. The youth, or development, rate can often undermine a company's recruitment and retention strategy, and in today's economy that is often an important issue. We need to consider more fully the Low Pay Commission's views on 21-year-olds and the national minimum wage.

When the legislation was introduced, many people felt that the development rate would lead to a massive expansion of training, but there is no evidence of that. Many employers are abusing the availability of the development rate.

David Hamilton (Midlothian): I agree with my hon. Friend's sentiments and those of the TUC. Given that people can vote at 18 and, indeed, in this time of turmoil, could go to war and die for their country at 18, surely they should be entitled at that age to the minimum wage—which, of course, some employers treat as the maximum wage.

Mr. Lyons: My hon. Friend makes a valid point. He has a long record, based on what he has done in Midlothian and elsewhere, of fighting for young people and for proper pay for them.

Home working is a major anomaly, and it is expanding massively in the UK. The figures speak for themselves. The National Group on Homeworking estimates that 1 million people are engaged in home working, while the Office for National Statistics thinks that the figure is about 650,000 for 2001–02. A range of organisations report not only the expansion of home working, but the abuse of home workers by some employers. I refer to citizens advice bureaux all over the country, the Scottish Low Pay Unit and the National Group on Homeworking. Recently, the Scottish Affairs Committee heard evidence from a range of home working organisations about what it is like to work in that situation—how employees are paid and dealt with. It did not make nice reading.

In 1981, only about 345,000 people were engaged in home working. Since then, there has been growth in electronics, and teleworking, telecanvassing and the general assembly of gifts are increasing. That has led to the expansion of home working. If it is developing in that way, we need to tackle it and resolve the problem. In 1996, the International Labour Organisation set out clear guidance on home working and the importance of treating home workers as fairly as those employed in an office or a factory. The National Group on Homeworking estimated that, in 2001, the average wage for home workers was just £2.66 per hour. It also produced a report, "Getting what's rightfully theirs?" which examined the impact of the national minimum wage on home workers and identified worrying trends and examples.

I compliment the Department of Trade and Industry, as everyone involved in the home working survey said that their main sources of information on the national minimum wage were based on Government initiatives, especially television and radio adverts and the helpline. That was a great help to them, but there is one worrying aspect. Some 83 per cent. of those earning below the national minimum wage have not made a formal complaint, but for good reason: of those who made a formal complaint to the Inland Revenue, none managed to secure rates at or above the national minimum wage while keeping their work.

The minute that someone complains as an individual, the employer has the right to transfer that person's work to any other person or home worker. They have no support and are left completed isolated. There are lessons for us all in the National Group on Homeworking report and the evidence from, among others, Citizens Advice.

I turn finally to the question of pay. Everyone rightly has their own views on the rate of the national minimum wage and when it should be paid. Unison, the TUC and all other trade unions have their arguments about what it should be, but they all say much the same: we need to move from a national minimum wage to a living wage on which a family can live without a problem. That is what we need to aim at.

Jim Sheridan (West Renfrewshire): I congratulate my hon. Friend on securing this crucial debate. Like him, through the Transport and General Workers Union, I was proud to campaign for the national minimum wage and even prouder when my Government introduced it. I remember organisations such as the Confederation of

[Jim Sheridan]

British Industry arguing against the minimum wage because it would cause job losses. As he noted, that was not the case.

Does my hon. Friend agree that the fundamental principle of the minimum wage should be that the taxpayer should not fund unscrupulous employers who choose not to pay people a decent wage? We have a working families tax credit that works out at £5 per hour, so surely it is right that the minimum wage should be no less than £5 per hour.

Mr. Lyons: I agree. My hon. Friend has long experience in the TGWU of examining the issues and coming to proper conclusions to support low-paid workers.

In recent evidence to the Low Pay Commission, the TUC suggested that we examine a new national minimum wage of between £4.60 and £4.75 by October 2003 and between £5 and £5.30 by 2004. It is important to develop a strategy for the minimum wage that includes an annual upgrade and review, rather than the current drifting system. The Low Pay Commission properly reported on the beneficiaries of the minimum wage—70 per cent. of them are women. It also said that the minimum wage is making an important contribution to narrowing the gender pay gap and addressing equality in the workplace. I welcome that.

The Government are on the right track. The National Minimum Wage (Enforcement Notices) Bill tackles some anomalies and problems, including when someone is a former rather than a current employee. The compliance teams throughout the country are doing an outstanding job, as are the citizens advice bureaux, which have to give the initial advice when someone comes through the door. In East Dunbartonshire, Catherine Bradley and her team are doing excellent work in advising people with problems with the minimum wage.

There can be no question but that the national minimum wage is a success story. The legislation is a credit to the Government, but to maintain its popularity with working people up and down the country, it must have relevance and importance. To achieve that, we must continually review it, examine its problems and rectify them. That will ensure that people keep their great faith in the minimum wage. They enjoy the legislation, but they want it improved, as it helps millions of people throughout the country. Long may it continue to do so.

3.44 pm

The Minister for E-Commerce and Competitiveness (Mr. Stephen Timms): I congratulate my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Lyons) on securing the debate, and I very much agree with him about the success that we have enjoyed from the introduction of the national minimum wage. More than 1 million people have benefited since its introduction in 1999. We have tackled the appalling situation that existed before the minimum wage was introduced whereby quite a lot of people were receiving wages of £2 an hour or less. As my hon. Friend rightly said, there has been no significant adverse impact on businesses. Indeed, as he also said, there has been a big increase in overall employment since the minimum wage was introduced.

The vast majority of employers are complying with the requirements of the legislation. For bad employers who are not complying, we have a network of 16 enforcement teams across the UK. My hon. Friend is right to draw attention to the excellent work of those teams, and I am grateful to him for making that point. Between them, the teams have completed more than 24,000 case investigations since April 1999, and they have identified more than £12 million of wage arrears on behalf of low-paid workers.

However, my hon. Friend is also right to say that we should not just leave things as they were when the legislation was introduced. I think that he used the term "post-legislative scrutiny", and I agree that we need to go through that process to ensure that the legislation is kept up to date, and that we must learn from our experience. My hon. Friend made proposals about the future rate of the minimum wage, drawing on the evidence that the TUC submitted to the Low Pay Commission. As he knows, the LPC's recommendations will be published shortly.

My hon. Friend picked on two aspects of the legislation that I want to deal with. He mentioned the position of 16 and 17-year-olds, who are currently exempt from the minimum wage. It is often claimed that the fact that the minimum wage does not apply to people of that age puts them at risk of being economically exploited, a point that my hon. Friend the Member for Midlothian (David Hamilton) made. It is also claimed that it is a form of discrimination against vulnerable workers.

The Government's priority for young people is that they acquire the education and skills that they need to progress in their working lives. There are fewer 17-year-olds in education in Britain than in any other country in the Organisation for Economic Co-operation and Development except for Turkey, Mexico and Greece. We need to do much better in keeping young people in education. The Department for Education and Skills recently published proposals for reform of 14-to-19 education. We want increased continuity in the lives of young people between the ages of 14 and 19, when education should be the priority. The minimum wage therefore needs to be structured in a way that is consistent with that aim. Employment and unemployment rates are less favourable for young workers aged 18 to 21 than for adults. Again, the structure of the minimum wage needs to reflect the reality of the labour market.

Annabelle Ewing (Perth): I thank the Minister for giving way. I hear what the Minister is saying about 16 and 17-year-olds, but surely that is not a reason to exclude young people who are already in work from the protection of the minimum wage?

Mr. Timms: The point that I am making is that the present structure of the minimum wage, which is based on a recommendation from the LPC, has been framed in light of those considerations, with a lower rate for 18 to 21-year-olds and no rate for 16 to 17-year-olds. However, my hon. Friend the Member for Strathkelvin and Bearsden made an important point about that, and I want to make it clear that we are not irrevocably opposed to a minimum wage for 16 and 17-year-olds. We would be prepared to reconsider the matter, provided that the rate was set carefully and that the possible impact on education policy was taken fully into account. We can perhaps now be more confident about the matter given that, as my hon. Friend rightly pointed out, the legislation has so far certainly not had the adverse impact on overall employment that some expected.

Anne Picking (East Lothian): Does the Minister agree that, laudable though it is to want to introduce a national minimum wage for 16 to 17-year-olds, it is a bit rich for someone from the Scottish National party to come and lecture us about it when none of its Members turned up to vote for the measure in the first place?

Mr. Timms: My hon. Friend makes a telling point.

The question of home workers has also been raised. Successive publicity campaigns have ensured that there is almost universal awareness of the minimum wage. Research carried out in 2001 by the National Group on Homeworking found that 95 per cent. of home workers knew that they were entitled to the minimum wage. The majority of employers are complying with the minimum wage but some bad employers are not. I accept that, in some cases, although home workers vaguely know about the minimum wage, they are not clear exactly how it applies to them. We also know that few home workers are prepared to complain about underpayment and that they fear, sometimes with justification, that they may lose their job if they complain.

There are two key problems affecting home workers. We need to make it clearer to them how they are affected by the minimum wage, and we need to see what can be done to address the problem about complaints. We are taking several steps. We are issuing a consultation paper on the case for amending fair estimate agreements in the regulations so that employers would be required to pay all home workers either the minimum wage for all the hours that they work or a fair piece rate linked to the minimum wage. Those proposals should help to make the rules simpler and more easily understood. In turn, that should help home workers to understand and claim the minimum wage to which they are entitled. Both employers and home workers have said that they support the proposals.

David Hamilton: May I suggest to my hon. Friend the Minister that one way of getting that information out to home workers, which is a real problem, is to use local authorities that regularly put out newsletters? Perhaps the Department could include in such newsletters information for people who are really quite isolated.

Mr. Timms: My hon. Friend is correct. We need to be imaginative about sending out information. We are working with Citizens Advice Scotland and the Scottish Low Pay Unit to establish a Scottish minimum wage helpline, which was launched last month by the Under-Secretary of State for Scotland, my hon. Friend the Member for Stirling (Mrs. McGuire). In the first week, the helpline received almost 30 calls and passed four complaints to compliance teams in Scotland. I am sure that we can deliver the information by working with a variety of agencies.

We are funding an enforcement pilot project, which aims to improve awareness and compliance among home workers in Bradford. We are establishing a team of experts in home working cases to disseminate best practice throughout the Inland Revenue. We are working with ACAS on a fact sheet for all workers who want to bring a claim. The Inland Revenue will, in future, be trying to make it clearer to employers that home workers are not self-employed. We have also put substantial extra funds into enforcement and increased the number of enforcement teams to 16, as I mentioned.

The Department has also been looking at other ways of helping home workers. In particular, it is investigating home working scams. In 1998, the Department launched a publicity campaign to address that problem. There was evidence of people posing as home work providers and asking potential home workers to send them money. My Department also provides a leaflet, "Homeworking: Don't be taken in by bogus job offers."

To put all that into context, we collect figures through the labour force survey, for which the Office for National Statistics interviews about 60,000 households every quarter about aspects of their employment, including earnings. The results suggest that there are about 1 million home workers in the UK and that perhaps as many as 70,000 of them receive less than the minimum wage, so this is a significant issue. We must continue to be imaginative and, as my hon. Friend the Member for Strathkelvin and Bearsden said, to work with a variety of agencies to address the problems.

As my hon. Friend was winding up his remarks, he spoke about the enforcement arrangements. I want to say a little about how those are working, because some very effective work is being done. The minimum wage helpline takes calls that are assessed and referred to one of the 16 compliance teams. Compliance officers then investigate the employer's business to which the complaint relates. That investigation will usually include a review of the pay records, an interview with the employer and interviews with workers. The length of the investigation will depend on several factors, including the number of workers and whether there are technical questions about interpretation of the legislation.

On conclusion of an investigation, the officer will issue a calculation of arrears to the employer and to the worker, and an enforcement notice will be served if payment is not made. Our experience is that persuasion works best in the great majority of cases. Out of some 6,000 cases each year, it has been necessary to issue only about 100 notices.

If an employer fails to comply with an enforcement notice, the compliance officer may serve a penalty notice. That levy is a financial penalty payable to the Secretary of State, which is twice the hourly amount of the minimum wage for each day that the notice has not been complied with in respect of each worker named on the notice. So far, about 40 penalty notices have had to be issued every year. Further penalty notices can be issued where the employer's failure continues. That is not an automatic procedure, and an officer will consider the facts of the case before issuing a notice.

If there is continued non-compliance, the legislation gives compliance officers one of two options. First, officers can take a case to the courts. In that case, an officer can seek to recover arrears only for a period of up to six years from the date of the last underpayment, or five years in the case of Scotland, as my hon. Friend will

[Mr. Timms]

be aware. Most of the cases that the Revenue has brought so far have taken that route. They are therefore subject to the restriction that has been introduced.

Secondly, officers can take a case to employment tribunals. In that case, they must put their case before the tribunal within three months of the underpayment or the last in a series of underpayments. In theory, at least, however, officers could pursue underpayments exceeding the six-year threshold. The three-month time limit for bringing a claim is very tight. In practice, therefore, the Revenue does not often use that route, but uses the first route of going to the courts.

It is possible for employers to appeal against enforcement notices, and in those cases, the appeals would then be heard by employment tribunals that can confirm, rescind, or amend the notices. Once an employment tribunal decides that the employer owes a worker moneys, that decision is legally binding. If an employer refuses to pay the amounts awarded, further action would need to be taken to enforce the payment.

The National Minimum Wage (Enforcement Notices) Bill will soon receive its Third Reading in the House, as my hon. Friend will know because he has taken part in the debates on it. If it is passed, it will limit to six years the period that enforcement notices can go back in time on behalf of workers, whether cases go through courts or tribunals. The Bill will not affect the rights of individuals who are pursuing cases on their own behalf; the restrictions do not apply to them.

Finally, I want to say a few words about avoidance of the minimum wage. It is generally acknowledged that its implementation has been a success and that the enforcement operations have been effective in tracking down employers who are not paying the minimum wage. Non-compliance has been identified in only around a third of the 6,000 cases that the Revenue investigates each year, and enforcement notices will be necessary only in 1 or 2 per cent. of cases. Complaints from workers and former workers are therefore very important in tracking down businesses that are not complying.

Compliance officers try to ensure that there is anonymity for complainants, because some people will be afraid of losing their job if their employer finds out that they have made a complaint. It will not always be possible to ensure anonymity. If formal enforcement action through a tribunal or court is necessary, for example, the minimum wage team at the Revenue also gather and analyse information from internal and external sources to help to identify employers who are most at risk of non-compliance. The work of the compliance officers is therefore not solely dependent on worker complaints.

There are areas where compliance could be improved, and in response to recommendations in the LPC's second report we funded a number of pilot projects around the UK. We are working to identify the areas where we are doing less well and where employers may be avoiding paying workers the amounts that they are due.

This has been a useful debate, and I am grateful to my hon. Friend and to the other hon. Members who contributed.

Health Services (Cornwall)

4 pm

Matthew Taylor (Truro and St. Austell): Mr. Chairman, I welcome—

Mr. Deputy Speaker (Mr. Frank Cook): Order. I would be failing in my duties were I not to remind hon. Members that when the House took the decision to hold these sittings it stipulated that occupants of the Chair in Westminster Hall debates should be addressed as Mr. Deputy Speaker.

Matthew Taylor: Thank you, Mr. Deputy Speaker.

I welcome this opportunity to debate health services in Cornwall. I gave the Minister notice of some of the issues that I want to raise because I hope to get her support for some important developments. Some positive things are happening in the health service in Cornwall because of the investment that the Government are making as a result of the relatively small tax increases that allow significant extra funding to take place, which the Liberal Democrats support even if the Conservatives do not. We argued for it for many years; it is the sort of investment that we said was necessary, and it makes a real difference.

First, I shall mention some of the excellent things that are happening in the county as the public want to know what difference the investment is making and whether the health community in Cornwall is responding to the existing opportunities. I reassure the Minister that the health community in Cornwall is working positively as a team; it is a good example to other parts of the country that the three primary care trusts and the two hospital trusts have been working together and building social services in the wider community into their plans.

The Royal Cornwall NHS hospital trust recently went from two-star to one-star status, but there is a lot of good news and the staff do a great deal of hard work. The trust is actively working to meet the key targets. The basis of the star rating assessment is somewhat crude because a small change can make the difference between pass and fail. One hospital trust went from no stars to two stars in nine months as it had been just under its target and then managed just to get over them. Cornwall is not far off most of its targets, with one exception, which I will mention later.

The trust will be reducing the number of in-patients waiting more than 12 months from 238 in April 2002 to none at the end of March 2003. It is on course to meet the target. It is reducing the number of out-patients waiting more than 21 weeks from 385 in April 2002 to none by the end of March 2003. Again, it is on course to meet the key target. It opened a new clinical decision unit at the beginning of March for medical emergency admissions crucially to free up a significant amount of time for the accident and emergency department. Accident and emergency is making big improvements in meeting the target of 90 per cent. of all A and E patients being seen and discharged within four hours. That has been done despite a 9 per cent. increase in the number of people attending A and E in the first quarter of 2002–03 when compared with the equivalent period in 2001–02. Emergency admissions have been running substantially above funded levels. The trust has also had to contend with a 20 per cent. increase in out-of-area treatments over the past five years in accident and emergency for which it is paid in arrears. It is part of the explanation for the financial deficit, which is the one key issue that it has had to grapple with over a longer period of time. I will return to that.

I should add that the trust also met the target for two-week urgent cancer referrals for all patients since September. That is good news. It is working successfully to meet the Government's key targets. In addition, we have the welcome investments of the Well Cornwall project and the Knowledge Spa, a £14 million development in the Royal Cornwall hospital to create a new centre of excellence for education and training and research. It will be a centre of excellence that will benefit patients directly with more high quality staff at the Royal Cornwall hospital trust with the incorporation of the Peninsula medical school as well as the Institute of Health Studies, which will be used for nurse training. That will be a headquarters for research and development and national vocational qualification training. It will be an integrated training centre for all staff.

Additional wards are also coming in. The hospital does very well on some ratings. The latest Department of Health patient environment action team inspection was a great success. The trust was awarded "green light" status, which has only been given to one in six hospitals in England. It is the gold standard, which reflects on the high quality of some of the lowest paid staff within the hospital system. It is not only at RCHT. Cornwall Partnership NHS trust, for example, has been working hard to integrate health and social care services for people with mental health problems. It recognises that as many as one in four households will need those support services, and its work to provide them is very welcome.

I do not want the Minister to get the impression that we do not acknowledge that things are going well. We acknowledge that staff in Cornwall are working extremely hard, still with limited resources and under a great deal of pressure from rising numbers to deliver the goods. One of the greatest pressures on hospitals, and one of the reasons why they struggle—not only in Cornwall, although our figures are particularly high—is the increase in accident and emergency admissions and referrals to hospitals. These have consistently run above the projections, even though they were considered in great detail by experts in line with Department of Health guidelines.

I have one suggestion for the Minister. Will she consider helping to fund some specific research on this issue, linked with the development of the research and education base in Cornwall? Cornwall is particularly appropriate for such a study: first, the problem is quite high and secondly, because it is surrounded on three sides by sea, patients do not come in from surrounding areas. This may be a patient-choice issue as people choose one hospital rather than another. As the Government themselves are trying to work out what is going on, and this is clearly key to the ability to improve treatment times and outcomes and deliver the quality of care that we all want to see with the investment, there is a good case for considering Cornwall for a funded study.

Rather more fundamentally on funding, I should like to raise the strategic outline case that Cornwall has put together involving all the health providers, including consultation with social services as well as the main players within the NHS delivery system. They have all worked hard with the strategic health authority and have had the support of all the county's Members of Parliament. I am glad to say that we received a very supportive response from the Minister in November 2001 when we met her and presented the case for expanding capacity and delivering patient care innovatively in a rural, dispersed county, moving away from all services being centred around Treliske. I am talking not about the community and community hospital services, but the great majority of other services that are centred around Treliske and the Royal Cornwall hospital trust. We are talking about using instead what I used to call intermediate hospitals. I am advised that that is the wrong term: they are diagnostic and treatment centres. That would enable patients to receive better care, delivered nearer to where they live, in a county where no town has more than 25,000 inhabitants.

At present, people have to travel very long distances to receive out-patient care and treatment at the Royal Cornwall hospital trust. The aim is to devolve acute care closer to patients' homes and, in the process, free up beds at Treliske for the more acute care that can be delivered only in a larger district general hospital.

The strategic health authority has before it the first two key bids in that process. One is for further new wards, theatre facilities and diagnosis and treatment equipment, which is very expensive, at Treliske. It is a £9 million proposal. Perhaps even more fundamental, as that is on the existing Treliske site, is the proposal for the first diagnostic and treatment centre at Bodmin. That would include out-patient clinics, diagnostic support, therapy services, day surgery, endoscopy and other primary, community and local care services.

That is preliminary to proposals for later developments on a similar basis at west Cornwall and, in the longer term although not quite on the same scale, proposals for St. Austell, Camborne and Redruth, Newquay and Helston. The proposals would create very good local services for people to receive treatments that currently are available by and large only at the Royal Cornwall hospital trust. They would allow the delivery of increased capacity and therefore the care that is so desperately needed.

I understand that there is as yet no decision on the proposals. There is concern that the decision may be held up because of the process of testing whether the private sector might be able to offer a provider. I am not here to get into a debate about who provides. In fact, Liberal Democrats believe that, providing that new systems of delivery are within the NHS and delivered free, they may be a good idea. It is hard to believe that the private sector is likely to want to cater for the sort of package of services that DTCs would deliver, but if it does, let us not allow that to delay a process that is key to tackling capacity problems in Cornwall and providing better patient care. I hope that the Minister can offer some reassurance about the speed with which the proposals can be decided on, so that we can meet the original timetable for rapid investment and rapid improvement.

[Matthew Taylor]

The use of DTCs is highly innovative. It has existed in some urban areas, for rather different reasons, but not, I understand, previously in England for the delivery of rural services to meet the needs that we are discussing. I note that Cornwall is doing this with no great support for the extra costs of rural areas, which are perhaps reflected in the proposal. There is now a rural adjustment, which I welcome, but even the biggest beneficiary—Herefordshire—receives only a 0.6 per cent. increase in the budget above the level that it would otherwise have. Cornwall has rather less.

The next issue that I want to raise briefly relates to the fact that, despite all the progress that I have talked about and the fact that the hospital trust now looks set to meet almost all the key targets, there are real concerns about star status for the hospital, on two grounds. First, perhaps the Minister could help by clarifying how progress to meet these targets will be treated in future assessments, because the Royal Cornwall hospital trust is now delivering 100 per cent. on a series of key targets on which it was previously short, and it therefore cannot go any further in delivering on them. There is obviously a backlog in terms of the history of the figures, which will show that the hospital has moved from not meeting the targets to meeting them. The question is how long it has to live with the backlog in the assessment. Is the fact that it is now meeting the targets sufficient for it to get a tick in the box in future assessments?

Secondly, there is the financial issue. The Minister will be aware that there is a substantial deficit, which is shared across the health community and is not a specific issue for the Royal Cornwall hospital trust. There is agreement in the health community on how to tackle the deficit. The RCHT has an excellent record on deficits: until last year, it had had no deficits in its nine-year history. The Minister will be aware that the deficit relates to the working through of the changes caused by the abolition of the old Cornwall health authority and the financial knock-on consequences for not only the RCHT but the primary care trusts. Nevertheless, the trust knows that it must tackle the deficit.

The trust has agreed a three-year plan, which would entail breaking even next year and paying back the accumulated historic deficit over the following two years. It thought that it would obtain a pass once the strategic health authority had agreed the plan because a plan was in place to tackle the problem. More recently, it has been told that under the resource accounting rules—I do not understand why this should be the case—it has to turn the deficit round in two years, not three. It is therefore set to continue to fail. That has had a significant effect on morale because the trust is doing everything that it has been asked to, is working to a plan—I hope that the plan will be agreed shortly, and should like reassurance on that from the Minister—and is meeting all its targets. It cannot hope to get three stars because of historic problems rather than because of what it is doing now.

That has a crucial impact on foundation hospital status. My concern with that status does not concern freedom for hospitals, which they should be given, or innovative new forms of finance—I am with the Secretary of State for Health on that point, if not the Chancellor. My concern is the potential for a two-tier service if some hospitals get foundation hospital status and some do not.

For this debate, I shall forget about the rest of the country. I am concerned about Cornwall not being eligible to get the benefits that may shortly go to Exeter. That will suck out staff because Exeter may have the discretion to increase pay and to improve terms and conditions. It will also be a visible symbol for people in Cornwall that patients in Exeter will get improvements, which are not available in Cornwall, because of bureaucratic rules rather than because of anything that the hospital, which meets the key objectives, is doing. The matter certainly has nothing to do with anything over which patients or the community in Cornwall have had control. I hope that the Minister can offer some reassurance on that serious issue.

Although I have gone slightly over time, I shall raise a final point. The financial problems relate not only to historic national funding issues in the health service but to the distribution formulae. I will not start a debate about why the formulae are not fair to Cornwall, but I will make one observation: all the other objective 1 areas are deemed to be areas of high social need and have received extra resources as a result. Cornwall is an objective 1 area, which contains the lowest incomes in the UK, high levels of older people and pockets of high deprivation.

We would not have objective 1 status if the community were not deprived, but Cornwall has not been defined in the health budget as such a priority social need area. That relates to the old-fashioned assessments of rural deprivation. Other Departments used to use such assessments, which they have now accepted were not right. The Administration in Scotland has put particular emphasis on extra funding for rural areas. If Cornwall received the same treatment as other objective 1 areas, it would get an extra £18 million. I appreciate that the issue is technical and that I was unable to raise it with the Minister in advance, and I should be happy if she addresses it in writing or in her reply.

4.19 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I genuinely congratulate the hon. Member for Truro and St. Austell (Matthew Taylor) on securing today's debate on important issues. I welcome his support for the new investment that is going into the national health service and the real and tangible benefits, some of which he outlined, that the people of Cornwall are seeing as a result of that investment.

The hon. Gentleman raised important matters relating to the unique nature of Cornwall, which have implications for the health system as a whole. I shall try to deal with each issue that he raised, particularly those concerning funding, the strategic outline case, constraints on capacity, the plans of the local health community as a whole to meet those challenges over the next few years and what the impact will be on the community.

I am delighted to confirm that, as the hon. Gentleman highlighted, all the primary care trusts and local authorities in the area are working tremendously well in partnership with the acute sector. All our ideas for shifting the balance of power, putting the money into PCTs and getting front-line clinicians involved have been illustrated in Cornwall with a real sense of people working together and looking to the future. I am delighted to place on record my congratulations to everyone in the NHS and social services in that area who is working to ensure that the community has joined-up and seamless services.

I shall deal first with the funding issues raised by the hon. Gentleman. He hears us say time and again that investment is crucial and that with reform we can achieve real results. He highlighted some improvements in the area, including a 6.2 per cent. real-terms increase for his local PCT—central Cornwall—this year and a 7 per cent. real-terms increase for next year.

I want to highlight a couple of matters to which the hon. Gentleman did not refer, including a new £5 million clinical oncology centre at Royal Cornwall hospital. I know that services in relation to cancer are still under pressure in the area, but the new oncology centre, which was opened last year, will be incredibly welcome. There has also been an £11 million development at Bodmin to provide a 15-bed centre for continuing mental health care. That area is not often highlighted when dealing with acute hospital sector provision, although mental health provision is equally important to local people. There has also been a £5 million development in Camborne to provide 67 beds for in-patient mental health care. We are not just aiming at targets and getting waiting lists down, but providing community-based facilities in important areas.

The hon. Gentleman referred to the formula and its impact on rural areas. We have tried to make it more sensitive to various measures of deprivation in this year's allocations. We are now using the indices of multiple deprivation of the Office of the Deputy Prime Minister, updated in our formula, which is a more sensitive measure. Such formulas are never perfect because of their complexity and we can all find cases in which they do not meet 100 per cent. of needs, but we are trying to ensure that rural issues are considered. For example, low car ownership is usually an indication of deprivation, but in rural areas where car ownership is more of a necessity because of lack of public transport, there is not necessarily the same direct correlation as in an urban area.

The same applies to the retention of senior staff in rural areas. Staff tend to work more on their own and to have more autonomy and skills, so usually they are better paid and more senior. They also tend to stay in post for longer, so they are entitled to increments, which is an extra pressure on the service. In a number of areas, formulas, no matter how sensitive, will not always meet the criteria, but we are trying to recognise in all our policies that sometimes there are pockets of deprivation in areas of affluence where they would not be expected. Drilling down to ensure that our resources go to the right places is important.

I am aware of the deficit facing the hon. Gentleman's health community over the next few years. It is significant, so I am delighted that everyone has come together to work out a financial recovery plan. I understand that there will be calls to wipe the slate clean and to start from scratch, but that is not realistic and I believe that people locally recognise that. I have asked officials in the regional office to work very closely with all the managers in the area to try to find the best way to tackle the challenging financial position that the community is facing.

A financial recovery plan is being drawn up, and I will be keeping a close watch on its implementation to ensure that we strike a balance on getting the organisations back into a good financial position, but not at the expense of plans to improve services for people in the area. This is about getting the balance right, and I give the hon. Gentleman an undertaking that I will continue to take a personal interest.

The strategic outline case has been built up to expand capacity, and the plans are extremely exciting and innovative. The strategic outline case is with the PCTs for approval. Obviously, as the PCTs have the budget, they must decide whether those plans are affordable in the context of the revenue streams that they will be able to provide to support them over the next few years. Once the PCTs are happy with it, they will have to take the case to the strategic health authority for approval. The hon. Gentleman will be anxious that there are no delays in the system, but he knows how important it is for every one of those players to buy in if the capacity expansion is going to work and be sustained for years to come.

The plans are exciting, and not just in respect of the diagnostic and treatment centre at Bodmin. I understand that it is part of a whole systems approach to have a series of DTCs in Penzance, Helston, Camborne, Redruth, Falmouth, Truro, Newquay and St. Austell, and Bodmin designing services very differently. Under our guidance, "Keeping it Local—A New Direction for the NHS", we are working with West Cornwall hospital on a pilot project. We have just commissioned an intensive evaluation programme through NHS research and development facilities, because we want to learn the lessons from that pilot. It will offer national lessons on new technology, telemedicine and joint assessment before transfer in respect of emergency services. It will also give reassurance to many communities up and down the country on doing things differently. The health community in Cornwall has not only good partnership, but good ideas, creativity and imagination. That is very welcome indeed.

I emphasise that the strategic outline case is not just about the acute sector. There are further initiatives to enhance primary care, with the development of the community hospitals to include intermediate care and rehabilitation facilities. Importantly, there is also the co-location of health and social services and voluntary sector services to support the development of integrated networks for seamless care so that people do not fall through the gaps. That has often been a real problem, especially for older people.

The plan seems to be well thought through, and it will help to ease pressure on the hospital and provide much better services at community level. It is with the PCTs for approval. It will then go to the strategic health authority, and it must find its way through the process. I will try to ensure that there is no undue delay in consideration of whether it can proceed.

[Ms Hazel Blears]

I understand the hon. Gentleman's concerns about the position of the hospital and its star rating. Performance is looking extremely positive, and by the end of the month there will be no over-12-month wait for in-patient treatment and no over-21-month wait for out-patient treatment. Again, I congratulate everybody who has worked so hard to make that the case. Obviously, the next performance assessment and the star rating will depend on the exact date at which the figures are taken. I am not sure that that has been decided as yet, but I could write to the hon. Gentleman to set out the details of exactly what the process will be.

I do not want the performance rating to act as a disincentive to that health community, which is working so hard to ensure that it improves, but there will inevitably be a cut-off point and people will fall on one side of the line. I say that with feeling, as my local hospital lost one of its stars this year—it did not quite reach the 100 per cent. mark, although the staff worked incredibly hard locally to try to get back-up. I understand what that is like from a constituency Member's point of view, but the performance framework that we have established should act as an incentive for people to do well and improve their performance. It should not act as a disincentive when staff are trying to catch up with a backlog, as the hon. Gentleman outlined.

The hon. Gentleman briefly raised the situation in relation to foundation trusts. He does not want his hospital to be unable to apply. We are conscious of those concerns as many Members have raised them, which is why we have said that there will be no arbitrary cap on the number that can apply for foundation trust status. We envisage that, within four to five years, most, if not all, trusts could be up to that level.

We want to put more support into trusts—not trusts such as the hon. Gentleman's, but those with a zero or one-star rating, to ensure that we have a managed process to get them to the point where they can apply because we want as many people as possible to get the new freedoms and flexibilities to be able to do that. The transition phase is key for us. We want to ensure that a two-tier service does not develop, particularly in relation to pay and staff incentives. We are absolutely committed, in the way that the licence and the regulator will operate, to ensuring that that does not happen.

It being half-past Four o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 13 March 2003

[MR. JOHN MCWILLIAM *in the Chair*]

Public Limited Companies (Financial Regulation)

[Relevant documents: Sixth report from the Treasury Committee, Session 2001–02, HC 758, and the Government's response thereto, Thirteenth Special Report from the Treasury Committee, Session 2001–02, HC 1219]

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Sutcliffe.]*

2.30 pm

Mr. John McFall (Dumbarton): It is a pleasure to open the debate on a report by the Select Committee on the Treasury into the financial regulation of public limited companies, which was published in February last year. I speak on behalf of the Committee, and it is gratifying to know that we were the first to look into such matters and that everything has flowed from that, although my hon. Friend the Financial Secretary to the Treasury may not see it exactly in those terms. We undertook the inquiry because of a remark made by the chairman of the Financial Services Authority in New York at the World Economic Development Forum, when he said that the only honest answer to whether an Enron could happen here was yes.

If an Enron could happen here, it is important that proper procedures are in place for corporate governance, accountancy, auditors and everything related to business. The Committee took oral evidence from the Accounting Standards Board, the Institute of Chartered Accountants in England and Wales, the Department of Trade and Industry, the Treasury and the Financial Services Authority. We are aware that since then the Government have set up various other relevant reviews, which include the co-ordinating group on auditing and accounting issues, which is chaired by my hon. Friend the Financial Secretary and her counterpart at the Department of Trade and Industry, as well as the review of company law that had been under way since 1998, which reported in 2001.

We now have the Government's White Paper, "Modernising Company Law"—published in July 2002—which is concerned with the implementation of the review's proposals, and which, as a result of my Committee looking into the issue, could be best served by pre-legislative scrutiny. If my Committee could play a role in such matters, we would be happy. We need to put such company law on the statute book.

I was encouraged by the Government's response to my Committee's report, and by the Secretary of State for Trade and Industry when she responded in January to the four main reports: the Higgs review, the Robert Smith report, the report of the co-ordinating group and the review of the regulated regime of the accountancy profession. We welcome the fact that the Government's response was mainly positive. One glaring element is that there are 23 regulatory bodies for the accounting profession. If that is not a recipe for chaos, what is? Will the Financial Secretary simplify the procedure as much as possible, because it creates a fog which few people can see their way through?

The Treasury Committee considered the rotation of auditors. At the time, the knee-jerk reaction was that it should be mandatory that auditors should be rotated. My Committee did not advance that argument. We listened carefully to the views expressed and were aware of the good relationship that existed between several auditors and companies. In addition, the complexity of companies prevents an auditor from coming in for a year or two and then departing, because the baton would then have to be picked up by another auditor. We are suggesting auditor rotation and a role for the audit committee. It should look into the issue and make a statement in the annual report, thereby explaining itself to the public. That would be a way forward.

One thing that struck the Treasury Committee about the Enron debacle was that the audit committee was chaired by the professor of accounting at Texas university and one of its members was a British ex-Cabinet Minister who also happened to be an accountant. There is still an awful lot of work to do with regard to audit committees, and the Select Committee considered transparency and publicity a good way forward.

Dr. Nick Palmer (Broxtowe): Does my hon. Friend agree that although the Select Committee was unanimous it was to some extent putting the auditing profession on notice? If we continue to experience events such as what happened with Enron, the pressure for compulsory rotation may become irresistible.

Mr. McFall: I entirely agree. Only today, *The Times* business section carries an article by Chris Quick, the finance and accountancy correspondent, who is also the editor of *Accountancy* magazine. He states:

> "In a recent survey carried out by *Accountancy* magazine, we found that 53 of the 59 chartered accountant finance directors of the FTSE 100 are alumni of the big four accountancy firms—PricewaterhouseCoopers, Deloitte and Touche, KPMG and Ernst and Young. The survey also found that 18 FTSE 100 companies used the old firm of a chartered accountant director as their auditor."

The notion of old boy networks, as the article calls them, is alive and kicking in spite of the new rules. Those companies have to come up to scratch, and if they do not, legislation should be introduced.

The Committee looked at the big four firms. The chief executive of the Financial Services Authority, Sir Howard Davies, said that certain specialised work is left to one or two of the big firms, the result of which is that there is no competition in the industry. The Minister will note that in our report we ask the Government to refer the big four to the Competition Commission. I fear that that sent a shiver down Ministers' spines, but they should stiffen them. There is insufficient competition in the industry, which does not serve it well.

Sir David Tweedie, who is the president of the International Accounting Standards Board, gave evidence to the Committee. My colleagues and I commend Sir David for his expertise, competence and honesty. He stated that a review of accountancy on the issue of stock options was being held back in the United

[Mr. McFall]

States by a number of chief executives. He gave us a stark warning: the chief executives of 70 per cent. of the listed companies in America use stock options, largely to inflate share prices so that they, their sons and daughters and their grandchildren can live a life of luxury. Stock options are used at the expense of the company. Those are not my words, but those of Sir David Tweedie—hon. Members can read them in the transcript of the Committee. He suggests that the issue of stock options should be firmly addressed in the United Kingdom. Stock options should be written down as an expense; if they are not, the well-being and long-term future of companies will be at risk. Such a warning to the Minister from someone so eminent is important.

The Select Committee also touched on corporate governance. Sir John Bourn, the Comptroller and Auditor General, suggested that non-executive directors should report on a range of matters relating to the audit. He added that

> "the external auditor should know that this discussion with the non-executive directors is an important part of his work, and that his ability to satisfy the non-executive directors is crucial in the determination of whether he stays the external auditor."

Sir John's comments take us into the wider area of corporate governance and the Higgs report. Derek Higgs opens his report by quoting from what Walter Bagehot said in 1867.

> "We must not let daylight in upon the magic".

Higgs continues:

> "In the corporate boardroom, the importance of non-executive directors should be recognised, but their role, perhaps like that of the monarchy of old, is largely invisible and poorly understood."

That should be the starting point for our Committee. Perhaps the role of non-executive directors is largely invisible and poorly understood.

Warren Buffet, the second richest man in the world, made some critical remarks the other day. During the past 37 years, Warren Buffet's company has delivered an annual return of 22.6 per cent., and its book value has increased by 194,000 per cent., He is someone in the financial markets who knows what he is talking about. He was very scathing about the broad sweep of boardroom behaviour, saying:

> "It is almost impossible in a boardroom populated by well-mannered people to raise the question of whether the CEO should be replaced. It's equally awkward to question a proposed acquisition that has been endorsed by the CEO, particularly when his inside staff and outside advisers are present and unanimously support his decision. (They wouldn't be in the room if they didn't.) Finally, when the compensation committee, armed, as always, with support from a high-paid consultant reports on a mega-grant of options to the CEO, it would be like belching at the dinner table for a director to suggest that the committee reconsider."

When Warren Buffet says that directors should be independent, but far too few are business-savvy, interested and shareholder orientated, it is time for reflection, which is where Higgs comes in. He advocates that FTSE 100 executives should not hold more than one additional non-executive position, that chief executives should not step up to being chairman of the same company, that a new post of senior independent director should be established—a non-executive director who would be readily available to meet shareholders—and that more than half of the board should be independent.

Higgs mentions several other areas of concern and asks British business to take this opportunity to change voluntarily. That is the key. His suggestions are not mandatory, but come from an individual who has spent a lifetime in business. Sadly, the business community does not seem to have taken the opportunity. I picked up my copy of *The Sunday Telegraph* a few weeks ago, and read the headlines: "FTSE 100 chairmen fight back against Higgs" and "The revolting chairmen". A survey in *The Sunday Telegraph* found that 90 per cent. of chairmen did not want their senior non-executive directors to play an increased role in liaising with shareholders.

I was interested to see a quote by Gerry Robinson, the chairman of Allied Domecq, a whisky company based in my constituency. I have served the company's interests well in my 16 years in Parliament, working alongside its management and workers and the surrounding community. Gerry Robinson is quoted as saying:

> "Higgs increases the separation and isolation of non-execs and execs on a board. I don't believe for one moment it stops those people determined to feather their own nests or behave improperly. The whole issue of trying to get corporate governance bolted down is illusory."

That comment comes from the eminent chairman of a FTSE 100 company, so goodness help us. We need corporate governance to be bolted down for the sake of the economy, business and our prosperity. It makes me think that some of these chief executives live in a world of their own. That reminded me of the opposition from business, which echoed previous criticisms of Cadbury, Greenbury and Hampel's reviews of corporate governance. Those reviews led to reforms that are now widely accepted and are in practice. There is no problem with them.

In order to find out Gerry Robinson's full views on the issue, I wrote to him on 17 September. I included a copy of our report and asked for his comments. On 7 March, I asked my secretary whether she had had any reply, and she said no. I told her to telephone him again, so she called the head office in London, and was told that she would have to direct anything through a Mrs. Vivian Kray, the secretary to the chief executive, Philip Bowman. No one would give us a contact number or address for the chairman of the company. Realising that Mr. Robinson was, in his own words, both "separated and isolated", I asked my secretary to give him my London address and my e-mail address, but sadly I have had no response from the FTSE 100 company chairman. I will send him a copy of today's *Hansard* and see whether that elicits a response. I have here a newspaper article in which FTSE 100 chairmen are being vitriolic about the voluntary system and say that they cannot engage in the debate. That ain't fair play. We need to ensure that they can.

Certainly, Mr. Digby Jones of the Confederation of British Industry tried to engage in the debate; he sent around a questionnaire that involved box-ticking. By the way, he once commented that as the Higgs report was all about box-ticking, he did not want it. However, I have the CBI survey here, and it involves fully coloured box-ticking, as hon. Members can see. Digby sometimes reminds me of something we say in Scotland—sometimes he lets his belly rumble, and then he talks. This is a classic example of that.

Martin Di[illegible] in the *Financial Times*, said that the value of the CBI su[illegible] was undermined by the fact that Digby Jones—was either misreading what Higgs proposed or, God forbid, mischievously twisting it for his own political ammunition. Where does the balance lie with Higgs, and what is it that the CBI and the FTSE 100 directors fear? Martin Dickson says that Mr. Jones thundered that

> "only in exceptional circumstances, when normal channels of communication have broken down, should the Sid"—

that is, a senior director—

> "be available privately for shareholders to voice concerns."

The message for Digby is:

> "This is how the governance of modern major companies already operates",

and that is how Higgs proposes that it should continue.

The report says that the senior director should be available to shareholders

> "if they have reason for concern that contact through the normal channels of chairman or chief executive has failed to resolve".

In other words, the senior director post remains a long stop. Digby Jones says that the senior director

> "should not open up a separate and potentially divisive channel of communication with shareholders or have responsibility for reporting back to the other non executives on an exclusive basis"

but the Higgs report does not suggest that senior directors should be a separate channel. He merely proposes that they attend enough management meetings with shareholders to understand their concerns. The role is clearly passive and involves listening; that is eminently sensible. That is the point of the senior director, both now and as stated in the Higgs framework.

The senior director's other two proposed functions are hardly revolutionary. One function is to chair a meeting of independent directors without the chairman once a year, and the other is to report to other non-executive directors on what shareholders are thinking. Some CBI members fear that that could undermine the chairman, but there is a perfectly respectable view that some chairmen are undermining their own companies because of the present lack of scrutiny. We need not think further back than Marconi. Lord Simpson and John Mayo took nearly £4 million when they left, and both later challenged Marconi for increased pension rights. Those individuals—and Lord Simpson was chief executive of Marconi—went on a spending spree of £4 billion and ended up reducing the value of the company from £34 billion to £66 million, a fall equivalent to a pukka blue-chip company turning into a scrap yard. That is what happened to Marconi, yet its executives left with enhanced pay. That is now a big issue, and perhaps it is what the FTSE 100 directors are afraid of. However, they should express their concerns much more explicitly. The issue of executive pay and fair remuneration is at the heart of the debate.

I have taken a look at the statistics for top executives' pay. In 2001 it rose by 17 per cent., which was six times the national average. That followed increases of 28 per cent. in 2000, and 16.5 per cent. the previous year. Those directors could validly be charged with living in a world of their own, divorced from the rest of society.

That explosion of top pay has social effects. The message that it sends is that one gets handsomely compensated for failing as well as for succeeding, because during the period when top executive pay increased to that extent, the FTSE 100 index lost nearly one third of its value and inflation and earnings growth were running at an all-time low. Earnings growth fell from 5 per cent. in December 2000 to 3.4 per cent. a year later, which was the lowest figure for 35 years.

Dr. Palmer: Does my hon. Friend agree that one of the key problems is that the directorships of FTSE 100 companies constitute a very small market and that the salaries involved are a relatively small proportion of the turnover of the companies? For that reason, there is always a temptation for the managing boards to say, "Let's try to outbid our competitors so that we can get this person whom we have heard is good," and that process amounts simply to bidding up demand for a small pool of people who have not been particularly successful. Perhaps companies should recruit talent from a wider pool rather than simply paying more for people whom they already know.

Mr. McFall: I could not agree more with my hon. Friend, and his contribution leads me on to the next part of my speech. Last year more than 130 FTSE 100 directors were paid more than £1 million. The average chief executive salary was £933,000 in 2001. Chief executives earn 15 to 20 times more than a Member of Parliament and 10 times more than the Prime Minister—and they do not want non-executive directors to talk to their shareholders in case it undermines them. If Members of Parliament could prevent people from talking to us and complaining when we go back to our constituencies, what a lovely life it would be.

When we write to chief executives—as I have done over the past few weeks—we cannot reach them. I said to my secretary, "Could you ask for the Pope's telephone number?"—we might have had a better chance of getting that than the number of a chief executive. They live in fairyland, and they must be taken out of it. We must get them out of "Sesame Street" and into "Westminster Street" and the high street.

Mr. Mark Field (Cities of London and Westminster): The hon. Gentleman is confusing the role of the chief executive with that of the chairman. The objection—which in my view is right—is that if there is a problem in a company that is riven by disputes, a senior non-executive director who is in a high profile position involving news in the press could have the opportunity of having a direct link with shareholders. That could undermine the chairman's role, rather than that of the chief executive, as the hon. Gentleman suggested when he compared the large salaries. It is also only fair to draw a distinction between the very high salaries of chief executives and the relatively modest remuneration of many chairmen of FTSE 100 companies.

Mr. McFall: I would not say that the issue is the remuneration of chairmen. Why should talking to shareholders undermine the chairman's role? I have sought high and low for the answer to that question and cannot find it.

Mr. Field: In a high-profile, Marconi-type situation—although Marconi is no longer in the FTSE 100—in which the press are keen to find out the exact problems

[Mr. Field]

in a company, one quickly sees a massive division between on one side the chairman and executive directors, and on the other the senior non-executive director, who has souped-up, post-Higgs rights and responsibilities. That would not be an ideal battleground on which a company could continue to thrive. In such large companies, tens of thousands of jobs could be at stake if a company's fortunes were undermined in such a way.

Mr. McFall: I cannot fully understand what the hon. Gentleman is saying, but I shall be happy to listen to him at a later date. His intervention raises this fundamental question: who owns companies? It is not the chairman or the chief executive; thousands of us indirectly own companies through our pension funds and savings.

Many years ago, people were appointed, not elected, to Parliament. They did not fancy having people come in and question them in public. Now questioning is a natural part of our disposition. We are questioned on everything because we are elected by thousands of people who have a link with us. The same is true of companies. Thousands of us indirectly own those companies, and it is correct for chairmen and chief executives to open channels with shareholders.

As for non-executive directors, I would not take such a post unless I had access to independent advice to balance the advice that the chief executive and chairman gave me. The chief executive, the chairman and I would want to arrive at the same end point, but perhaps we would have different starting points. Increased scrutiny and transparency are extremely important.

We need to find more non-executive directors because we have been bad at finding good ones. When I looked up the statistics on non-executive directors, I found that more than half of them never receive a formal appraisal of their work. When they were asked, more than two thirds said that they would want such an appraisal. Half the current non-executives were recruited through friendship rather than assessment, which means that we have not got it right. When only 4 per cent. of them have had a formal interview, there is a long way to go on the other 96 per cent.

Mr. Jonathan Djanogly (Huntingdon): The hon. Gentleman refers to people being appointed through friendship, which is slightly misleading. In my experience, rather than friendship in the normal sense, the connection is an acquaintance through the industry. You therefore tend to get people being appointed within an industry. There may be an argument for widening those appointments, but at the same time to use the word "friendship" in a derogatory way is misleading.

Mr. Deputy Speaker (Mr. John McWilliam): Order. I presume that the hon. Gentleman received the same letter from Mr. Speaker that I did. When he uses the word "you", he is referring to me, and I have done no such thing.

Mr. McFall: I can use an analogy involving the Conservative party. At the time of Sir Alec Douglas-Home, Macmillan and others, men in grey suits appointed Prime Ministers. When someone left the post, a new man took over when a man in a grey suit said, "Go!" The Conservative party has changed its practice, and I assume that the hon. Gentleman himself would not have been selected without a formal interview. Why can chief executives not have formal interviews? Only 4 per cent. of them have formal interviews. Let us get into the real world. The Conservatives have started to get into the real world—I am not saying that they have fully got there. I say to business, "Get yourselves into reality. Come into the 21st century."

My hon. Friend the Member for Broxtowe (Dr. Palmer) referred to executive pay and efficiency. I shall refer to some of the directors of FTSE 100 companies who were paid more than £1 million last year. Ken Berry was fired from EMI with £6.1 million for failing to find new acts. I would love to fail to find new acts if I could be given £6.1 million. British Sky Broadcasting was the fifth worst performer in the survey to which I referred, but Tony Ball received £7.8 million. Sir Peter Bonfield left BT as a failure and received £3.74 million. The link between executive pay and efficiency is important when considering not only fairness but efficiency, because we want good, well managed companies with better growth and a better standard of living for our citizens. We do not get that because the interests of consumers and society are not best served by the present situation.

I suggest to my hon. Friend the Financial Secretary that what we have done is helpful to the Government. We are asking her and her fellow Ministers to stand firm because the proposals are sensible and voluntary, not mandatory. I am the first to agree that some of the proposals made by Higgs, although sensible, are hardly perfect—for example, the chairman being unable to take part in the nomination committee—but such matters could be reconsidered.

First, non-executive directors could constructively challenge company strategy for the medium and long term. That must be good. Secondly, they could scrutinise performance of the board and the company as a whole. Thirdly, post-Enron and mindful of Sir Howard Davies' rhetorical question, they could ensure accurate financial information. Finally, they could ensure that executives were paid appropriate rewards, which would be good for companies and society.

I finish by referring to the world's second richest man, Warren Buffet. He castigated the boardroom bad apples in his letter a few days ago and stated that those otherwise decent people simply followed the career path of Mae West, who said:

> "I used to be Snow White . . . but I drifted."

Let us put down an anchor to ensure that there is no further drift, to improve corporate governance and to make a better City, a better economy and a better future.

3.2 pm

Mr. Jonathan Djanogly (Huntingdon): I am grateful to have been called to participate in this debate on an important issue for companies, their corporate governance and public confidence in corporate financial regulation.

In general, much of the report is worthy of consideration. It adds to what should be an ongoing review of corporate governance procedures. However, I stress that the process has long been ongoing. It has not been started and it will not end with this report. Therefore, I take issue with the warning in the report against dangerous complacency, and with the Financial Secretary's warning about complacency in her speech to the National Association of Pension Funds yesterday. I have advised boards on corporate governance issues for more than a decade, and I declare an interest as noted in the Register of Members' Interests. I have seen an enormous change in the whole area of corporate reporting, independence and accountability, not least through the Cadbury, Greenbury and Hampel reports and the guidelines of the NAPF, Hermes Pensions Management and the Pensions and Investments Research Consultants. Therefore, I, among others, suggest that the use of the word "complacency" is clearly inappropriate.

Furthermore, I do not wish to rubbish many of the valuable points made in the Smith and Higgs reports, and I acknowledge that we have had no UK Enron, but I have been somewhat surprised at the amount of time spent so far, not only in the House but by the professions and the business community, on the overall question of corporate governance in recent months. Other much more directly relevant issues, such as the weakness of the Government's manufacturing strategy and the impact of tax and regulations on British companies, are hardly ever mentioned. Those issues have much more to do with the success of UK companies than the subject considered in the report.

Why are the Government now being so forthright on corporate governance? Perhaps we could have a debate on that. Is it to keep up with the Joneses in America, who have started from a much weaker position than we have in this country, or is it to divert attention from the Government's failings? Some Members might see the irony when I recall that the Government were recently seen kicking and screaming against Conservative proposals to split the chief executive and chairman roles on the new UK Competition Commission under the Enterprise Act 2002.

In that regard, however, as the hon. Member for Dumbarton (Mr. McFall) made clear, the report made one very important recommendation in paragraphs 42 to 44 in its section on "Other Matters". It highlighted the lack of progress on implementation of the company law review, which was launched as far back as 1998. A thorough rewrite of the Companies Acts is more urgently required than an update of the combined code on corporate governance.

Dr. Palmer: I want to establish how much complacency the hon. Gentleman is advocating. Is he saying that there is no need for a change in corporate governance, or that there is a need for change but that it is not very urgent?

Mr. Djanogly: It is a question of priorities. I did not say that there was no need to examine corporate governance; I specifically said that it has evolved, is evolving and will evolve in the future. It is not something that we need not consider, but I suggest that the Government's priorities are currently wrong. If we look at what is happening in the stock markets in this country and around the world at the moment, we see that chief executives and chairmen have other things on their minds than dealing with corporate governance. The Government are clearly taking the alternative view. They will deal with corporate governance and then start to look at the Companies Acts. They have got it the wrong way round.

I note that the Government's response to the report says that the precise timing of Companies Acts legislation will depend on the parliamentary timetable. I suggest to the Financial Secretary that that is not an acceptable response to every company in this country that is affected by those Acts and that, for the most part, will be assisted by new legislation. I ask her again: when will we have the Bill?

Paragraph 31 of the report states that the Committee is

> "generally opposed to the use of share options as a significant source of remuneration in public companies."

However, I was somewhat bemused that the hon. Member for Dumbarton equated stock options with a life of luxury, because the rate of remuneration is dependent on the success or otherwise of the company concerned. I note that the Government response did not address that point.

Mr. McFall: On stock options, I used the words of Sir David Tweedie, the president of the International Accounting Standards Board. They were not my words. He said that stock options were used by executives, who get a cheap price, inflate the share option and profit themselves while the health and welfare of the company is disadvantaged in the medium and longer term. He warned us that that practice is widespread in the United States, and that we should not have it in the United Kingdom. I quoted an eminent authority.

Mr. Djanogly: Sir David may well have said that, but I doubt that he meant it to apply to every single company that issues stock options. Of course, like any other aspect of corporate governance, share options can be abused, and I admit that they have been abused in certain cases. That does not mean that stock options are, per se, the wrong means of remuneration. I note, however, that the Government did not respond to the report's point about that.

Mr. Mark Field: Does my hon. Friend accept that there is a very important role for stock options, both to incentivise staff at all levels—not just directors—and as a means of growing a business? The small and medium-sized business sector will be the main vehicle for jobs growth in the decades ahead. In such companies, stock options can be a very good way of keeping valuable and innovative young employees on board for the long term.

Mr. Djanogly: My hon. Friend makes an important point, with which I totally agree. There have been many surveys over the years on alternatives to stock options. None came up with a scheme as flexible or as consistently useful as the issuing of stock options.

The only evidence in the report for the position that stock options are a bad idea is the statement that in the United States

"people could get most of their remuneration in share payments 'and even pay suppliers in share options'".

[Mr. Djanogly]

However, those points simply do not follow. Paying directors in shares is an established practice in this country. It is completely different from issuing stock options to directors and has even been recommended as good practice in previous corporate governance reviews.

Existing statutes ban directors from buying tradeable options in their own companies, and existing corporate governance rules disapprove of non-executive directors holding stock options in their own companies. Will the Financial Secretary tell us whether there are any proposals to change current practice as a result of the report? I have not heard of any such proposals, but I would be interested to know whether there are any.

It is important to keep in mind that the size of companies may be very relevant. My hon. Friend alluded to that in his intervention. As a non-executive in an alternative investment market company—I accept that such companies are not subject to the combined code on corporate governance—you can be issued with stock options, as they are often offered as part of the overall reward for becoming involved in what may be a much riskier type of company.

Mr. Deputy Speaker: Order. I have never in my life been offered stock options. The hon. Member is again using the word "you".

Mr. Djanogly: I apologise, Mr. Deputy Speaker.

In that instance, the company may prefer to promise future shares rather than give up its cash. Finally, there is sometimes an assumption that share options are some sort of cheap giveaway. The hon. Member for Dumbarton alluded to that in his contribution.

Mr. McFall: Stock options are part of aggressive earnings management and must be stamped out, although I take the hon. Gentleman's point that they may be useful for some companies. I quote Sir David Tweedie:

> "The whole question of aggressive earnings management is one of the big problems we are facing. If you can hold the share price for three or four years so you will be so rich that your family will be taken care of for generations to come, you can see what the temptations are going to be of just ramping the profit figures. That is why we are absolutely convinced that the way to deal with this sort of situation is to be pretty brutal . . . share options should be charged, if you control a special purpose entity you should consolidate it. Let us forget the exceptions, that is it. We will hear special pleading, 'We're different' but you soon learn that the world is a special case after a while in this job."

We must knock down such aggressive management and charge stock options as expenses.

Mr. Djanogly: With the greatest respect, I must point out to the hon. Gentleman that Sir David Tweedie was referring to the tax treatment of share options. He was not discussing whether they should be issued. Indeed, their tax position is being addressed.

Mr. Howard Flight (Arundel and South Downs): May I put it to my hon. Friend that the problem with Sir David Tweedie's proposals is that they are intended to stop the abuse of share option schemes such as no doubt occurred in the United States? The tragedy is that the proposals would also kill off the highly beneficial and widely spread employee share schemes, which have been a great success in this country in spreading wealth, encouraging employee participation and improving productivity. Companies issue shares at a discount under the employee share schemes introduced by previous Governments and this Government. The companies would be forced to account for them in the profit and loss statement, and that would be wholly inappropriate in principle. The main objection to the proposal is that it has taken a draconian stance towards abuse and forgotten about the good things that it would also kill off.

Mr. Djanogly: I thank my hon. Friend for that helpful contribution, with which I absolutely agree. It is also important to make the point that, historically, stock options in America have been issued in a very different way from those in the United Kingdom—most specifically in relation to the time for which such options can be exercised, and the conditions of issue. I shall finish my remarks on stock options on that point.

Mr. Nigel Beard (Bexleyheath and Crayford): Let me return to the quotation from Sir David Tweedie cited by my hon. Friend the Member for Dumbarton (Mr. McFall). Sir David Tweedie was talking about the perverse financial incentives that can be obtained. He was not talking about tax, but about the corruption of the purposes of people who receive such stock options. I heard the hon. Member for Arundel and South Downs (Mr. Flight) say that they were used widely for ordinary employees. Employee share schemes are used widely, but not stock options. Those are a different kettle of fish altogether.

Mr. Deputy Speaker: Order. We have had some interventions that are bordering on becoming mini-speeches. Can we keep interventions short?

Mr. Djanogly: Thank you, Mr. Deputy Speaker. I have to say that I welcome interventions. They make for an interesting debate.

Mr. Deputy Speaker: Order. So do I, but they should be interventions.

Mr. Djanogly: I take the point, Mr. Deputy Speaker.

Mr. McFall: I shall be very brief, and this is my last word on the subject. Sir David Tweedie was speaking about the accounting treatment of stock options. That is the issue. In reference to the point made by the hon. Member for Arundel and South Downs (Mr. Flight), it is interesting to note that many US companies, including those with all-employee schemes, such as Wal-Mart, are moving to expense share options. That is the trend that Sir David Tweedie was considering when saying that there are lessons for the UK.

Mr. Djanogly: Indeed, that is so, and this country is moving in that direction. I have no problem with that point, but it is very different from saying that issuing share options is wrong.

The other key issue regarding share options is the conditions which they are issued. That process can be carried out responsibly or irresponsibly. An effective remuneration committee will carefully consider the conditions under which share options are to be issued, which will normally be directly related to the future success of the company, the individual's performance, or indeed, a combination of the two. As with the other issues that we are discussing, that process can be handled in a responsible or an irresponsible manner.

Mr. Mark Field: Although I take on board the concerns raised by the hon. Member for Dumbarton (Mr. McFall), there is a risk that if we berate stock options—the press would inevitably make that into a big issue—we would encourage the short-termism that would blight smaller, growing companies. Although I recognise the abuses, I hope that my hon. Friend will agree that we need to encourage stock options in the general sense, particularly for relatively low-paid employees and middle management staff who aspire to a long-term career with a company.

Mr. Djanogly: I thank my hon. Friend for that contribution, and I absolutely agree with him. Stock options will be used in different companies for different purposes. Larger companies will be concerned that executives do not have as large a financial stake in the company as in the capital. The companies will therefore want to incentivise their managers and make them feel part of the future success of the company. On the other hand, smaller companies may not be able to afford to pay the significant salaries that will enable them to recruit competitive staff, who will otherwise go to large companies. The use of stock options can be an effective way of binding such people in. It is difficult to say that one size fits all, and that is the beauty of the use of stock options. As things stand, stock options are probably the most adaptable way of incentivising staff.

Paragraphs 38 to 41 of the Select Committee's report deal with the implications for directors. I was somewhat surprised at how little time the report gave to that issue, even though the hon. Member for Dumbarton made it the centrepiece of his speech. Unfortunately, the report to some extent justified the Government's response by saying little about the implications for directors. Following the Higgs report, more will come out and I have a feeling that we will discuss the subject again. I will not dwell too much on that issue at present; instead, I will address the content of the report and particularly recommendation (q), which states:

> "there is a good case for an audit committee composed of non-executive directors, rather than the board as a whole, to be responsible, in the case of quoted companies"—

I assume that that means fully listed quoted companies—

> "for selecting the firm of auditors...and for fixing the auditors' remuneration."

The Government did not respond to that part of the report and I would be interested to hear the Financial Secretary's views on the matter.

The proposals should be treated with caution. They tie in directly with one of the main problems that has been identified with the Higgs report, which the hon. Member for Dumbarton addressed. Taken together, the proposals will create a split between executives and non-executives on a board. Not only does the Higgs report say that non-executives should not sit on an audit committee, but it says that the chairman should not sit on it either because, by way of that appointment, he is deemed to be non-independent. I see good reason for audit committees to review who is the right auditor and how much the auditor is to be paid, and to question boards' decisions if they feel that those decisions are wrong. However, the final decision should be a full board decision, with the board acting and answerable as one.

As with several other proposed measures coming out of Higgs and Smith, there are serious implications for non-executives. They will bear a greater responsibility and there could be negative implications, which could go against Higgs's desire to encourage people and to have a wider pool of non-executives. There could also be higher cost implications for the companies, which may have to pay more to those who are prepared to take on the extra responsibilities.

Finally, I support the Select Committee's findings that considerable improvements in the governance of companies can be brought about by greater shareholder interest in their affairs. More to the point, much more emphasis should be placed on that issue, which relates to matters such as how information is disseminated to the market, how brokers' reports are produced, how banks market their client shares and how institutions vote their shares and involve themselves in the corporate governance of the companies in which they have invested. That issue has been much more thoroughly reviewed in the Untied States, and we could usefully take a closer look at it in the UK. However, since the report was produced, the institutional shareholders committee has produced welcome new guidelines on institutional activism. That is a move in the right direction, but it is a matter on which we should concentrate further.

3.24 pm

Mr. Nigel Beard (Bexleyheath and Crayford): The failure of Enron and WorldCom has been a disaster, and not only for their shareholders and employees. Such dramatic examples of malfeasance have triggered a crisis of confidence among all investors in equity shares in all public limited companies. They have contributed to an avalanche fall in share prices over the past two years, with baleful consequences for people's pensions, life insurance and savings. We heard evidence in the Treasury Select Committee that Enron and WorldCom were operating to American standards and practices, and that the same could not happen in Britain. I completely reject that—it has happened here. The reports of the Select Committee on the crisis in Equitable Life and on split capital investment trusts demonstrate that.

The companies involved here are not exact replicas of Enron and WorldCom, but they operate in the same culture of concealing rather than revealing their true financial state; they display irresponsible recklessness in not adequately assessing the risks to which others' savings are exposed. Those trusted by investors focused their attention on extravagant personal rewards that

[Mr. Nigel Beard]

immunised them from the risks to which they exposed others. It amounted to contempt for the investing public who had trusted those responsible.

Mr. Field: Does the hon. Gentleman not recognise that there is an inevitable element of risk involved in buying shares, whether in a pension fund or individually? Does he believe that it is the role of Government to ensure a risk-free environment for every investor?

Mr. Beard: Of course I do not believe that. There is a reasonable risk involved in the market. However, in the two cases to which I have referred there was reckless risk taking far beyond what would normally be expected. That is the issue that I raise. The hon. Gentleman trivialises it by suggesting that I believe that people can have a risk-free existence. I am surprised that he felt his intervention to be worth while.

Mr. Field: The simple point is that the matter has been extremely problematic. It is entirely different from the fraud allegations about Enron and WorldCom. However, the proposals are wide-reaching and apply to all companies, not only to companies that are guilty of fraud or near-fraud. It is of great concern to many in large companies, particularly in FTSE 100 companies, that this one-size-fits-all approach is not an appropriate way of ensuring good corporate governance for the protection of investors.

Mr. Beard: I have already given a list of the issues that arose from the two crises that I mentioned in Britain. Those issues are very similar to those that arose in Enron and WorldCom. I do not suggest for one moment that all joint-stock companies are subject to them; however, they can be found in several of them.

This is not only a matter of deficiencies in accounting standards and auditing practice. Those technical issues are important; they are the main theme of the Treasury Committee's report. I wholly support the report's recommendations and I am pleased to see that in the main the Government have endorsed them. However, the fault does not lie solely with the financial maintenance of public companies. There is a deeper malaise in the culture of some public companies—I emphasise the word "some"—that has led to these deficiencies. I do not wish to tar the boards and management of all public companies with those strictures. However, such observations have parallels and echoes in the wider policies of some public companies. The ever increasing rewards of chief executives and directors do not establish a fair differential between themselves and other managers and staff; they accelerate increases in the differential year after year after year without apparent justification.

There are rewards through share option schemes that create perverse incentives in financial reporting. There is a contrast between all that and the way in which occupational pension schemes have been closed or diminished recently, even where the company took pension provision holidays in good years. There is accumulating evidence of people at board level in major companies behaving as if they were a caste apart, which does not need to abide by the same rules of fairness and ethics that apply to everyone else. Much of the evidence that we received concentrates on the deficiencies in accounting and auditing procedures. That, however, does not excuse the responsibilities of executive and non-executive directors, who are actually responsible for preparing the accounts. Theirs is the responsibility for ensuring that a true and fair picture of the state of a company is presented to shareholders. Accountants are advisers. Auditors give a final objective check. If accounting rules are weak and auditors inattentive, the defects need to be remedied, but the fault begins with the members of a board in whose name the accounts are presented.

The question of the ethical behaviour of directors is inescapable when reviewing the question of the financial control of public limited companies, but the ethics become disguised and laundered by some of the language used. Off-balance-sheet accounting too often means keeping relevant information from public scrutiny and so giving a distorted picture of a company's profits and liabilities. Aggressive accounting means sailing as near to the legal limits as possible without actually being illegal.

What is missing from all this cunning is the concept that all commerce—every commercial deal—depends on trust. That is why many of the great merchant families in Britain in the 19th century were Quakers or Methodists; because of their strict ethics, they could be trusted and so their businesses grew. In simple terms, it is trust that lies behind the issues that have given rise to the Treasury Select Committee's inquiry. The root of the problem is the breakdown of trust and the routine acceptance of a culture of institutionalised deception.

There are three dimensions to dealing with the problem, and our report is one of them. It deals with various ways of ensuring good accounting practice and the independence of auditors. The other two dimensions are the modernisation of company law, as mentioned in paragraph 44 of our report, and corporate governance, which is referred to in paragraphs 38 to 41. The chairman of the Financial Services Authority has also drawn attention to the need to modernise company law in the light of the prospective European Union directive. According to its response to our report, it is disappointing that the Government will not be able to introduce a draft companies Bill in this Session. It would be highly desirable for one to be included in the next Queen's Speech. Such a Bill would seem to be a good candidate for pre-legislative scrutiny by the Treasury Select Committee and the Trade and Industry Select Committee. Alternatively, it might be scrutinised by a Joint Committee, a procedure that proved successful in dealing with the complexities of the Financial Services and Markets Act 2000.

Corporate governance has been the subject of a review by Mr. Derek Higgs, whose excellent report, which complements the recommendations of the Treasury Select Committee, was published since our inquiry. It presents a radical but reasoned approach, which is what is needed. It sets out the role and responsibilities of the board and chairman, from which flow ethical guidelines. The emphasis on the board having at least 50 per cent. of non-executive directors is an evolutionary way of ensuring that issues are lifted from the internal concerns of executive directors and dealt with objectively and transparently. The formation of an audit committee from among the non-executive directors will ensure independence in the appointment of and subsequent dealings with auditors, and will promote objectivity in the auditing process and in the presentation of information.

It is also much to be commended that non-executive directors should be responsible for non-executive appointments to the board, so that the chance of the chairman appointing cronies or the 'quiet and persuadable' is eliminated. The idea of one senior non-executive director having a special relationship with shareholders seems to be less obviously beneficial. It may cut across the role of the chairman and create a high risk of unproductive friction. The proposal to limit the number of non-executive directorships to be held by one person is a way of concentrating attention on duties in the company. The days of the non-executive sinecure, with one person holding half a dozen or more directorships, should be over, and quite rightly.

All these sound proposals and others go a long way towards addressing the introspective malaise which can become a conspiracy against the outside world, and it is sad that the vast majority of the chairmen of the FTSE 100 companies, and the Institute of Directors, object to the proposals. The objections are perhaps a confirmation that introspective and cosy arrangements have become too much of a habit. It is as though those chairmen do not recognise the issues that the proposals address. Theirs is not the first—and no doubt will not be the last—vested interest that needs to be overruled for its own good.

In conclusion, I urge the Secretary of State for Trade and Industry to implement the proposals of the Higgs review as soon as possible and to take such steps as are necessary to implement the recommendations of the Treasury Committee report. Company law reform complements those measures and should be dealt with expeditiously. Let us not hear from sections of business or from the CBI the ritualised parrot cry that all this is another imposition of red tape. What is proposed will underpin and enhance public trust in business enterprises, which are a vital part of our society and must act within it, not be detached from it. Nobody gains if business enterprise is widely considered to be a conspiracy against everybody else. Without public trust and understanding of business activities, business will be the poorer and so shall we all.

3.37 pm

Mr. David Ruffley (Bury St. Edmunds) *rose*—

Mr. Deputy Speaker (Mr. John McWilliam): Order. I cannot prevent the hon. Gentleman from speaking, but given that he has missed a third of the debate, I have to tell him that it is a matter that is deplored by the Chair.

Mr. Ruffley: I apologise to you, Mr. Deputy Speaker. I put in to speak and have since been unavoidably detained, but I take your strictures on board.

I congratulate the hon. Member for Dumbarton (Mr. McFall), the Chairman of the Treasury Committee, on helping to secure this important debate. He leads a Committee that, for the most part, avoids and eschews party political debate and concentrates on scrutiny. All its members are to be congratulated on raising in a Committee for the first time in the aftermath of Enron issues relating to accounting, auditing and, more generally, corporate governance. We announced our inquiry on 5 February, and much has flowed since we began. We took a great deal of evidence, and that in the documents in front of us should give a large measure of reassurance to the British public, whom we all know are not awfully enamoured of financial services at present, especially in terms of split capital trusts, the collapse of Equitable Life, and so on.

I am more concerned about the response from the Government, particularly to the Higgs report. Our inquiries envisioned the report as an important contribution to the corporate governance debate. The Financial Secretary has made some comments about the Higgs report, and I want to turn to those in the latter part of my speech.

On the reassurance of which I spoke, I believe that we have been able to show in the report that it was the shortcomings of US accounting practice that led directly to the Enron collapse—principally the inability properly to account for special purpose vehicles. That could not really happen in this country, because we have a principles-based approach to auditing. An auditor signing off must be satisfied that the accounts represent a true and fair view. The US system is much more narrow and makes it much easier to evade a general judgment. The box ticking and rules-based approach in the US were direct contributors to the problems that Enron and WorldCom experienced. That should be a source of reassurance to those in this country who legitimately ask whether an Enron could happen here. The answer is that that is unlikely.

We considered various aspects of the auditor's role, particularly in relation to that old chestnut of audit firm rotation. Lord Sharman, who gave evidence on the matter, could find no evidence that a regime of enforced statutory audit firm rotation—five years, seven years or whatever the period was—was helpful or worked. However, we considered the proposition that audit partners should be rotated, although not on the industry standard of a seven-year basis, but rather on a five-year basis. We went further than that though, and considered the suggestion—I think that this is the central proposal of the report—that there be a requirement on a board to consider both the retendering of audit work and the audit rotation of partners rather than rotating firms on a five-year, rather than a seven-year, basis. These are sensible suggestions. Why are they needed? Quite simply, the answer is that there is always the concern that there will be too much cosiness between corporate management and an audit firm.

We also examined how audit work has been used in a low-balling way—using loss-leading audit work to secure much more lucrative consultancy. I did not share the view that that was a huge problem. We must be careful, not least because there are definitional problems with regard to what pure audit work is on the one hand, and what consultancy work done by the consultancy arm of an audit firm is on the other. It is difficult to delineate which is which. The report flags up that difficulty and asks the Government to examine more

[Mr. Ruffley]

closely that definitional problem. That is a sensible proposition and is evidence based, which is the great strength of the report.

The issue of corporate governance was touched on tangentially in the report. We argued that it was important for audit committees to be much more alive to the role of audit firms and the work that they do. That was a direct lesson from Enron that we can apply to this country. Audit committees are much more important than we perhaps thought they were before. That has alerted us to a problem, and is one way in which the Higgs proposals support what the Committee flagged up. However, that is where my support for Higgs ends. So that you are absolutely sure that I am in order, Mr. Deputy Speaker, I point out that although the central proposals of Higgs are not referred to in the report because the report came out before Higgs, nevertheless we were acutely aware of the issues that Higgs would raise. Now that the Financial Secretary, who is responsible for responding to Higgs, is in front of us, it is apposite to address some of the concerns that have been set out.

Mr. Ken Rushton, who is the head of the UK listing authority in the Financial Services Authority and not a man known to rush into rash judgments, responded by remarking that the Higgs proposals on corporate governance could lead to a "one size fits all" rule book if wrongly enforced. He went on to say:

> "It has the look and the feel of a more prescriptive framework. If intelligently applied by all parties this would be okay, but some companies are concerned that they might be shoe-horned into an orthodoxy that could not and should not be applied to them."

He said that there was a danger that companies who did not subscribe to all the requirements of the Higgs review, even though it is meant to be a voluntary set of proposals, might be considered "heretics".

The level of consultation on the Higgs review carried out by the Financial Reporting Council was also criticised by Mr. Rushton. The consultations, which are due to be completed by 14 April are an unconscionably short period of time for a full consultation on such critically important corporate governance changes.

It is a matter of regret that the FRC will be consulting only on what it considers "fatal flaws" in the Higgs review.

Mr. Beard: Does the hon. Gentleman not agree that some of the complaints fulfil George Bernard Shaw's aphorism that there is nothing more indignant than a vested interest masquerading as a moral principle?

Mr. Ruffley: I always enjoy that quotation when I hear it, but I am not entirely sure that it is appropriate to my point. This is not some self-interested defence by a company chairman; we will get to that in a minute. It is from the head of the UK listings authority, a paid official from the FSA who polices the listing requirements of public limited listed companies. I quoted him for the reason that he is likely to be more dispassionate than the average company chairman.

There is a point with which I am sure that the hon. Member for Bexleyheath and Crayford will agree. Miss Farnish of the National Association of Pension Funds expressed a countervailing view that the Higgs review will be seen to be pretty much like the Cadbury, Greenbury and Hampel reports—in other words, they will be seen as a bit controversial at the time but will soon effortlessly become an orthodoxy and down the road we will wonder what all the fuss was about. However, I am not so sure about that, for reasons that I will describe.

Sir Nigel Rudd, chairman of Pilkington plc and a very experienced industrialist, described the proposals as "absolutely barmy". An interesting survey conducted by the CBI reported that 82 per cent. of FTSE 100 chairmen believe that one of the key proposals in Higgs, that a senior independent director—or SID—would undercut the authority of the chairman, was not to be welcomed and could lead to confusion. For that reason Mr. Digby Jones, director general of the CBI, said that a

> "one-size-fits-all approach will not be good for British business or British wealth creation."

Mr. Jones went on to say that the proposed code was too prescriptive and that there was a danger that the "explain" element of Higgs would be forgotten over time. That is that the benchmarking of corporate governance relating to SIDs and their ability to head nominations committees for the appointment of new members to boards would, although voluntary at the outset, lead to a "comply or else" philosophy rather than, as Higgs now asserts, a "comply and explain if you do not comply" philosophy.

These views of the CBI should be taken seriously. The CBI's approach is not a headbangers' approach. It talks about the fear of the application of the law of unintended consequences. Higgs is not trying to do in British business, but is acting from the best motives. However, the problem, in the words of the CBI, is that it could

> "stifle the creativity and drive that characterises so much of what is good about UK business".

Dr. Palmer: I understand that the hon. Gentleman favours the relatively moderate changes in corporate governance that we proposed, but he resists some of the further-reaching ones suggested by Higgs. Does he agree that our recommendations should be a reasonably high priority for the Government?

Mr. Ruffley: The proposals about which I spoke in my opening remarks are sensible and should be taken on board. I agree with the hon. Gentleman, who spoke about the necessity for clear indications from the Government about the next companies Bill, the primary legislation that will flow from it, and in which Session it will be introduced. I therefore agree with the hon. Gentleman to that extent. However, I have a problem with Higgs. As Mr. Jones of the CBI says:

> "Chairmen have got to be able to run an effective, unified board. The senior independent direc[illegible]uld not open up a separate and potentially divisive channel of communication with shareholders or have responsibility for reporting back to the other non-executives on an exclusive basis."

That is the crux of the issue. These proposals seem to have caused the most difficulty in corporate Britain.

The first part of the proposal is that the senior independent director should have an exclusive channel of communication with shareholders. That is not too offensive. In a sense, he would not differ much from the investor relations office: reporting to the chairman of the board and having a chat with the shareholders and the institutional investors. There is no great difference between that and an SID talking to institutional shareholders.

The problem arises in the second part of the proposal. According to Higgs, the non-executives will be able to get into a huddle and chew over what the shareholders are saying and thinking. They should have regular meetings—a claque, as it were—of non-executives. That seems to be a recipe for disaster and for the disunity that the CBI hinted at in its analysis. Even if one accepts, as one will probably have to, that chairman and chief executive roles should be split as a matter of course, there appear to be at least two competing centres of authority already in Higgs's proposal. If one were to add a third centre of authority—the SID—one can imagine him corralling a group of his fellow non-executives. Incidentally, Higgs suggests that half the board should comprise non-executives. That could be a third fount of power, which would not make for especially efficient management decisions. In that sense, corporate Britain has a legitimate gripe in saying that it is not happy with that proposal.

Let me say one or two things about Higgs, which the Financial Reporting Council can address. Before mid-April, the FRC is allowed to tweak the Higgs proposal in some ways. I hope that it will take some of my points on board. First, Higgs believes that the advantages of introducing the proposal that a non-executive director should head the nominations committee were marginal. He did not think that it was a deal-break; he did not think that it was make or break. The overwhelming body of opinion, and the responses, suggest that it is odd for a non-executive who is unfamiliar with the sector to decide what the shape and architecture of a board should be. That person would have the power of life and death over nominees to the board, which is more properly the province of somebody other than a non-executive director. If what I read in the press is accurate, it would be useful if the FRC were to take that criticism on board and not implement the proposal. It was the most unpopular measure in the CBI survey. Nearly 90 per cent. said that it was bad news, or words to that effect.

Higgs should not promise too much. There is a danger that that will happen, because Higgs has asked Laura Tyson, the dean of The London business school, to provide a list of 100 top-notch non-executives, drawn from the public sector, charities and professional services. I fear that we are in danger of political correctness creep. I am not convinced—marvellously qualified in charities law and dedicated to the public services for which they work so diligently though they might be—that some of those individuals can necessarily read a balance sheet very well or go in to bat with some slick city auditor who is trying to pull the wool over their eyes. I urge Higgs and the FRC, when they are putting together the combined code, not to be seduced by the idea that the quality of non-executives in corporate Britain can be improved by such tinkering. A pool of 100 drawn from the public sector is a start, but it is not going to prevent Enrons from happening.

Mr. Beard: Does the hon. Gentleman not recognise the nature of the problem that Higgs addresses? That is that far too narrow and inbred a group of people occupy the posts of non-executive directors, many of them enjoying as many as eight such positions. They cannot possibly be giving adequate scrutiny to any one of them. The proposal to put the matter in the hands of a non-executive director has been made in order to prevent it from going to cronies and to broaden the pool. Nobody can pretend that there are not enough wise, sensible people in Britain beyond the 1,600 whose names appear—

Mr. Deputy Speaker: Order. I suggested earlier that interventions should be just that. That was going on a bit.

Mr. Ruffley: There is a certain amount of truth in what the hon. Gentleman says. We agree that the quality of non-executive directors in corporate Britain should be improved. I see from research done by Deloitte and Touche that if Higgs's proposal that half of each board should be non-executives were applied to the top 350 FTSE companies, 500 new non-executives would be needed quickly. Like the hon. Member for Bexleyheath and Crayford, I should have thought that there were enough clever, financially literate and tough-minded men and women in the country to fill those posts. However, it is not clear that those people exist or want to come forward. I agree that chumminess and cosiness in boardrooms does not help public confidence.

The Committee's inquiry into split capital trusts demonstrated that there was a great deal not only of cross-share holding but of cross-directorship holding. We wait with interest to learn whether any impropriety arose as a result of the arrangements for people to sit on several boards of split capital investment trust companies, but the hon. Gentleman makes a fair point.

I wonder, however, whether Higgs goes far enough in addressing the problem of the quality of non-executive directors. I do not believe that the main proposition that Higgs puts forward—to get the dean of the London business school to trawl round the voluntary, non-corporate part of Britain—is the answer to our problems. Nor do I believe that that is likely to secure the greater confidence in the way in which companies are run that the British public needs.

I again thank you, Mr. Deputy Speaker, for your indulgence in allowing me the time to contribute to the debate, notwithstanding my delay in getting to the Chamber. I will make one point to the Minister, to which I hope that she will respond.

The piece of work undertaken by Higgs is substantial. If even half of it is implemented—I am sure that more than that will be implemented—it will have a great effect on corporate Britain. I bet my bottom dollar that the combined code, which will be modified as a result of what the Financial Reporting Council says, will be a document that says, "Comply or else" rather than "Comply or explain."

Why is that important, and why does it worry me? Every working day since 1997, 15 new pieces of red tape have been imposed on British business. As a result, management people need to be lighter on their feet, more nimble and more flexible. There should be less need for them to look over their shoulders—they should be able to make decisions unburdened by regulatory

[Mr. Ruffley]

clutter. Will the Minister tell us whether, in the consultation period that remains between now and 14 April, she will give any thought to cutting back on the more prescriptive parts of Higgs? Does she believe that the remaining consultation period is long enough? The Financial Services Authority appears to believe that it should be longer.

I wonder why the consultation seems to be taking place in haste. I hope that that is not because the Treasury wants a good headline. I have the utmost respect for the Minister, and I know that she would not try to get cheap headlines and follow the principle of, "Let's show the public that we are doing something." The issue should be taken more seriously than that. Will the Minister address my concerns about the over-prescriptive nature of Higgs and the speed with which that over-prescription will be applied?

Mr. Djanogly: On the last point that my hon. Friend made about complying or explaining, does he agree that the problem is that even if companies explain, the institutional shareholder committees will often put a cross in the box? That means that there will be a vote against at the general meeting. Even under the current system, "comply or explain" often does not work. It has led to box-ticking, and that will get worse under the Higgs proposals.

Mr. Ruffley: My hon. Friend makes an excellent point for my peroration. He is right to say that the combined code already leads to a certain amount of box-ticking. It has been argued that Higgs, if fully implemented—the Government seem to be bent on that—will be a box-tickers' charter. It will be box-tickers' heaven, because any advisers going through the process will go down the box-ticking route, as a back-stop against negligence and as a way of showing that they have done everything right. If in doubt, such advisers will not look at the specific circumstances of a particular company and why that company might, for perfectly good reasons, have deviated from the combined code. For a simple life and as a back-stop against negligence, they will say that the company does not fulfil the requirements of the combined code in its corporate governance regime, will not tick the appropriate box, and, as my hon. Friend pointed out, cause trouble for that company. We are opening ourselves up to such a rules-based approach, which will make a growing problem significantly worse.

4.4 pm

Norman Lamb (North Norfolk): I congratulate the hon. Member for Dumbarton (Mr. McFall) on securing the debate. Unlike other members of the Treasury Committee, I can be objective in saying how good the report is, because I was not on the Select Committee when it was produced. The report makes a valuable contribution to kick-starting the post-Enron debate. As the hon. Member for Bury St. Edmunds (Mr. Ruffley) said, the fact that it is based on evidence heard by the Committee makes the report a particularly strong document.

Other hon. Members have spoken about the impact across the world of Enron's collapse and of the shock waves that it caused on global financial markets. It produced—not just in the United States, but throughout the world—a collapse of confidence in corporate governance and in the role of accountants and auditors, so we should devote our attention to rebuilding confidence in them.

As the hon. Member for Bexleyheath and Crayford (Mr. Beard) explained, the implications of a collapse of a company such as Enron are widespread and affect, both directly and indirectly, the livelihoods of many people. It is an issue of supreme importance, but I noticed an element of complacency from Conservative Members, particularly in the speech of the hon. Member for Huntingdon (Mr. Djanogly). It reminded me of my views on nuclear power: everything is fine as long as power stations operate without difficulty, but as soon as something goes wrong, it is rather disastrous. We saw that with Enron, and it could happen again. The hon. Member for Bury St. Edmunds argued that it was probably less likely to happen in this country, but it could. Sir Howard Davies made that very point to the Select Committee, so we must approach the subject with urgency and accord it the priority that it deserves.

In shaping our response to the implications of Enron, key points must be recognised.

Mr. Djanogly: Does the hon. Gentleman appreciate that fraud, criminal activity and so forth present quite distinct problems and are unlikely, other than in non-extreme cases, to be dealt with through best practice corporate governance? Whatever corporate governance practices had been in place, it is unlikely that Enron would have been stopped.

Norman Lamb: I accept that, but I shall explain in a few moments that a loose framework can be responsible for things going wrong.

I was arguing that the traditional regulatory framework in this country is clearly different from that in the United States. We should acknowledge much that is good in this country, both in respect of corporate governance and the principles-based approach of auditors to which the hon. Member for Bury St. Edmunds referred. We need evolution, not revolution: we should build on the framework already in place, not destroy it. We must not, however, be led into complacency: reform is clearly needed. As the Government have acknowledged in their responses to various reports, the world does not stand still. There is a need to recognise and understand the rapidly developing global economy and its implications.

In shaping reform, the UK cannot act in isolation. There is a real need to try to develop common and consistent standards without that resulting in an acceptance of the lowest common denominator. We must never allow a dumbing down of standards, but the aim to achieve common consistent standards across financial markets is a massive challenge. With the benefit of hindsight, many have seen the Sarbanes-Oxley legislation in America as an ill-considered, knee-jerk reaction to the Enron collapse. I applaud the Government for having adopted a deliberative approach in this country. They have listened to plenty of evidence and taken their time in shaping proposals. We must also take into account the EU proposals to be put in place by 2005. All those elements could go in radically different directions, and we must try to achieve uniformity.

Reform must be based on the following principles. The first is transparency and openness in the way in which companies and boardrooms operate. Secondly, it is important to avoid conflicts of interest, particularly in auditing. Thirdly, we must achieve the highest possible standards of financial reporting, accountancy and auditing. Fourthly, we must tackle a boardroom culture that is too often—although not always—cosy, incestuous and lacking in independence.

I turn to some specific issues. On corporate governance, we welcome the Higgs report. As the hon. Member for Dumbarton and others have already made clear, the response of the FTSE 100 chairmen is disturbing, disappointing and complacent. The heading of the leading article of the *Financial Times* on Monday this week was, "Higgs' critics have failed to grasp why change is needed". The response of the *Financial Times*, in criticising the chairmen of the FTSE 100 companies, seems very sound.

In contrast to what seems to be a very head-in-the-sand, ostrich-like response from those chairmen, Warren Buffet, the United States investor to whom the hon. Member for Dumbarton has already referred, takes a very different view. He thinks that US reforms have not gone far enough and specifically refers to the cosy boardroom atmosphere that in his view has caused the lax supervision of US companies.

On moves to strengthen independence by enhancing the roles of non-executive directors, a divide is clearly developing between those who argue for unified boards—which Digby Jones argued for this week in response to the CBI survey—and those who see the case for, and the value of, dissent and independence on the board. Surely, the latter must be the way forward. Dissent can shake up and tackle complacency, whereas unity can lead to complacency and weakness.

Buffet also argues that independent directors must be supported by active owners. Institutional investors need to play a much more active, engaged role than they have played hitherto. Too often, there is a tendency for them to stand by and do nothing, but then complain after the event. It is also important that the culture of the non-executive director is effectively challenged. Non-executive directors have too often been appointed because of friendships. The hon. Member for Huntingdon referred to that instead as "acquaintances" and people within the industry, but there is no doubt that the old boy network is alive and kicking. There is no transparency in the appointment of non-executive directors.

The hon. Member for Bury St. Edmunds suggested that tightening up and improving the transparency of the appointment of non-executive directors and increasing the independence of the board of directors could affect the competitiveness of British industry. It could, however, have an opposite effect. If we improve the transparency and openness of the system of appointing non-executive directors and widen the pool of people who could be appointed, we might improve their quality and their input into the boards and companies that they represent.

Too many non-executive directors are on good little earners. They are on too many boards of directors and are unable to focus on the professional supervision that a company needs. The Government must ensure that effective steps are taken to widen the pool of non-executive directors. I should welcome the Financial Secretary's comments on how they intend to achieve that.

On auditing, the danger of conflict of interest has been clearly demonstrated by the development of a culture in which large accountancy firms carry out a wide range of consultancy functions in addition to auditing—it is bound to end in tears. The independence of the auditor is inevitably compromised if their accountancy firm earns substantial income by undertaking other work for their clients, because there is a risk that punches will be pulled. Apart from regulatory reform, market pressure has already had a dramatic effect. Inside the big four accountancy firms, marketing for new work for consultancy services has shifted away from the companies for which they carry out audits and has been directed at companies for which they do not provide audit services. However, we must recognise that that process needs to go further and should be enshrined in regulatory controls.

From their marketing shift, those companies have clearly recognised that it is no longer acceptable to continue in that way and that they could be destroyed, as happened to Arthur Andersen, by conflict of interest. That is encouraging, but they have not gone far enough. There needs to be an effective regulatory framework to stop a slippage back into the old ways.

Another encouraging trend, which is continuing at some pace, involves floating off the consultancy arms of accountancy firms. I favour enshrining a clear divide in regulation between audit work and other work. Lord Sharman, the former chairman of KPMG, made it clear that auditors are watchdogs:

> "they are supposed to be the ones who exemplify independence, objectivity and probity".

It cannot be right that those firms are touting for other business from the same company, which potentially compromises their position in their primary role as auditors.

On the rotation of audit firms, several expert analysts have highlighted the potential problems with the compulsory rotation of firms. For example, problems can often occur in the first year of a new appointment because the people involved are all new to a company and have no knowledge of its background. I am not sure whether the Government's recommendations go far enough. The Select Committee took the view that requiring the audit committee to look at possible rotation every five years was appropriate.

In its report, the Committee drew an analogy with the re-tendering exercise in public sector appointments. The old law firm in which I was a partner before my election to Parliament provided legal services to a number of local authorities. We had to be involved in a re-tendering exercise after a specified number of years. It focused the mind and improved performance, because one knew that the tendering had to be gone through again at the end of the contract period. Forcing the audit committee to consider re-tendering and whether it should change, rather than requiring it to change, seems a wholly sensible recommendation. The Treasury Committee made the point that it was presented with no evidence that re-tendering of public sector contracts caused a problem. We support the model proposed by the Committee.

[Norman Lamb]

The rotation of personnel involved in an audit has been tightened, as the Government made clear. The lead partner must now be rotated every five rather than every seven years. However, there is a risk of incestuous relationships going much further than just the lead partner; others can also do damage. The principle of rotation needs to apply to other partners and senior employees involved in the audit process. I am pleased with the Government's recommendation to prohibit for two years an auditor's being employed by a company that they have audited. The Government go further than the Committee, which I think recommended one year, so that is good news.

I have not dealt with the whole range of reforms dealt with in the report and envisaged by the Government. The agenda is substantial. We broadly welcome the deliberative approach that the Government have taken. It seems measured and avoids a knee-jerk reaction, but none the less it attaches to the subject the priority and importance that it deserves.

I welcome the suggestion by the Chairman of the Select Committee of pre-legislative scrutiny of the company law reform proposals. I hope that the Minister will confirm that she will want that when the proposals are introduced. Clearly, the Committee would perform a central role in any such scrutiny. It is important to modernise the regulatory framework to rebuild trust and confidence, to ensure openness and to drive up standards, while not undermining competitiveness.

4.22 pm

Mr. Howard Flight (Arundel and South Downs): I congratulate the Treasury Committee and its Chairman, the hon. Member for Dumbarton (Mr. McFall), on its report. I have read it in full and very little of it cannot be agreed with by a broad cross-section of hon. Members—and, indeed, of the nation as a whole. It was particularly important that the Committee recognised the changes and improvements that had been made to the accounting profession in the United Kingdom since the Maxwell scandal. The Committee also recognised that rules are not the answer—indeed, rules were very much the cause of the problems in the United States of America—and that principles are of acute importance.

The only territory where I express some dissent, and to which I have referred, is Sir David Tweedie's proposal about how to deal with the excessive use of share options in the US. There is no doubt that that occurred and was often quite ridiculous. Shares were given out like confetti. Students would suddenly find themselves worth $1 million because a high-tech company had boomed, and then it would disappear. Sir David Tweedie recommends in respect of all granting of options or shares at a discount to market value that that difference should be charged to the profit and loss account. That is undesirable as it will create great volatility in the profit and loss and a charge to it—in a cash sense, it is not a charge. When times are good in respect of options and discounts, there will be large charges, and when times are bad and options are out of the money, there will not be charges. That will provide a further complication in understanding accounts.

It has always been clear that shares at a discount dilute earnings per share, and as a shareholder I want to know what the earnings-per-share dilution is and what is the effect of the dilution of my equity. Just having a charge to the profit and loss will not tell me that. For starters, the most important thing is to require the fullest description of the earnings-per-share dilution impact in the notes to the accounts.

Secondly, Proshare is the main campaigner for widespread employee share schemes, which will be affected. As the Minister told the hon. Member for Dumbarton in a note, the only way around that will be for companies not to apply any discount to shares that they issue under widespread employee share schemes.

The big corporate problem is disappearing profitability. It is pretty likely, if companies are faced with this accounting problem, that the result will be a major contraction in broadly based employee share schemes. Indeed, that is precisely what Proshare found from its soundings of the FTSE 100 companies. It would be a mistake to think that this change to accounting standards, international and domestic, will not carry a very heavy price in terms of restricting, if not stopping, broadly based employee share schemes, and I think we all agree that their impact has been excellent. They improve productivity and bring communal effort to businesses. There are famous examples such as John Lewis, and measurements of company performance show that those with widespread employee share schemes have a significant impact: they outperform others by a factor of 40 per cent.

It would be a great economic loss to this country if the likely change in the accounting standard ended widely based employee share schemes, as I and many others, including Proshare and many Members of Parliament, fear will happen.

There was pretty widespread agreement with what was contained in the reports of the co-ordinating groups on accounting and auditing issues, and on 29 January, the Secretary of State for Trade and Industry announced a review of the regulatory structures for the accountancy profession. As others have said, the UK would undoubtedly benefit from a companies Bill to introduce the modern company law framework outlined in the company law review, and the sooner the better. It is a little disappointing that more progress has not been made in that respect.

The company law review contained two other important measures—the introduction of a mandatory operating and financial review to provide, in narrative form, an outline of the company's business strategy and the risks and opportunities inherent therein, and secondly, the removal of statutory provisions preventing auditors from limiting their liability, together with a proposal to establish an informal framework for liability capping.

Some hon. Members have suggested that the proposals to date do not go far enough. I think that they are measured and appropriate. If anything, the danger is going too far as a gut reaction to the problems that have occurred in the United States. No one wants to be complacent, but to date there have not been problems of the same magnitude on the accountancy front here.

The Select Committee report drew attention to the warnings that Sir Howard Davies, the head of the Financial Services Authority, has given about the impact of increasing European Union financial regulation, which appears not to have received the same consideration as was given to the Financial Services and Markets Act 2000, and which could be a major threat to what is left of the financial services industry in this country. The report particularly referred to the listing directive.

Let me now turn to Higgs. As others have pointed out, time has passed. Higgs represents the Government's response to further proposals on corporate governance. I felt that the hon. Members for Dumbarton and for Bexleyheath and Crayford (Mr. Beard) were somewhat unfair in attributing the reason for their criticisms of the CBI, the Institute of Directors and the overwhelming majority of chairmen purely to self-interest. I accept that what I have always called the great and the good of the 100 FTSE companies are too narrow a group of people and that they are often motivated to vote generous pay increases for each other. That is a perfectly fair point. I am concerned that Higgs may not necessarily address that.

The concerns that have been raised about Higgs are genuine, and the Government should listen to them before proceeding with implementation of the proposals. There have been three general complaints, which have largely been referred to by my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley). First, the report is misguided, in that the proposals could make boards less rather than more effective and could undermine the position of the chairman by reintroducing the senior independent director, whose powers seem to run parallel with, and compete with, what many would consider the proper role of an independent chairman.

Secondly, there is a view that the proposals are too prescriptive and rule-based. Although they are supposed to be voluntary, there is a probability that they will be institutionalised in code and that trying to explain why a company has not followed them will be seen as a not particularly pukka or proper position. At the least, there will be a very strong, if not regulatory, pressure to fit into the code.

The third general criticism is the lack of time for consultation before implementation. I do not know whether it is true, but I have heard that the Government are giving consideration to extending the consultation. I hope that the Financial Secretary will be able to confirm that.

There have also been specific criticisms. The first, which I think is fairly valid, is that while such an overly prescriptive regime may not be a huge burden for very large companies, there is the question of those that are not FTSE 100 companies. The regime is too expensive and is not particularly suitable for them. Where do they stand? I should initially have declared an interest, incidentally, in that I am a non-executive director of a company. It has decided to follow Higgs, although it is manifestly inappropriate for what is actually a small company. The decision was based on exactly the type of mentality to which I have referred. A good case can be made for the argument that the success of smaller businesses depends on powerful leadership.

Warren Buffet speaks with two voices because in his companies he pays little regard to the rest of the board and thrives on being able to dominate a weak board. His perspective as an investor in other companies reflects what he says, but that is not so in his practice, nor is it the reason for his considerable success, which has been the robust, individual, all-powerful leadership of a business. It is strange that even large boards will be controlled by non-executive directors. As with the other proposals, their ability to know and understand a large company is perhaps not as great as many may think.

Dr. Palmer: The hon. Member for Huntingdon (Mr. Djanogly) referred to Marconi, which operates in my constituency. I understand that its share price collapsed by 99 per cent. as a result of the current arrangements. Does he believe that the outcome would have been worse if it had been subject to challenge by independent non-executive directors?

Mr. Flight: I was a shareholder in Marconi and know the history well. I would say the reverse—a compliant board broadly agreed with unrealistic and over-ambitious schemes. The previous leader of the old GEC company—hon. Members will remember that he died not long after Marconi's collapse and was almost heartbroken about the demise of the business that he had built up over 30 years—had run that business with a rod of iron, taking little notice of the rest of his board. I would say that it was more of a Higgs board that led to the Marconi collapse than an old-fashioned type of business led by a strong character.

That leads to another major point. It is dangerous to lead the public to think that Higgs would be a solution for companies that are badly run and making bad decisions. It has been a great mistake to lead the public to believe that regulation means that they need not take responsibility for their own investment decisions, and there are dangers in theoretical panaceas to address problems that cannot be effective in practice.

I see no logic for suggesting that a chief executive cannot mature to become chairman. A company that I would have thought was greatly admired and liked by the Government—Unilever—has thrived on that principle for many years. It is useful and important that the chairman knows and understands such a large business, and I see no impropriety in principle in that. Indeed, there has often been a problem for companies when chairmen and chief executives have come in from outside without knowing the business and one has presided over the other making a mess of it.

I want to pose a question. What happens if a retiring chief executive becomes chairman of a rival company? It is a serious practical risk that if someone retires at 55 and knows an industry well but cannot naturally become chairman of his old company, he will be an attractive recruit to a rival company.

The suggestion that non-executive directors should serve only six years is a mistake. It may make sense for boards to be able to get rid of them, but that can be arranged contractually. Many non-executive directors will not have got to grips with a company for two or three years, and I do not see the logic of a six-year term.

Finally, I support the principle that the posts of chief executive and chairman should be split. That is a long-standing recommendation, but I note that the Competition Commission did not want to do it, and Sir Howard Davies of the FSA was determined not to do it. However, the Bank of England is set up so that the two roles are effectively combined in the governorship. The

[Mr. Flight]

public sector should follow the same rules, and I repeat that although I broadly support it, it does not always make sense, certainly for a small business, for the two rules to be combined. What are the Government's proposals for those other than FTSE companies? There have been suggestions that the costly and cumbersome structure would not apply to listed companies, but from a practical point of view, large FTSE companies could probably cope with it. That could be positively damaging for smaller companies.

My worry, and something that I have seen happen here and in other parts of the world, is that a board controlled by non-executives would end up going through the motions rather than running the business. The business would instead be run by an informal committee of the senior management, and the net effect of the proposals would be contrary to the intention. That results in what I call an unofficial running of the business, not a transparent system recorded in the minutes, and that is one of the biggest dangers. It is a practice that occurs a lot outside the United Kingdom, and it is a mistake to require a majority of non-executives because it tends to tip the balance that way.

Although the report is about public limited companies and the private sector, the highest standards of accounting and propriety in management should also exist in the public sector. The hon. Member for Bexleyheath and Crayford rightly referred to improper practices of off-balance-sheet financing that have taken place in the United States and, to some extent, here, and I draw the Chamber's attention to the continuing disagreement of principle between Sir John Bourn and the Chancellor.

Sir John Bourn is adamant that the Strategic Rail Authority and Network Rail, under accounting standard FRS 2, should be consolidated into Department for Transport accounts when we move to whole of Government accounting. The result will be, in the words of the National Audit Office, to blow out of the water the mythology that control rests with the business's directors. Sir John is clear that equity control rests with the Government, and each organisation should appear in the Red Book and national accounts with its debt as part of the public borrowings and public borrowing ratios. As hon. Members will have seen, he went as far as to say that he would not sign off the accounts unless that happened. We have the present nonsense that the Treasury has accepted that the SRA and Network Rail will be consolidated into whole of Government accounts, but not into the Department for Transport accounts, which is the key issue in whether the debt is included in the Red Book figure.

I urge the Chancellor to abide by the high standards of accountancy by which we are urging the private sector to abide, and to cut back on off-balance-sheet accounting. The Government have moved to consult not just two accountants, but, as the Minister will undoubtedly confirm, the Treasury is now in discussions with Allen and Overy, which is known to be the sharpest law firm in structuring private sector off-balance-sheet accounting. Let us not have one rule for the public sector and another for the private sector.

Mr. Beard: The situation, which we on the Treasury Committee looked into, is not exactly as the hon. Gentleman represents it. Sir John Bourn believes that the Railtrack debt should be a contingent liability. It should not therefore be added to normal Government debt, or be considered against the golden rule or national debt. That is quite different from off-balance-sheet accounting.

Mr. Flight: With the greatest of respect, I do not think that the hon. Member for Bexleyheath and Crayford is up to date. It is quite correct that, as far as this year's accounts are concerned, Sir John Bourn has ruled that, as non-departmental public bodies are not consolidated, Network Rail should be consolidated into the Strategic Rail Authority, although there is no need to consolidate the SRA into the Department for Transport's accounts. The Department should have full notes of the contingent liability. That is the position for this year.

However, when we move to the whole of Government accounts—I confirmed the details with the National Audit Office just two days ago—the position changes. The rule then is that non-departmental public bodies should, in principle, be consolidated, particularly if they meet the FRS 2 test. That test is about equity control in relation to subsidiaries. On that basis, Sir John Bourn has made it quite clear that the debt should be consolidated into the Department for Transport's accounts. As he pointed out, if that is so, the ruling of FRS 2 is that the Government have equity control. That blows out of the window the mythology that the Government do not have that control and that it rests with the directors.

It is on the basis of that mythology that the national statistician has sought to argue that, for EUROSTAT purposes, the liability does not have to be included in the Red Book borrowings. We are dealing with obscure but classic examples of the sort of clever stuff that people have got up to with off-balance-sheet accounting in the private sector.

Dr. Palmer: Is the hon. Gentleman aware that his simulacrum—it could not possibly have been him—said earlier that the off-balance-sheet accounting of share options was quite satisfactorily covered by a note in the accounts? That speaker did not think that it was important to include it in the balance sheet.

Mr. Flight: I am surprised that a Member of Parliament of the hon. Gentleman's intelligence should not have heard what I said. My point was that dealing with the issuing of shares or options for discount in the profit and loss account creates a false profit figure, because profits go up and down inversely to share prices. That is unhelpful to a general shareholder because it distorts the profit record. What a shareholder needs to know, resulting from option schemes and even employee-wide share schemes, is how much his shareholding will be diluted if that option is exercised and when the general employees take up their share options. The task of explaining and setting out the dilution factor requires some space; indeed, that explanation can only be set out as a note to the accounts. That is a pretty straightforward common-sense issue, and the matter is entirely different from the accounting principles, for which Sir John Bourn is responsible, that apply to how public sector bodies' debts should be treated within the national accounts.

4.48 pm

The Financial Secretary to the Treasury (Ruth Kelly): I start by congratulating the Treasury Select Committee on its report, and its Chairman, my hon. Friend the Member for Dumbarton (Mr. McFall), on the way he which he introduced this important debate—and, indeed, on securing it. He asked whether we would stand firm on our proposals, and I assure hon. Members that we will. There is no room for complacency on this issue.

I certainly take issue with the comments of the hon. Member for Huntingdon (Mr. Djanogly), which I thought were extraordinary. The United Kingdom must remain at the forefront of international best practice in auditing and accounting standards and corporate governance. Indeed, our commitment to those issues is widely recognised internationally. It is also widely seen as one of the strengths of the United Kingdom system—one that enhances the efficiency of capital markets.

I welcome the commitment that my hon. Friend the Member for Bexleyheath and Crayford (Mr. Beard) and the hon. Member for North Norfolk (Norman Lamb) have shown on this issue. We must give it priority, which is why my right hon. Friends the Chancellor of the Exchequer and the Secretary of State for Trade and Industry set up the co-ordinating group on audit and accounting issues, which I chaired with the Under-Secretary of State for Trade and Industry, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson), who has responsibility for competition, consumers and markets. Our final report was published on 29 January, and we had valuable input from a wide range of sources, including the Treasury Committee report on the financial regulation of plcs.

Good systems of financial reporting and audit regulation are vital to underpinning confidence in the efficient and effective operation of capital markets. Establishing those conditions requires us to have timely, true and fair financial reporting, underpinned by high accounting and audit standards; effective arrangements for the enforcement of those standards; the independent audit of financial statements; effective corporate governance arrangements; and independent and transparent regulation of the accountancy profession.

As the hon. Member for Arundel and South Downs (Mr. Flight) noted, standards and regulation, although important, can never be a complete defence against individuals who are determined to do wrong. Nor can they wholly protect us against a culture of corporate greed and loose ethics. A zero-failure regime is not a desirable option, but we owe it to savers, investors, employees and all the honest business people whose reputations have been tarnished by these scandals to ensure that our defences are as robust as they can sensibly be.

The package of reforms announced on 29 January will raise standards of corporate governance for listed companies, strengthen our accountancy and audit professions and provide for a more effective system to regulate the profession. Taken together, those reforms are comprehensive and mutually reinforcing. The package is tough where it must be, but measured and proportionate throughout. We have sought to achieve better regulation, not just more regulation. Our approach will ensure that our corporate governance structures remain among the best in the world, and that must be in the interests of the millions of pensioners, savers and businesses that depend on them.

Let me turn now to some of the specific points that were raised. I should probably start with the Higgs report, because that is where the interest of most hon. Members seemed to lie. The first line of responsibility for ensuring honesty and probity must rest with companies and their boards of directors. In the light of the report's proposals on the role and effectiveness of non-executive directors, the combined code on corporate governance will be strengthened to provide that at least half the board, including the chairman, should be independent. Similarly, all the members of the audit and remuneration committees, and a majority of the nomination committee, should be independent. Furthermore, the definition of an independent director should be strengthened and clarified, the separation of the roles of chairman and chief executive should be reinforced, and new descriptions should be given to the roles of the board, the chairman and non-executives.

Derek Higgs's report also contains proposals to improve the way in which top-level appointments are handled. They should promote meritocracy through an open, fair and rigorous appointments process, rather than encourage appointment through personal contacts and friendships. As part of the follow-up, a group led by Laura Tyson of the London business school will study ways of bringing candidates from the non-commercial sector to greater prominence. It will report to my right hon. Friend the Secretary of State for Trade and Industry in May.

There has been a good deal of comment about the Higgs proposals. The Financial Reporting Council is currently consulting on revisions to the combined code. It has stated that the consultation is intended not to reopen debate about the substance of the recommended changes but to get the detail right and to examine the best way of implementing the changes.

I note the comments of the hon. Members for Bury St. Edmunds (Mr. Ruffley) and for Arundel and South Downs about the consultation process, but I urge Members to remember that Derek Higgs consulted extensively. He undertook a great many interviews and a great deal of research, all of which has been published on the web. He sounded out the main representative organisations, including the CBI, about his proposals. His recommendations on the combined code are not drawn out of thin air.

I am confident that the Financial Reporting Council will still consider all responses received from business, investors and others, but the issues should be considered carefully rather than through megaphone diplomacy. That is exactly what the FRC will do. The consultation runs through until mid-April and the FRC, as an independent body, is fully responsible for that consultation.

I completely agree with the comments of my hon. Friend the Member for Dumbarton, the Chairman of the Treasury Committee, who said that the proposals represent the opportunity to change voluntarily. The Higgs proposals are intended to be a statement of best practice, based on the principle of comply or explain. They are not rigid rules. Indeed, they are specifically designed to leave room for judgment, and we believe

[Ruth Kelly]

that such judgment is best exercised by shareholders. In laying out his approach, he has deliberately avoided the rule-based approach of the United States. I believe that that is a great merit of our current system, and one that will continue. We may not have seen an Enron in the United Kingdom, but we have not been immune to numerous home-grown cases of corporate scandal or destruction either. There is no ground for complacency in that regard.

Certain myths have sprung up in relation to the Higgs proposals. One is that somehow the role of senior non-executive director is a new role, but that is not the case at all. The role of senior non-executive director is embedded in the current combined code. It works very well already in many large companies. The intention of the proposals is not to undermine in any way the spirit of a unitary board. The role of chairman rightly remains central, both in managing the board and in the relations with shareholders. Derek Higgs's proposals would complement that role with better communication to the non-executive directors of shareholder views. That opinion was forcefully expressed by shareholders to the Government, and to Derek Higgs when he carried out his review.

The hon. Member for Arundel and South Downs asked how the proposals should apply to smaller companies. In his review, Derek Higgs specifically considered whether there should be a difference in best practice rules between large and small companies. The view that came loud and clear from small companies was that they did not wish that to be the case. They did not wish to be considered in any way as having a second-tier system of corporate governance.

All publicly listed companies have responsibilities to their shareholders. As a matter of principle, Higgs was wary of promoting different sets of standards. That does not mean that he assumed that in all cases all principles would necessarily be appropriate. In fact, he specifically recognised that many small companies may wish to explain rather than to comply. There are no deadlines for the implementation of his proposals; it is up to the individual company to explain to its shareholders the principles that it decides to follow. That comment was reflected in the debate on Higgs that took place after the statement by my right hon. Friend the Secretary of State for Trade and Industry earlier this year. She said:

> "Let me stress and develop . . . the need to avoid one size fits all."

She explained that the proposals did not apply to alternative investment market listed companies. She added that

> "the circumstances of companies, especially smaller companies, that fall within the scope of the combined code will be different. It is important for the FRC to reflect that in the wording of the revised code and explain why we rely on comply or explain."—[*Official Report*, 29 January 2003; Vol. 398, c. 887.]

The report of the co-ordinating group on auditing and accounting emphasised the importance of the audit committee in overseeing the financial reporting of the audit processes of listed companies. We believe that effective audit committees are central to restoring confidence in capital markets and that their role and membership need to be strengthened. In that respect, we welcome the work of the FRC group, chaired by Sir Robert Smith. The group has developed the existing combined code guidance for audit committees.

The Financial Reporting Council's proposed revisions to the combined code will also implement the recommendations of the Smith group that the audit committee should consist of entirely independent members, at least one of which should have relevant financial experience, monitor the auditor's performance, especially on independence and objectivity, and develop and implement policy on the purchase of non-audit services from the auditor, with reference to tough new ethical guidance. Following well established practice, listed companies will be required either to comply with those provisions or to explain to their shareholders why they are not doing so. The comply or explain approach is one of the great strengths of the UK system.

A second major aspect of the reforms concerns tougher measures to underpin auditor independence. Following the recommendations of the co-ordinating group, the Government have announced that, as well as an enhanced role for audit committees and a tightening of the provision of non-audit services by auditors, the professional bodies have already changed their regulations so that the lead audit partner must be rotated within five years, and partners and senior employees of audit firms will not be able to take up employment with the company that they audit within two years of leaving the audit firm.

Norman Lamb: Will the Minister respond specifically to the Treasury Committee's recommendation relating to a compulsory re-tendering exercise—not a requirement to change audit firms, but to examine the possibility? The Minister said that a change every five years for the lead audit partner would be required, but what about the others? I note that the final report of the co-ordinating group refers to change for other key audit partners every seven years. Is that still part of the Government's recommendations?

Ruth Kelly: Yes. We will consider those issues further as these proposals are developed. The issue of mandatory rotation is raised time and again. It was considered in great depth by the co-ordinating group, which concluded that the balance of advantage was against such a mandatory requirement. That is partly because we accepted the view that there were sensible and workable alternatives and that mandatory rotation itself had not been proven as an effective way of ensuring auditor independence.

Indeed, the key elements of the package of measures that we announced as an alternative to mandatory rotation include an enhanced role for the audit committee in the appointment and oversight of the relationship between the company and its auditor, the audit partner rotation requirements, greater transparency by audit firms, and a greater emphasis on independence when monitoring auditors with long-standing relationships with client companies.

The co-ordinating group also considered the Treasury Committee's proposal to set a precise periodic requirement for audit committees to consider the relationship, and decided that that would cut across the enhanced role for the audit committee envisaged by the report. The proposal was influenced by the fact that the enhanced role and the role for judgment should be made as coherent as possible throughout the report. That would provide the effective check that the hon. Gentleman is seeking.

The Chairman of the Treasury Committee, my hon. Friend the Member for Dumbarton, also asked why we were not referring auditors to the Competition Commission. The co-ordinating group also examined that matter. Indeed, the Office of Fair Trading considered the question in detail and announced in November that it did not consider there to be a case for referral. Although the market was dominated by four large companies, it did not show evidence of being uncompetitive. The Office of Fair Trading concluded that it should keep the market under review, particularly in light of Andersen's demise.

My hon. Friend also raised the importance of streamlining the regulation of the accountancy profession. Following a DTI review of regulation, the whole package of measures will be underpinned by a much more streamlined process and a better structure for regulating the accountancy profession. The FRC will assume the functions of the Accountancy Foundation, creating a unified independent UK regulator with three clear roles: setting accounting and auditing standards; proactively enforcing and monitoring them; and overseeing the self-regulatory professional bodies. All those steps will be taken forward alongside the Government's long-standing programme of company law reform.

I could not fail to note the interest in the publication of a Bill for pre-legislative scrutiny. The Government fully accept that such a Bill would benefit from pre-legislative scrutiny. The Government have shown evidence of their commitment to consultation with the publication of 225 draft clauses, but ultimately—I shall inject a caveat here—the decision depends on the parliamentary timetable, the views of the Select Committee on Trade and Industry, and the evidence given to it during the company law review by the Department of Trade and Industry. However, we accept that a Bill on this issue would benefit from a pre-legislative process.

In conclusion, the debate has been valuable and well informed. Members are right to take a close interest in accounting, auditing and corporate governance. I congratulate the Treasury Select Committee on being the first off the mark in considering in depth the issues contained in its report. It is absolutely right that we should give those issues our full attention. The approach that the Government have taken will ensure that our corporate governance structures remain among the best in the world, and that must be in the interests of the millions of pensioners, savers and businesses that depend on them.

Question put and agreed to.

Adjourned accordingly at seven minutes past Five o'clock.

Westminster Hall

Tuesday 18 March 2003

[MR. JOHN MCWILLIAM *in the Chair*]

Serbia and Montenegro

Motion made, and Question proposed, That the sitting be now adjourned.—*[Joan Ryan.]*

9.30 am

Mr. John Randall (Uxbridge): It is a great privilege to raise this issue. The debate is timely in many respects, although it is overshadowed by another conflict that will be looming imminently. NATO started bombing Yugoslavia four years ago. Sadly, the debate is also timely because the Prime Minister of Serbia, Mr. Djindjic, was assassinated last week, an action that I am sure all hon. Members regard as a retrograde step for the country, as well as a personal tragedy.

I am pleased to introduce the debate, given that the hon. Member for Halifax (Mrs. Mahon) and I recently went on a private visit to Serbia. I also visited Montenegro briefly. I want to return to those events of four years ago. Although we must discuss the current position in the country now known as Serbia and Montenegro, which, until a few weeks ago, was known as Yugoslavia, we should bear in mind some lessons for not only that country but the current conflict. Perhaps we should have been warned, when it was decided that military action could be embarked on without the sanctions of the United Nations and a resolution, that that might set a precedent for further events. Tragically, that precedent has been used and we are in the position that we are in today.

It is sad that many people who are now vociferously opposing military action against Iraq were silent at the time of the problems in Yugoslavia. It is strange that some parties that were among the most hawkish of parties advocating bombing Yugoslavia are now the most dovelike. I have great problems concerning the current action against Iraq, but even I can say that there is much more of a case to answer in respect of Iraq than there ever was against Serbia four years ago.

There will be a small gathering of people in Whitehall on Sunday to note the passing of another year since that bombing, and to remember when once again this country, with its NATO allies, attacked a sovereign country that had not threatened us or British interests. Although the importance of history in the Balkans is vital, I shall not dwell too much on its past history. Suffice it to say that Serbia and Montenegro is a linchpin in the future of the Balkan region. The need for it to be a stable and democratic country, playing a major part in the European community—with a small 'c'—and among European countries generally, is indisputable.

When, on 5 October a few years ago, Milosevic was ousted from power, we all rejoiced. Some people claimed credit for that, although perhaps they should not have done, as it was the result of a popular movement and was made possible by the people, not outside powers. As always happens in such cases, the hopes of the country were riding high. It had been told by western powers that the removal of Milosevic would lead to democracy, freedom and, above all, prosperity for the country. Sadly, it was quickly let down, and by those very powers that had demanded Milosevic's removal.

Advances have been made, although the assassination of Mr. Djindjic has set things back greatly. Unfortunately, although law and order is present, there is a great deal of underworld activity, and the black market rules. I am not sure that the laws of the country are always put into practice as we would expect and hope them to be. We found on our visit that Mr. Djindjic was not, by any means, the most popular of politicians. There was a certain democratic deficit in his being in power. The main reason why many in Serbia feel let down is that they gave a lot, in terms of trying to agree to all the conditions imposed on them, and yet it seems that they cannot advance. Worse still, when they fulfilled the majority of those conditions, new ones were imposed.

In my opinion, the country is at a difficult stage. Our attention is naturally focused on the middle east, but we should ensure that we keep a close eye on developments in the Balkans, because others may decide that the time to move is when our attention is drawn away. The country has a huge economic problem, and unemployment is tragically high. One of the problems that we saw at first hand—in my case for the first time—and that moved me greatly was that of refugees and internally displaced persons, whom we visited. The difference between the two categories is that although all are from the former Yugoslavia, some of those people had fled from Croatia or Bosnia, which are independent countries, and so are refugees. The internally displaced people are those from Kosovo, and are mainly Serbs, but also include Roma and other ethnic minorities.

That visit moved me because I saw the forgotten story and the forgotten people of Europe. More than 750,000 people, by conservative estimates, have been placed in that country, which is itself struggling with its economy. Those people stay in conditions that would, if we saw them on our television screens, perhaps move us to act more. The Government have a great problem: some of the Kosovan people that we saw in Kraljevo, which is not far from the demarcation between Serbia and Kosovo, want to return. Nevertheless, Kosovo is, by international recognition, a part of Serbia and Montenegro. If the Government try to settle those people, which would be the humanitarian thing to do, notwithstanding the fact that they need assistance, that would give the lie to the fact that they would never return to Kosovo and it would mean that they would be giving up Kosovo as part of their territory. They are caught in a difficult position.

The trouble is that those conditions will cause unrest and I fear that, in the current political situation, that might become more than unrest. As we know, sadly, the people in those areas have always had great pride in their country. That pride has spilled over into unacceptable nationalism, but it is also part of their make-up and it does not mean that everyone is a rabid nationalist. To such people, Kosovo is at the heart of Serbia and it would be impossible for them even to think of giving up that territory. There is trouble ahead.

[Mr. John Randall]

Kosovo itself is not quite the picture about which we would like to be told. In debates about current military action, the action against Yugoslavia is hailed as one of the great successes. I want to know why—perhaps the Minister, who previously had a job in the Home Office, can tell me—there are so many Kosovan Albanians who come to my surgery, having had their asylum claims rejected, and who do not want to go back to Kosovo. They would rather go to Albania, because Kosovo is such a hell-hole. Perhaps those people were Albanian, not Kosovan. It seems strange that a country, or an area, that we claim is sorted out is, in fact, far from it.

The Minister for Europe apologised beforehand for not attending the debate—he has other duties, in Brussels. During Foreign Office questions, his answer to my question on the refugees indicated that perhaps he did not have his finger on exactly what was going on inside the region. Even the current country of Serbia-Montegro is something that was by and large suggested to that country by others outside. That leads me to a plea to our Government and all western Governments. We should stop treating some of these countries like 19th century central Asian sultanates, over which the great powers argue, trying to vie with each other for influence. The countries concerned are in Europe and the people and politicians are getting a little bit fed up with being told what to do.

Conditions follow conditions. We need to encourage the process of democracy—and there is democracy in Serbia. After all, Milosevic was ousted because he called an election, lost it and would not accept the result. He thought that he could win that election. To encourage the process, we must look to our laurels to see what we can do to help.

Serbo-Croat may sound strangely amusing to hon. Members. It used to crop up in comedy programmes as an obscure subject to study. Many hon. Members will know that I studied it at university. Perhaps I rather enjoy doing obscure things, which is why I became a Conservative Whip. I chose to study Serbo-Croat because, 20 or 30 years ago, although Yugoslavia was ruled by a dictator—who was not pleasant, but not in the premier league in the present scheme of things—it was at the forefront of trying to develop western influences. It was a nice place to be. That is why it is so sad that Yugoslavia has not had the same opportunity to move forward as the rest of Europe.

I return to the things that can be done. We should be doing more to encourage trading links. Unfortunately, the assassination of Mr. Djindjic has once again created an image of Serbia as a place where gangsters rule and bodyguards are everywhere. That is sad because it is not entirely true. There are many opportunities for British firms to invest, especially in Montenegro. Many people, including many hon. Members, will have enjoyed pleasant holidays on the Adriatic coast in earlier years. The coast in Montenegro is one of the most beautiful in the world. As a result of sanctions and isolation, the coast is largely unspoilt and there are many opportunities for tourism. I hope that, with encouragement from Government Departments, British companies will look seriously for those opportunities. The one thing that will really improve relations between our countries and change the popular image that many people have of Serbia is for people to visit the country.

Mrs. Alice Mahon (Halifax): During our visit, the hon. Gentleman—I shall, if I may, refer to him as my hon. Friend—and I visited a camp in the most beautiful little town in the midst of a wonderful sculpture park. The arts are still thriving in Serbia. Does my hon. Friend agree that the Serbs have much culture and art to offer that is being overlooked?

Mr. Randall: I do of course agree with the hon. Lady, whom I shall refer to as my hon. Friend. Serbia has a great deal to offer, including many skills. My hon. Friend may wish to expand on the fact that we also visited spas where we saw the great skills of Yugoslavian and Serbian doctors and nurses, especially in physiotherapy. We are lamentably short of such skills in this country. Imaginative work by representatives of the national health service, or, dare I say it, private medicine might achieve a useful exercise in helping to improve facilities there while helping us to reduce our waiting lists.

As my hon. Friend said, we should look at other cultural links, ranging from highbrow arts to things that my children know more about than me, such as pop music—although I think we are supposed to call it rock music nowadays. I have been moaning on for a bit, but I wish to pay tribute to the British Council. It has been working hard in Belgrade and Podgorica. It has an imaginative scheme that can be applied not only in Serbia and Montenegro but throughout the world. It is called Dreams and Teams, and it encourages young people to acquire leadership skills and other attributes through sport. There is a good link-up between the British Council and the Red Star Belgrade football team.

I could continue talking and bore for the party on this subject, but other hon. Members are present and we want to have a discussion about the matter as we rarely get an opportunity to do so. It is time for us to think seriously about how we can encourage the region—which includes not only Serbia and Montenegro but Macedonia as it is different but has similar problems. We have ignored the situation in the region. I understand some of the points that the Minister will undoubtedly make, but we must give encouragement to the region too. We have given it the stick for too long—although it might be a verbal stick on this occasion, in contrast to what happened four years ago. It is time to get the carrots out. We must do something positive to help the region, not as victors but as friends—which is what we have always been.

9.52 am

Mrs. Alice Mahon (Halifax): I want to start by expressing my sympathies to the family and colleagues of the murdered Prime Minister, Zoran Djindjic. His assassination was an appalling act that will do nothing to advance the cause of the people of Yugoslavia.

As my hon. Friend the Member for Uxbridge (Mr. Randall) said, he and I recently visited Serbia. We went there as officers of the all-party group on Serbia and Montenegro—I think that that is what we now must call the area—to see for ourselves the problems that the country is facing and to talk to as many people as possible about them. In September 2002, I also visited Kosovo for the fifth time with the NATO Parliamentary Assembly.

During our visit in February, we met representatives of all the major parties. We did not meet the Prime Minister as he was abroad, but we met his No. 2. We also met people from non-governmental organisations, Government officials and trade unionists. I wish to put on the record my thanks to our fellow parliamentarians, led by Liliana Colic, who showed us wonderful hospitality and worked very hard to ensure that our visit was fruitful.

We arrived shortly after the change was made to the constitution that replaced the name Yugoslavia with the Republic of Serbia and Montenegro. There was huge resentment across the board about that. Speaker after speaker told us that it was a temporary arrangement and that it had been invented by the United States and the EU to delay the secession of Montenegro. The west has interfered in and bombed Yugoslavia but it has not yet made up its mind about what to do to finish off the country: it is currently more occupied with bombing yet another part of the world. What I found most shocking about that major constitutional change was the fact that there was no referendum; the people were not asked about it. I think that most people feel deep bitterness about that.

Mr. Randall: Does my hon. Friend agree that there is a chance that there was no referendum because they knew what the result would be?

Mrs. Mahon: That is more than likely. All parties have a deep attachment to the name of Yugoslavia.

The dangers of further destabilisation in Yugoslavia are plain for all to see. The west does not want the secession of Montenegro because Kosovo would follow. Kosovo would, in my view, be swallowed up into a greater Albania if it became independent. That would have destabilising effects in Macedonia, where ethnic Albanians are seeking to redraw maps. The Greeks are understandably very nervous about that.

Last year, I visited Montenegro with a friend on the NATO Parliamentary Assembly and my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham). We talked with an Albanian MP who supported the bid to separate Montenegro from Yugoslavia. When I said, "Well, being a Montenegrin is okay, but this is a balkanisation process in which you might be better off sticking with a big country," he said that he did not want to be a Montenegrin; he would be an Albanian always. He made no bones about the fact that a greater Albania was his dream. We have to be very careful about what is going on in Montenegro. The west cannot simply walk away from the issue, as it appears to be doing.

In the present crisis, we are being told over and over what a success story Kosovo is, and that the liberation of Kosovo was worth it. Hon. Members in this Room have different opinions, and I will not go into the history, because we have different views on that. However, I must say that Kosovo is not, at the moment, a success story. It is under the protection of the United Nations Interim Administration Mission in Kosovo, which has some 30,000 or 40,000 troops and so many aid agencies that one almost trips over them. In fact, they seem to provide the only employment in Kosovo now.

Kosovo has become an almost mono-ethnic state. We visited the tiny enclaves. We went to Mitrovica in September and talked to people, and to the army. It is always interesting to do that, because one always gets the truth from servicemen and women; they do not have a political axe to grind. In spite of all the real efforts—some really good people are working there; I would not like to dismiss them—the Government of Ibrahim Rogova is not really able to rule because the Kosovo Liberation Army is still in charge. It is, in effect, a mafia-run state. People staying in the Grand hotel, Pristina could pay only in cash—in dollars or marks. I have met Mr. Rogova a number of times and admire him greatly; I wish that there were far more people like him in that part of the world. However, the truth is that he is powerless. Some of his colleagues have been killed by the mafia, and the mafia state carries on.

Even with all the troops in Kosovo, some 1,300 Serbs, Roma, Ashkali and people from other minorities are still missing. More than 1,000 have been killed since NATO liberated Kosovo. Nearly 300,000 have been subject—permanently, it seems to me—to ethnic cleansing. That, our Prime Minister tells us day after day, is a success story. God help us if that pattern should be repeated in Iraq.

My hon. Friend the Member for Uxbridge and I visited the camps, many of which I had visited before. I do not think that I have ever felt more depressed than when we visited the Kosovo refugees. They are about 50 miles from home. It is ironic that one camp that we visited is in a beautiful setting; I mentioned the sculpture park and the mountain in the background. It is a lovely place, but the conditions are a disgrace, and it is a disgrace that we can allow them in the middle of Europe. The people there want to go home. They are mainly not sophisticated people from Sarajevo or Croatia but rural people who have, for centuries, farmed in Kosovo. That is where their cultural background and churches are. I have been to camps all over the world and it was one of the saddest visits that I have made. Eyes look up hopefully when people visit. Children are born in those camps. The real disgrace was the attitude of UNMIK to the returnees—less than 1 per cent. have returned.

We talked to politicians in Belgrade and to the head of the returnee programme. The high representative, Michael Steiner, refuses to implement plans to take 50 or 100 people back to their empty villages and to protect them there. The policy seems to be—I hope that the Minister will take this on board—that if one or two people want to return and their Albanian neighbours do not mind, they may go back. In effect, the Albanian neighbours have a veto. We supposedly went to war to stop ethnic cleansing, but we have presided over the biggest permanent ethnic cleansing in the Balkans, which is an absolute disgrace.

A 75-year-old lady in Mitrovica, Vero Stalantovic, had to go into hospital. While she was away, some Albanians looted her home and the final straw was that they took everything, so she is unable to return home. If 40,000 troops cannot protect one elderly lady in Kosovo, that is a symptom of terrible failure.

[Mrs. Mahon]

We talked at great length to politicians about the international war crimes tribunal at The Hague and we talked to people who had helped to depose Milosevic. They were not Milosevic lovers, but belonged to the assassinated Prime Minister's party. Our host, Liliana Colic, was a member and had spent years opposing Milosevic. Everyone expressed their dismay at Carla del Ponte's attitude to Serbs and her lack of interest in going after other world criminals from other ethnic groups. They all said that they were fed up with the threatened withdrawal of aid if they did not deliver this or that war criminal. One exasperated Minister said, "If I knew where the war criminal was, I would personally go and get him, but I do not know and we might lose $100,000 in aid by the end of March if we do not deliver." That attitude is breeding bitterness and we shall reap the whirlwind.

Unemployment, as my hon. Friend said, is appalling. Organised crime in Kosovo and links with terrorist organisations are all very frightening.

Reconstruction in Yugoslavia has been a dismal failure. The bridges across the Danube have still not been rebuilt. There is some reconstruction, but it is very little and not enough. My firm belief is that a truth and reconciliation commission should have been set up on the Balkans. That was hugely successful in South Africa. As my hon. Friend said, politicians from some European countries act like victors storming in and laying down conditions. We are creating an undercurrent of bitterness, such as that in Germany during the 1930s because of reparations, and a feeling of injustice. We are pushing people into extremist camps.

I agree with my hon. Friend about trading links because it is vital to reintroduce them. We were impressed by the spas—it seemed that there was a physiotherapist for every patient—and by the continuing high level of training for health service workers. Were I to suffer from, for example, a stroke, I hope that the national health service would send me there. I imagine that I would recover well at one of those spas.

Culturally, we have much in common with Yugoslavia. Cultural exchanges and sports competitions have taken place, and we share a sense of humour with its people. I hope that people start holding out the hand of friendship and that they stop the bullying and stop strutting the European stage as victors, because that is helping no one and is destabilising Yugoslavia still further.

10.5 am

Mr. Andrew Tyrie (Chichester): I congratulate my hon. Friend the Member for Uxbridge (Mr. Randall) on securing the debate and on his very informed contribution. He probably knows more about the region than almost anyone in the House of Commons. I have had many interesting conversations with him about the Balkans, which is an area that I dealt with when I worked for the European Bank for Reconstruction and Development.

As a preamble, I wish to say that for many years the west's foreign policy in the region left a great deal to be desired, contrary to the rewriting of history in which the Foreign Office Ministers of successive Governments have engaged. The United Kingdom and the west should have intervened very early at the time of the break-up of Yugoslavia. Western policy in the last days of Margaret Thatcher was to prop up the then Yugoslavia because its collapse would signal the collapse of the Soviet Union, and Margaret Thatcher's policy was to hang on to Gorbachev at any cost. As Kissinger later said, it is always a great mistake to try to build foreign policy around the retention of a single individual. So it proved, because both Gorbachev and the Soviet Union fell shortly afterwards.

The right policy in that instance was that of the Germans, who said that it was vital that Yugoslavia be allowed to collapse and that we were prepared to respect the integrity of those parts of Yugoslavia that were trying to pull away from Serbia, particularly Slovenia and Croatia. It was absolutely clear very early on, after the assaults by Serbia on Vukovar in eastern Krajina, that the retention of an integrated Yugoslavia was unsustainable, but the west did nothing. That was a grave policy error. Early intervention might have avoided much of the terrible suffering that has since been experienced in the Balkans.

We failed to intervene early enough in Bosnia. We eventually arrived at a better policy, but we were very late. As a result of those two failures, we drew the wrong conclusions about what was happening in Kosovo. We decided to get in early because we had failed to intervene early enough in the two earlier cases. We made a great mistake by intervening in Kosovo. I do not agree with the prevailing human rights-dominated view that we did some moral service to the region. Instead, we inflamed the suffering in Kosovo.

A large part of the policy on Kosovo was driven by an early form of regime change pursued by Madeleine Albright. Rubin, her adviser, said that at a meeting she banged on the table and asked whether she had made it clear enough that her No. 1 priority was that Milosevic had to go before she left her job. That was how foreign policy was conducted in the United States at that time.

I supported the Afghanistan invasion. It was absolutely right to go in and break up al-Qaeda. However, the issue of what was to be done afterwards was the same. The Prime Minister said that we must not walk away from Afghanistan, but we have. There are only 300 troops in Kabul. Most of the rest of Afghanistan is controlled by warlords who are scarcely better than the Taliban, which we ousted. Of course it was right to intervene. We had to, because there were terrorist cells there that had to be broken up, but we have not cut a very good figure in the reconstruction effort.

That brings me to the question of how to reconstruct Serbia. At the absolute heart of that reconstruction must be an attempt to win over ordinary, middle-of-the-road Serbian opinion. Without that, we will not manage the reconstruction effort. Anything that we do will be a failure. Although we like to try to minimise this and Ministers, if I may say so, have on occasion seemed to imply that it was some sort of liberation, the people of Serbia, especially Belgrade, were shocked that the west engaged in a series of bombing attacks on them. They do not see that as an attack on Milosevic, as we said in public, but an attack on them, their values and their way of life.

Mrs. Mahon: The hon. Gentleman will know that I visited Yugoslavia during the bombing. One small town, Cuprija, which was bombed by mistake—fortunately, only one person was killed—was almost totally opposed to Milosevic. It had an Opposition mayor, and every person that I met said, "He got a handful of votes here. Why are you bombing us?" That was the message from that town.

Mr. Tyrie: That point makes in microcosm the point that I am making in general. The hon. Lady speaks with the benefit of having been to the region recently and had such discussions.

We are now engaged in another form of alienation: the persistent attempt to impose heavy conditionality on the provision of development assistance. That will only breed a sense of mistrust between the Serbian population and the west. In particular, the linkage of development assistance to the extradition of alleged war criminals to The Hague is sending completely the wrong signal to the wider population. It looks to them almost like a form of imperialism, and the imposition by force—or by a very muscular diplomacy—of a western way of doing things. The west gets its conscience-salving display of defendants for trial, but the people of Serbia get the message that they are being pushed around by the west in general and by Washington in particular.

We need to take a much longer, broader view of our relationship with Serbia.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mike O'Brien): Will the hon. Gentleman clarify his position? I am not entirely sure what it is. Is he suggesting that the alleged war criminals should not be returned, or is the issue that concerns him the link between aid and their return? Does he feel that they should be returned but that aid should not be linked to that? In that case, how would he propose to provide encouragement? It would be very difficult then to return some of those war criminals, who have, in certain ways, some popular support.

Mr. Tyrie: There are a number of alleged terrorists in Britain at the moment, one of whom, in particular, the French want to interview. We are refusing to send him over because we are concerned about the treatment that he may receive and we are not convinced that the evidence is strong enough to require his extradition to France. We are doing that because we think that our judicial system is robust enough to form such judgments. However, we are now saying to Serbia—a new democracy, proud of its new institutions—that it is not capable of dealing with such issues itself. The truth is that the overwhelming majority of the Serbian population want to bring those people to trial and see the issues resolved. They want to do that, however, in their own way and in their own time, using their own institutions. That must be the best way to strengthen those institutions in the medium term. We are making a crass mistake by trying to impose on those people our western values and our rather narrow idea of exactly how that judicial process should take place.

My answer to the Minister is: take a broader view. Do not rely on that very narrow reciprocity to try to achieve what we all eventually want to see—those who have perpetrated terrible offences brought to trial. The first thing that we need to do is to win over the Serbian population, but there are two or three other things that we need to have in mind. We need to bear in mind the symbolic importance of membership of the EU to the Serbian leadership. Whatever the costs and benefits of the EU to Britain, they pale into insignificance compared with the benefits to the fledgling democracies of eastern Europe, for whom membership of the EU is the hallmark of re-entry into the family of western nations. We should be holding out a much more direct pathway to EU membership to Serbia. That is also true of Croatia. If anything, we should be trying to create some sort of competition and a sense of encouragement that the door is open and that both countries may achieve membership of the EU.

Another crucial factor is that we must give Serbia the impression that it can start to play a role in assisting with the stability of the whole region. Far from being a problem, a new democracy can be part of the solution. We have not done remotely enough about that. I have heard scarcely a word about the long-term prospects of Serbia becoming integrated or greater co-operation with the western alliance.

Finally, we also need to take a much broader and longer view of reconstruction. We need to grasp that the early stages of reconstruction are by far the most difficult. The creation of a set of institutions in a country that—although it has a highly educated and sophisticated middle class—has been in the hands of a narrow group of thugs and criminal gangs for some years, needs an enormous kick-start of assistance. If we can provide that assistance early on, even if it is costly in the early years, we will find that it is amply repaid down the line. I am talking about basic things such as assistance with the consolidation of property rights, cleaning up the banking system and giving whatever support is required to ensure that the judicial system operates adequately and that the faith and trust of the population is restored. That last point is closely linked to the one that I made a moment ago about war criminals. Such basic building blocks of development will be crucial in the weeks and months ahead.

In the period after the collapse of the Soviet Union in the mid-1990s, the west decided to channel huge amounts of extra aid to the region, first through the International Monetary Fund and then through other western institutions. Even though the amounts coming in were still relative pinpricks because of the size of the Soviet Union, at least we realised the need to go down that road. In the case of Serbia, even though the amounts of money involved are comparatively small, we have not gone down that road. We are not moving up a gear to the much higher levels of aid that are required in the early years to give Serbia the stability that it needs to develop quickly, as several other east European countries did immediately after the collapse of communism.

I do not know what will happen in Serbia in the weeks and months ahead, but I do know that the west can have a real influence. The decisions that we take will be absolutely crucial to the direction that Serbia takes, which is why I am participating in this debate and why

[Mr. Tyrie]

I am so pleased that my hon. Friend the Member for Uxbridge managed to secure it. I plead with the Minister to give careful and serious consideration to putting Serbia and the stabilisation of this part of the Balkans much higher on the Government's agenda. Achieving stability is crucial to the west's interests and our interests.

10.19 am

Mr. Tony Lloyd (Manchester, Central): There are one or two points on which I profoundly disagree with the previous three speakers, but I support the general tone of what they said.

I say to the hon. Member for Chichester (Mr. Tyrie) that the demand that indictees be sent to the International Criminal Tribunal for the Former Yugoslavia at The Hague must be fulfilled. The demand is of long standing and is correct under all known interpretations of international law. It is right and proper that Belgrade and other countries in the region should honour their obligations.

The hon. Gentleman's assertion on the renationalisation of the judicial process would make more sense if the renationalisation process had begun in all countries in the region to deal with those charged with crimes of a standard below that required to take them to The Hague, but that has not been the case. Every country in the region has lessons to learn in order to conform to the standards that we expect. Those standards are not, as the hon. Gentleman said, "our western values"; they are the values to which Serbia and Montenegro aspires as part of the European family. I profoundly believe that Serbia and Montenegro is part of our European family, and we should make that clear.

I also disagree with the hon. Gentleman's view on the need for military action in Kosovo. Given the humanitarian situation, we had little alternative but to act. I say to my hon. Friend the Minister that since then the way in which Britain and the international community have not got a grip on the Balkans has been a bad exemplar for other parts of the world where reconstruction is a necessary process after conflict. More important, the Balkans is still a difficult area in our European home and things can still go badly wrong if we do not begin to put in the effort to rebuild its shattered communities.

My hon. Friend the Member for Halifax (Mrs. Mahon) made the point that there cannot be further balkanisation of the Balkans. We have a problem with Kosovo, which was put in the too-hard-to-handle box four years ago—it is still in that box and there has been little progress. I agree with the comments made by other hon. Members that the ethnic cleansing of Serbs from Kosovo shames us all; it should rest on the consciences of those, like me, who played an active role during the military conflict in Kosovo.

I want to join the previous three speakers in saying to my hon. Friend the Minister that we must carefully examine where we are today. In the context of Serbia and Montenegro, we are in a position of uncertainty because of the brutal assassination of Prime Minister Djindjic. Along with other Members, I should like to place it on record that the assassination was, by any standards, an outrage. I first met Zoran Djindjic when he was an Opposition politician. At the time, he was acting bravely and putting his liberty, and maybe his life, at risk. That was no mean feat against the powerful Milosevic regime in Belgrade. As many commentators have pointed out, Zoran Djindjic was not flawless. Nevertheless, he was trying to take his country into a position in which it would be better able to deal with the United Kingdom, the rest of Europe, the international community and, indeed, Belgrade. His death is not only a personal tragedy but a tragedy for Serbia and Montenegro.

Recently, I met Mr. Dragoljub Micunovic, the Speaker of the Parliament of the Federal Republic of Yugoslavia, who led the delegation to the Council of Europe, which Serbia and Montenegro is actively trying to join. His feeling that the standards demanded of Serbia and Montenegro change and that there is not a consistent road map came up in that conversation. Those issues come up time and again in conversation with people from Serbia and Montenegro. There is no clear indication of what Serbia and Montenegro has to achieve in order to make progress—to access the carrots, if you like. There is a feeling that too often the sticks are easily available and visible, but the carrots are more difficult to access. I say to the Minister that we need to pay serious attention to what that means.

We are blind if we do not recognise that there has been real progress in Serbia and Montenegro. Equally, Serbia and Montenegro is blind if it does not recognise that there is an expectation of more progress in the reform of its institutions, and various aspects of its relationship with the international community and its own population. If we do not address some of the basic problems, we confine the region—not just one country—to much slower progress or the possibility of regress. I acknowledge the pleas from other hon. Members for recognition of economic factors.

My hon. Friend the Member for Halifax made the fair point that the reconstruction of the shattered infrastructure that was the result of military conflict has not moved forward at any great pace. The Danube still operates, as it did historically, as a barrier in the region, not as part of the main infrastructure. We need to pay attention to that, and to trade. A country that has so many unemployed and so many thrust into poverty, which is unusual and way below the expectations of Serbia and Montenegro, will experience political instability and will potentially suffer a reversion into the narrow nationalism that cost the country so dearly over the years.

My appeal to the Government is for us to look again long and hard at what we do put on offer. Council of Europe membership is a small thing for this country, but would send a strong signal to Serbia and Montenegro that people believe it to be part of a European home. It is making progress on the journey to that common European destiny. It is important that we put out a hand and say that we want Serbia and Montenegro to look outwards. That is a step forward, and we should be clear about the conditions that we expect to be fulfilled.

People in Belgrade say that they have met the criteria that were part of the original demands. To make progress on that would be a strong signal. To explain what Belgrade must do to make further progress is vital, so that there is clarity in the relationship above and beyond everything else. It would be valuable if the Minister could take that message back to his colleagues, and our country could pursue that process with our American partners as part of our ambitions in the EU—if we are still talking to people in the EU at this stage.

We can take the view—as most of our colleagues in the House do—that the Balkans is a finished operation, which happened some years ago and is now done and dusted. There will be, quite rightly, a huge turnout for a debate on Iraq today; there is a relatively small turnout for a debate on Serbia and Montenegro this morning. Serbia and Montenegro is vital to the whole of south-eastern Europe. We want to be part of a process of building a south-eastern Europe that trades, works and re-establishes the old relationships—not the old nations, which are gone—that allow the emergence of a strong part of our continent, which is less problematic for us. That is not a difficult ambition, and it is certainly easy to state.

Progress has not been made in recent years. All parties need to make a commitment and say that the region still matters enormously. We have responsibilities, and we have something enormous to gain if we get the process right. In this case, we can travel with a little more hope than the hon. Member for Uxbridge (Mr. Randall) showed in his remarks. I want to finish by paying tribute to him. He speaks with enormous affection and emotion for the region, and Serbia and Montenegro. He has done the House a great service by securing the debate this morning.

10.29 am

Malcolm Bruce (Gordon): I thank the hon. Member for Uxbridge (Mr. Randall) for securing the debate. He will acknowledge that, given the assassination of the Prime Minister, the debate sadly has become more topical than he might have appreciated when he requested it. I certainly defer to his local knowledge and expertise, and to that of the hon. Member for Halifax (Mrs. Mahon) and others who have spoken.

I should declare an interest as a member of the steering board of an organisation cumbersomely named the East-West Parliamentary Practice Project; it is changing its name to the Institute for Parliamentary Democracy, which is more manageable. It is organising a series of programmes over three years to work with parliamentarians in all the new Balkan democracies, at their request and according to the structure of their reforms and parliamentary workings. It has always been my view that we have as much to learn as to teach at seminars and discussions. It is our job not to turn up and tell people what to do but to share our weaknesses and failings.

As the hon. Member for Manchester, Central (Mr. Lloyd) half implied, it is a huge irony that, at the beginning of the 20th century, the future of Serbia was a matter of great concern on which the shape of the century pivoted. Here we are at the beginning of the 21st century, and the problem of Serbia and Montenegro is as unresolved, and as important to the stability of south-east Europe and the future shape of Europe, as ever. The history and politics of the Balkans are confusing, and none of us has the right to stand up and suggest that one solution is correct. Ultimately we have to work with the people of the area to help them arrive at viable solutions.

Britain has a legitimate interest in the area. I take gentle issue with the hon. Member for Uxbridge, who seemed to be casting aspersions in the direction of Liberal Democrats about [illegible] difference between our approaches to the Balkans and the current crisis in Iraq. The difference hinges on the fact that the Balkans is part of the Europe that we are trying to build and it is important that those of us who want to see a successful, if changing, European Union, recognise that Britain's interest is directly involved. By contrast, many of us view Iraq as crucial to the stability and future of the middle east; of course, we have an interest there, but it is not under our immediate political influence. That is why our approaches differ.

I absolutely agree that whatever one's view about the actions in Kosovo and elsewhere in the Balkans, they were supported because we saw the immediate effects of people killing one another and sought to intervene to stop that. As the hon. Member for Uxbridge rightly acknowledged, we might have been successful in stopping ethnic cleansing in the short run, but not in its ultimate manifestation. We were successful in stopping people killing each other, and that was the justification that many of us went along with. I acknowledge that one of our biggest problems is the tendency to enter countries with a sharp military impact, creating long-term political problems that we do not have the interest or momentum to follow through. That is why mention has been made of Afghanistan and the Balkans.

In recent months, I visited Albania and Bosnia and Herzegovina to monitor elections. I witnessed their perspective on Serbia. I take no opinion; I simply acknowledge what I saw. One thing hit me sharply. After a day at a seminar and a dinner, our host took us to a jazz club in Tirana some time after midnight. A girl got up and started enthusiastically singing, "I wanna be an Americano". People literally stood up on the tables and cheered, which would be a little surprising if it happened in Swindon or elsewhere in the United Kingdom. Such action brought home to me the fact that America was seen by that audience [illegible] the champion of some form of Albanian nationalism, whereas in Bosnia and Herzegovina there is the problem of Sarajevo's civil war experience of the Republika Srpska and its aspirations to be part of a greater Serbia.

In a sense, we can stand back and try to find viable political solutions, but any attempt to impose them will not succeed now any more than it has in the past. Our job must be to approach such matters without arrogance, but with humility and as genuine friends who want the region to have a stable and viable future, for its sake as well as for our sake. After the shocking assassination of Zoran Djindjic, we must be concerned that that was a signal that organised crime will confront attempts to crack down on those involved and create a climate where democracy and free enterprise can flourish. We must hope that the pledge of the successor, Mr. Zivkovic, to fulfil Djindjic's dream of a European democratic, efficient and prosperous Serbia will succeed.

We must recognise the obvious disparities and tensions in the new union of Serbia and Montenegro. We have not yet observed a democratically elected president for either of the entities because of the 50 per cent. rule, which I understand Montenegro will now try to alter. My guess is that Serbia will need to do so in due course. The union needs legitimate, elected political leadership that can carry through such reforms and that requires courage and a great deal of confrontation. I am not breaking any confidence by saying that, when I

[Malcolm Bruce]

visited Sarajevo, Paddy Ashdown—the United Nations high representative—made it clear that he understood fully that confronting and defeating organised crime was probably the single most important issue that had to be resolved before true democracy, free enterprise and inward investment could flourish in the Balkans. Anyone who says that has to take on board the fact that we are confronting extremely vicious, ruthless killers who are willing to take on anyone without fear or favour. It is a difficult and dangerous area in which to operate.

We must clearly acknowledge the legitimacy of a constructive engagement between members of the European Union and the Balkans. I agree that the prospect of eventual membership of the European Union—which will be a different organisation in any case 15 years from now—is crucial. The hon. Member for Manchester, Central is the leader of the British delegation to the Council of Europe, of which I have the privilege and honour to be a member. I accept entirely his remarks that, within Britain and this Parliament, the Council of Europe is perhaps not regarded as an important body. However, those of us engaged in such a process realise how important it is and that the Government must recognise the role that it plays, which is different and distinctive from that of the European Union.

Of course, the Council of Europe works with European Union institutions. We lack their resources, but we have the beacon of 50-plus years of championing human rights and democracy. That is the absolute core of the Council of Europe. The prospect of membership of the Council of Europe on reasonable and clearly understood conditions for Serbia and Montenegro is the first step towards reassuring the country that it is part of the European family. It is not—I repeat the words of the hon. Member for Uxbridge—our job to tell it what to do. Our job is to work through its institutions and ours to create a prosperous, democratic Serbia and Montenegro and a stable Balkans, which is in the interests of the entire European continent.

10.39 am

Mr. Richard Spring (West Suffolk): I pay tribute to my hon. Friend the Member for Uxbridge (Mr. Randall) for securing this debate. We had the benefit of his extraordinary knowledge and understanding of the area today. There have been some excellent and considered speeches, but I take this opportunity to pay particular tribute to the hon. Member for Halifax (Mrs. Mahon), whom I have come to know. She is a remarkable parliamentarian and I very much regret her decision to leave the House of Commons at the next general election.

I also wish to add to what other hon. Members have said about the assassination of Prime Minister Djindjic. It is a tragedy for Serbia and the region. My party and I send our condolences to his family at this difficult time for them and for the country. The tragedy once again brings into stark relief the problems still faced by Serbia and the great challenges still waiting to be addressed. We in the UK and the international community must continue to extend our help and support to Serbia and Montenegro at this most difficult time and recognise the great effort that Serbia is making to break with an authoritarian past and reform both its polity and its economy.

If we study the sad background to what has happened in Serbia and Montenegro, we see that in the 1990s there were terrible wars with genocide, slaughter, displaced people and destruction of property, leading ultimately to the Dayton accords. We should feel a certain amount of pride in the UK in recognising the role that we played in trying to help to stabilise Bosnia with our participation in IFOR, UNPROFOR and SFOR. We watched with horror the ethnic cleansing unleashed by Milosevic of Kosovo Albanians at the same time as we saw the Kosovo Liberation Army radicalised, coupled with an increase in cruel violence against innocent Serb civilians. We know what happened as a consequence, which ultimately led to the fall of Milosevic in October 2000.

The history of the Balkans is far too complex to provide easy answers, but the legacy is there. The economic condition of Serbia and Montenegro, with all of the displaced people mentioned by hon. Members this morning, remains a massive problem, with deep psychological scars there for all to see. I hope that, in his response, the Minister will enlarge on what we are doing and must continue to do to assist Serbs who have been displaced and remain refugees.

The role of the UK in supporting the opposition parties during the dark days of the late 1990s is equally worthy of praise. The fall of Milosevic and his subsequent extradition to The Hague and replacement by a new breed of politician marked a new opportunity for Serbia and Montenegro, which we must acknowledge and seek to build on. That opportunity must be seized.

One point has been made rather tellingly this morning; the British Government should not examine the situation on a purely country-specific basis. A broader approach is needed, designed to encompass the whole region. My hon. Friend the Member for Chichester (Mr. Tyrie) touched on that point indirectly. I hope that the Minister will talk about the wider regional angle of the Balkans' place in Europe, a point mentioned by the hon. Member for Gordon (Malcolm Bruce). Only by adopting a suitably broad approach can we truly preserve the peace that we have sought to help to rebuild.

Much has changed in Serbia since 2000, the visible evidence of which is the change in the constitutional arrangements that flowed from the end of the Federal Republic of Yugoslavia earlier this year, following last year's agreements and the replacement of the new looser union between Serbia and Montenegro. The settlement, which was brokered by the EU, provides for a larger degree of Montenegrin autonomy, although many want outright independence. The long-term future will be decided in 2006, when the two countries will decide whether to continue the arrangement. We hope that the new arrangements prove successful in meeting the aspirations. However, the changes have not proved flawless. It is important that the new arrangements will produce a better relationship between the two countries.

There are still some unresolved issues. We have heard again, in graphic terms, from the hon. Member for Halifax, about the missing Serbs in Kosovo and about the many Serbs who do not feel safe enough to return. That is still a massive problem. We must show our commitment to equality and democracy and we must show that the safety and security of Serbs in Kosovo is every bit as important to us as was the safety of the Kosovo Albanians, when they were threatened and attacked by Milosevic. The numbers of Serbs who fled Kosovo and who feel safe enough to return is still worryingly small, according to figures produced by our Government. All citizens of Kosovo—whether Serb or Albanian—must feel free from persecution and harassment.

One reason for the low turnout in elections is a sense of frustration born, possibly, from the state of the economy. The economic situation remains a problem and gives much concern. I met Serbian Members of Parliament last week and we talked about that matter. One of the factors that held back greater growth in Serbia and Montenegro, aside from the Milosevic legacy, is organised crime and lawlessness. Despite policies to counter it, it is still a massive problem; we saw that in the tragic assassination of the Prime Minister.

The Serbian Government are right in their determination to take on this insidious and destructive evil. Money goes where it feels safe and an impression of lawlessness unsettles investors, making them unwilling to invest directly into the area. The political situation in Serbia and Montenegro—its stability and the determination of the Government to reform—are vital in creating the conditions that are necessary to attract investment.

New members will be coming into the EU next year and I hope that, after a continuing process of reform, we will see exactly the same thing happening in due course for Serbia and Montenegro. The hope that that might happen is important to the people of those countries. Both countries have massive potential and I hope that that will be realised. Those points were specifically taken up by my hon. Friend the Member for Chichester and the hon. Member for Manchester, Central (Mr. Lloyd), and I agree entirely with the point about the Council of Europe.

We must help and support the reformers in Serbia and Montenegro, rather than simply criticise people. We must continue to work with those who are trying to bring about stability and prosperity after all the tragedies that they have endured, and we must encourage them to stick to a reformist course, however tough the obstacles might be. If we play our role and continue to work together—aiming to create a successful and prosperous Serbia and Montenegro—that would be an enduring legacy after the terrible tragedy suffered for far too long by the people in that region.

10.48 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mike O'Brien): I begin by congratulating the hon. Member for Uxbridge (Mr. Randall) on calling the debate; it was called when the political situation in Serbia and Montenegro was somewhat calmer than it is today. I welcome this opportunity to set out the Government's policy on Serbia and Montenegro. The debate has been good and has been characterised by important contributions from my hon. Friends the Members for Halifax (Mrs. Mahon) and for Manchester, Central (Mr. Lloyd), the hon. Member for Chichester (Mr. Tyrie) and from Opposition Front-Bench spokesmen.

I agree with my hon. Friend the Member for Manchester, Central that the Balkans is of enormous importance to Europe. What happens there is directly relevant to us and to what happens here. Because the Balkans area is so close, we must ensure that we have a close eye on everything that happens in it. If things go wrong there, the impact will be felt quickly in Britain and the rest of Europe.

The situation had looked better; the Serbia and Montenegro constitutional charter had been adopted and a new president was elected. New institutions were being formed. A new team was coming together to tackle the challenges that lie ahead and to bring Serbia and Montenegro further into the European family.

That has now changed. On 12 March 2003, the Serbian Prime Minister, Zoran Djindjic was assassinated as he walked from his car to Serbian Government buildings. He had been shot twice by a sniper. He was taken to hospital where he died in the operating theatre. The entire House will wish to join me in expressing revulsion at that supremely undemocratic act and in sending our condolences to his widow and children and to the people of Serbia.

On 15 March, the then Leader of the House of Commons, my right hon. Friend the Member for Livingston (Mr. Cook) attended the funeral on behalf of the Government. It was one of his last and most important acts as Leader of the House, and I pay tribute to the work that my right hon. Friend did in that post and as Foreign Secretary in recent years. He delivered letters of condolence from our Prime Minister to Zoran's widow and the President of Serbia and Montenegro. The funeral was very moving. It was held in St. Sava church in Belgrade and hundreds of thousands of people lined the streets to pay their respects.

I wish to say a few words about Zoran Djindjic. I did not know him, but my right hon. Friend the Prime Minister knew him well, and several Members of this House met him, including my hon. Friend the Member for Manchester, Central. Many Members met him when he visited Britain in 2002. He had a vision of where Serbia and Montenegro should be going and how to get there: he was brave and visionary. He was fluent in English and German, and he was a European politician who was capable of growing in stature. His achievements were many, but I will mention the three for which he will be best remembered: organising the Serbian pro-democracy movements of the 1990s; the transfer of Slobodan Milosevic to the International Criminal Court in June 2001; and starting to tackle the organised and war criminal networks that grew out of the Balkan wars during the past decade.

I strongly agree with the hon. Member for Gordon (Malcolm Bruce) that confronting organised crime in the Balkans is the most important and difficult policy objective of the international community and the Governments in the region. It was probably the cause of Zoran Djindjic's murder because what he and other reformers strove for—democracy, the rule of law and

[Mr. Mike O'Brien]

vibrant economies—directly threatened the lifeblood of the criminal networks. Europe has lost a European leader, and the UK and Europe have lost a Serbian friend.

By 17 March, the Serbian authorities had pulled in at least 400 suspects for questioning, including the former head of the Serbian state security service. We welcome the Serbian authorities' determined efforts, and we have offered our support if and when they require it. A state of emergency has been declared and there is an increased security presence throughout the country. A working group consisting of key Serbian Ministers and the chief of the Serbia and Montenegro armed forces is monitoring its implementation. It is expected to stay in place until the end of April.

We are closely monitoring the situation. The political situation on the ground remains fluid, but it is slowly stabilising. On 16 March, Zoran Zivkovic was nominated to replace Djindjic as Serbian Prime Minister. On 17 March, Boris Tadic was appointed Defence Minister. Goran Svilanovic has been appointed Foreign Minister. On 7 March, Svetozar Marovic was elected President.

It is too soon to assess the long-term implications, but let me outline what the Government think are the key points for Serbia, the union of Serbia and Montenegro and the wider region in the coming weeks. We want to avoid Serbia descending into the hands of criminal elements. The determination with which the Serbian authorities have handled the situation so far bodes well, but this is not an easy task for them. There are testing times ahead. We will provide moral as well as practical support. The authorities must establish full co-operation with the International Criminal Tribunal for the former Yugoslavia and ensure that war criminals are transferred immediately to The Hague. Any failure to take action against organised and war criminals will be interpreted as a sign of weakness.

Together with our European partners, we will want to avoid any attempt by those opposed to the recent agreement on Serbia and Montenegro to undermine the deal. The appointment of the new Ministers will help to ensure the stability of the newly formed union. They must work together to ensure that the union makes early progress. A first priority should be the early adoption of a working and effective single market between Serbia and Montenegro, paving the way for an EU feasibility study for a stabilisation and association agreement.

Montenegro and the region suffer from the threat of organised crime. On 30 November 2002, the then Minister of the Interior, Andrija Jovicevic, ordered the arrest and prosecution of the deputy state prosecutor for alleged involvement in people-smuggling. The Montenegrin authorities need to ensure that the case is properly investigated and that justice is done. The leadership shown in the fight against organised crime in Serbia must be replicated in Montenegro. Together with our partners and allies, we are warning off regional extremists, particularly Albanians, who may attempt to use those tragic events as an opportunity for disruption.

KFOR has stepped up its patrols. We welcome the universal condemnation of Prime Minister Djindjic's murder by politicians across the region and by the provisional institutions of self-government in Pristina. Their joint commitment to clamping down on organised crime and terrorism continues the legacy of political maturity that Prime Minister Djindjic was demonstrating in Serbia. We have requested that SFOR step up patrols in Republika Srpska. One of the chief suspects in the assassination attempt, Milorad Lukovic, is rumoured to be hiding there.

At the General Affairs and External Relations Council today, EU Ministers will consider what help we can give to the reformers in Belgrade and to the new Government at this critical time. Meanwhile, as NATO contact point in Belgrade, we continue to provide advice to the armed forces and civil society about the importance of reform and effective civilian control of the military.

The November 2002 London conference on organised crime identified organised crime as perhaps the biggest and growing threat to regional stability. Since we announced the conference, we have committed over a million pounds to crime fighting initiatives throughout the region. UK law enforcement officers have been posted to the region and neighbouring countries.

I have not had the opportunity to deal with all the points raised, but I hope to write to hon. Members on one or two points that I had hoped to deal with. I should just say that the murder of Prime Minister Djindjic was not just another murder in the Balkans. It was an attack on Serbia's stability, regional stability and the Balkans partnership with the European wider community. It is a grisly reminder that, although outwardly stable, the region remains vulnerable.

Since the Dayton agreement in 1995, the extremists have been gradually marginalised. The Kosovo campaign in 1999 and the overthrow of Milosevic in 2000 have made their pernicious influence wane further. However, the assassination reminds us that they and the organised criminals and gangsters who sustain them have not disappeared. Despite the other claims on our attention at the present time, we cannot afford to neglect the Balkans.

The criminals must learn that they have had their day. We will support the Belgrade reformers at this crucial hour. They and we must continue to tackle the underlying causes of extremism and act against the gangsters, war criminals and other thugs who hinder Serbia's future. We will do that and work with Serbian reformers to create a better Serbia and Montenegro.

International Oil Reserves

11 am

Norman Baker (Lewes): I am very pleased to have the opportunity to introduce a debate today on foreign policy objectives relating to international oil reserves. Given the international situation, this short debate this morning is timely. It will perhaps constitute a light breakfast before the main meal in the Chamber later.

The central thesis that I want to put to the Minister today is that it is in Britain's interests, and should be a foreign policy objective, to diminish reliance on oil in this country's economic activity, partly for diplomatic reasons. It makes no sense, and is dangerous, to continue our present reliance. I want an assurance from the Minister that he recognises the importance of moving away from oil and towards other methods of powering the economy.

I mention first the environmental aspect of oil production. The British Government have signed up to Kyoto, which we are all pleased about. They have set themselves a tough target, which the Minister for the Environment and others say that they are on line to meet. That is good news, although it is not the case with all the world's countries; most notably, the United States and Russia are currently outside the Kyoto protocol. However, it is difficult for this country and other western democracies to argue that Kyoto is vital if we make no attempt to reduce our dependency on oil.

I remind the Minister that the British Government predict that, by 2080, 94 million people around the world will be at risk from flooding every year as a result of global warming and that, by 2025, increasing incidences of drought will mean that up to 5 billion people will lack sufficient water. Those are startling figures, which should cause concern not only from a humanitarian viewpoint but in terms of the world's stability, a central concern of the Foreign Office.

Oil is a major pollutant. Between 1978 and 1999, the Advisory Committee on Protection of the Sea recorded 12,746 oil pollution incidents. They occur every day. Yesterday, I was on the beach at Newhaven in my constituency and saw birds, covered in oil, dead on the beach. There are environmental implications of oil, on a grand and on a lesser scale. The other environmental aspect is that oil is a finite resource. It will run out, and it is rather selfish of this generation and the preceding one to have used oil in such a cavalier way, knowing that it will be exhausted before very long. That will lead to all sorts of problems for the world.

The reply that I had from the Minister for Energy and Construction earlier this year said that there are thought to be 959 billion barrels of proven oil reserves and 939 billion barrels of undiscovered resources across the world. That might sound like an enormous amount, but even that Department of Trade and Industry answer recognised that, at the present rate of consumption, we will face problems by 2030—that is the Department's date—unless we find new sources of oil, a finite resource, or, more appropriately, we move towards an alternative solution that breaks our reliance on oil. I very much hope that we will take that second course.

Oil has built up over billions of years and we, as a human race, are proposing to use the entire resource in a period of some 200 years, the bulk of it at the end of that time. The Minister will recognise that instability will flow from the increasing consumption of oil, a decreasing resource; that is happening globally at the moment. That could lead, first, to increased economic costs and, secondly, to a destabilised world in which nations fight over the remaining oil. We must try to build a system that avoids a catastrophe in 20 or 30 years' time.

In Britain, oil production has peaked and is declining. That is also the case in other western countries, such as Norway and the United States. In the years ahead, the countries that peak last in terms of production will be the most unstable countries in the world, including Saudi Arabia and Iraq. We do not want a situation in which we are dependent on unstable regimes for an essential commodity such as oil.

The United States consumes over 25 per cent. of the oil produced worldwide, but US production of oil has long since peaked and is in serious decline, which makes it more dependent than ever on imports. That would be the case even if we were talking about satisfying a steady demand, never mind one that continues to increase. The Bush Administration's 2001 energy plan predicted that an increased demand for oil was inevitable, with oil imports needing to rise from 10.4 million barrels per day at present to 16.7 million barrels per day by 2020. That is a huge increase of some 60 per cent. over the first two decades of the century, yet the resource is declining. The US currently spends $100 billion a year on oil.

We know why US demand is high; it is related to the standard of living, the cavalier attitude that the Bush Administration in particular have towards the environment and the refusal to go along with Kyoto or to recognise the need to have sensible pricing regimes for, for example, fuel for vehicles. The price of gas, as they call it, is extraordinarily, artificially and irresponsibly low.

The reliance on oil that we and the US exhibit in our behaviour can have significant economic consequences, including short-term consequences. We know, for example, that oil shocks can act as catalysts for substantial damage to western economies, as they did in 1973–7[illegible] 1979–80 and 1990–91. The interplay between the economy, the environment and security of supply is an increasingly central issue to the Foreign Office, as the debate over Britain's nuclear energy and gas has demonstrated. Oil shocks damage oil-importing countries because they simultaneously depress demand and raise prices. All three shocks to which I referred were caused by, or were a catalyst for, a serious downturn in western economies.

As I mentioned, the reserves of oil are being held in the world's unstable regimes. The US relies hugely on imports from countries that cannot guarantee a stable flow over a long period of time. Venezuela, the fourth biggest supplier to the US, virtually halted oil exports to the US when the turmoil occurred there last year. Saudi Arabia may have been seen as a stable regime, in some ways, over the past 20 or 30 years, but we cannot guarantee that it will be so in the years ahead; particularly if the middle east is destabilised as a consequence of activities likely to begin shortly.

If the US and others were able to secure control over some of the remaining oil reserves in what are presently unstable regimes, it would provide a short-term

[Norman Baker]

breathing space. Iraq is sitting on 11 per cent. of the world's oil reserves, or 112 billion barrels, making Iraq second only to Saudi Arabia in terms of its oil reserves. There are 16 years' worth of US oil consumption in Iraq alone. The US Department of Energy recently confirmed that. In its Iraq country analysis brief of October 2002, it was stated that:

> "Iraq's oil production costs are amongst the lowest in the world, making it a highly attractive oil prospect."

I am not saying that we are seeing the events that are unfolding in the world today simply because there is a drive for oil. There are clearly other factors at play. However, oil is undoubtedly a factor, because the price, availability and regular supply of oil affect the economies of the west, and the US and UK in particular. Clearly, the US Administration have signed up to deal with the oil problem, as they see it, in Iraq. A letter to President Clinton in 1998 from Donald Rumsfeld, Richard Perle, Paul Wolfowitz and Richard Armitage said:

> "US foreign policy should aim at the removal of Saddam Hussein's regime from power. [If this strategy is not followed] a significant portion of the world's supply of oil will be put at hazard."

Those authors are now, with one exception, in the US Administration. Larry Lindsey, President Bush's economic adviser said in September 2002:

> "When there is a regime change in Iraq, you could add 3–5 million barrels [of oil per day] of production to world supply . . . The successful prosecution of the war would be good for the economy."

Oil is not necessarily the only factor, but it is clearly a factor.

There is a problem with the logic being employed in some quarters. The assumption is that Iraq's capacity can be increased. That will increase the flow of oil around the world, which will lead to more competition and a more stable supply. There are two problems with that. First, as the Minister and his colleagues will recognise, attacking a middle east country has the potential to destabilise the region, particularly in Saudi Arabia where there is a clear element that is unhappy with any pro-western association. That could lead to a situation in which Iraq was gained and Saudi Arabia was lost, which would not be a sensible outcome.

Secondly, there are economic consequences to such an attack if it leads to Iraq producing higher quantities of oil. In the short term, if Iraqi production were raised markedly it would lead to a glut of oil in the world market, which would depress the price of oil. That may be seen as a good thing, but it would depress the gross domestic product and income of Saudi Arabia, which is hugely reliant on oil, and could also have a destabilising effect on that regime. It is perfectly possible that through efforts to increase oil supply, the opposite could occur.

That leads me to conclude that is not sensible for the world as a whole, and the west in particular, to rely on oil as the lubricant for the worldwide economy. We have to move away from oil and invest far more in alternatives, as BP and Shell are doing. Those British companies are leading the way in developing alternatives. "Beyond petroleum" is BP's new title and it recognises that we cannot be reliant on oil. In that sense, industry is ahead of Government. I am not just talking about this Government—I am not making a party-political point—but Governments in the west in general.

The attitude of those companies is in stark contrast with Exxon Mobil, which is doing everything it can to snuff out renewable technologies and keep the oil pumping. The Government have a key role in encouraging BP and Shell to develop alternative technologies and ensuring that the west, and the world in general, is not dependent on oil. When we look for the lubricant for our economic engine in years to come, we do not want to face a small number of countries, many of which are unstable, controlling the price at a level not helpful to us and holding us to ransom, which may engender a military response from a nation, or nations. That is not a healthy situation, and we need to avoid it. We are on the cusp of it now.

I should like to raise a further point—the environmental consequences of any oil-related activities that occur in the next month or so in Iraq. The point is serious, and I have raised it with the Prime Minister. When I asked what assessment he had made of environmental damage and what steps had been taken to prepare for it, he simply said that there was no war with Iraq. Strangely, I was aware of that when I asked the question—it had not bypassed me—but his answer did not help.

I say to the Minister that we are facing a potential environmental catastrophe, assuming that action starts. We know that because we experienced an environmental catastrophe during the 1991 Gulf war. What happened then, and what could happen again now, is the release of huge amounts of carbon dioxide into the atmosphere; something like a million tonnes a day could come out of the oil wells, if Saddam Hussein sets fire to them, as he may well do, or if they are struck by bombing from the UK or US. Huge amounts of carbon dioxide could be released. The temperature could drop by 10°, as happened last time, because of the cloud cover from oil pollution. Many birds and much other wildlife were badly affected and killed as a result of the deliberate destruction of oil wells that Saddam Hussein embarked on in 1991, and human health was massively affected as air pollution levels rocketed.

I warn the Government that there will be a serious environmental pollution problem if we have a war with Iraq. I hope that they have some scheme for dealing with it and that preparatory work has been done to ensure that damage to the environment can be prevented or, if not, will be minimised and put right as soon as possible.

Finally, I refer the Minister to article 55, which states that part of any war activity is a duty on each party to protect the environment. I very much hope that the Government keep that in mind in the days ahead.

11.15 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): I am most grateful to the hon. Member for Lewes (Norman Baker) for raising such an important issue at this time. As usual, he spoke with great clarity and conviction. The security of international energy supplies is a matter of concern to all countries, including the United Kingdom. Energy policy is a prime example of the increasing interdependence between foreign and domestic policy.

I wish to begin by referring to the hon. Gentleman's comments about the Kyoto protocol. He rightly referred to the fact that the UK is, justifiably, a signatory to the protocol, whereas the United States of America is not. We are entering a period in which our relationship with the USA will be a matter of some debate. We are right to work with the Americans on the Iraq crisis, but there is a significant difference of opinion on the Kyoto protocol, and we will continue to offer arguments about it to our American partners.

The Government are very conscious of the need for a radical new approach to energy policy. That was clearly set out in the energy White Paper that was published on 24 February, which marks a departure by setting energy policy firmly in the context of environmental challenges, particularly those of the global environment. I welcome its clear strategy to reduce carbon dioxide emissions by some 60 per cent. in the next 50 years. That is a radical ambition, which we are right to put forward. We are encouraging the development of renewable energy in the UK and greater progress in energy efficiency, which are central to achieving that aim. I certainly concur with the hon. Gentleman's points about our need to cut oil consumption. We must do that if we are to meet the ambitious targets that have been set by the Kyoto protocol.

The policy to which we have committed ourselves is based firmly on four pillars—protecting the environment— promoting competitive markets in the UK and beyond; tackling fuel poverty at home, which is crucial; and, last but not least, maintaining the reliability of our energy supplies. Energy is vital for the world's economic prosperity and development. At present, oil accounts for some 40 per cent. of world energy consumption, mainly in the transport sector. That is why it is important that we enact the measures in the Kyoto arrangements.

To put our dependence on oil in context, as a country we have been a net exporter of energy, with significant imports and exports, for the past two decades, following the successful development of North sea oil. However, as the hon. Gentleman pointed out, that will certainly change. Forecasts vary, but it is commonly agreed that UK oil and gas production will decline significantly in coming years. On an annual basis, it is likely that the UK will become a net importer of gas by about 2006 and of oil by about 2010.

By 2020, we are likely to import about three quarters of our primary energy needs and therefore need to rethink and to respond. We value the contribution of our world-class energy companies to the successful development of our oil and gas reserves. We will continue to give a high priority to developing the UK continental shelf, and the Pilot scheme is central to that work. The Pilot scheme, which is now in its third year, is an initiative based on promoting industry co-operation with the Government to enhance the economically efficient recovery of the UK's oil and gas resources to prolong our indigenous supplies.

As well as promoting energy efficiency to help us address the challenge of climate change, consuming countries also need to explore alternatives to mitigate our dependence on fossil fuels, especially and importantly within the transport sector. Mobilising innovative science and technology is a major theme in the White Paper to which I earlier referred. We need not only to use our science and technology base but to multiply its effectiveness through international collaboration. We are focusing on that in our public expenditure priorities, particular on energy research, development and innovation. The Department of Trade and Industry spent about £40 million supporting sustainable energy-related research and technological development in 2001–02. We have already put in place a substantial renewables support programme worth some £250 million between now and 2005–06.

We are not acting in isolation. I took some of the hon. Gentleman's points about the actions of the United States of America, but there is an indication that movement is beginning. The development of hybrid vehicles, which could dramatically cut fuel consumption, is beginning to be looked at in the United States, which is welcome.

We need to put into context the fact that we will move from being a net exporter to being a net importer. Relying on imports need not be a problem. Import dependency, especially for oil, has long been a fact of life for all the G7 countries, except for Canada and the UK. Having said that, the economic health of all countries depends on the stability of the international energy markets. World population growth and economic expansion suggest that demand for oil will significantly increase over the next 20 years, so we have to get it right by seeking to create stability.

Worldwide, fossil fuel resources are large and there are sufficient oil reserves to meet projected demand for around 30 years. If we look to the development of non-conventional reserves such as Canadian oil shales and Venezuelan heavy crudes, as well as improvements in technology, oil reserves could last for twice as long.

Also, the bulk of conventional oil reserves are, as the hon. Gentleman has pointed out, located in the middle east, which currently supplies about 25 per cent. of Europe's imports; a situation that is likely to continue for a considerable time. However—I want to make this point strongly—there are also significant oil reserves in north and south America, Russia, the countries of the Caspian basin and Africa. The Caspian basin, for example, may hold as much as 5 per cent. of global oil reserves and is likely to produce 3 million barrels of oil a day by the end of this decade, which is about 3 per cent. of the world's oil needs.

The picture is complicated and we need to look at all its aspects. Exploring the development of diverse oil reserves helps us to stabilise the market and, crucially, to underpin the security of supply. The Government certainly regard such a development as a high priority, as we have clearly set out in the energy White Paper.

We also need producers and consumers to work together to produce an effective trade in energy products. For more than a decade, oil and gas producing and consuming countries have been engaged in a dialogue on both a bilateral and, through the international energy forum, a multilateral basis. The UK has been an active supporter and participant in that process.

The hon. Gentleman referred to the need to secure regional stability in the key oil producing areas. He flirted with the argument that the current action on which we will be voting in the House of Commons this evening is driven by the need for oil. That is the least

[Mr. Bill Rammell]

persuasive argument in all the current debates on that subject. I genuinely and profoundly do not believe that committing ourselves to military action in Iraq, if that is what happens this evening, is about oil. I believe that it is about weapons of mass destruction and a regime that has consistently and defiantly flouted the will of the international community for the past 12 years.

If oil were the only issue, we could simply cut a deal with Saddam Hussein, as has been made clear many times, and allow him to continue to hold and develop his weapons of mass destruction in return for access to his oil reserves. I am sure that he would sign up to such an agreement within moments. The argument about oil is not persuasive.

It is worth putting into context the scale of Iraqi oil production. Iraq may be a major oil producer, but that should not be overstated. Iraq currently produces around 2.4 million barrels a day—the same as the UK—which puts the matter into realistic context. It is arguable that oil may be a stronger influence on Russian and French policy as we have seen it developing during the past few weeks, because they have a much more significant strategic interest in Iraq's oil reserves compared with the overall size of their economies. With respect, the picture is much more complicated than the hon. Gentleman suggested.

Norman Baker: Could I put it on the record that I suggested that oil was a factor? I did not say that the situation was only about oil. I am prepared to accept that the Prime Minister is driven by a messianic zeal in his approach, but the same cannot be said of President Bush, who, with his colleagues, is steeped in oil.

Mr. Rammell: The hon. Gentleman's argument about oil was not made with conviction. If he has any genuine doubt, I hope that he was reassured by the announcement made at the weekend in the Government's "Vision for the Iraqi people", in which we made it clear that we would work with the international community in the event of military action

> "to ensure that the Iraqi people can exploit the country's resources for their own benefit and contribute to their own reconstruction, with international help where needed."

We suggested a UN trust to administer that. There is no vestige of credibility in the argument that we and the Americans are driven by the need for oil.

The hon. Gentleman referred to the Prime Minister's messianic zeal, but most people are coming to the conclusion that he has a sincere and genuine conviction of principle. People do not recognise principle and conviction in the somersaults of the leader of the Liberal Democrats on the issue and on the need for a second UN resolution during the past several months. They recognise opportunism during the most extraordinary and difficult situation that this country has faced for many a year.

Securing stability for oil supplies requires the resolution of the middle east peace problem. It is a credit to the Government that they have been at the international forefront in striving to achieve that. We welcome President Arafat's decision to appoint Abu Mazen as Prime Minister, which is an important step forward. We are pleased that that was followed up by President Bush's statement on 14 March reiterating his commitment to the implementation of the road map. It is clear that the British Government and our Prime Minister have pushed most strongly and passionately on that important issue.

Demand for oil is likely to increase and the role of the middle east in supplying oil to world markets will become even more important. That reinforces the need for us to move the important issue of the middle east process forward.

In conclusion, the need for secure energy supplies throughout the world is complicated and a changing picture. It is important that we get it right. That requires the development of new energy markets, growth and dependence on renewable energy, to which the Government have strongly committed themselves. If anyone was in any doubt about that, the fact that publication of the energy White Paper at a difficult and challenging time for the Government has been widely welcomed across the political spectrum underlines that. I welcome the fact that the hon. Gentleman secured this debate today to enable us to discuss those important issues.

Sitting suspended until Two o'clock.

Research Funding (Universities)

2 pm

Jonathan Shaw (Chatham and Aylesford): I was delighted to win the ballot to secure this debate because it addresses the important issue of the future of our universities. Those institutions are crucial for the health of our economy, for social cohesion and for much more, and we will do our best to debate them, although events have overtaken us.

The importance of the White Paper, "The Future of Higher Education" cannot be overstated. Our nation's ability to educate and train its population at the level of higher education has never been more essential, and our ability to compete in the world and to increase our wealth will be greatly affected by the decisions made in the White Paper and the Bill that follows it.

The public debate about the White Paper has been dominated by the issues of student finance and the access regulator, which have an important effect on who goes to university and which institution they attend. The Minister for Lifelong Learning and Higher Education, my hon. Friend the Member for Barking (Margaret Hodge), and my right hon. Friend the Secretary of State have demonstrated a willingness to engage in the debate on those matters, particularly student finance.

There is a third strand in the White Paper that is equally important—the future of research funding in our universities. The Government must be scrutinised about that, and they must make their case. I wish to focus on what happens when students are studying, on how universities deliver by nurturing talent and inspiring people, and on how they contribute to our economy by doing those things and much more.

I am probably the least qualified participant in the debate, because I do not have a university degree, although, because of the Government's widening access agenda, I do have a qualification. I do not, therefore, enter the debate with any baggage that I might be accused of having if I had worked in certain institutions. I would not accuse my hon. Friend the Member for Norwich, North (Dr. Gibson) of having any baggage—or not much, anyway.

Research is the lifeblood of many of our universities. Good universities should be the generators of ideas. Research provides stimulation, attracts attention and makes a vital contribution to the quality of teaching which the Government have too readily dismissed. By 2005–06 public expenditure on science and research will have increased by £1.25 billion per year compared with 2002–03. That increase is widely applauded, but there are serious concerns about the further concentration and allocation of those resources. If we are truly trying to widen access, do we really want to create such a super-elite, which would lead to so few working-class young people being exposed to research?

Already, we have the most concentrated research funding anywhere in the world, with 75 per cent. of funding going to 25 institutions. The Government argue that only by concentrating research further will we be able to compete. They say that that is the way forward, and often refer to the United States. However, the top deciare of institutions in that country received 43 per cent. of federal research and development funding in 1997; in 1980–81, the figure was 47 per cent. Rather than increasing concentration, the United States is spreading funding across a greater number of institutions, albeit that there is a smaller amount in percentage terms.

That is not happening in the UK. We are moving towards a position in which 80 per cent. of research funding will go to a few universities. The Select Committee on Education and Skills yesterday took evidence from Sir Richard Sykes, the rector of Imperial college. His assessment was that in future only five or six institutions would conduct leading research. If that is not the Minister's vision, I hope that she will explain why this afternoon. What will be the impact of continuing in the direction in which we are moving? I am not sure that the Government have had the opportunity to describe in detail the consequences, good or bad, of policies for which they are arguing and which they are already implementing.

I am worried that on research funding, unlike student finance and access, the Government are already ploughing ahead with changes. The previous research assessment exercise began in 2001 and is intended to run until 2006, yet those with a level 4 rating have recently had £30 million sliced from their budgets; that money has been passed to those with a 5* rating, which, we presume, will become the 6* rating of the future. That change was forced on HEFCE—the Higher Education Funding Council for England—by Ministers. Sir Howard Newbury told the Select Committee that his advice had been contrary to what Ministers wanted. We have not heard from the Minister why she took a decision that went against HEFCE's advice. What was that advice, and what would its impact have been? The purpose of the debate is to scrutinise the Government, so I hope that the Minister will tell us why she took that decision.

I should like the Minister to understand the message that she is sending out to people working in research. In 2001, one could have gone through the research assessment exercise in good faith and been awarded a level 4 rating in accordance with the rules, but £30 million has been taken off the budget in 2003, even though a review of the RAE is currently being conducted. Is that any way to carry on?

Mr. Tim Boswell (Daventry): Would the hon. Gentleman also consider the overtly political point that it seems bizarre that a Government who make so much of their commitment to involving the access student are, in the same breath and the same White Paper, bent on making the research funding system more elitist?

Jonathan Shaw: I shall come on to that; it is an important point. We want working-class youngsters to have access to research. Equally, I want the Eton graduate to feel able to attend a university such as Greenwich.

At the heart of my concern is the damage that the proposals may do in preventing new research from taking place and preventing departments from developing to international standards. Not all departments begin their lives with a 5* rating, but many achieve that; it is about developing infrastructure. There are examples of departments that have been assessed as level 3a, 3b or 4 achieving research breakthroughs. Those institutions have been outside what we call the golden triangle.

[Jonathan Shaw]

What do the following have in common: the first-rate adaptive heart pacemaker; total hip replacement; the portable defibrillator; the contraceptive pill; the relationship between babies' sleeping position and sudden infant death; liquid crystal display; the motorway signage system; strained quantum lasers; and genetic fingerprinting? They were all invented or discovered at universities outside the golden triangle, many at departments that were rated at level 4 or below when the RAE was introduced. Many universities with lower ratings have gone on to gain a 5* rating. My great concern is that we will stifle that much-needed development in our universities.

The Minister has been a great supporter of the collaboration between Kent university, Greenwich university and Mid-Kent college in the Thames gateway area, and I thank her for all the practical assistance and financial support that she has given. I should like to mention a research programme in the university of Greenwich, which has a campus in the Medway towns. It has taken 17 years for that research team to develop its infrastructure and its capability to carry out international research and provide life-saving solutions that have considerable relevance to the matters being discussed in the main Chamber.

Since 1989, Greenwich university's school of computing and mathematical science, led by Professor Edwin Galea, has been developing a suite of human behaviour and evacuation models, aimed at helping designers of buildings, aircraft and ships to save lives. It has developed software to model people's behaviour in various conditions in which evacuation is necessary, and what happens when fire and smoke are introduced to that situation.

The list of clients is impressive and includes Airbus, Boeing, and the Sydney Olympic stadium. Most recently, Greenwich has been asked to assist the Beijing Government with evacuation designs for the Olympic games that will be staged in China. On that occasion there will be millions of spectators and tens of thousands of competitors. Getting evacuation right, especially in today's climate, is essential. That research has been developed over the past 17 years in Greenwich, one of the new universities. Greenwich has already won its gold medal; indeed, last year it was awarded the Queen's anniversary prize because of its research.

Returning to my point about developing research, the unit is now rated level 4, but when it went through the previous RAE, it was level 3a. That trend can be found throughout the sector. In 2001, the RAE found that 55 per cent. of research-active staff worked in highly rated departments compared with 31 per cent. in 1996. There is immense improvement throughout the institutions, but, if today's rules had been applied in 1996, it is unlikely that the team at Greenwich would have been able to develop the expertise that they have. The £30 million cut means that the unit has lost £150,000 in funding; that means fewer PhD students, and members of staff will have to be cut.

Mr. David Rendel (Newbury): Does the hon. Gentleman consider that such matters are especially unfair? So many university research departments were led to believe that, if they improved the quality of their research, they would receive more money. As a result, many universities put more money into research, only to find that, in a sense, some of it was wasted, not because the research was not good, but because their efforts to ensure that they would receive more money under the new RAE were fruitless due to the goalposts having been moved.

Jonathan Shaw: I agree with the hon. Gentleman; that is an important point. What were the rules in 2000 and 2001 when universities applied for research funding? Now, two years later, level 4 institutions, which are meant to be the bedrock of research, have had £30 million lopped off their budgets, and that is not to mention the effect on 3a and 3b-rated institutions. I have been advised that academics are withdrawing applications from institutions that are not level 5. That is not surprising, given that they are witnessing changes in the funding rules. The notion is that to stay alive the institutions must be level 5. Who will put their career behind an institution whose future and funding is in doubt?

Professor Galea will obtain another job easily, but a team of 25 people that has taken 17 years to develop cannot simply be picked up and put in another institution; its infrastructure has been damaged. It takes a long time to develop such expertise. The detrimental effects of the Government's decisions are being felt now. Students at institutions such as Greenwich need to have an opportunity to be exposed to research.

One of the many examples about which I was advised was a final-year undergraduate who took on a project about hospital evacuation for non-ambulant patients. The student's research led to a journal paper and several conference papers. If the research establishment were not at Greenwich, that young working-class student would not have been able to take part in the research. If we are to have a widening agenda, it is also important for us to be aware of what happens when youngsters go to university. There should be equality of opportunity at all our institutions, including exposure to research.

The Government want to encourage collaboration on research between different institutions, but for that to work, people need to feel that they are equal partners. That need is not unique to universities; it is common to us all. A great deal of collaboration has been taking place for many years, and the removal of funding from level 4 institutions puts that collaboration in jeopardy.

The Education and Skills Committee heard from Professor David Eastwood, Vice-Chancellor of the university of East Anglia, whom my hon. Friend the Member for Norwich, North will know well. Professor Eastwood told us that there was collaboration not only between institutions, but between units at the university. One might have one unit, as he does, rated 5* and another rated 4* which is losing its funding, and that jeopardises both projects. Yes, there should be collaboration, but one must be aware of the relationships involved. It is not always possible to collaborate, and the future of so many of our institutions should not depend on the need to work with others.

Much in the White Paper is brave and right, and I applaud it, but since the Select Committee embarked on its inquiry, I have become alarmed at the proposals. That alarm has been heightened because changes have been implemented against HEFCE's advice, without consultation, and there is already a review of the RAE. That is having a profound effect on many research departments in universities throughout the country. I hope that the Government will pull back and ensure that they do their own research so that they fully appreciate that effect and the likely consequences of any further concentration.

2.22 pm

Dr. Ian Gibson (Norwich, North): I congratulate my hon. Friend the Member for Chatham and Aylesford (Jonathan Shaw) on securing this important debate. Discussion of this issue will no doubt continue until Christmas. The window is now open on higher education, which is excellent. At last, we have a Government who are examining the problems and advantages that higher education brings to this small island.

The first question that I asked myself was "Why does research take place in universities?" After all, we could set up research institutes, free from the clamour of undergraduates and without all the administration and support necessary for undergraduates and postgraduates. People could get on with research 24 hours a day, seven days a week. However, the young people who carry out most of the research in this country enjoy working in a university environment. They can work with younger undergraduates and produce a generation of future scientists. That system has served this nation well.

The debate is not only about Nobel prize winners, although they were also once young people with their bottoms hanging out of their jeans and long army coats who spent their time in pubs talking about the issues, getting excited and using their brains. They moved on to leading research teams because they were inspired and enthused by our university system. The reasons for conducting research in universities have been well proven over the years. As someone who has spent a lot of my active life acquiring grants from research councils, charities, the United States and many other sources, I can tell hon. Members that it is a hard business in which one is turned down many times, and has to come back again with new ideas. There is nothing like being in the ghetto to make people fight to get out of it, even in science. People in universities have done that to acquire research funding.

We should consider the record of work done in universities in this country, especially our citation index—the papers that are quoted across the world. Many scientists have had accolades, and many have headed school science labs. Last Friday I visited Totnes in Devon to help an ex-student of mine who runs a science lab and had acquired special science status. The enthusiasm engendered in that person, who, I might add, is somewhat older now, was generated in university teaching and research. She remembered the research project she undertook during her third year at university. That added value to her teaching, because she questioned and argued about things, which is what research is all about. That is also what universities are all about: students challenging what they are taught, knowing that there is more to discover. The literature is littered with people whose ideas and publications were not understood, or were rejected, but who won Nobel prizes after other facts were discovered. They have excited others to take up the cudgels and develop the research.

As far as I can tell from my experience, this is the first Government who have reacted to that situation. Since 1997 they have put billions of pounds into infrastructure, supporting research councils and generating more excitement and activity in research in universities and the UK research complex. However, there is still more to be done. How do I know that? The Department for Education and Skills has produced a paper called "The Future of Higher Education", which acknowledges the need for research in all areas, from writing books and creative writing, right through to science and the wealth of knowledge that is formed in the UK. That makes us a great nation in research fields compared with others.

The last 10 minutes of my lectures were always about current research. I would refer to the textbooks and prepare a good lecture, but I would suddenly talk about someone who disbelieved what I had just taught and had not yet been quoted, and about continuing research. Both the young and the mature students picked up on that. They would say, "Cor! If we had just read the textbook, that would have been it. We could have passed the exams, but now we are excited about this idea—tell us more about it." Research is all about students wanting to get their hands dirty and get involved. That is true for school science and university research.

There have been many other reports in addition to "The Future of Higher Education". The research assessment exercise has taken place and the Select Committee on Science and Technology, of which I am Chairman, has made a few friends through its publication. We have challenged the research assessment exercise, primarily on the basis that Jim Watson and Francis Crick would not have got a level 3 rating if they had followed the procedure. They grew up in an environment in which they exchanged ideas. We are celebrating the 50th anniversary of the publication of the DNA paper.

Harry Kroto, another Nobel prize winner, would also have found it difficult. Work done by such people as Sir Paul Nurse does not go on in universities. They spend part of their lives in a university and continue in research institutes. The network that we have built up in this country is superb, and is envied by people in the United States. The research assessment exercise was an attempt to engage excellence and to relate money to that base, to ensure that people got the support. I can be critical of it—our report is critical of it—but out of that has come a real review of the whole exercise, which I think will now have a lighter touch. Sir Gareth Roberts is already touring the Corridors of the House talking about the options. I welcome that and so does the scientific and research community.

This is not just about science: it is also about the arts getting the money. We concentrate on science because much more of the money goes into that field. I welcome what is being done, and I welcome the acknowledgement that academics are playing a few

[Dr. Ian Gibson]

tricks. After all, they are probably the smartest people in the country, and if they cannot beat the system who else can? That is what we train them for. One of the purposes of the report is to ensure that they do not manoeuvre within the system, but it is also to ensure that multidisciplinary research takes place.

Our universities are still departments in silos. I was at a Downing street meeting the other week at which my right hon. Friend the Secretary of State for Education and Skills spoke. The vice-chancellor of Warwick university said that departments merely undertake administrative manoeuvres in a university, and that it is the whole university that teaches and carries out research. What he meant was that there ought to be more interaction between departments on research. He is absolutely right.

I can tell a story about that. At the university of East Anglia, people working on atmospheric chemistry in the school of environmental sciences and people in the chemical sciences department were doing similar work, but because of personality differences they never got together. It is in such situations that a tough vice-chancellor should say, "Look, let's find a way to do this together, so that we'll access more research money". Breaking down boundaries in universities is about good university management and exciting people to work together. That will help.

Levels 1 to 5 are merely a way of apportioning the cake, and there is now more money going around. That system is also about trying to recognise excellence, but it is fudgy at the edges, and not only because of the situation of such people as Watson and Crick. A headline in a local paper on Friday read: "Arts School has Designs on Extra Research Cash". An article below that reports on the Minister opening a fame academy for budding ballerinas and others, which seems rather appropriate. The arts school concerned is the Norwich school of art and design, which has a level 3 rating. A 3,000 per cent. increase in its research money was announced last week. Members may argue that, like people on low pay, the school did not start with very much anyway, which is true. It started with only £4,000, but suddenly, because it became a level 3b, it has some £144,870 and has to submit details of the art and design research that it intends to carry out.

If I were at the Norwich school of art and design I would be rather excited about that, despite the gloomy news that we often hear from universities. The Minister is trying to induce me to table an early-day motion on that subject, just to show how good departments can emerge from a rotten system, which is fine. There will be other good news stories. The principal is very pleased, as one might imagine. Things are certainly getting better for that school, which is producing some very bright young people in the artistic and design world.

Such people are interacting with people in universities. I dined with Antony Gormley, who designed the Angel of the North, and his wife the other night. They are very keen to do artwork in university science departments. The connection between arts and science—which correlates with what I said about university departments—is really beginning to happen. There are imaginative, innovative individuals out there who want to undertake that work, and we must find and encourage them, from whatever class or background they come, and ensure that it takes place.

There was a cross-cutting review of science and research in March 2002, which was very interesting. I think that the Treasury requested it, to see how money is used for research in universities. It makes some interesting points. It discusses the dual support system—the money given directly to universities by the Government for research and the money from research councils for applications and peer review research—and the third leg funding scheme, which involves money from charities and sources such as endowments and conferences that can be used for research. The review points out that there is deep tension among academia, Government, business and other research funders on the funding of science and technology and, in particular, on the failure of funding processes, which has led to a serious gap in university research funding.

The review mentions the need for state-of-the-art infrastructure and buildings. Most of the 1960s universities are crumbling. They may have been well designed by the architects who built festival halls that looked wonderful in the 1960s, but rain and time have turned them into shoddy buildings, and they are not that safe because the cement is crumbling. Much more money must be put into universities to allow the research to be done. I used to work in a lab in which the rain came through the roof. When I was a young student at medical school in Edinburgh I had first-hand knowledge of pigeons' nitrogenous excretion falling on lab benches—that would have made a good research project. It is not on for science students, scientists or academics to work in such conditions, and much more money needs to be put into that area.

The dual support system has worked well, but we must ensure that it is clear whether the money is for blue-skies research or whether it is for research that will be of use to society. A friend of mine in academia got a grant for squashing the testicles of grasshoppers. I used to say to him, "What is the use of squashing the testicles of grasshoppers?" Academics are especially good at being articulate, and he gave me a one-hour lecture. A friend of mine, who was not helped by me, sent a letter to the newspapers asking that question. The academic replied that, "It is not much use, but it is damned interesting. It might be useful to humans." No doubt the individuals who committed the atrocities that we have been hearing about learned what to do by squashing grasshoppers. There are serious problems trying to justify research in universities. They must talk more about their research in order to win public support.

There is also a funding gap in universities, and a creative accountancy model is currently used. For example, research councils do not fund the whole of a research project, so people have to find money from other sources. Universities will not turn down grants from charities. I had lunch with Sir Paul Nurse, who said that he was not going to use money from cancer charities to pay for toilets in universities. The management of money in universities must be more subtly tailored to grants. There are big gaps, and there is evidence that money is sometimes taken from teaching pots in order to pay for research that is not funded.

The Select Committee on Science and Technology is examining how framework 6 and, eventually, framework 7 European money is accessed by people in this country. One reason why many people who could get that money do not apply for it is that they would have to find 20 per cent. of the funding from other sources.

Mr. Boswell: Does the hon. Gentleman agree that one historical problem has been the poor level of internal accounting in universities? When departments achieve 5* ratings and receive significant research funds, sometimes not all the money is allocated to them, but is put into the general pot rather than rewarding excellence.

Dr. Gibson: That is true, but the Government and the various councils have instituted a transparency review. We have identified where such cases have happened, which is the first time that proper accounting has been introduced to justify the use of money in universities. I remember having to learn what a spreadsheet was—these days, one does not become the manager of a department without learning how a spreadsheet works in order to be able to see the flow of money in a continually updated format. Universities have smartened up their acts, but they have some way to go in justifying themselves, at least to the public.

The funding gap has been identified. The research councils are examining the model used by the Wellcome Trust, which provides all funding in grants. It provides sufficient money to ensure that its grant is fully operated, so that universities do not have to take money from other sources.

The cross-cutting review identified the issue of academic pay, and we will never get good research in universities until we address that problem. I shall not go into how far academic pay has fallen behind that in industry. People work in universities because they love the work, the teaching and the articulate environment. Sadly, some of them like the senior common room a little too much, but in general there is excellence in our universities for which people are paid a pittance, which is why that issue is being addressed.

A great deal of research is conducted by research staff who are on contracts of one, two or three years. The Select Committee considered that. For example, some young women, who become old women after 20 contracts, live on six-month or one-year contracts. That is not on if we want the best people to stay in universities and carry out research. I make no apologies for that.

The White Paper "The Future of Higher Education" makes the point that we will have to concentrate our research much more in certain universities. I believe that Richard Sykes, who is at Imperial college, said in a Select Committee yesterday that we need only five top-class universities in the country. I do not agree. We have to resist that temptation, because there is excellence in all our universities. The university of Dundee, which is an institution of some excellence now, was founded on one man's discovery of protein for sporulation, from whence have come spin-off companies, cancer units and so on. Dundee is becoming one of the top universities for research.

We should encourage such thinking in every university, and we should find mechanisms to recruit people from the United States or from this country, where many of them have been trained, who want to work in Britain. We have done that for stem cell research; Britain leads the world in that area, and we have people queueing up to come back and carry out research in this country. Members of this House and the other place were very much instrumental in bringing about the regulations that allowed that to happen. We should pat ourselves on the back for what we did in this Parliament and the previous Parliament to make research and its funding top notch in the stem cell field.

Other good work is being undertaken, including Beagle 2 landing on Mars, the Open university and the construction of new joints for people with damaged bones. We had a meeting last Thursday that was full of good news stories relating to science, because science is being backed in this country and industrial relations with universities have been made to work so that they benefit our people.

I want to talk about excellence. I was brought up in a very Scottish way and hated Oxford and Cambridge. I did not need to go there to get a blue in football. I preferred to play for the team that I played for in Scotland rather than to get a blue from Oxford or Cambridge. Some people were tempted to go to Oxford and Cambridge, because there was a feeling that they were the jewels in the crown and the glittering places to go. Given the Scottish culture, going to England would have been a huge step at that time and was something to be resisted. At university, I heard about the magic of Oxford and Cambridge and a few places around London—the so-called golden triangle. I never believed what I heard, because my teachers were superb. My teacher is 90 this year and there will be a big do for him up in Edinburgh. It will be full of glittering past students, such as Professor Stephen Jones, all of whom passed through a small department, talked and argued together, and were cultured as a result of the teaching and research. Edinburgh university was not bad either, even though it was not part of the golden triangle.

Money is predominantly going to the universities that make up the golden triangle, and we should ask whether that is the best way it could be spent. Given my culture, hon. Members will understand what I am about to say. I am not an envious person, but when I see the election of the chancellor of Oxford university getting the coverage that it has had in the papers over the past few weeks, I ask myself, "Who gives a fig? Why is it so important?" There were three aged blokes and a token woman—there has not been a woman chancellor in the 800 years that the position has existed and I bet that there will not be one in our lifetimes.

The network that controls grants spins out into the scientific and academic establishment in this country—I am not envious, because I have benefited. It decides the subject areas that will be funded. I am writing a piece on that, and there is plenty of good evidence about the people in question. They are no better than people elsewhere in the country. We must break that elitism, otherwise we will not break the elitism surrounding access to universities. We also need an access regulator to examine where the scientific research money goes, who is on the committees that decide who gets it and so on. There is a correlation. I was part of the inner

[Dr. Gibson]

network and knew how to access that money. I might have gone out of the room when my subject was being discussed, but my mates were still there, and I was in there when theirs was being discussed.

We must provide transparency and openness in the funding of research in this country. The story of the election of chancellor of Oxford university shows how important a chancellor of a university in one part of the country can become. Who is chancellor anywhere else? Jeremy Paxman would never ask that question on "University Challenge". He might ask about the chancellor of Oxford university, but he would not ask who the chancellor of Dundee university or the rector of Edinburgh university are, or where the Chancellor of the Exchequer went to university or which university he was rector of. Hon. Members know what I am getting at.

There is concentration on Oxford and Cambridge. When the Government say they are going to concentrate on certain universities, I fear that we will miss out on the excellence found in universities in Greenwich, Dundee, Norwich or Manchester. Some of us were involved in the debate about the siting of the synchrotron in Oxford. That may have been the right place, but it left people in the north-west of the country feeling angry and undervalued. I welcome the fact that the Government responded to the protest by investing money there.

Research funding is important for the creation of wealth in this country and for the future. It is also important that we ensure that it is spread around, and that mechanisms are used to allow access for all people in this country who want to carry out research. Research is exciting; it blows the mind. It can be boring, too. One can carry out research for a long period, and not understand what has happened. Sometimes the best discoveries are made on a Friday afternoon after going to the pub. People try to repeat the discovery on a Monday, and wonder what they did right or wrong. Sometimes it is an accident that brings about discoveries. We have to create that environment and not expect those people suddenly to turn something up in five minutes, or even five years.

I welcome the debate. Much more will be said about all aspects of higher education. We have a great opportunity to build on the paper presented by the Government. There will be ups and downs in the arguments, and I welcome that. The research funding issue is a good place to start. We must ensure that we provide more funding, and encourage all those who want to carry out research to give us more of what we have had in the last 200 years.

2.47 pm

Mr. David Rendel (Newbury): I am slightly hesitant about following the hon. Member for Norwich, North (Dr. Gibson), as I have to admit that I did my first degree and my second—not that I ever achieved it—at Oxford. That makes me one of those who has absolutely no right to speak in the debate—according to the hon. Gentleman, that is. I tend to agree with a great deal of what he said about the recent election of the chancellor of Oxford, about which he was pretty well spot on, and I had to agree with much of what he said about Oxford being an elitist institution. There is no question but that it needs to come into the modern world in some ways. Having said that, I should also declare an interest.

One of my sons is about to start a research degree at university, so university research funding is at the centre of my thinking. Two of my other sons are at university as well, and they are being taught by people who are involved in university research and teaching. I have a personal interest in the matter, quite apart from my spokesmanship, and I am delighted that the debate has been secured and to have a chance to participate.

The first thing I would like to say—it should appeal to the Government if nothing else does—is that research has clear economic benefits for our country, and the rate of return on even basic research is thought to be as high as 40 per cent. Even if there were no other reasons, that is why we should fund university research properly.

Secondly, research involves pushing back society's intellectual boundaries—knowledge for its own sake, although the Government are less keen on talking about that in relation to our universities. It seems that the push is to ensure that universities meet the economic needs of the country, but they are also very much about meeting our country's social and cultural needs as well as enabling our young people to get the best out of themselves and to give the most of themselves to society, thus benefiting us all. If Britain is to have researchers not just in universities but throughout its economy, they must be trained to do research. That is an important function of university research departments, and everyone who goes into research almost certainly starts by doing a research degree at university.

Research enables Britain to benefit from research done in other parts of the world. Only some 5 per cent. of research is done in this country, but researchers who work at the leading edge of their particular subject are best placed to use research done elsewhere. People who are not working at the leading edge of their subject may not even understand it. One has only to think of the number of people who do not use high-tech equipment simply because they do not understand how it works. The more that people in this country are at the leading edge of research, the more likely that Britain can make good use of research done overseas. Therefore, research is worth while. It is beneficial in purely financial terms to this country.

We must encourage more of our most talented people into academia, and, obviously, allowing them to do research at universities is one way to do that. Academically talented students are deterred from staying on in academia to study for PhDs, however, and there is a recruitment and retention crisis in our universities. In the past two decades, staff-to-student ratios in UK universities changed from 1:9 in the early 1980s to 1:18 at the turn of the century. Forty per cent. of those in the profession are over 50. The Association of University Teachers says that an extra 17,000 university teachers are needed to replace those who are due to retire by 2010. An important aspect is that there are particular problems in core subjects such as science, maths and engineering, which are precisely the areas in which we have problems getting enough teachers in our schools.

According to an AUT survey released this month, 27 per cent. of academics—the equivalent of more than 40,000 staff—are seriously considering leaving the profession, mainly because of the growing work load and, of course, poor pay. According to the same survey, only 36 per cent. of academics said that they would recommend work in higher education to an undergraduate. If an undergraduate does not get a recommendation from someone who already works in the profession, they are unlikely to become involved themselves.

Let me say more about pay, which is, clearly, a key factor. During the past 20 years, academic pay has increased in real terms by only 5 per cent. while average pay in the community has increased by some 45 per cent. Despite the 2002 pay agreement, salaries are still well below those of counterparts in other sectors. The Liberal Democrats believe that it is essential to pay academic salaries that will attract new, high-quality recruits and we are committed to freeing up the resources needed to meet the Bett salary recommendations, updated from 1999 levels to equivalent 2003 levels. We would do that now, and we have pointed out in our alternative Budget precisely how it could be done.

Top-up fees, which are yet another tax on students, will not bring in the funds needed to pay university research staff properly until 2006 at the earliest. Universities need money now to fund the pay increases that researchers and academics must have if they are to be encouraged to enter and stay in universities.

It is also important to mention student debt, which has been much discussed recently inside and outside the House. It is noteworthy that 81 per cent. of academics oppose the introduction of top-up fees, according to the AUT survey. If someone wants to become an academic, they must have a PhD. That means relying on the relatively low graduate stipend for several years, probably until the age of 26 or 27, and putting off even further the repayment of graduate debts. Academic salaries are pitifully low and the effective 9 per cent. marginal tax rate is very difficult for people to cope with.

The 2001 British Academy report on graduate studies in the humanities and social sciences found that the UK is failing to attract sufficient of the best British students to take up PhDs in the arts, humanities and social sciences. An increasing proportion of postgraduates are recruited from other EU countries and overseas. I was told recently that not a single British student is studying for an economics PhD in this country—they all come from overseas. The same report concluded that debt—that accumulated from undergraduate study and prospective debt from postgraduate study—is a major deterrent to potential PhD students.

A good point that has already been made is that universities have also been criticised for excessive use of short-term contracts and denial of employment rights to research staff. Almost 50 per cent. of university employees are on short-term contracts and numbers have increased rapidly since the early 1980s. Most are employed on post-doctoral research in science departments where, as with junior doctors, they are expected to do all the hack work, while their seniors claim the credit and write up the results.

Researchers are generally paid less than tenured lecturers, although they are linked to university scales, and employed for only limited periods of perhaps six months to two years. That makes it difficult to obtain a mortgage, for example, as their employment prospects are variable and uncertain. Many universities refuse to employ people on a second contract to avoid liability for redundancy payments.

Talented researchers have often gone on to become tenured lecturers, but there are often 10 applications for every post and it is difficult for them to move on in that way. Sadly, salaries are not high enough to attract some of the best and most highly qualified candidates, who might otherwise opt for academia.

Pay, work load, lack of adequate career structure and debt are fuelling a damaging brain drain of academic talent to overseas, and creating incentives for people to opt for a career in the private sector and to opt out of a career in our universities.

The third reason why research is important is the link with research teaching. Traditionally, university teaching has been distinguished from further education and other post-19 teaching by the fact that academics in those institutions have simultaneously undertaken research. That may not be so true now that more and more research takes place in further education institutions, but there is still a lot of truth in it.

Teaching benefits from people working on research for a number of reasons—it keeps them up to date, they must actively follow the literature to contribute in that area and they tend to be more able to talk about their research and how it links up with their studies—but the White Paper makes the extraordinary statement that

> "the connection between an institution's research activities and its teaching is indirect".

Very few people working in universities would agree with that. The vice-chancellors, as represented by Universities UK, and university staff are at one in disagreeing with the Government. According to the AUT survey, 86 per cent. of academics believe that the research-teaching link should be retained. Universities UK says that it cannot understand the White Paper's assertion. It says:

> "Teaching at undergraduate, taught postgraduate and research degree level relies fundamentally on research work, and the best teachers are attracted to universities by research opportunities."

Liberal Democrats believe that, far from being indirect, the research-teaching link is integral to what universities do. Students benefit immensely from teaching grounded in a research environment because that facilitates a more active engagement with the subject at the very frontiers of the discipline and because of the thinking and research skills that are imparted. Academics also benefit because teaching allows them to test their ideas and arguments.

In contrast, the Government's proposals imply a two-tier higher education system with elite research institutions—Oxford among them, no doubt—at one end of the scale and others relegated to being teaching-only institutions. In the latter case, high-quality staff will be lost as they seek, understandably, to work in a research university.

I turn to the Government's proposal to concentrate research funding. The White Paper states:

> "The Government intends to improve the position of research further by focusing resources more effectively on the best research performers",

arguing that "larger, more concentrated units" are justified on the ground of "economies of scale". It continues:

> "We will ask HEFCE ... to identify the very best of the 5* departments which have a critical mass of researchers—a '6*'—and will provide additional resources to give them an uplift in

> funding over the next three years. At subject, as well as at institutional level it is critical that we focus our resources on the strongest, who bring us the best returns."

In fact, research funding is already being concentrated in that way and the trend is to move even further in that direction, which will benefit the top 10 research universities. There is a real risk not only of a two-tier university system but of damaging the institutional diversity that is a strength of our higher education system.

In the briefing circulated to hon. Members for this debate, Universities UK notes:

> "There is a risk that the net effect of the research proposals in the White Paper could be a more rigid hierarchy of institutions with only a relatively small number having access to significant research funds. There could be a substantial reduction in the capacity and potential of UK research if departments graded 3 or 4 are no longer funded, or are funded at a reduced level."

That is a particular kick in the teeth for those departments that have worked so hard to raise their rating in the research assessment exercise. Science, engineering and maths research could be at particular risk—precisely those subjects in which we face important shortages.

Plans to concentrate research in only a few research universities are deeply flawed. When economies of scale in scientific research have been claimed, it has been proved that they do not exist. There is no evidence to support such a contention, except in rare cases involving very large pieces of equipment such as telescopes or synchrotrons. What is required to stimulate innovative and productive research is work in the specific sub-field in which the researcher specialises within a group of five or six people with whom to test ideas.

Evidence of economies of scale is not only unconvincing but there are obvious dangers in shutting out the unorthodox and restricting research in ways that damage British universities' international reputation for research excellence and innovation. That will also damage our economy.

The key issue is concentrating research funding in the hands of only a few research-intensive universities and the danger is that such an approach might stifle diversity and creativity. Britain's dual system of funding research has rightly been called the jewel in its research crown, precisely because it has always allowed for the serendipity from which so many of our most creative scientific breakthroughs have emerged. The Government would be foolish to throw that away, but their policy pronouncements have raised a real worry that that is what they intend.

3.3 pm

Mr. Tim Boswell (Daventry): I congratulate the hon. Member for Chatham and Aylesford (Jonathan Shaw) on having the good fortune to secure this debate and on the characteristically modest but thoughtful way in which he introduced it. He made some valuable points.

At the same time, I commiserate with the hon. Gentleman for his ill fortune in having been given this moment for his debate. I sense that the mood of the majority of the country, as well as hon. Members, will be focused on the main Chamber rather than here. However, I can offer some comfort: Winston Churchill's memoirs of the second world war record that the great man found time in the middle of conducting global warfare to attend, by minutes to his colleagues, to such matters as the state of the Admiralty flag and the future of British bloodstock.

The latter of Churchill's concerns is analogous to the serious matter that we are considering—a jewel in the British crown which we are all anxious to preserve. That has been the theme of all of the speeches so far and, to anticipate the Minister, of her speech as well. We are all on the side of British research, and broadly on the side of British universities, but although we are distributing compliments, it is fair to say that we recognise the tensions. The first one is that, almost inevitably, there will be elements of a zero-sum game between the various interests involved. The access universities will be at one end of the range, and the Russell group at the other, and they will all be finding ways to devise or modify existing formulae or practices to secure greater advantage. I heard elements relating to that in the speech of the hon. Member for Norwich, North (Dr. Gibson).

I assure the hon. Gentleman, by way of declaring an interest, that although I began life as an Oxford classicist, I spent time on a science research council. I am not sure what qualifications I had for the post, but it was educative—perhaps I was chosen because I had run a small science research charity. One of the most interesting developments that we produced, which eventually became intellectual property, was due to somebody, whom we were sponsoring, in the department of electronics and electrical engineering at Sheffield university working in conjunction with a colleague who was a zoologist. That led to some interesting ideas on marine biofouling. If two departments are not in the same place, or they are not talking to each other, such opportunities will be lost. *[Interruption.]* I am pleased to hear the Minister acknowledging that that is a great strength of the university system.

I should like to talk about the huge diversity of research funding. The hon. Member for Norwich, North was right to remind us of the European element, but, in domestic funding, different streams are coming from the HEFCE research selectivity exercise and from research councils, charities, non-governmental organisations and others; finally, there is contract, commercial research. All of those are to be welcomed and drawn on, and we must recognise that complexity. That range of streams must continue; no one stream should be dominant or calling all the shots.

An important point about the university portfolio which has been acknowledged—I hope that the Minister will acknowledge it too—is that universities are not there to conduct one-shot exercises of a highly specialist nature, and it would be contrary to the definition of a university for them to do so. I feel strongly that in almost all cases there should be some coincidence between teaching and research. Being invited as a first term undergraduate to a seminar given by the doyen of Oxford classicists—a Nazi refugee who had arrived in London unable to speak English and was therefore required to lecture in Latin in his first year—was a remarkable cultural experience. The man was also very good at his job. Whatever institution one is in, there must be opportunities for such exposure to people of excellence.

I shall also mention my local university college in Northampton. I do not grade it below Oxford—they are equal in my affections. It is doing an excellent job as a regional university college, and because of the local boot and shoe trade, it has the National Leathersellers Centre—a world centre of reference for expertise in that industry. We should not have the kind of tidy-mindedness that compartmentalises universities into those that solely teach and those that solely conduct research. We must recognise strengths. I hope that Ministers will reflect on some of those points when they consider their detailed plans on collaboration. The matter is much more complicated than a superficial reading of the White Paper suggests.

I want to highlight three points of particular concern relating to the White Paper which the Minister may like to consider. The first relates to the degree of selectivity. The Universities UK briefing asserts that under the new system that the Government are devising, which will have a level 6*, we will have a more selective system than that applicable in any other country in the world. That was also explicit in the remarks made this afternoon. The Minister must deny that, and explain why it is not the case, or justify it because I do not believe that the Government have done either of those things. The matter needs to be thought about.

The hon. Member for Chatham and Aylesford referred to consultation and to people being caught without a chair when the music stops—if I can use such a phrase in relation to a research selectivity exercise. As the exercise has been set up on a quinquennial basis, it is unfortunate that it should be altered in the middle of that period. The fact that it is being altered, apparently without consultation, is greatly exercising the universities. The Minister must explain the degree of consultation and understanding involved. No one should necessarily mind having to adjust to a new regime for the next period, but to find that a legitimate expectation, as lawyers would call it, is being frustrated in the middle of the process is unfortunate. I leave that point with the Minister.

I come now to the practical consequences of such action. One matter to which the hon. Members for Chatham and Aylesford and for Newbury (Mr. Rendel) referred, and about which I am concerned, is the present situation of teaching staff and the impact of changes. The withdrawal of money from an institution, especially when that money is not lavish, will have an impact, with likely consequences for teaching staff and research groups. In the White Paper, the Minister forgot about the support staff and the technicians—important people who make research possible in our universities. The matter needs to be treated with great sensitivity because an intellectual resource is likely to be thrown away. I have strong sympathy with those who want to make changes, but I am not in favour of changes made hastily, especially in the overly tidy-minded, compartmentalised way of Ministers.

The White Paper is almost silent on the Bologna process. The Minister was kind enough to give me a response this week by way of written answer, but the inference among European rectors and in the European university process is that universities are about teaching and research. An institution that was, for example, simply teaching would not prima facie qualify as a Bologna-acceptable university. I think that the Government must pause on that point, too.

Issues about how research should be configured have been implicit in the debate. However, a point that has not been made clearly concerns knowledge transfer. I have kicked it around a bit, but I am still not clear where knowledge transfer fits in between teaching and research. There is an important economic point to be made about knowledge transfer, and I do not argue against that, but it is not entirely clear how it is to be delivered and what is its relationship with teaching and research. To put it another way, if all the money from research will go to institutions with a 6* rating, will not there be a gap in funding for institutions achieving the lower ends of knowledge transfer? I happen to think that both research and knowledge transfer are extremely important.

Universities are, and should be, protean organisations, reaching out in all directions, and receiving, bringing together, disseminating and transmitting excellence of all sorts. Naturally, there will have to be concentration on funding. There have to be formulae—we have always understood that—but the balancing of funding must be done sensibly.

When I was the Minister responsible for higher education nearly a decade ago, we did our best to offer development funds for research in the new universities. We tried not to destabilise the existing system, and, in general, we tried to make haste slowly. There are big research teams, which need a lot of kit and high capital investment. I do not resile from that, and it may be sensible to concentrate on those cases. However, there are institutions and smaller-scale research teams that are doing excellent work, and in the humanities there will still be lonely scholars in garrets who are thinking important thoughts about philosophy, history or whatever, perhaps without a lot of support.

I conclude by paying the Minister a compliment. I am delighted that the long process of establishing an Arts and Humanities Research Council has reached fruition. Such processes always take a long time. This one started about 10 years ago, but we have got there. That is welcome, and it may act as a counterbalance. However, we should also celebrate the university sector in all its diversity, and I think that we have done that. We should recognise that things cannot be put into narrow boxes or compartments and, above all, that the sector needs a system that is broad-minded and sensitive enough to cater for excellence wherever we find it.

3.16 pm

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): I join other hon. Members in congratulating my hon. Friend the Member for Chatham and Aylesford (Jonathan Shaw) on securing the debate. It is regrettable that it should be taking place on a day when there is a momentous debate in the Chamber. I know from conversations that I had last night that several hon. Members would have contributed here today if they had not wanted to participate in the main debate. I hope that we will discuss this subject again because I agree with hon. Members that it is a vital part of our White Paper and our higher education policy, and that it has not so far received adequate attention.

All hon. Members present agree on the importance of research. I share the view of the hon. Member for Daventry (Mr. Boswell) that we are all on the side of

[Margaret Hodge]

British research. I also agree with my hon. Friend the Member for Chatham and Aylesford that it is the key driver of economic growth and productivity, as do the Secretary of State and everybody in the economics Departments—the Chancellor and people in the Department of Trade and Industry. We have given it such prominence in our White Paper because it is so important, and that is why it was also given prominence in the funding plans of the Chancellor and the Government.

When we talk about research, we often talk about science, but we should never forget the important research that takes place in the arts and humanities, which is why I am delighted that we will be able to establish a council in that field. Some of that work creates economic growth and productivity; the cultural industries are a good example of that. Other kinds of work—such as community development research—help to strengthen community cohesion, which is an important function of research. However, some research work simply enriches our lives, and we should never forget that one purpose of much of the activity that takes place in our universities is to foster great enrichment in the life of every individual in our society.

Global competitiveness means that there is a growing concentration of research resources throughout the world. In the United States of America, only 200 of the 1,600 higher education institutions have the power to award postgraduate degrees, so there is a history of concentration and differentiation in the USA that is not a part of our education system.

I recently returned from a visit to China. The Chinese Government are focusing massive research investment—much more than we are capable of investing, simply because of the size of China's population and economy—on the country's most research-intensive universities. We should look forward to the capacity that we will have in five or 10 years to compete with China, particularly in science research. If we do not focus our research, much less of it will take place in this country, and we will not be able to have the growth and productivity that comes from research.

Jonathan Shaw: Does China have the widespread research base that this country has? Where is it starting from?

Margaret Hodge: It is true that China is starting from a lower base, but it is an enormous country with a huge population, and it is increasing its higher education budget by 20 per cent. per annum over the five-year spending period. If one focuses such resources on a very few institutions—as China is doing—one can quickly build up enormous capacity. I saw new laboratories in China's leading institutions, and my hon. Friend the Member for Norwich, North (Dr. Gibson) would be deeply envious of the equipment available there. Because of China's size, it can skip a generation and can quickly overtake us on research.

Some hon. Members mentioned a tension between our agenda for widening participation and our research agenda. I do not agree that there is a tension. First, we want to achieve excellent teaching for all in all our universities. I hope that that ambition wins through in the White Paper. Excellent teaching will provide a lot of opportunity. Secondly, we want fair access to our most prestigious universities. Those two policies combined mean that there is no conflict or contradiction between our widening participation agenda and our research agenda.

I think that we all agree that the UK's research record is unrivalled. We have had many Nobel prize-winners because of our traditional and historic investment in research. We have only 1 per cent. of the world's population, but we produce 8 per cent. of scientific publications. Most interestingly, in 15 of the 20 main fields of scientific research, America comes top and we come second. We are proud of that record, and we are determined to maintain and build on it. That is why, in this comprehensive spending review, our investment in research capability is the most generous ever. By 2005–06 we will have increased investment and research by 30 per cent. That will help to ensure proper funding for research, an issue raised by my hon. Friend the Member for Norwich, North, which the transparency review identified as one that we need to address.

The hon. Member for Newbury (Mr. Rendel), representing the Liberal Democrats, failed to say how his party, were it ever to be in Government, would tackle his massive agenda. He has not said what would be his party's priorities or how it would fund them. All that I have ever heard from the Liberal Democrats is that they would fund everything by cutting student funding to two years and forcing people to go to local universities. That is not a route that I want to take.

We have always concentrated research funding. In the following examples, I have deliberately taken the 2002–03 figures rather than the 2003–04 figures that came out last week. In 2002–03, Cambridge got nearly £68 million in research funding, but Anglia polytechnic university got £369,996. Oxford got nearly £65 million, while Oxford Brookes got just over £2 million. Imperial college got over £60 million, but London Guildhall university got £200,000. Although I do not agree with Richard Sykes that we will end up with a concentration on just five or six institutions, I think that a limited number of institutions will compete in the global economy. Many more departments will play a role on the world stage.

There are accusations about a golden triangle. I draw to the attention of all hon. Members the important collaboration that took place last week: the merger of Manchester and UMIST. That will, I hope, enable us to start breaking down the concentration of research funding, which I accept exists in the golden triangle.

My hon. Friend the Member for Norwich, North raised the matter of academic pay, which is critical. If we are to keep our best researchers in the UK, we must pay them well. All the evidence that we had on the average salaries for the top professorial posts in the UK led to the finding that there was a brain drain, and too many of our best researchers were leaving and going elsewhere. If we do not tackle that problem, a threat may emerge from places like India and China, so academic pay requires a concentration of funding in future, or we will be in danger.

On the link between research and teaching, I regret the comments made by the hon. Member for Newbury, who said that universities were being relegated to teaching-only institutions. At the heart of the White Paper is our effort to raise the status and importance of teaching in our universities. It is as important to us to build the capability among individuals as it is to provide the research base to fuel the economy and enrich our society.

Let us consider the distribution of money last week by HEFCE. I use Greenwich as an example, because it was raised by the hon. Member for Chatham and Aylesford. He was correct in saying that Greenwich lost some £615,000 of its research funding. However, it gained money in its teaching grant. That was done deliberately, so that we can start getting our universities to focus more on what they do best and thereby concentrate our research resources. People often ask me about the evidence for that. In 2000, HEFCE commissioned a report on the interaction between research, teaching and other academic activities; it took evidence from 40 universities and colleges and concluded

> "that not every teacher needs to be engaged in 'research' as a narrowly defined activity but might be expected to engage in scholarship to inform their work as teachers."

I have often said, in the Chamber and here, that the last RAE determined the distribution of quality through a peer review exercise. It was never supposed, nor intended, that it should determine a distribution of resources. It was always a relative quality exercise, never a resource-distribution exercise. I am delighted that Sir Gareth Roberts is engaged in reviewing the RAE—various hon. Members have talked about the way in which he is doing that. Perhaps the academic community will feel more comfortable with the outcome of that peer review.

I accept that change is difficult. It is difficult for us to achieve the greater focus on mission that lies behind the White Paper. I accept that, a year after the last RAE, some institutions have found change especially difficult. However, to put it bluntly, we could not have afforded to wait until 2008—the time of the next RAE—to start instituting some of the changes that we wanted.

People talk about a greater concentration of research funding. Let me tell hon. Members what happened. Between 2002–03 and 2003–04 there was a 1 per cent. increase in the proportion of money that went to the top 25 universities. That is not a massive shift, but it is important and it moves in a direction that we believe will best conserve the best research in the UK. Much of the stress in the White Paper is on concentrating and building collaboration between universities and between departments in universities. That is why we talk about collaboration and consortia; such things reward talented researchers and offer better funding for postgraduate research places. All that is intended to build capacity and ensure fluidity in the system so that we can grow good research.

I say quickly to the hon. Member for Daventry that I accept that the money that comes under knowledge transfer will have to be focused primarily on the non-research intensive universities, to enable some redistribution in that direction.

The White Paper provides the basis for ensuring that we can fund the best research properly—that is critical to the nation's economic growth and prosperity—and fund emerging research and capability in certain institutions, to ensure that we grow new research in our universities.

Wapping Station

3.30 pm

Ms Oona King (Bethnal Green and Bow): I am very pleased to have the opportunity to draw to the Government's attention the future of Wapping station. It is incredibly important for my constituents and for me, and I am particularly grateful that several of my constituents have made the journey to Westminster today. Obviously, that journey would be much more difficult for many of them if they did not have a station in Wapping. We are desperately hoping to avoid any threat to it.

I should like to mention a tiny bit of history. Anyone who has any association with Wapping is proud of its history. I do not know whether people are aware that Wapping has a long history associated with forward-thinking transport endeavours. What do I mean by that? Sir Walter Raleigh's ship was equipped in Wapping before he sailed from Limehouse to Guyana in the 16th century. Young James Cook lived in Wapping and Captain Bligh of the Bounty lived there for many years. I say that merely to point out that Wapping's residents have long travelled far and wide from its shores, in many directions. We should not wish, at this point in our history, to see any difficulties arise in access to transport. I shall return to the problem of access to transport in a moment, because we must consider issues relating to the Disability Discrimination Act 1995.

I should like to thank the many constituents who have contacted me and, in particular, the Wapping pensioners group, led by the highly esteemed Sybil Yates. I am slightly worried to see that she has come here notwithstanding a rather nasty altercation with a lorry. We wish her well, but that is all the more reason—

Mr. Deputy Speaker (Mr. John McWilliam): Order. I appreciate what the hon. Lady is doing, but strangers do not exist here. This is part of the Chamber, so they should not be mentioned.

Ms King: I did not realise that strangers do not exist, but my point relates very directly to the future of Wapping station. We are concerned that more and more constituents could have rather unpleasant altercations with cars and other vehicles if they do not have access to their station in Wapping. I hope that you will forgive me if I make that point, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. The hon. Lady misunderstood me. It is perfectly in order for her to make that point, and she was in order making her point earlier, but mentioning people who might be in the environs, but who are strangers, is out of order.

Ms King: Right. Thank you for your direction on that point, Mr. Deputy Speaker. I should mention that many so-called strangers are with me all the time in my mind because they just do not stop contacting me on this issue. That is why I am so grateful for the opportunity to raise the future of Wapping station.

I shall outline some of the more near-term history that has led us to the situation that we are in at the moment. In November 2002, I started to receive letters from constituents expressing concern about rumours that

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Wapping station might be closing. They were angry and frustrated at the lack of information. I then contacted the Strategic Rail Authority and London Underground. The SRA said:

> "We need to ensure that stations on the extended East London line comply with modern safety standards given the significantly increased number of passengers expected to be using the line. Wapping presents particular challenges in ensuring safety compliance. No final decisions have been made. We need to look at the options including closure."

There seemed to be a reluctance to talk more specifically about the case, perhaps due to jeopardising the valid and important business case for the East London line extension. I shall return to that.

I then wrote to the Mayor, Ken Livingstone, and received a similar response. On 14 December, more than 300 local residents turned up at a public meeting accompanied by local councillors Denise Jones, Richard Brooks, Shafiqul Haque and Michael Keith. Also present was the other Member of Parliament for Tower Hamlets, my hon. Friend the Member for Poplar and Canning Town (Jim Fitzpatrick), and the GLA Member, John Biggs, who deserves credit for presenting a petition to the Mayor signed by 880 people. In January, I tabled a parliamentary question asking about the station's future and at the beginning of this month I had a constructive meeting with Ian Brown, on behalf of Transport for London, who is the managing director of London Rail.

Before turning to the technicalities we discussed, I want to put the situation in human terms. Wapping tube is a vital lifeline for residents who are hemmed in by the river on one side and an extremely busy road—the Highway—on the other. If the tube station closes, Wapping will be isolated, as it was during the 1990s when the tube was closed for repairs. The situation is not acceptable because there is no reliable alternative public transport. The 100 and D3 buses are, sadly, unreliable. The wall of traffic that can build up on the Highway often blocks them and it is a further 20-minute walk to Tower Hill or Shadwell.

I received many letters previously—before the current issue arose—from constituents who were concerned about the service provided by the 100 bus route. London Transport acknowledged the less-than-adequate service and cited problems with driver recruitment. I am concerned about that, but I am more concerned about my constituents having access to the station they need. I must also draw the attention of my hon. Friend the Minister to the fact that there are two primary schools in the area and that recreational facilities in Shadwell basin attract children. We need a safe, clean way to get in and out of Wapping.

I hope that Members recognise that Wapping tube is a vital link to south London and that, without it, it takes more than an hour to get there. We must also consider the congestion charge. Wapping is on the edge of the zone and the tube is a vital link to east London, the City and the west end, without resorting to a car or a taxi. Has the SRA carried out surveys to discover how many people use the station? I know the answer to that question, but I would like the SRA to bear it in mind when doing such surveys that there have been problems with the reliability of the service provided at Wapping station, which have led to some people not using it when they might otherwise have done so if they thought that they could rely on it. Local people need to know the evidence and the results of the feasibility studies carried out by the SRA and how decisions are made on the future of Wapping tube. They need to know that those decisions are transparent.

Turning to the technicalities, there are three main problems at Wapping: gradients, curvature and station platform width. TFL estimates that bringing Wapping up to the required safety standard could cost £100 million. Everyone who lives in Wapping, as well as myself, is astonished by that figure. Having had a detailed meeting with TFL, I realise why it has arrived at that figure, and I shall briefly go into the matter.

I will quote from the Wapping station engineering summary. It states that Wapping underground station is sited at the northern end of the Thames tunnel designed by Sir Marc Brunel. Upon completion, the Thames tunnel became the first underwater tunnel in the world. The tunnel is now scheduled as a grade 2 listed structure. The station is substantially as it was when originally constructed in 1869, so it includes very narrow steps, narrow stairs down to platform level and a narrow and curved platform with no secondary means of escape during evacuation of the station.

Obviously, I recognise that we have to be concerned about safety. The station is adjacent to the River Thames and consequently has a very high water table. It operates with a significant volume of water ingress and continual pumping. What has the SRA done? It has come up with an engineering and safety feasibility study. The options include relocating the station or reconstructing it on the existing site. The most advantageous option is to redevelop the existing site with a new ticketing hall and station entrance. The proposed new station development will not be a fully compliant facility in terms of the network rail standard or mobility-impaired passenger access. However, it would—this is significant—be a great improvement on the existing station.

On the technical complexities to which I referred and the high water table, the SRA has a computer model of the soil structure and engineering design of Wapping station, which it has developed to analyse the impact of works on adjacent buildings and the operation of the underground railway. The results show that the ground would lift upwards by as much as 220 mm. I know that that is rather technical, but the point is that we must understand the technicalities if we are going to come up with a solution. The construction risks include flooding, movement, cracking and movement in adjacent buildings, the possible collapse of the existing railway tunnel because of ground movement or arch collapse and a prolonged construction duration, which would close the site for one year.

The estimated cost, which I mentioned, relates to an initial adjusted budget estimate of £54 million. Possible measures needed to prevent the lifting of the ground would cost £13 million. The risk, which the Treasury insists, probably rightly, is built into any project in accordance with the Green Book, is £33 million, which brings us to the £100 million total. What are the possible ways of avoiding that spend? The most obvious, although not the most satisfactory, is derogation from the Disability Discrimination Act and in respect of the

Health and Safety Executive. In some respects, that has already happened. Wapping station has a Health and Safety Executive derogation and its history is relevant, which is why I have mentioned it.

After all, something built in the 1860s will never comply with our 21st-century standards. We recognise that, but we are concerned that we might move backwards. There could be regression rather than progress, because people who had access to transport would no longer have access to it.

One of my constituents, Mike Smith, has battled with access problems at the station because he is a wheelchair user. I know that Mike would never argue that if he cannot have access to Wapping station then neither should any of his neighbours. I would argue that provision must be made to keep Wapping station open and to ensure that Mike and other wheelchair users have access, even if it is not the full and unfettered access that they should be given under the law.

Will the Minister let me know whether derogation can be looked at as a possible solution? Will he also write to me outlining how we might improve the current access for wheelchair users?

Now I will move on to the general issues relating to the East London line extensions. I appreciate that the SRA and TfL have been working extremely hard on options to keep Wapping station open, and no final decisions have yet been taken. They are considering a range of options, but it is crucial that Wapping station has a secure future.

It is also crucial that the consideration of options for Wapping is seen as a separate exercise from the planning for the East London line extension. Nothing should detract from that extension because it will bring major transport and regeneration benefits to some of the most deprived areas of London. In Tower Hamlets, for example, it is estimated that the scheme would boost approximately £1 billion of regeneration initiatives. For London as a whole, the figure is £10 billion. I ask my hon. Friend the Minister whether he can also tell us when we might expect a decision on the business case, which would allow construction for that vital scheme to proceed.

Finally, can the Minister confirm that TfL intends to keep Wapping station open, if it can? Will it actively work to deliver that outcome? No other outcome is acceptable to me, or my constituents in Wapping. We know that there are problems, and we know that it is difficult, but we also know that an answer must be found.

3.46 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): I congratulate my hon. Friend the Member for Bethnal Green and Bow (Ms King) on securing the debate and on presenting her case so forcefully, as usual, on behalf of her constituents. She has had much correspondence with the Department, and has taken a great interest in this subject. I congratulate her on taking this issue up so assiduously. My hon. Friend the Member for Poplar and Canning Town (Jim Fitzpatrick) has also taken a great interest in this matter.

I was grateful to my hon. Friend the Member for Bethnal Green and Bow for her short but interesting history lesson about Wapping. I thought that the great voyages of the world only started in Plymouth, but I can assure her that it is difficult for people in my constituency to come here for a day out. I will be seeing some of them in a few minutes, after the debate.

I recognise that there has been some speculation about closure, and I would like to make it clear from the outset that no final view has been taken by anyone regarding the closure of Wapping station. Should there be such a proposal, there would be a statutory process to follow, and we cannot anticipate what might happen in that process. Having said that—and I have to be candid—the business case for the East London line extension project currently before Ministers is predicated on the closure of the station, partly for the reasons that my hon. Friend explained. That assumption is based on safety considerations and engineering feasibility. I should emphasise that the business case for the project is based on a prudent assumption. It is not a determinant of future decisions, nor is it cast in stone.

As I have intimated, the closure of a railway station is not done lightly, or without good reason. A thorough statutory closure process must be undertaken, which gives all the interested parties, especially those most affected—such as my hon. Friend's constituents—the chance to voice their opinions. Given the importance of the project, the No. 1 priority has to be to ensure that it can be delivered. The project would underpin regeneration of some of the most deprived parts of the capital by improving links between north and south-east London, and between the national rail network and the London underground network.

The extended line would pass through 25 per cent. of the most deprived areas of London. It would provide improved travel choice for around 330,000 people. The project would provide a range of benefits for Londoners, including additional network capacity to accommodate increasing demand, and the improvement of public transport accessibility to areas such as Hackney, Lambeth, Lewisham, Southwark and the docklands, which are currently poorly served. It would facilitate a future orbital rail service between north and south London, providing congestion relief to central London rail terminals and on major roads into central London, particularly the A10, the A23 and the A205. There would also be better integration with other modes of transport, including buses and light rail.

Critically, the project would bring frequent metro-style rail services to parts of east London that have been without any rail links, which would act as a driving force for regeneration in some of the most deprived boroughs in the United Kingdom. I am sure that my hon. Friend wants to see such regeneration—as do we all. Future travel on an extended East London line is forecast to increase by more than 200 per cent. in passenger journeys and by an even greater level in passenger kilometres. It is also estimated that some 2 million car trips per annum would be taken off the road, with people switching to rail.

Ms King: We are talking about an increase in passenger numbers. Currently, Wapping has 10 trains per hour. If it stays open and the East London line extension goes ahead, that will increase to 16 trains per hour. I would welcome that, but does the Minister

[Ms King]

accept that we cannot ask people to divert their transport patterns if there is nothing for them to divert to?

Mr. Jamieson: Yes. I hope to come on to that point.

In order for the extension to take place, the stations along the line will, of course, have to meet safety standards, and that is the problem with Wapping. The safety requirements are likely to be significant. They will include the provision of greater space for passengers on platforms and at entrances and exits, the upgrading of the secondary access and the creation of proper access for visually impaired and disabled passengers, older people and those with small children.

My hon. Friend asked about a derogation with regard to people with disabilities. That is always done with reluctance, and it would be up to the Health and Safety Executive to make a recommendation on that point. It is possible, but there are other difficulties beyond that. Wapping station may have to be proposed for closure because of the challenges it presents in complying with safety and accessibility standards, given its age and present configuration, and the major impact that those challenges would have on the viability of the whole project. For example, if the necessary modifications extended beyond the current footprint of the station, a new transport and works order would be required, which would take several years to conclude, and that in turn would make the project extremely high risk.

There are technical constraints, too. My hon. Friend has a detailed knowledge of the station. As she said, it is right by the riverside to the south and hemmed in by converted warehouses on the other quarters. The station's close proximity to the adjacent buildings and the listed Thames tunnel limit the scope for extensive modifications. Similarly, the proximity to the Thames and the consequent high water table in the area present extremely complex engineering difficulties that, I am afraid, may not be resolvable. Certainly, I am advised that no viable engineering solution has yet been identified. Currently, the station operates with a significant volume of water ingress and requires continual pumping. Any major engineering work undertaken could introduce the risk of flooding not only to the East London line but to other nearby parts of the underground system.

I should remind the House that, as my hon. Friend said, Wapping station is situated on the oldest tunnel under the Thames, which was started by Marc Brunel in the first half of the 19th century, with the station itself opening in 1869. The tunnel was originally constructed for horse-drawn vehicles. Of course, various alterations have been made to the station since that time, but even today it is substantially as it was when it was originally constructed.

The platforms are narrow and can be accessed only by negotiating a narrow flight of stairs after leaving the lifts, and there is no secondary means of escape during an evacuation of the station. The station operates under a derogation from the Heath and Safety Executive, and were it to be built now, it would not meet current standards. The station was never intended to cope with the number of passengers who are expected to pass through it when the extension project is completed, and upgrading the line raises serious safety issues.

My hon. Friend will agree that safety must be paramount in all our considerations. London Underground counts some 2,660 journeys a day starting or ending at Wapping, with trains every 10 minutes or so.

Ms King: I hope that the Minister will forgive me for returning to this point. My constituents find it difficult to understand why a service that they are able to use now should be closed in the future. Why cannot the standard of service remain the same as it is, even though it is not up to 21st century standards, rather than become worse?

Mr. Jamieson: The simple answer is that the Health and Safety Executive will want the whole of the new service to meet new standards of safety. One must also consider the length of the trains. At present, the length of the trains that can pull in at the station is limited. Some of the trains that are expected to run on the line may be considerably longer than can be accommodated at the station. Therefore, following the planned upgrades, stations on the former East London line, which will be served by dual voltage overground trains at a much higher density, will be designed to accommodate eight-car trains. Although some stations can be altered, the engineering difficulties are very great at Wapping station, as I indicated to my hon. Friend. Quite simply, passengers on a full high-density train would not be able safely to get in and out of Wapping station as it is configured at present. That is the difficulty that we are facing.

There may be a way forward for my hon. Friend and her constituents. The Strategic Rail Authority and Transport for London are discussing the problems with engineering specialists and health and safety authorities to ascertain whether a solution can be proposed that takes full account of the risk to passengers, surrounding property owners and users of the national rail network. It is important to note that any decision must fully address the impact on the current station structure and take into consideration its heritage, adjacent structures and physical obstacles and risks, such as the Thames, the community that it serves directly and indirectly through the railway, the project itself, and linked infrastructure and services, such as the Jubilee line. I assure my hon. Friend and her constituents that discussions and deliberations are ongoing and that no conclusions have been reached.

Ms King: On the Minister's point about train length, I understand that the service will operate with a four-car service at first. Therefore, Wapping station would not present a problem. Will he write to me on that point?

Mr. Jamieson: I shall deal with the matter in correspondence with my hon. Friend, because we will not be able to cover all the points in the debate.

If no satisfactory solution can be found, the operators will have to consider closing the station. However, that will be the very last resort, after all other options have been carefully considered. I believe that my hon. Friend's powerful points in the debate today will also be taken into account. A station closure is subject to a lengthy, detailed and public statutory process. I assure her that, if initiated, the closure process will be public and transparent, and her constituents will have a full role in the discussions.

Before any closure can take place, the station operator—in this case, London Underground Limited—must submit an application for closure to the London Transport Users Committee, which is a statutory body made up of independent representatives of the travelling public. The station operator must advertise by means of notices displayed in the relevant station and in the local press that an application to close the station has been submitted. The application must include a statement of reasonable closure, which must show exactly why the closure has been proposed.

I understand why my hon. Friend and her constituents are worried. I am grateful to her for giving me the opportunity to discuss the matter further. If I can pick up other points in correspondence, I shall be happy to do so.

Colin Skellett

3.59 pm

Mr. Don Foster (Bath): Notwithstanding the momentous debate taking place elsewhere in the House, I am grateful for the opportunity to raise the handling by the City of London police of the case of Colin Skellett.

Colin Skellett is a constituent of mine, and at the beginning of the saga was the non-executive chairman of Jarvis plc and chairman and chief executive of Wessex Water, whose headquarters are also in my constituency. On 22 August last year, Mr. Skellett was arrested and accused of fraudulently accepting a bribe of £1 million to influence the sale of Wessex Water to a Malaysian company. I want to state at the outset that neither I nor Mr. Skellett have any criticism to make of the principle of fraud investigations when there is sufficient evidence to justify them. I am worried about the insufficiency of initial evidence, the way in which the investigation was conducted and the impact that it has had on my constituent, his family, Wessex Water, Jarvis plc and the Malaysian company.

I shall describe the background to the case. Wessex Water was owned by Azurix, a company partly owned by Enron. Following the Enron scandal, Azurix, with the help of Schroder Salomon Smith Barney—SSSB—sought to sell Wessex Water. All decisions on the sale were made by Michael Anderson of Azurix, with advice from SSSB, and had to be approved by the Enron creditors committee. In January 2002, four final bidders were selected, including the Royal Bank of Scotland and the Malaysian company, YTL Power, which was part of the YTL Corporation.

Colin Skellett and the Wessex Water team preferred the RBS bid, but on 24 March last year, they were told by Michael Anderson that an agreement had been signed with YTL. Following that announcement, Colin Skellett said that, while he would oversee the transition to the new owners, he was not minded to stay with Wessex Water in the long term. However, over the following few months, numerous discussions took place and eventually he agreed to a deal whereby he would complete the transition period and then move to a part-time chairmanship role, spending more time to help the development of YTL's wider business interests in Europe and Malaysia. An agreement for that consultancy work, including the payment of £1 million over five years, was drawn up by Slaughter and May and signed on 6 July, nearly three and a half months after the sale of Wessex Water was agreed.

Later in July, Mr. Skellett informed his bank, Barclays of Stoke-on-Trent, where his family had banked for many years, that he would shortly be paying into his account £920,000, which represents £1 million, less Malaysian tax at 8 per cent. All his dealings were open and above board. He was not responsible for the decision to do the deal with YTL. Indeed, he had preferred the RBS bid. His agreement with YTL over the consultancy arrangements came months after the sale decision and the money that he had received was placed not, for example, in some hidden offshore account, but in his family bank account with tax paid and the bank having been notified in advance. Nothing could have prepared him for what was to follow.

[Mr. Don Foster]

At 6.30 am on Thursday 22 August 2002, seven police officers turned up at Mr. Skellett's house with a search warrant, saying that they believed that he had, in effect, been bribed with £1 million to influence the sale of Wessex Water in favour of YTL. Though handled professionally and courteously, the search was extremely upsetting for Mr. Skellett, his wife Jennifer, who had just been battling with cancer, and his 90-year-old father. He asked the police if they had carried out basic checks on the allegations before making the dawn raid. Had they, for example, talked to Enron, Azurix or SSSB, which had handled the deal? Had they seen the sale documents? Had they seen the consultancy arrangements? They admitted that they had not. It seemed that no basic inquiries had been made. As *The Guardian* put it much later,

> "It involved Enron, a Malaysian company and you put two and two together and get five."

Mr. Skellett then learned that seven additional police officers were standing by to search Wessex Water headquarters. Bearing in mind the commercial implications and therefore the need for sensitive handling of such a police visit, with which the police initially concurred, he arranged for his personal assistant to rush to the headquarters to ensure smooth access to his office. An 8 am meeting time with the police was agreed.

What actually happened was that the police arrived at 7.40 am and served the search warrant on the first person they met—the head of information systems. So much for commitments to sensitive and discreet handling. Despite that, the police confirmed to Keith Harris, the director of finance and regulation, who had arrived soon after, that they were conscious of the need to keep a low profile. They were, they claimed, aware of the possible impact on the finances of Wessex Water, Jarvis and YTL, if news of the searches and planned arrest of Colin Skellett got out.It is strange that keeping a low profile meant issuing a press release, a copy of which I have here, and offering an officer for media interview. Journalists have subsequently reported that the police even rang media outlets to tell them about the press release. Interestingly, although the press release did not mention which senior Wessex Water official was arrested, I am told that Colin Skellett's name was given "off the record".

While all that was going on, at 10.30 am Colin Skellett was arrested and taken not to the local Bath police station but, bizarrely, to Staple Hill in Bristol. With nothing to hide, he had no big-shot City lawyer to call on and happily accepted the services of Joan Hughes, the duty solicitor. When people, including Nick Hood, the former Wessex Water chairman, rang Staple Hill to see if Mr. Skellett was there, they were told he was not. He was not allowed to phone his wife until 5 pm. She did not know where he was, and as a result of the police press release she was besieged at home by journalists and film crews. Although interviewed for part of the time, for most of the day until his release on bail at 11.15 pm, he was held in a police cell. The duty solicitor still believes that he was held for an unnecessarily long time and with inadequate evidence against him.

Of course, having been driven to Bristol on his arrest, there was no offer of a lift back on his release. The following day, on 23 August 2002, Mr. Skellett was again interviewed and released on bail. Despite the case then dragging on for months until 4 February this year, when it was officially dropped, that was the last direct contact he ever had with City of London police. Indeed, even when over five months later all charges were dropped, he heard it first not from the police but from a friend.

The case dragged on and had many worrying elements, which clocked up enormous and needless expense to taxpayers. A few examples will suffice to illustrate that. Two police officers drove from London to Bath and back to return two mobile phones taken during the initial searches. Mr. Skellett, who is frequently in London, would happily have picked them up. Police officers made the same trip merely to ask the owner of Woods, a Bath restaurant, who had paid for meals long after the YTL deal—at which Mr. Skellett was present. A simple phone call would have elicited the information. Police officers flew to and subsequently stayed longer than necessary in Houston, Texas to interview staff at Azurix. The key player, Michael Anderson, who was coming to the UK anyway, had offered to be interviewed over here.

On several occasions police officers coming to interview Wessex Water staff in Bath came and stayed overnight for interviews that commenced about 10 am and were often over by 2 pm, hardly justifying the cost of overnight stays. For two months the Crown Prosecution Service discussed the possible wording of a statement to be used when the charges were dropped. It then extended the bail period because it was awaiting information from the Federal Bureau of Investigation in America which had initially gone missing and was then apparently held up in a snowstorm. It eventually turned out that the FBI had never had it.

While the cost of those and other unnecessary activities to the taxpayer was significant, many others have lost out, too. Jarvis plc, already battered by allegations following the Potters Bar crash, suffered a fall in share prices. As a result, Colin Skellett resigned as non-executive chairman, with inevitable personal financial loss and question marks over his reputation. Senior staff at YTL were, in effect, banned from travelling to the United Kingdom to meet the Wessex Water team, for fear of being arrested. Perhaps worse, the reputation of YTL was badly dented. If evidence were needed, it is worth noting that when charges were dropped YTL's shares rose by 5 per cent.

Wessex Water was for a long time unable to go to the capital markets, and development plans had to be put on hold. Martin Bushnell, who had been involved in negotiating the consultancy deal between Mr. Skellett and YTL, offered to help the police with their inquiries and was promptly arrested, which did nothing for his reputation. The impact on Colin Skellett, his family and friends is incalculable. Fortunately, they—and the board of Wessex Water—remained convinced that he was innocent all along. Indeed, he displays in his office the furry red handcuffs given to him by colleagues, and a teddy bear, like the one I have here, which was given to him by the chairman of YTL.

That support should not mask the effects on Mr. Skellett, who lost his job at Jarvis plc and had his reputation placed in jeopardy. Dropping the charges does not wipe that away. His arrest led to acres of media coverage; the dropping of the charges led to far less coverage, as the press cuttings files before me show. Hon. Members can see the difference between the two. There is a thick wodge of press cuttings from when he was arrested, and a very small number from when the charges were dropped. That is hardly surprising, as on his arrest there was a police press release and detailed background briefings, but when the charges were dropped, there were no such briefings and no one was available to comment. No wonder, then, that there are 270 press cuttings covering his arrest and just 48 covering the fact that the charges had been dropped.

As Anthony Hilton said in the *Evening Standard* on 5 February, the story of the dropping of the charges

> "was clearly intended to make no more than a couple of downpage paragraphs, which just shows how unfair these things are. Everyone sees the arrest; no-one sees the dropping of the charges."

From the beginning, with the failure to carry out the most basic checks before the dawn raid, the handling of the whole business has been inept. It was prolonged for an inexcusable time—five and a half months. It has wasted huge amounts of taxpayers' money. In the end, there was not even an apology.

Huge questions remain about how such cases are handled, the accountability of the City of London police, and the support offered to those wrongly accused. Colin Skellett is not a vindictive man. He has gone out of his way to make it clear that he accepts the need for fraud investigation, and despite all that has happened to him he has no intention of suing anyone or seeking compensation. Despite all that has happened, Dato Hong Yeoh, the chairman of YTL, has demonstrated his forgiving nature by making generous donations to charities and events in Bath. We are delighted that he is already playing an active role in the city after initially being denied access not only to Bath but to the UK.

Colin Skellett is hugely respected in Bath and plays an enormous voluntary role in the life of the city and the surrounding area. He is also an active supporter of the charity WaterAid. Indeed, even during the dawn raid on her house, Jennifer Skellett, ever hopeful of donations, handed out WaterAid leaflets to the police. I hope that, if nothing else comes of raising this issue today, the City of London police will offer a full apology to Colin Skellett and will make a donation to WaterAid out of their own pockets.

4.14 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Michael Wills): I congratulate the hon. Member for Bath (Mr. Foster) on securing this debate. I fully understand the importance of the matter to him, his constituent and his constituency. These matters are never easy or pleasant for anyone involved. We all understand that.

Before I deal with the substance of the hon. Gentleman's remarks and his account of the case, I should say that the actions and decisions taken by police officers in the course of their duties are, constitutionally, the responsibility of the chief officer of the force involved. Ministers do not have the authority to intervene in operational matters, or powers to act as an avenue of appeal against decisions by chief officers. In formulating my response to the hon. Gentleman's speech, I hope that he understands that I will give the police account of how the investigation was carried out. I hope that that will at least provide some background to and clarification of the reasons why matters proceeded as they did.

It is important to understand the background to the sale of Wessex Water. That private company was owned by Azurix, which was a subsidiary company of Enron Corporation. In November 2001, , before the announcement of the now well-known problems associated with Enron, Azurix had decided to put Wessex Water up for sale. At that time, Azurix provisionally appointed a merchant bank to facilitate the sale. According to police investigations, Mr. Skellett was not given the task of facilitating the sale; that was to be undertaken by the merchant bank. I think that the hon. Gentleman referred to that. Later that month Enron went into bankruptcy, so the sale was supervised by the Enron creditors committee.

In December 2001, the merchant bank approached some 50 companies in Europe, the United States of America and Asia that it believed might be interested in purchasing Wessex Water. That was the start of a two-stage auction. The first stage was bidding based on limited information, and the second stage was bidding involving a reduced number of serious bidders, who would be provided with briefings and all the appropriate information.

Four companies participated in the second stage, and bids were concluded on 1 March 2002. The leading bidder—the Royal Bank of Scotland—was confident that it would succeed, but the merchant bank, on behalf of Azurix, negotiated a better deal with YTL, the Malaysian company to which the hon. Gentleman referred. Again, according to the police investigations, Mr. Skellett was not involved in that and was in no position to sign a deal with the Royal Bank of Scotland. On 22 March 2002, the leading offer by YTL was accepted.

On 3 July 2002, the City of London police were made aware of a transaction that appeared to be suspicious, which I shall describe. On that basis, the police conducted an investigation into the sale of Wessex Water and, in particular, the part played by Mr. Skellett. I should make it clear at the outset that, as a result of the investigation, the City of London police are now satisfied that Colin Skellett was unable directly to influence the outcome of the sale, but he had been involved in giving management briefings to prospective bidders during the second stage of the process, and he had knowledge of matters that could have been valuable to prospective purchasers.

In April 2002, an offshore company, which I need not name but which the police inform me is a legitimate company, was informed of an impending deposit of £1.2 million into its bank account. In compliance with

[Mr. Michael Wills]

money laundering regulations, the company inquired into the source of the money and was told that it was payment in respect of consultancy and associated services, and that a large percentage of it was to be paid to a United Kingdom resident employed to assist.

On 17 May 2002, the company received unsigned documents from YTL purporting to be an invoice and agreement in respect of the purchase of Wessex Water. On 27 May, the company was advised that £1.2 million was expected in the next two days. Also received was an unsigned agreement, dated 10 January, between Mr. Skellett and the second man—that is, before the second stage bids in respect of the sale of Wessex Water.

The company required the documents to be signed, but was told that that would not be possible, as it had been a "handshake deal". The money had been sent by YTL. Police inquiries later established that £1 million was intended to be forwarded to Mr. Skellett, and the remaining £200,000 was for the second man, for his part in facilitating the payment.

On 29 May the company was advised by e-mail—I quote loosely—that

> "there was a problem with Skellett receiving the advisory fee via the draft agreement as he is a director of Wessex Water and has to report to them in the accounts . . . Mr. Skellett did not want his fellow directors or the rest of the company to know that he was to receive the money and that Mr. Skellett was the only person who could get done what needed to be done."

The company was asked to re-draft the agreement to show that the fees were for a fictitious transaction in south-east Asia, but it said that that would not be possible.

Having become suspicious about the true nature of the transaction, the company refused to conduct a transaction without sight of signed and appropriate agreements and said that the money should be returned—it subsequently was. The police were satisfied that all their information came from a legitimate source. On 9 or 10 July 2002, Mr. Skellett contacted his branch of Barclays and informed them that he was about to receive a substantial sum from Malaysia. On 11 July, £919,994 was credited to the account. That was later found to represent £1 million, less 8 per cent. Malaysian tax and bank charges.

Initial inquiries revealed that market commentators were surprised that YTL was the successful bidder. Inquiries were made via the FBI, to establish whether the officers investigating the collapse of Enron could find any legal purpose for the payment of the funds to Mr. Skellett—for example, whether the sum was a retention bonus. They were unable to find any trace of such a payment. In view of all the attendant circumstances, the suspicion remained that the £1 million was associated with criminal activity. Having exhausted covert investigations and in order to further the inquiry, the police found it necessary to embark on overt investigations. In order to reduce the risk of potential evidence being destroyed or concealed, it was decided to mount an arrest and search operation on 22 August. On that date, two officers went to secure potential evidence from the offices of Wessex Water and from Mr. Skellett's home address.

I shall now deal with the release of information by the police, because that matter greatly concerns the hon. Gentleman. Wessex Water is privately owned, but it is a public utility company. Consequently, it was inevitable that the police investigation would arouse public interest and give rise to intense media speculation. The presence of police officers at both locations would almost certainly lead to information about the arrest coming to the attention of the public and the media. In order to allay consumer fears, and so that the normal operation of the company and its ability to provide water would not be jeopardised, it was important to emphasise publicly that Wessex Water was not directly the focus of a fraud investigation.

On the morning of 22 August, the City of London police released a press notice to the effect that fraud squad officers had arrested a senior official of Wessex Water Ltd., who was suspected of receiving a corrupt payment of almost £1 million in respect of the recent takeover of Wessex Water by a Malaysian company. The offences were being investigated under the Prevention of Corruption Act 1906. The press notice said that a senior official was being held at a police station of the Avon and Somerset constabulary and that he would be interviewed later that day. It made it clear that the investigation was focused only on the suspected payment to the official, and that there was no suspicion of general mismanagement within Wessex Water.

Later that day, the City of London police issued a second press notice to the effect that a second man, who had no direct connection with Wessex Water, had been arrested after voluntarily attending a City of London police station in connection with the arrest of a senior official from Wessex Water. The second man—I shall continue to refer to him as the second man—was to be interviewed in relation to a questionable payment of almost £1 million allegedly received by the senior official. The police released the information about the arrest with the knowledge and agreement of Wessex Water to prevent any media speculation that could damage the company.

Mr. Foster: I have been studiously trying to avoid intervening, but the Minister has raised many points with which I have a problem. Will he confirm that the police informed him that Wessex Water agreed to the issue of the press release?

Mr. Wills: My information is that the police released the information about the arrest with the knowledge and agreement of Wessex Water. I understand that Wessex Water also issued its own press notice to that effect. I am given to believe that at no time did the police reveal the identity of either man. However, during the afternoon it became apparent that the press had discovered that Mr. Skellett was being interviewed at a police station near Bath. Later, following his release, I understand that Mr. Skellett gave a wide range of TV and press interviews.

Having put on record my understanding of what happened as far as the police were concerned in relation to the release of information, I return to the question of the investigation. At his house, Mr. Skellett produced a copy of a contract dated 3 July 2002, which he claimed was a contract between him and YTL for "the provision of services" and that the £1 million represented five years' payments in advance. The contract clearly stated:

> "YTL should pay the consultant (Skellett) subject to the receipt of appropriate invoices, a fee of £200,000 per annum. The fee shall be payable calendar monthly within three days after the end of the calendar month to which it relates".

However, attached to the contract was a short letter dated 8 July. It stated:

> "As discussed, we are agreeable at your request to make payment of the £1,000,000 fees payable under the Consultancy Agreement in one lump sum. The payment will be subject to 8 per cent. Malaysian withholding tax in respect of which we will in due course provide you with certificate issued by the Malaysian inland revenue for your tax purposes. Kindly acknowledge receipt once the payment has been credited into your account."

The letter was signed on behalf of YTL.

The police still doubted the veracity of the contract, but thought that the letter fundamentally altered a crucial element of the contract rendering it invalid. In response to police questions, Mr. Skellett admitted not having engaged a lawyer to assist in the drafting of the contract or its amendment, although the police felt that, as an experienced businessman, he would normally do so. Later that day, officers made contact with the second man who had just arrived in London and asked him to attend Wood street police station, where he was arrested. As with Mr. Skellett, he was taken to Staple Hill police station on the outskirts of Bath and Bristol.

Examination of the second man's laptop computer revealed attempts to purchase properties apparently in an effort to pay Mr. Skellett in kind by providing him with a flat in London, which could later be transferred into his name. Inquiries with estate agents have established that the second man viewed properties for that purpose.

The police inform me that, in interviews, Mr. Skellett only mentioned the successful payment into his Barclay accounts and made no mention of the attempts to make the payment to him via the second man's offshore route until he became aware that the police had evidence of that. He amended the dates of the attempts to transfer money each time the police proved that they were aware of an earlier involvement, and did not volunteer any information about the attempt to reward him with the purchase of a property until the specific evidence was presented to him by the police.

Faced with the suspicious nature of attempts to transfer money via the offshore route, what appeared to be efforts to hide payments from his fellow directors and what appeared to be a lack of forthrightness in the interview, the police had no alternative but to continue with a thorough and extensive investigation. I hope that the hon. Member for Bath can now see that it was not simply a case of making inquiries of Mr. Skellett's bank—the investigation needed to be wider than that.

The police wish to make it clear that Mr. Skellett was in custody for two periods—12 and a half hours on the day of his arrest and two and a half hours the following day. A significant percentage of that time was spent out of the cell being interviewed by officers. The police released him at the end of the first day precisely to prevent his having to spend the night in a cell.

On the question of checking with YTL, the police wanted to investigate the chairman of YTL who had authorised the payment and engaged the second man. They spoke to him over the telephone, but he declined to attend the UK for formal interview. The police inform me that the constraints of cost and time required to obtain authority through legal channels for officers to visit Malaysia prevented that course of action. However, the chairman provided his version of events through his UK lawyers.

On completion of the investigation, the police concluded that the payment to Mr. Skellett was not a bribe relating to the sale of Wessex Water, as was originally suspected, and no other criminal offences were revealed. City of London police issued a press release on 4 February this year to the effect that, after discussion with the Crown Prosecution Service, the fraud squad was satisfied that no criminal offences were committed in relation to the payment received by the official, and that the Wessex Water senior official and the second man had been released from police bail without charge. They went on to say that the investigation was extensive and thorough, and involved the assistance of financial regulators and international law enforcement. Despite the initially suspicious nature of the payment, City of London police state that it did not constitute a criminal offence in this or any other country.

Everyone accepts that the City of London police fraud squad has a duty fully to investigate any reports of suspected financial irregularities. The hon. Member for Bath mentioned wasting money. Of course, all police officers and public servants have to operate cost-effectively and efficiently. In relation to the return of the mobile phone—

Mr. Deputy Speaker (Mr. John McWilliam): Order. Time is up.

It being half-past Four o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 19 March 2003

[MR. FRANK COOK *in the Chair*]

Animal Experiments

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Derek Twigg.]*

9.30 am

Dr. Ian Gibson (Norwich, North): I am delighted to be able to talk about this matter today because it is a burning issue for the development of science, technology and medicine in this country. Many people will pay attention to the issues that we highlight during this debate.

The treatment of disease during the past 50 years has led to dramatic improvements in the quality and quantity of life, not only in this country but throughout the world. There are still many diseases for which treatment is not yet available; for example, cancer, heart disease, strokes, Alzheimer's and so on. Research into such diseases is taking place, but we still do not have cures and treatments for them. Important issues have arisen concerning the drugs to treat infectious diseases, drug resistant micro-organisms and AIDS, not only in this country but in the developing world and the African continent. We are all interested in the role of the biopharmaceutical industry and the development of its drugs, its worldwide network and how it can produce drugs at a price that we can all afford. Research and endeavour into biotechnology and biomedicine will bring great benefits for humanity.

A major issue is the use of animals in research, which is sensitive and complex. As people will have seen in their morning papers, 90 per cent. of the United Kingdom population supports animal experiments if they are associated with benefits, particularly medical benefits, but some people in this country are violently opposed to any experiments. That debate burns below the surface of daily life in this country.

One group of protesters has a savage record in opposing animal experiments. Stop Huntingdon Animal Cruelty—SHAC—has demonstrated violently and with a degree of terrorism that has been noted by the Government and the Home Office. However, that activity continues, and I want to speak about the group's behaviour because it is part and parcel of the debate.

SHAC has some devious tricks for annoying people. I have seen its website, and documents have fallen into my possession. Its campaigns include blockades and abusive phone calls and text messaging. We are used to that in parliamentary life, but people who work in our institutions, including not only managing directors and multi-millionaires but members of trade unions, have a right to go to work and carry out their endeavours, which they believe benefit mankind, without harassment. My hon. Friend the Minister and I belong to the Manufacturing, Science, Finance union—MSF. It has campaigned for some time to protect its members in such institutions and has engaged with the Home Office on that.

Dr. Stephen Ladyman (South Thanet): When reading about the opinion poll this morning, was my hon. Friend as disappointed as I was that a spokesman for one of the so-called legitimate anti-vivisection charities, instead of calling SHAC terrorists, referred to its members as people who resort to more direct forms of action, and instead of condemning them out of hand, said that it was disappointing if SHAC's actions had led to a change in public opinion? Is that not disgraceful?

Dr. Gibson: Yes, that is a euphemistic way of justifying terrorist activities that no right-thinking individual in any part of this planet would ever support. One should be certain and sure-footed about condemning SHAC's activities. Let us look at them more closely.

A document entitled "This is your chance to drive them out" lists senior scientists, directors and staff at Huntingdon Life Sciences, and states where their children go to school, where they park their cars and so on. All such information is given freely. SHAC's job is to drive the company out of business, and it has had a certain amount of success. Recently, it forced auditors—of all people—to quit the firm and ask that the contracts not be renewed, so its terroristic methods and behaviour are effective.

A SHAC document that is not publicly available says:

> "A simple tactic has been adopted recently. Pick your target. Throw a couple of rape alarms in their roof guttering or thick hedgerow, and leg it"—

in the middle of the night, obviously. It continues:

> "Being kept awake at night hardly puts you in a good mood at work or with your family."

You will agree with that, Mr. Deputy Speaker, although presumably you are not kept awake at night by rape alarms and people throwing things in your guttering. The document also says:

> "Another idea is to set off extra loud fireworks from a safe distance that will wake up the HLS scum and everybody else for miles around."

The authors are obviously nice people to take home to meet one's mum and dad for Sunday tea. The document continues:

> "From the comfort of your own home, you can swamp all these"—

I shall not use the word, but it is something to do with illegitimacy—

> "with send no money offers. They cause huge inconvenience and can give them a bad credit rating. Order them taxis, pizzas, curries, etc, the possibilities are endless. Above all, stay free and safe, and don't get caught. The more preparation you do the better."

SHAC goes on to say:

> "Think, think, think. Don't lick stamps, use gloves when pasting stuff",

and so on. These people are organised and know exactly what they are doing. SHAC advises:

> "No idle talk in pubs. Burn your shoes and clothes after your night of action".

[Dr. Gibson]

Such activities may sound like a bit of fun or undergraduate play, but they are serious. They intimidate people, and they can lead to people with baseball bats getting stuck into managing directors, and so on.

I want the Government to address the problem and to think about new legislation to deal with such extremism. Could it be made illegal, for example, to incite or support such a campaign of harassment, the sole intention of which is to cause economic damage to a legitimate business? Could any demonstration against workers in the vicinity of employees' or directors' private residences be made illegal?

Existing legislation should be reinforced. The Companies Acts could be amended to protect the private addresses of directors, shareholders and those who work in such units. Legislation could be introduced or amended to oblige internet service providers to remove harassing materials from their sites. Current operations could be strengthened through long-term funding for an animal extremist taskforce structured along the lines of the public order section of the National Criminal Intelligence Service, which has done sterling work on eliminating football hooliganism in this country. We must think beyond what we have done already, much as the research and medical community has welcomed that, and take the impending attacks a little more seriously. I hope that the Minister will engage with the problem.

Rodents, rabbits, fish, reptiles, amphibians and birds make up the majority of the animals used in experiments. I think that only 0.15 per cent. of non-human primates—monkeys and so on—are used. Such animals are used to understand basic biological functions, diseases and new treatments and to test the safety of new medicines. Nobody would ever say that such tests are perfect or that they give all the answers. Experiments have, however, contributed a lot to our understanding, and there are a few good tales about how successful they have been in preventing the hazardous effects on human beings of substances that have become medicines.

Working with animals is popular, and I ask myself why people want to do animal experiments. They do not do them for fun, and we deprecate the one or two cases that have been brought up in which there has been maltreatment of animals. People conduct such research because experiments with the whole organism tell them more than alternative methods. That has been the ideology for a long time. It may also be easier to do animal experiments than to use other methods, although it has become less easy to set up mice colonies and so on, because of the fantastic cost and the dangers of such experiments.

It could be argued that a person testing a chemical, drug or medicine on cells in a tissue culture may miss the fact that the culture does not contain the molecules that bring about the effect, whether for good or for bad. The substance could be broken down in a whole-body environment into something else. That is a strong reason for carrying out studies on the whole organism. Of course, the whole organism is a very complex mechanism with immune responses and a functioning brain, and that has to be taken into account in the clinic.

There are good reasons for carrying out some animal experimentation. For example, it can be useful to know that some people may be more responsive than others to a particular drug. That can assist in making difficult medical decisions, and we know from the decisions of the National Institute for Clinical Excellence that some people will benefit from a drug while others will not. Sometimes that has to be worked out in an animal environment; it cannot necessarily be done only in a test tube.

It is argued quite strongly, however, that alternative approaches to those problems are bearing fruit, and I shall provide evidence of that. The Fund for the Replacement of Animals in Medical Experiments, or FRAME, has done sterling work over the years. Prominent individuals have been working hard to push their arguments on substituting for animals. They have developed practical and realistic ways forward, based on targeted research, without sidelining the need for regulations and the eventual requirements of industry.

Anyone now setting up a biomedical unit—I am involved in one with Paul Nurse in Norwich—has not only to decide whether animal experiments are necessary, as they may be for the reasons that I have already outlined, but seriously consider alternative methods of assessing compounds, and new technologies and treatments. There are political reasons for that, as well as good scientific ones, because it would be smart to show that one was taking alternatives seriously. One might also gain through a reduced use of animals by using those alternative methods.

It is interesting to note that, as a previous Home Office Minister told me the other day, money given by the Medical Research Council to look into alternatives to animal experiments has not been taken up. It is not fashionable or interesting, and there is a deep-seated feeling that it will not pay off. I shall now spend a little time telling the Chamber about the pay-off, and about what has been achieved with some of those alternative methods.

We seek to reduce the number of animals used in experiments. We want to refine the procedures to minimise the suffering of animals. We also want to replace the tests that are used to assess the safety or other qualities of a drug or treatment. FRAME has done much work on replacement therapies in association with a European organisation. They have done a great deal of work on tetanus vaccines, and they have found ways to assess whether drugs are effective without using whole animals. They estimate that 20,000 fewer animals a year have been needed as a result.

Various other tests have used mono-clonal antibodies, which were perfected at Cambridge university but developed in the United States because we are not that good at picking up on such discoveries. Again, a number of animals have been saved in those experiments. Reducing the number of animals used is a genuine pay-off. No doubt the Minister and others will say that the number of animals used in experimentation in this country is decreasing every year, and that is to be welcomed. The paper from the European centre states that sometimes other methods should be considered before one asks whether animals should be used.

I know of much research in which substitute tests are available, so that one need not perform tests on rabbits' eyes. I know a professor who does sterling work on cataracts, funded by a local hospital, among others. Eye cells in vitro can be used to explore the effects of drugs and chemicals that may eliminate cataracts. The LD50 test has been substituted. Irritation and skin toxicity tests have all been developed through work by FRAME and other organisations.

I went to a heartening meeting in the House this week involving a group from the tissue engineering and regenerative medicine centre at Imperial college London which is setting up a spin-off company. Its researchers are interested in stem cells—something pioneered in this country, and in which, with our legislation, we are well ahead of the world, with the involvement of people from the United States. The researchers want to transplant stem cells into degenerating tissue, and they have found a way to test whether that will work. They have produced what they call an organoid set-up: a three-dimensional structure of cells which sits on a scaffold and through which, for example, nerve cells can run. That mimics a total organ in a given situation.

The researchers have wonderful ways of examining the production of lung, bone and nerve tissue using stem cells, with a view to transferring them back into affected individuals. That will be a big news story for the United Kingdom, and the team is receiving a lot of support. Those involved are very pleased not to have to conduct animal experiments. People do not find it easy to inject animals, and they are glad of a substitute system that seems, at this stage, to be providing good information about treatments.

As well as being aware that tissue culture can avoid many of the problems of animal experiments, we should consider the reason for particular tests, and what tests may be appropriate for work similar to that being done by the groups at Imperial college London. Other groups have done work using tissue cultures. I did some work once on hair dyes and aftershave lotions, using yeast cells and bacteria as an in vitro assay system for mutations, the argument being that if those substances caused mutation in a single-celled organism they would be likely to have a carcinogenic effect too since carcinogenicity equals DNA changes. Many tests of that kind have been carried out over the years. My hon. Friend the Member for Bolton, South-East (Dr. Iddon) will talk about chemicals and tests for assessing them.

Computer programmes can now simulate a total organism system. Systems are beginning to be developed which make it possible to test how a particular molecule, with its physical or chemical properties, would behave in a given situation. Such work is certainly on the up and up. The trouble is that it is not yet sexy enough. Money is being provided, but we must induce in the scientific community a sense of those methods' reality and the way in which they function, as well as of the political message that such techniques send out.

As the world moves on into the arena of work on the human genome and that project produces more drugs and vaccines for diseases, we shall have to ensure their safety. Substitute tests will be a major part of that, and we must somehow speed up the current movement in the scientific community towards their use. I hope that the Minister, in conjunction with the Minister responsible for science and the Government's chief advisers on science, will call a summit to talk about how we can make progress. We must tell people that alternatives are coming through and that there are now good results in experiments that do not need to use whole animals, thereby saving their lives. If there is fear, we will have to use more mice for human gene tests; there is no doubt about that.

Everybody wants to set up the so-called transgenic situation. The hon. Member for Lewes (Norman Baker) and I have had disputes about GM crops. I am sure that we will have the same dispute over GM animals, such as salmon and rodents, as more such animals are constructed. The debate will become even more intense, and there will be more demonstrations, but there will be increased production of drugs that are beneficial to people.

The world is in turmoil over this situation, and the Government now need to go the final mile and tackle the legality of the matter. They need to question scientific methods and induce the scientific community to take alternatives much more seriously than they have done. Groups such as FRAME and others need to join the more traditional groups in our universities and in the scientific and medical communities which are resistant to animal experiments. The time is right, both politically and scientifically, to move forward.

Mr. Deputy Speaker : Order. It may be advisable if I draw all Members' attention to the fact that we generally start the first of the three winding-up speeches 30 minutes before the debate concludes. That leaves 39 minutes, and three hon. Members have sought to catch my eye. I ask them to bear in mind the passage of time when making their contributions.

9.51 am

Mr. Roger Gale (North Thanet): I congratulate the hon. Member for Norwich, North (Dr. Gibson) on seeking and securing a debate on a subject that is of particular interest and concern to many of our constituents.

I also offer you, Mr. Deputy Speaker, my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) and the Minister my apologies because I have to meet a delegation later, so I may have to leave before the end of the debate. If I do, I shall certainly read with great care all the remarks made after I have spoken because this subject happens to be of particular interest to me too. *[Interruption.]* I hear the Minister; the fact is that the sitting hours of the House have made life very difficult for Members who need to be in two or three places at once.

I had the privilege of being the founding chairman of the first all-party group for FRAME, and I am also the president of the Conservative animal welfare group. I have been living with this subject in the House for years, since 1985 in fact.

I suspect that everybody in the Chamber will agree that research into new compounds is essential if we are to advance modern medicine. For the foreseeable future, whether we like it or not—and I do not—much of that research will have to be carried out on animals. We need therefore to explore how that research can first minimise the use of live animals and hopefully then, with investment into alternatives, obviate it.

[Mr. Roger Gale]

I must say two things in response to the hon. Member for South Thanet (Dr. Ladyman). I concur entirely with his view of the activities of a small group, and it is a small group, of animal rights terrorists. I hesitate to call them activists; they are terrorists, as he said. Those who are genuinely concerned about animal welfare are certainly concerned about the welfare of laboratory animals, but they will have no truck with those who seek to pursue their cause outside the law.

Many people do not like animal experimentation at all. As one who does not, I must say that if it is to be carried out, which, for the foreseeable future, it is, I would sooner that it were done in the United Kingdom than anywhere else in the world. I believe that in our standards of laboratory animal husbandry, and the care and attention that we give the subject, we are so far ahead of anywhere else that, purely in terms of animal welfare, simply banning animal experimentation, as some would do, would just move the problem from A to B. It would drive research away from the UK, destroying our research base, which is among the best in the world, and, far from enhancing the welfare of the animals that we seek to protect, it would worsen the conditions in which they are raised.

The hon. Gentleman has in his constituency the Pfizer research establishment, which employs many of my constituents as well as many of his. Hence I visit it regularly and always make a point of going to the animal house. I have no quarrel with the standard of animal husbandry there or at many other pharmaceutical research establishments that I visit in this country. In each case, the named vets are caring people who do their utmost to look after the animals, and their laboratory technicians, far from being sadists, as some portray them, have a wonderful working relationship with the animals and care for them as well as the circumstances allow.

I would go further. I have been pleased to see, given the confines within which the debate is taking place, that there has been a dramatic improvement in the animals' caging and environment over the last 10 to 15 years. That is part and parcel of the work of organisations such as FRAME, which have pressed, on every front, to make sure that the number of animals used is minimised and their environment and husbandry are as good as possible.

We must press the case for research into alternatives. If we are not simply to move the problem from A to B, there has to be a global solution. Many of the requirements of the Medicines Control Agency, the Federal Drug Administration and their Japanese equivalent are no longer based on science; nor are they necessary. Everybody working in the field knows that experiments are carried out purely to satisfy outdated bureaucratic regulations. Thank God, as the hon. Member for Norwich, North says, that in the UK the Draize test and the LD50 test are a thing of the past. However, we should not delude ourselves; elsewhere, regulation for the sake of regulation means that far too many animals die.

The number of animals used in laboratories in the UK has increased, and it is not hard to determine why. First, more procedures are carried out, and every one is logged. Secondly, because of the quality of the UK research base much more research comes here—and I would sooner that it were done here than anywhere else. However, if we are to get to grips with the problem and make progress in the development and use of in vitro experimentation of the kind that the hon. Gentleman has referred to; if we are to see a greater dependency on molecular modelling; and if pharmaceutical companies are to be encouraged not to repeat research but to publish it, to share knowledge and, accepting the restrictions of commercial confidentiality, to make sure that no animal dies in a cause that has already been pursued by somebody else, not only in the UK but throughout Europe and then the world, we must have a common political will.

Sadly, I see little of that political will in the European Union or in other areas on which we shall not touch this morning. Again and again we have had fine words followed by little action. Let us take the despicable example of the cosmetics directive, which was passed and given a time scale for implementation. That time scale was then extended by several years, with the effect that cosmetic companies that had begun to invest heavily in alternative research because they thought that the end was nigh for the use of animals suddenly found that they had more time, so all the money was taken out again. Without funding, the little companies that had been set up to research alternatives to the use of animals for the cosmetic companies found themselves out of business.

If we are to crack the problem, first across Europe then worldwide, we have to have the political will to say, "Here is the directive; this is how long you may continue using this practice. After that there will be an alternative." That will compel those engaged in research into pharmaceuticals and domestic products—we must not ignore household products that must be tested—to comply with the directive. If we are to make real progress we must have the political will to set a deadline, but that in itself is not enough.

The European Centre for the Validation of Alternative Methods, which was established under the superb chairmanship of Professor Michael Balls, was starved of funds, in a classic example of a European institution kicking something into touch. The attitude towards the centre was very much, "Good idea; here's five bob to do it." That will not work. If we wish to will the ends, we must will the means.

Will the Minister ensure that his colleagues in the Council of Ministers take the UK argument, standards and aspirations to the EU to make certain that there is a political will and a sense of commitment to the research, validation and use of alternatives to animal experiments? Will he seek to ensure that the EU, through the Council of Ministers, presses our case at the World Trade Organisation and under the general agreement on tariffs and trade to obtain a worldwide perspective? Above all, will the Minister and his colleagues press the EU to stop wasting money on fancy schemes and start putting real resources into ECVAM and organisations like it so that they can carry out their work?

10.1 am

Dr. Stephen Ladyman (South Thanet): I thank you for calling me, Mr. Chairman. I agreed with—

Mr. Deputy Speaker: Order. I would be remiss in my duty were I not to remind [illegible] Chamber that when the House made the decision to hold these sittings it decided that some occupants of the Chair should be referred to as Deputy Speaker.

Dr. Ladyman: I apologise, Mr. Deputy Speaker: it was remiss of me not to have remembered that.

I agreed with a great deal of what the hon. Member for North Thanet (Mr. Gale) said. If he and I keep finding issues to agree on people will start to talk, so we shall soon have to find something on which to disagree. I congratulate my hon. Friend the Member for Norwich, North (Dr. Gibson) on securing the debate. I respect his stand on the issue; few Members are prepared to stand up and be counted on animal experimentation and the need to protect scientists. He is to be congratulated on being at the forefront of that campaign.

I hope that I bring three perspectives to the debate. The first is that of a bench scientist who carried out animal experiments. Secondly, because I developed an extreme allergy to lab rats, my bench science career came to a very sudden halt and I had to shift into computers. I spent the rest of my career before becoming an MP developing computer systems that are now regarded by many as the alternative to animal experimentation. I therefore know the limitations of animal experimentation and of the computer alternative to it.

Thirdly, I bring the perspective of a politician who, as the hon. Member for North Thanet said, represents an area where a company called Pfizer is based. It has more than 5,000 employees, and it is the biggest US investment in the UK. It is the world's leading drug discovery centre; its record for discovering medicines is better per pound spent and per employee than any other centre in the world. Its success has been largely dependent on its involvement in a whole range of drug discovery procedures, including not just animal experiments but alternatives to them.

As well as representing those 5,000 people, I represent constituents who are strongly opposed to animal experimentation and who provide me with many views and a great deal of information. It is clear to me that many of them misunderstand the way in which drugs are developed. They believe that drugs are largely developed using animals, yet nothing could be further from the truth. Large pharmaceutical companies and medical researchers in general do not want to carry out animal experiments because they are unpopular and expensive, and they have certain limitations. If we can find quicker and cheaper alternatives, they will be used.

When I started to work for the pharmaceutical industry, for Pfizer, we used to have to screen 12,000 chemical compounds to find just one that would ultimately become a successful drug that could be sold on the market. It is not possible to screen 12,000 chemical compounds using animal experiments. We must use robotics and in vitro tests to find a compound that has some sort of biological property. When such a compound has been found, three questions must be answered. Is it safe? Will it work? How will it be delivered to the patient? Those three questions must ultimately be answered in relation to man, so most of the testing is done on man.

There is a famous three-phase process for developing a medicine. First, it is tested on healthy adults to see whether it is safe. Secondly, it is tested on a slightly wider group of adults who have the condition that the compound aims to treat to see whether it works. If it does, large-scale human testing is carried out to see what the benefits are and whether there are any side effects.

Between the mass of work testing the compound on human beings and the screening process that identified the compound, there is a period in which it is necessary to use animals, although it is unnecessary to use animals exclusively. Some work can be carried out during that period to discover how to formulate the compound, using computers or in vitro tests. Ultimately, however, some toxicology testing must be carried out on animals to see whether the compound is safe because, sooner or later, we have to give the compound to a human being and say, "Swallow this and see what happens." We cannot take that risk without first carrying out some basic testing on animals. We cannot work out what the formulation should be without having first tested the hypothesis and considered how the material is metabolised in an animal. That little piece of the picture, therefore, has still to be investigated using animals.

As the hon. Gentleman said, it is better that that investigation is carried out in the United Kingdom, where standards are higher and the law is tighter than anywhere else. If we allow that work to be exported, it will be carried out to a lower standard in other countries. There is considerable evidence that much of the investment in the pharmaceutical industry which could be directed here is being displaced to other countries by campaigns against animal testing.

There is huge investment by the pharmaceutical industry in alternatives, such as robotics and computers. As I said, I have been involved in both those initiatives. It is fascinating work, but what is the source of the information that allows us to build computer models and carry out in vitro tests? Most of it comes from animals themselves. It is not possible to make up that information or pluck it out of the air; it is based on previous animal experiments. We can and must create alternatives, but those alternatives are ultimately dependent on a willingness to do some testing on animals.

The hon. Gentleman referred to cosmetics testing initiatives. He is right to say that it has taken far too long to put those initiatives in place. I see no justification for developing cosmetics by using animals. I am sure that my constituents would agree with me on that, but developing medicines for human use is a different kettle of fish. Scientists and parliamentarians must ensure that our constituents understand that whereas alternatives are desirable and huge investment must be put into finding them, until they are found, our health depends on animal experiments, as do our industries.

In conclusion, I hope that the Minister will agree that we must constantly review legislation to ensure that we do not require animal experiments to take place unnecessarily and that, when alternatives are developed, they are acceptable under our laws. The Government

[Dr. Ladyman]

must also make sure that the right amount of finance is being put into developing alternatives. However, I ask the Minister to ensure that our laws to protect scientists are every bit as tight as our laws to protect animal welfare.

We must not tolerate terrorism against scientists and we must not tolerate people who prevent other business people from working. I refer to the ridiculous nonsense that has just happened in the midlands, where a policeman has had to pay £50 in compensation and apologise to a demonstrator whom he moved on, because a megaphone used in the demonstration was making a lot of noise. The person went to court and said that their human rights had been infringed because the policeman should have asked only the person with the megaphone to move on. That sort of nonsense has got to stop. It is up to the Minister and the Government to make sure that honest businesses and honest scientists, who are doing vital work, are protected.

10.11 am

Dr. Brian Iddon (Bolton, South-East): It is obvious that we are dealing with an extremely emotive issue. It is also obvious that, in the past, we have used far too many animals in experiments, but I do not subscribe to the complete ban on animal experiments for which many organisations are campaigning. My hon. Friend the Member for Norwich, North (Dr. Gibson) referred to SHAC, which is one of the more militant organisations, but there are others, such as the Animal Liberation Front. If those people keep campaigning vigorously for a complete ban on animal experiments, using their current methods, there is a danger that they will drive experimentation abroad. As my hon. Friends have said, we have some of the tightest legislation on animal experiments, which are controlled through the Home Office and other mechanisms, and driving experimentation into other countries would defeat the whole object of such campaigns.

I want to flag up another danger, which was emphasised by the House of Lords Science and Technology Committee. The process of applying for Home Office licences has become extremely bureaucratic. I have received complaints that it is taking much longer than it should for people working in the pharmaceutical industry to obtain those licences. I have also heard the contrary opinion from the Home Office that some applications are not well formulated and need to be returned, so I do not know where the truth lies. Perhaps the Minister will comment on that, because we do not want bureaucracy to add to the pressure from animal activists to drive pharmaceutical companies to do their work abroad. In fact, many jobs in this country depend on the pharmaceutical industry, which is one of our most profitable, earning money for the general good of the country.

Obviously, animal testing is extremely expensive. Not only do we have to breed the animals in controlled and licensed conditions, but the added security that is necessary because of the extremism that we have seen in the past few years costs a great deal. The good news, however, is that in the past 25 years the number of animal experiments has substantially decreased. I believe that it has gone down by about 50 per cent.; perhaps the Minister will confirm that.

In moving away from animal experiments to alternative methods, one of the barriers to change is the culture in which life scientists have worked for centuries. They must realise that there are alternatives and begin to explore them. Indeed, those who fund life sciences may need to consider switching their funding to those organisations that are researching alternative methods. We certainly cannot screen compounds on human beings, as we used to do centuries ago.

There is a lovely story about Basil Valentine, an alchemist, who was also the chef in a monastery, where he occasionally tested chemicals on his fraternal monks. He thought, erroneously, that putting an element called stibium into swill for the pigs had made them fatter, so he tried putting it into food for the monks and killed half his colleagues. That element became known as antimonk, for obvious reasons, and in turn as antimony. It is dangerous to stick things into human beings and it is probably safer to use animals for experiments.

In the 2001-02 Session, the House of Lords Science and Technology Committee produced a good report, which made several recommendations. It stated that

> "it is morally acceptable for human beings to use other animals, but that it is morally wrong to cause them unnecessary or avoidable suffering."

I agree with that. The Committee also stated:

> "The UK should strive not for the tightest regulation but for the best regulation properly enforced."

It continued:

> "There is scope for the scientific community to give a greater priority to the development of non-animal methods, and more consideration should be given to the pursuit of the Three Rs—Reduction, Refinement and Replacement."

Dr. Ladyman: Is my hon. Friend concerned, as I was, that the Lords Committee may have overlooked the fact that the law requires scientists to use alternatives whenever possible and to minimise suffering? It is a legal requirement on all scientists before they can get a licence to carry out an animal experiment that they should have explored the possibility of alternatives and taken humane issues into consideration.

Dr. Iddon: That is correct, but to be fair to the Lords Committee, it did not overlook that point, as my hon. Friend will see if he reads the report in full.

The milestone date is 1959 when William Russell and Rex Burch published a book entitled "Principles of Humane Experimental Treatment", which detailed reduction, refinement and replacement. In this debate we are discussing replacement methods, which include human and animal cells, lower organisms such as bacteria and yeast, and computer programmes to predict the effect of chemicals on complex biological systems.

I pay tribute to FRAME and other organisations that are trying to find alternatives to animal experiments, including the Lord Dowding Fund for Humane Research and the Dr. Hadwen Trust. FRAME, to which hon. Members have referred, has research facilities at Nottingham university, where it has been based since 1981. As the hon. Member for North Thanet (Mr. Gale) said, it is represented in the House by an all-party group to which I belong.

I am hosting a reception for FRAME on 1 April between 4 and 6 pm in the Terrace Dining Room to celebrate 20 years of FRAME research, to which I invite all right hon. and hon. Members. FRAME was founded in 1969 by Dorothy Hegarty and Charles Foister, who started to raise funds to publicise the concept of replacement. It was one of the first organisations to represent the middle ground in the animal experimentation debate. FRAME's research programme at Nottingham university was established in 1982, and in the period 1983-86, it acted as principal adviser to the Government in framing the new legislation on animal experimentation. It is funded by donations from private individuals and companies and by grants from industry and Government. In 1983, it was the first organisation to receive a Home Office grant specifically for the development of alternative methods to animal experiments.

Fortunately, public pressure has resulted in a considerable reduction in animal experiments in this country, especially since the Animals (Scientific Procedures) Act 1986 was passed. In 1992, the European Centre for the Validation of Alternative Methods, or ECVAM, which is based in Ispra in Italy, was established as a unit of the European Commission's Joint Research Centre. That, too, was an important step forward.

In 2002, the European Parliament voted for an immediate Europe-wide ban on the sale of cosmetics, toiletries and ingredients that had been tested on animals. It is pressing for an outright ban, to be effective from 2004, on such products that have been tested anywhere in the world. However, it is running into some opposition. The European Council is unlikely to agree to the second proposal because it hopes that the World Trade Organisation will find an acceptable collaborative approach. The hon. Member for North Thanet said that we need political agreement throughout the world on these matters; a point of view to which I subscribe.

Unfortunately, there are two pressures for animal experiments. My hon. Friend the Member for Norwich, North referred to one: the human genome project. That will, I hope, lead to many new medicines, which will have to be tested to ensure their safety for use by human beings. The indications are that many new medicines will arise from that area of activity, so that will exert a huge pressure for animal experimentation unless we develop suitable alternative methods ahead of that research being carried out.

Another worry arises from the Copenhagen charter, which is supported by 80 consumer and environmental groups throughout Europe. In 2001 the European Commission published its "Strategy for a Future Chemicals Policy". That White Paper proposes the establishment of a registration, evaluation and authorisation system—the so-called Reach system—which will require producers, importers and downstream users of chemicals produced in amounts greater than 1 tonne per annum to supply information on their toxicity to a central European Union authority by 2012. The supply of information on persistent organic pollutants and all carcinogenic, mutagenic and/or reprotoxic chemicals will be mandatory, irrespective of the production volumes.

Fortunately, FRAME has developed a strategy to implement a case-by-case application of the proposed timetable for the Reach system. That is important. I hope that the chemical industry will work with FRAME, ECVAM and other forward-looking organisations to implement the Reach system, or it will suffer dire consequences. ECVAM, with the help of its partners, including FRAME, has already produced a draft of a comprehensive strategy document intended to provide an introduction to the EU chemicals policy. It describes an integrated testing approach to assessing potential hazards to humans from exposure to chemicals, together with a survey of the current state of non-animal approaches to chemicals testing. That is all with reference to the proposed schedule for implementing the EU policy.

Apart from pharmaceuticals, only about 14 per cent. of manufactured chemicals have a minimum basic set of safety data. Many have come on to the market since 1981. In that year, the European inventory of existing commercial chemical substances, otherwise known as EINECS, was established. EU legislation requires any substance that is not on the list—new substances, in other words—and those that are to be sold in quantities greater than 1 tonne per annum to be sold only if a basic set of safety data is made available.

It is estimated that of more than 100,000 existing chemicals in production, about 30,000 that were on the market before 1981 will fall under the proposed EU legislation. The gathering of all the data to satisfy the legislation will require the use of a considerable number of animals unless alternative experiments are discovered by the organisations that I have mentioned. In 2001 the Institute for Environment and Health estimated that 12 million animal tests may be necessary. However, organisations such as Friends of the Earth have disputed that figure. It has been boiled down to the fact that a third of a million animal tests may be necessary to implement the EU directives on chemicals. That is a severe warning to the general public. Together with the human genome project, the chemicals directive would exert huge pressure for an increase in animal experimentation.

The Government have an important role to play. I ask them to consider funding alternatives to animal experiments to a greater extent than they already do. To be fair to the Government, they have increased the amount of money that they put into that area of activity. In 1997-98, the Government's budget to support the three Rs principle was £182,000. That is quite a small amount, but it has increased to £280,000 in the current year. It should also be remembered that the Government fund ECVAM through their contribution to the EU. However, I put it to the Minister that much more money should be put into research on alternative methods to animal experimentation.

We should also consider the continuing work of the EU research directorate-general. It has funded 35 projects, worth €43 million, through its quality of life programme, which is part of the fifth framework programme. The Commission addressed the use of animals in research in its action plan on science and society, which it presented in December 2002.

At present, many alternative methods to animal experiments are being examined. My hon. Friend the Member for Norwich, North mentioned some of them.

[Dr. Iddon]

However, it is not sufficient for a laboratory to produce an alternative method, whether it be the FRAME laboratory in Nottingham or any other, because that method must be validated. Validation of the tests that the alternative groups discover is critical.

A test must be accepted by international organisations so that there is consistency in non-animal testing methods throughout the world. Organisations such as FRAME lead the world in developing alternative methods and ensuring that they are validated. There are European validation centres—I mentioned the one at Ispra, in Italy—and there is also an American validation centre. The Organisation for Economic Co-operation and Development is also important in agreeing validation techniques for non-animal methods.

I would like to pay a compliment to the Medical Research Council, which, in the past, backed off from funding alternatives to animal experimentation. However, it recently made its first award of £200,000 to the defence science and technology laboratories at Southampton university. I applaud it for making that award, and hope that it will continue to fund alternative methods.

Mention has already been made of the LD50 test, in which compounds are fed in increasing amounts to a group of animals—usually 10 or a dozen—until half of them die. Millions of animals have been slaughtered through use of that test, which is now no longer used. I am pleased to say that the Draize test for eye irritancy, which caused the suffering of hundreds of thousands of animals, is also no longer used. Experiments to test a variety of potential new drugs have been developed in a number of areas of medical research, including diabetes, cancer, sleeping sickness, dentist[illegible]in, cataracts, rheumatism, AIDS and pregnancy.

My argument is that although far too many animals have been used in experiments in the past, animal experiments cannot be banned completely, as the animal rights extremists seem to think. I am trying to publicise the middle way, which organisations such as FRAME and the others that I have mentioned are pursuing.

I hope that responsible Departments, including the Home Office, the Department for Environment, Food and Rural Affairs, the Department of Health and the Department of Trade and Industry, will also play their part and contribute financially to the work that is urgently needed to pursue more and reliable alternative methods for animal experimentation.

10.30 am

Norman Baker (Lewes): I congratulate the hon. Member for Norwich, North (Dr. Gibson) on securing the debate and on his contribution. I also congratulate other hon. Members on their contributions in what has been a high-level and interesting debate. If the public were able to see such debates more often, they might have a higher opinion of Members of Parliament.

I abhor animal experiments and long for the day—which will eventually come, although perhaps not in my lifetime—when animal experiments are a thing of the past and looked back on with as much curiosity as that with which we look back on sending children up chimneys. That may be some time away, as it cannot be achieved overnight, but that must be our long-term aim. I want to spend some time developing the points made by other hon. Members and examine the obstacles to reaching that goal.

One obstacle is the small criminal element, which has been referred to by other hon. Members, that has brought the legitimate and worthy campaign for an end to animal experimentation into disrepute. Let us be clear: the activities of that small minority, who have engaged in disgraceful criminal activity, have not only been indefensible, but set back the cause. Those of us who argue for a move away from animal experimentation have been inconvenienced and disadvantaged by those persons. Their activities have been counter-productive as well as criminal.

I have great difficulty in understanding how those who pretend to want to defend animal life can be so cavalier with human life. We should try to defend all life, and I concur with other hon. Members who said that members of the science community who conduct legitimate activities are entitled to do so without any expectation of intimidation, which has sadly not always been the case.

When I say that some campaigns have been counter-productive, I mean that they have affected Government, who have had to slow down. I do not blame the Government for that, as they have had to divert their attention to what is now a law and order matter. We have spent some time today talking about that, so the debate has been on law and order as well as animal experimentation. That is regrettable. I know that one of the Minister's predecessors felt frustrated that he was being diverted down that road, instead of taking matters forward as he wanted and as all hon. Members would endorse.

Another limitation is the fact that animal experimentation is still dealt with by the Home Office when all other animal matters are concentrated in DEFRA. I had some fun in a previous Adjournment debate when I pointed out where all the animal responsibilities lay across Government—it was a right mess. A departmental reorganisation has since been undertaken—I would like to think, partly as a result of that debate—and the matters are concentrated with DEFRA. That is much better, and any animal welfare Bill introduced by the Government will show that. However, animal experimentation is an exception. It is still under the Home Office because of the law and order importance that must be attached to it.

It is also more difficult for those of us who want to articulate alternative views to do so, because we are always charged, wrongly, with defending the people engaged in criminal activities—that applies to Ministers as well as people such as me. We need to say that animal experimentation is not perfect and that the sooner it can be replaced with better alternatives, the better. The House of Lords Select Committee on Animals in Scientific Procedures report says on page 39 that

> "all sides of the debate on animal procedures say that animals are highly imperfect models. It will be for the benefit of science, and ultimately of human health, if better methods of research and testing could be developed . . . It is also important for reasons of good science. Replacement *in vitro* tests tend to produce less variable results than animal tests."

I do not want anyone to believe that those who believe in the traditional animal testing are on the side of good science while those who advocate alternatives are on the side of bad science. That perception is sometimes created, quite wrongly. The Chamber should send that message today. We all agree on that.

The outdated regulations to which the hon. Member for North Thanet (Mr. Gale) referred, in a powerful contribution, are another obstacle to moving towards an ending of animal testing. I hope that the Government are considering them. Like the previous Government, they always say that they want to eliminate red tape and bureaucracy. Indeed, they set up a unit to do so. I do not know whether it is still there or whether it has been swallowed up in its own efforts to reduce bureaucracy. In any case, there are outdated EU regulations that require animal tests. They are hard to justify. The pharmaceutical industry itself has drawn attention to some of those tests and said that it could do without them. There would be no loss to the protection of human health if they were removed. I hope that the Government are identifying some of those outdated EU regulations. If they could be swept away it would benefit not only animals, but the scientific community. Businesses would benefit too, for that matter, by cutting costs. It is a win-win-win situation.

The hon. Member for Bolton, South-East (Dr. Iddon) was right to identify the EU chemical review and the human genome project, which make the need to identify and then eliminate those regulations even more important. As the hon. Member for North Thanet said, there is a lack of co-ordination within the EU that must be sorted out. There is still a different view on how animals should be regarded. Denis Healey always said that views on animals changed north or south of the olive line. I do not know whether that is accurate, but it is a reasonable proposition.

When I went to Brussels recently and met relevant people from the Commission to discuss, among other things, animal issues, I was told that one of the main obstacles to securing agreement on the cosmetics directive was the Department of Trade and Industry. While some people in government are beavering away trying to do the right things, others are perhaps taking a slightly different view and not helping. That underlines the need for co-ordination across Government.

Freedom of information is a key aspect to moving matters forward, both to share data to prevent duplication—we are making progress on that but not enough—and to identify alternatives. We must ensure that the world at large is aware of those alternatives and we must also subject the current tests to public scrutiny so that they can be justified or otherwise. Can the Minister say anything about section 24 of the Animals (Scientific Procedures) Act 1986, which has been a long-running issue in Government? He will know that many have argued for its repeal, including the House of Lords Select Committee in its report.

It is possible and desirable to have more information published about the animal experiments that are taking place without—this is important—endangering the lives of those who are conducting them. It seems perfectly possible to have more data released without necessarily releasing data about the individuals who carried out those experiments. That seems a sensible compromise. I cannot understand why the Government said in their response to the House of Lords Select Committee report that they wanted to consult further on that. We have had a great deal of consultation on that over many years with successive Ministers and over successive Parliaments.

What is the time scale for that review and when do the Government expect to reach a conclusion? I hope that it will be in line with the House of Lords Select Committee report. I also hope that they will resist that Committee's recommendation that activities involving genetically modified animals, which are bred but not otherwise used in regulated procedures, be excluded from the Home Office statistics. I welcome the Government's response that that is not necessarily their view on that. There certainly needs to be full data on animals that have been involved in experimentation, even those that have been bred and subsequently discarded. The overbreeding figures should be produced too, as part of the process of knowing what is going on. The more information we have, the better. I hope that the Government agree.

Finally, what progress has been made in establishing a centre for the 3Rs, following the House of Lords Select Committee report recommendation, which the Government accepted? I agree with the hon. Member for Bolton, South-East. Although £280,000 is an increase on what the Government inherited, and it has been increased above inflation, it is a drop in the ocean. If the Government can find blank cheques at no notice for the millennium dome or to bail out British Energy to the tune of £650 million and, dare I say it, billions of pounds for Iraq, I am sure that a couple of million pounds here or there for alternatives to animal testing would not come amiss.

10.40 am

Mr. James Paice (South-East Cambridgeshire): I congratulate the hon. Member for Norwich, North (Dr. Gibson) on obtaining the debate. His two doctor colleagues have added much to the scientific expertise and knowledge available on the subject.

Hon. Members will know that there is occasionally debate among ministerial teams—there certainly is in Opposition teams—as to who will respond on a particular topic. I volunteered for this one because the issue is of genuine concern to me, although I do not have the expertise of some who have spoken. I welcome the Lords Select Committee report; it is balanced and brings a sense of proportion to what is often an emotional issue. As my hon. Friend the Member for North Thanet (Mr. Gale) said, we must all look forward to the day when we can do away with animal testing. However, it is unrealistic to expect that to happen quickly. It is crucial, as the hon. Member for South Thanet (Dr. Ladyman) said, to understand the importance of animal testing in ensuring that the research, when it is translated into new compounds for medical purposes, is safe for humans. It always astonishes me how many people who want to ban animal experimentation would not dream of taking a drug that had not been properly validated as safe for humans, without necessarily understanding the role of animals in that process.

I greatly welcome the reduction in animal experimentation—my information is that it has been 50 per cent. over 20 years. The BioIndustry Association has welcomed the report and that reduction, and has

[Mr. James Paice]

made the point that over 80 per cent. of medical research does not involve animals. We must get the matter in proportion. My constituency, surrounding Cambridge, is at the centre of much of the work. Although Huntingdon Life Sciences is in the adjoining constituency, many of its staff are my constituents. Many other companies involved in pharmaceutical and biotechnological research are in my area—for obvious reasons, I shall not put their names on record. Some do their own animal experimentation, many more contract it out; it is of huge importance in the locality. Just outside my constituency is the proposed new site for Cambridge university research.

When I visit the businesses and operations in my constituency, I always ask about their use of animals in research. The constant refrain is, "Believe me, Mr. Paice, if there were an equally good alternative, we would use it." The cost of using animals is immense. Therefore, the suggestion that scientists use animals because they cannot be bothered to develop another test, they are not interested or they gain personal satisfaction from experimenting on animals is nonsense. It is terribly expensive and if there were an alternative it would be used.

The role of FRAME has been discussed by many. The hon. Member for South Thanet pointed out that even if one develops new tests, the only way to ensure that they are equally satisfactory is to validate them against tests using animals. Those messages are not sufficiently understood.

As has been said, the level of legislation in this country is extremely high. We have all visited such facilities and all recognise that there are many obligations on their owners in relation to husbandry. I would go so far as to say that most animals in those facilities are kept in far better conditions than the average pet is and, apart from the experimentation, probably live a more satisfying life.

Section 24 has been raised, and was raised in the Lords Select Committee report. I am all for openness and do not believe in secrecy other than on the ground of public safety, yet I am concerned about the matter. Although I strongly welcome the Government's review of section 24, I hope that they will bear in mind the need to ensure public safety and the safety of everyone involved in that review.

That leads to the issue that has perhaps blighted the debate, but which is an essential part of it: the activities of extremists. Although all hon. Members present this morning have rightly condemned them, what the hon. Member for South Thanet said in an intervention is terribly important. It is sad that many of the moderate organisations do not sufficiently condemn the extremists, who therefore give everyone a bad name. Many of my constituents have been physically attacked—of course that is an offence, although what leads up to it is not necessarily so—intimidated and terrorised in the way that the hon. Member for Norwich, North described. That is wholly unacceptable. It is also important, however, that the people who work in such facilities are not the only people who are affected. As the hon. Gentleman said, all the other organisations are affected too. It is disgraceful that, as auditors, Deloitte and Touche capitulated so quickly.

Where do such activities stop? What about a tanker driver who is delivering fuel? What about the guy who might want to do a bit of building work? The Government should look at the issue of at-risk directors, which was a sensible step forward. However, the Government need to consider extending the list of people whose names should be kept secret and not on the public register, because the problem goes much further than simply the directors of HLS or AN Other research company. All the others who are involved are affected.

I encourage the Government to look at legislation relating to the numbers of people who gather together. It does not take very many people gathering on one's front path to cause intimidation. We should consider reducing the number from 20 to something much smaller. The situation is terribly difficult for people and their families. It is more than distressing: it is driving people to take their careers abroad, which we certainly do not want to encourage.

That leads to my final point, which is to endorse the comment that so many hon. Members have made this morning, but which cannot be over-emphasised. It is far better that such research is done in this country under our strict controls than to let SHAC have its way and close down HLS, which would not save a single animal or reduce research, but would simply ensure that research took place abroad under less strict regulations and that more animals suffered. That would be the outcome if SHAC had its way. Let us work to reduce animal experimentation in this country, but ensure that we keep it in this country. The best way of doing that is to continue in the same way, using the Act introduced by the previous Conservative Government, with the changes made by the present Government, to protect those who work in or derive their income from such businesses. I urge the Minister to consider further what can be done to protect direct employees and people who have any business relationship with such companies, all of whom are being victimised by that hideous group, which claims to act in the name of animal welfare.

10.50 am

The Parliamentary Under-Secretary of State for the Home Department (Mr. Bob Ainsworth): I congratulate every hon. Member who has taken part in this debate and echo the points that have been made by the hon. Member for South-East Cambridgeshire (Mr. Paice) about the high standard of the debate, which is due to my well qualified hon. Friends the Members for South Thanet (Dr. Ladyman), for Bolton, South-East (Dr. Iddon) and for Norwich, North (Dr. Gibson), and the hon. Member for North Thanet (Mr. Gale), who has been active in the area for many years and has developed much expertise. The contributions from the Back Benches brought a level of knowledge to the subject that is unrivalled in any other debate in which I have participated.

I congratulate my hon. Friend the Member for Norwich, North on securing this debate and FRAME on inspiring it. FRAME has worked for 21 years to try to develop alternatives to animal experimentation and has done more to reduce the amount of suffering and the number of animals used in procedures than any of the activities of the organisations that the Chamber has unanimously condemned today.

I want to expand on that subject, because it is extremely important. It was said, rightly, that only a very small number of people behave in such a way as to bring into disrepute other organisations with a justifiable case to argue, and they distract the Government from issues that they want to get on with. We must always try to guard against that. However, when we say that an extremely small number of people is involved, we must not lose sight of the fact that there is, if not wide support for, at least ambiguity about their activities in other organisations and sections of the media, and a lack of understanding about exactly what they are about.

We must try to ensure that everyone who has to deal with such cases, whether the police service, the Crown Prosecution Service or the courts, is aware of their activities. We must develop an understanding of what those people are doing and their methods, and I hope that some of the issues raised this morning have advertised that. It concerns me greatly that people make monetary contributions to organisations when they cannot have any knowledge about how that money will be used and what will flow from their contributions. They believe that they are supporting effective activities to reduce the suffering of animals in experimentation, but they may be supporting a bunch of cruel and villainous terrorists in their appalling activities.

My hon. Friend the Member for South Thanet referred to a specific case, but Ministers cannot comment on individual cases even when they seem to be beyond understanding. However, he flagged up the need to ensure that everyone involved—the Crown Prosecution Service, the police and the courts—is aware of the background of such cases and the sort of activities involved. I have subjected myself to listening to the plight of people who work in the industry. I am not referring exclusively to top-flight directors or well qualified people who can take their expertise abroad. I am talking about ordinary working people who have been consistently and repeatedly targeted in their homes, intimated, violently attacked and put in terror by an organisation that is an absolute disgrace. We must do everything that we can to put a stop to that.

Picking up the question that the hon. Member for South-East Cambridgeshire asked, we are considering how we can strengthen the legislation. We need to understand some of the logistical problems that the limits on section 14 of the Public Order Act 1986 place on rural police forces where it is harder to pull the necessary numbers together at short notice to deal with large demonstrations. It might be easier for larger forces in more concentrated areas.

We need in particular to make absolutely certain that we are doing the maximum possible to drive out the growing problem of targeting people and their families in their homes. Targeting their private lives is beyond the pale. We need to look at what we can do to strengthen the regulations and the operational procedures.

Within the National Crime Squad, we have set up a taskforce to deal with the extremists. We will be following that through, but the media and other people have responsibilities. They cannot report people as if they are buccaneers on the Spanish main. They must be aware of the disgraceful activities and behaviour and the anti-democratic methodology of such people, and they must be prepared to condemn them in the terms that all hon. Members have been prepared to do this morning.

A problem associated with that, which some hon. Members have raised, is the issue of openness. My hon. Friend the Member for South Thanet and the hon. Member for Lewes (Norman Baker) raised the matter. I agree that if we are to be effective in persuading the public that we are doing everything possible to reduce unnecessary animal experimentation, we must actually be doing it. We must be as open as we possibly can about what takes place, why and in what circumstances. I agree in principle that openness is an absolute given and that we ought to be trying to drive down that road.

I do not believe that section 24 of the Animals (Scientific Procedures) Act 1986 will make any difference to the amount of information put into the public domain, but it has become a totem for both sides in this argument. However, I am not prepared to proceed with its removal if it undermines the confidence of the people who are doing the work that we are talking about. We must carry people with us and convince them that we are not putting them in any jeopardy.

As our response to the Science and Technology Committee report said, we plan to publish summaries of licences. That will do much more to put real, usable information into the public domain so that people can get a better understanding of what is being done and why than section 24 itself can. However, I am not prepared to push ahead with the removal of the section when confidence is so fragile among many people working in the area because of the activities of the people about whom we have heard today.

I know that I will not be able to deal with the other issues in the time left. I promise to go through *Hansard* afterwards, because so many important issues have been raised. I will respond to all those who have participated.

We do much to try to reduce absolutely the number of animals used in procedures in this country. The statistics show that the number of genetically normal animals being used annually went down from 2.27 million in 1995 to 1.74 million in 2001, a drop of 23 per cent. The commercial sector, whose animal use has halved over the years despite increased investment and activity, is to be congratulated on that. However, we must also point out to people, as has been said today, that no one conducts these procedures if alternatives are available. I have been visiting these establishments since I held my present responsibilities and I can see that clearly. People are desperate to develop alternatives.

We invest far more than the £280,000 that pays for the committee. Our estimate, which can always be shot at, is that about £10 million of Government money goes into the reduction of animal procedures—

Mr. Deputy Speaker: Order. Time is up, and we must now turn our attention to the next topic.

Warsaw Convention

11 am

Mr. John Smith (Vale of Glamorgan): I want to focus on article 17 of the convention, which concerns airline passengers' health. However, I am not sure that I should be speaking on health issues this morning, as I have the most appalling flu. I apologise if I am not as coherent as I would like to be.

The purpose of this short debate is clear and simple, but important: to point out to the 55 million airline passengers who travel abroad from this country that the airlines that carry them have no liability for their health. I heard the tail end of the previous debate on animal welfare—ironically, airlines do have a liability for the health of the animals that they carry: they must travel in an area that would accommodate at least twice their own body weight and size and must be fed, watered and exercised regularly. That courtesy is not extended to human beings transported on British airlines, because of the absurd anomaly in the Warsaw convention.

The Warsaw convention was introduced in October 1929, when air travel was in its infancy. It was a dangerous and novel activity and, rightly at the time, the countries that wanted to govern it internationally recognised that it had risks. They introduced limited liability, and it is absurd that it continues to this day. It has been updated on several occasions since 1929, in particular in the Hague protocol of 1955, in the early 1960s and most recently in Montreal in 1999—that update awaits ratification. However, updating the convention does not place a responsibility on airlines for the health of their passengers.

I place on record my thanks to the Department for Transport, which I congratulate on its announcement last week that it will take the earliest legislative opportunity to put a statutory responsibility for aviation health on the Civil Aviation Authority. The proposal will be the first such in the world, and it is to be welcomed.

The Department announced that one of the responsibilities will be to set up an aviation health unit at CAA Gatwick, funded from a levy from the airline industry. The main focus of the unit will be matters that affect aviation health and research. It will be the first port of call for inquiries and give advice to passengers and crew on aviation health issues. It is a most welcome development, and it took courage and leadership to announce the proposals. That is why the Government should take a leading role in calling for the revision of article 17, which has been described as a licence to kill for the airlines. We know, almost without doubt, that more passengers die through ill health—in particular from thromboembolic disease in long-haul international air travel—than die in accidents.

However, under article 17, airlines are responsible only for death or serious injury caused by an accident on a plane or while getting on or off a plane. They have no liability for the health of their passengers. That is absurd. It was not absurd in 1929, when they were still flying biplanes, few people paid to travel by air and cabins were not pressurised. However, in 2003 55 million people fly and airlines have total—total—control over the environment in which they do so, and it is nonsense to say that they have no responsibility for passengers' health. Employers have, quite rightly, responsibility for the health of their work force because of the control that they have over the work environment.

Airlines, however, do not have a liability for the health of their passengers, apart from a common-law duty of care. Not merely do they control what one can do on an airplane, where one sits and how one sits, what one eats and drinks, they control the very air that one breathes. They control the amount of oxygen in that air, and they control the pressure in a cabin. All those factors can have medical and health consequences. We know that until the mid-1980s airlines used to pump fresh air into cabins; now, however, they recycle old air through filter systems. Evidence suggests that that merely recycles microbes and germs that can infect passengers and can have serious health consequences.

That is one example, but the Minister will be aware that my primary concern is deep vein thrombosis. The incidence of that dreadful killer condition, which could be—and I stress could be—killing up to 1,400 passengers a year in this country alone, is increasing. That is a fifth of all those who die of DVT or pulmonary embolisms in this country. I must point out that 80 per cent. of all deaths from this condition are clinically silent. That is because deaths from it are diagnosed only through post mortems and there are not enough post mortems to identify all the tragic deaths from this condition.

I am involved in this campaign and I chair the all-party group on flight-related DVT because one of my constituents died in the most tragic circumstances. However, the real issue is that his family would have had no idea of the cause of his death had it not been for a chance exchange with a consultant pathologist. Deep vein thrombosis did not go on the death certificate and there was no mention of the death being related to travel. However, it is almost certain that travelling long distances in cramped conditions on aircraft causes blood clotting in one in 10 passengers and potentially fatal deep vein thrombosis in one in 40, according to the work of John Scurr.

However, I will be the first to admit that much more research must be done. I have called for such research and have placed on record my thanks to the Government for contributing a substantial amount of money to the World Health Organisation's research into deep vein thrombosis and air travel. We know that in the 1980s the average pitch in an aircraft—the distance between seats—was about 36 inches. That is not as much as is required for an animal, as I said earlier, but a little more space for people to move about. The average pitch now is about 30 to 31 inches, and, bizarrely, the statutory limit is even lower.

A recommendation was made recently to increase the pitch on aircraft but not in the health interests of passengers, despite the fact that being cramped like sardines in the seats causes the blood pooling in the bottom of the ankles, which in turn causes the clotting. That is the most dangerous situation and is either the primary cause of deep vein thrombosis in air travellers or at least a secondary but important cause. It is a major health issue that the airlines are allowed totally to ignore because of an anachronistic convention that was agreed at the beginning of the previous century. Given the Government's track record in the field of aviation health—their recent announcements and response to the excellent House of Lords Science and Technology Committee report of two years ago, which called for several measures to be introduced to protect passengers—they should consider showing leadership in the world in calling for the removal of the nonsensical protection for airlines.

When the average airline passenger in this country picks up their ticket and looks on the back of it, they will see a copy of the absurd Warsaw convention, but I doubt that they read it or understand its implications. It is a complex convention, and I am referring to only one small article, but it places a limited liability on airlines in many areas, including on the damage to or loss of luggage. I am sure that many hon. Members have been through the rigmarole of finding luggage, because the airlines are protected. They should be protected no longer, especially from prosecution or legal action for endangering the lives of their passengers by exposing them to deadly health risks, the most important of which is deep vein thrombosis.

When the aviation health unit is up and running, new legislation is introduced to give a specific responsibility to the Civil Aviation Authority and one Minister has overriding responsibility for aviation health issues, I predict that that Minister will be become known as the Minister for DVT and the unit will become known as the Department of DVT. That is for a simple reason. In the past two years, DVT has become the most important health concern of the general public about the risks that they take when boarding an aircraft for a long-haul flight.

It is important that the travelling public be made aware—I repeat this, because the message must get across—that the airlines do not have liability for their health. A recent case was brought, unsuccessfully, in the High Court by Des Collins of Collins Solicitors against 28 airlines, on behalf of many victims of that dreadful condition and their families, some of whom I know personally. They did not go to court to argue that their relatives had died and suffered because of that condition, which affects one in 40 of all people who fly, nor because they believed, rightly, that they should be compensated for the death and misery that had been caused by boarding an aircraft for long-distance travel, unaware of any risk. The case went before the court so that it could be argued that flight-related deep vein thrombosis was an accident, as defined in article 17 of the Warsaw convention.

The solicitors acting on behalf of the families, and some of the victims themselves, knew that they had no other way of suing airlines for placing people at risk and causing so much damage. It is worth bearing in mind how much damage can be caused by a deep vein thrombosis, which is a very large blood clot. It can cause tremendous injury and result in lengthy periods of medication if it does not move to the lungs, heart or brains and kill the sufferer. We are talking about something deadly, for which the airlines currently take no responsibility. It could be argued that those airlines have a licence to kill.

The Minister has an excellent track record in matters of this kind. I am the first to admit that in today's debate we are just highlighting the problem, and that it could take many years to make the appropriate change to an international convention. It could be a long struggle. However, we must raise the flag now, to show that there is an issue to be dealt with. More people die from the condition than die in air accidents or crashes. Some responsibility lies with airlines for the latter, but no such responsibility—no statutory liability—lies with them for the health of their passengers. That should change.

11.17 am

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): I congratulate my hon. Friend the Member for Vale of Glamorgan (Mr. Smith) on securing this important debate and on the campaign that he has waged on deep vein thrombosis. His interest sprang originally from the tragic circumstances affecting some of his constituents. I recognise that he is acting not only on their behalf but more widely on behalf of all those who travel by air. He chairs the all-party group on deep vein thrombosis awareness, which has done much good work to raise awareness and has quite properly lobbied the Government to take further action. I congratulate him on his vigour and hard work.

The Government share my hon. Friend's concern about the health of air passengers. We can claim with truth that the United Kingdom has led Europe, if not the world, in focusing attention on aviation health and taking positive steps on a range of issues. Three years ago, we received the excellent report by the House of Lords Select Committee on Science and Technology, entitled "Air Travel and Health". That was arguably the widest ranging and most authoritative study of aviation health ever carried out. It contained a sequence of well-researched and supported recommendations aimed at Government organisations and the airline industry.

The Department of the Environment, Transport and the Regions, as it was then, accepted nearly all the recommendations that were aimed at the Government and with the Department of Health set up the aviation health working group to oversee the taking forward of the Committee's recommendations. That body, which includes representatives from the Civil Aviation Authority and the Health and Safety Executive, has met regularly since then. Representatives of the airlines, airline staff associations and, most important, consumers are invited to join every other meeting of the group, sometimes with expert scientists or medical practitioners, to create a broad forum for the discussion of aviation health issues.

The group focused initially on the dissemination of sound information to passengers and on research matters—the two priorities identified by the Select Committee. Recently, however, my right hon. Friend the Minister of State, Department of Transport, announced plans to set up an aviation health unit within the Civil Aviation Authority, to become a source of technical expertise. The unit, which will be based at Gatwick, will act as a focal point for aviation health issues. It will offer advice to air passengers and crew and provide technical input for international organisations. It will also investigate potential new health concerns, handle public inquiries and identify research priorities. As aviation health is likely to remain a matter of continuing political concern, Ministers will continue to take a close interest. I am sure that my hon. Friend the Member for Vale of Glamorgan will bring it to our attention, should we lapse.

[Mr. David Jamieson]

The group will provide a strategic policy lead and will fulfil what I believe will remain a highly important role. The CAA will recruit someone to head the unit as soon as possible. For the time being, it will be funded by the Department for Transport. As soon as a suitable legislative opportunity arises, the CAA will be given statutory duties on aviation health, allowing it to fund the unit's work out of charges imposed on the aviation industry. As far as I know, the unit will be the first Government-run institution of its type in the world and it is a significant step forward. The pressure put on the Department by my hon. Friend has been helpful in taking that forward.

I said that one of the priorities that we would address was the need, identified by the Select Committee, for further research into possible links between deep vein thrombosis and flying. We have yet to see any definitive research-based evidence that authoritatively establishes a causal link. Based largely on the House of Lords report, we persuaded the World Health Organisation to initiate a major research programme. Central to that is a large epidemiological study to investigate whether air passengers have a greater incidence of DVT than non-fliers.

The first part of the project has secured €3 million of funding, the lion's share being provided jointly by my Department and the Department of Health with a contribution from the European Commission. Regrettably, other countries in Europe and elsewhere declined to provide funding, but the airline industry is making a significant input by providing access to flights and passengers and other forms of co-operation.

The project is scheduled to last for two years and the results are expected at the end of the next year. I am sure that my hon. Friend will agree that we will need to be certain of a link between the aircraft cabin environment and the incidence of deep vein thrombosis before we can think of making changes to air carrier liability. If the research shows such a link, the action for which my hon. Friend argued so strongly today could be carried forward.

For some years, most airlines have included health advice in the information that they provide to passengers. As the airlines cannot be expected to cover every eventuality or condition that might occur, that advice has tended to be broad and non-specific. Passengers have a responsibility to ensure that they are sufficiently fit to fly, but the Government agreed with the Select Committee that more should be done to ensure that passengers have as much sound information as possible on which to base their travel plans and on which to decide whether they are fit to fly.

In 2001, the Government therefore issued their own advice on travel-related deep vein thrombosis. That advice has been made available to the public through NHS Direct, the internet, the airlines and health services. It provides further information about DVT, based on the current state of knowledge, including setting out those categories of people who are more at risk than others, and gives practical advice about how air passengers on long-haul flights may reduce the risk of getting that blood-clotting condition. My hon. Friend will probably agree that the major risk is not to people on short flights—holiday flights within Europe, but to those on longer flights.

The advice describes, for example, simple in-seat exercises that all air passengers should consider doing. All UK long-haul carriers have produced expanded and improved information for their passengers, in the form of pamphlets, videos or announcements, incorporating the material contained in the Government's advice.

My hon. Friend also mentioned the air circulated in cabins. My information is that 99 per cent. of particles are filtered out of the air that is recycled around the aircraft. He also mentioned the on-seat pitch: we need more knowledge about that. It is not only a question of "economy-class syndrome", because incidents have also occurred in business class, where people have more room. We need more research to inform us on the matters raised by my hon. Friend.

My hon. Friend explained why he thinks that the Warsaw convention is unduly protective of airlines, particularly in the light of the recent High Court ruling to which he referred. Although he rightly spoke of the convention as the international agreement that is in force, the key legal instrument is now the Montreal convention, to which he also referred. The Montreal convention, which is expected to come into force later this year, consolidates and updates all the earlier Warsaw-based rules. The adoption of the Montreal convention in 1999, within the framework of the International Civil Aviation Organisation, concluded a period of intense, and at times difficult, negotiations to forge worldwide consensus from a range of divergent views.

In many ways, the Warsaw convention had become out of date and the Montreal convention is a significant step forward in consumer protection. For example, it greatly increases the financial liability of airlines in the event of accidents to passengers. The UK is ready to ratify the new convention along with our partners in the European Community. My hon. Friend will appreciate that the UK is not in a position to make unilateral changes on matters such as those. Were any further amendments to be proposed, they would have to be considered and if appropriate agreed at a global level, probably through the ICAO.

Furthermore, I expect the European Commission to assert that the existence of Community law in this area creates exclusive Community competence, which would require us to act in concert with our European partners. In practice, I see little possibility of the international aviation community wishing to consider amending the convention so soon after its adoption and before it has come into force.

With regard to the case to which my hon. Friend referred, I understand that there may be an appeal. It therefore would not be appropriate for me to comment on that case. However, I can make some general points about the effects of the Warsaw convention. Mr. Justice Nelson held that the atypical reaction of any passenger to a normal and unremarkable flight does not, without any other factor, constitute an accident under article 17 of the Warsaw convention. The judge relied on a well-established legal interpretation of the term "accident" as an unexpected or unusual event or happening that is external to the passenger.

Mr. John Smith: I am sorry to intervene at this late stage, but could the Minister briefly deal with my point about the unusual circumstances in which airlines have total control over the environment of passengers, but no responsibility for their health?

Mr. Jamieson: That is what I was trying to say. The way in which the courts have interpreted the Warsaw convention has prevented that particular group of passengers from claiming damages from the airline. It is a complex area of policy and law and it would be difficult to go into all the legal detail and niceties of the matter in the context of the debate today.

My hon. Friend has raised some important issues today, as he has on many other occasions. Those issues are of concern to passengers, consumers, the Government and the airlines. I welcome the debate as it gave me the opportunity to respond to some of his arguments. If there are questions to which I did not respond, I will write to him.

11.30 am

Sitting suspended until 2 o'clock.

Immigration

2 pm

Mr. Andrew Turner (Isle of Wight): This is the second Adjournment debate on immigration in two days. I had not realised that there would be one yesterday. I intend to amend my speech somewhat to avoid covering in detail the issues that were covered in the debate introduced by my hon. Friend the Member for Mid-Sussex (Mr. Soames). However, I may ask some questions that follow on from it. It is also the second debate for a very long time on the subject outside legislation. That is because the House and politicians generally stay away from discussing immigration, thereby losing us respect in the eyes of the electorate. It is also a matter on which both major parties have performed spectacularly badly over the last 40 or 50 years.

Labour's British Nationality Act 1948 was the first ever to define British citizenship. It allowed 800 million Commonwealth citizens the right to reside in the United Kingdom. In June 1948, after the Empire Windrush arrived, 11 Labour Members wrote to Clement Attlee complaining about excessive immigration. In June 1950, a Cabinet committee was established with the terms of reference of finding

> "ways which might be adopted to check the immigration into this country of coloured people from British colonial territories."

In February 1951, that committee reported that no restrictions were required.

But from the time of Churchill's premiership, new Commonwealth immigration rose from 3,000 in 1953 to 46,800 in 1956 and thence to 136,400 in 1961. These were largely economic immigrants, rather than asylum seekers. Andrew Roberts has written that

> "Cabinet and Committee papers . . . point to irresolution and wishful thinking as the principal liberal Tory response to an issue which . . . could easily have been nipped in the bud."

In January 1954 a further committee was set up under David Maxwell-Fyfe, the then Home Secretary, which found that there was nothing to justify restrictions. It was reported afterwards that

> "a reversal of traditional practice would antagonise liberal opinion".

In other words, there was vacillation and postponement of considering the problem right through until 1961. I say that to illustrate that economic migration is a long-standing and contentious issue and that no party can be released from criticism for its handling of the matter.

The British people have never voted for mass migration and the longer we in respectable political parties ignore these issues, the more people will feel excluded from the political process and the more those who exploit race for political purposes will benefit, whether it is the race relations industry demanding ever more money from the Home Office or political parties from the British National party in Burnley to the Liberal Democrats in the early 1990s in Tower Hamlets.

We in the respectable political parties cannot afford to sweep this issue aside or bury it for fear of being called racist. I welcome the work in progress that the Minister for Citizenship and Immigration reported in the Adjournment debate yesterday.

[Mr. Andrew Turner]

Thanks to my hon. Friend the Member for Mid-Sussex, I need not go over all the numbers again. To summarise, last year 100,000 people were refused asylum and 11,500 were removed from the country, which leaves a net figure of about 90,000. In 2001 the figure for non-EU immigration was about 178,000. The hon. Member for Oxford, West and Abingdon (Dr. Harris), who is not in his place, regarded that figure as "good". Of those, 46 per cent. were spouses and families.

It is estimated that the figure for illegal immigration could be anything from 35,000 upwards. The authors of the book entitled "Asylum Statistics UK 2001" report:

> "Based upon day-to-day experience of Immigration Services Union members, a very modest estimate would be that, for every person known to attempt to or succeed in entering the UK illegally, two others succeed unnoticed."

To add those figures together and project them over 10 years is not difficult. That gives a figure of 2 million migrants to this country over the next 10 years, not including those from within the European Union. The Home Office has admitted that there were 1.5 million migrants to this country in the last decade. By any measure, that is mass immigration. It means that a town larger than Luton would have to be built every year to accommodate those people alone.

Mr. Julian Brazier (Canterbury): In making his powerful case, does my hon. Friend understand how much he is understating the problem? The Government's own commitment to 200,000 non-EU work permits a year would make the figure of 2 million over the next 10 years on its own, over and above the figures that my hon. Friend has given.

Mr. Turner: I do indeed understand that and I thank my hon. Friend. I have been very conservative in the figures that I have used. I ask the Minister why the Government do not accept the accuracy even of my projections, which come from Migration Watch UK.

Mr. Nick Hawkins (Surrey Heath): Just to help my hon. Friend, I wonder whether he is aware that Baroness Scotland, who is a Minister in another place, accepted the 2 million figure in a seminar at Oxford that was attended by my hon. Friends the Members for Beaconsfield (Mr. Grieve) and for Rutland and Melton (Mr. Duncan). Although the Minister in last night's debate appeared puzzled by that suggestion, she should not have been, as Baroness Anelay placed that figure, and Baroness Scotland's use and acceptance of it on the Government's behalf, on the record in another place more than a week ago.

Mr. Turner: Indeed, and so did my hon. Friend the Member for Beaconsfield last night. The Minister for Citizenship and Immigration replied:

> "We do not accept Migration Watch UK's immigration projections as accurate".—[*Official Report*, 18 March 2003; Vol. 401, c. 920.]

Then the axe came down on the debate. Will this Minister say which projections the Home Office does not accept as accurate and what figures it would substitute for them; or does it accept the figures proposed by Baroness Scotland?

I shall say a few words about asylum and then move on to the question of numbers and whether large numbers in terms of inward migration are a good thing. I shall not go into detail on asylum because that has been debated many times. In my estimation, the issue revolves more around the numbers of immigrants outside the asylum system, who are part of a Government policy, than those within it, where Government policy is well known. It is common ground that the purpose of asylum is to protect refugees and those fleeing persecution and that abuse of the asylum process harms those deserving of refuge.

The Government have gone back and forth on the matter, but in 2001 there were 110,000 asylum claims of which 100,000 were refused, so some 10 per cent. were genuine. The problem is that the Government are constantly playing catch up, not only with criminals and people traffickers, but with the countries of origin of some asylum seekers and with the courts. Some countries such as China refuse to take back failed claimants even when they have papers. With others, it is impossible to prove the country of origin, so we are left with them. Others cannot be traced. They may be classed as "returned", but they are never returned in practice.

I hope that the creation of a removals agency, whether within the immigration and nationality directorate or separate from it, will assist in the process, because the Home Secretary has said that he is fed up with dealing with situations arising from judges overturning what has been decided after debates in Parliament. That does not happen by accident. Although some judges are more liberal than others, they interpret legislation introduced by Governments. The Human Rights Act 1998 is the legislation that interferes most in the interpretation of our asylum laws. It represents a surrender of our shores and of control of our asylum process. That is why we would be right to legislate to limit those judgments.

I welcome the asylum proposals by my right hon. Friend the Member for West Dorset (Mr. Letwin), which I am confident would, if implemented, be widely copied around the world. In particular, we should enter a reservation against article 3 of the European convention on human rights to give us the power to deport foreign nationals who are judged to be a risk to the public.

I also welcome the proposal that asylum seekers should be dealt with rapidly, perhaps on an offshore island some distance from the shores of the United Kingdom. The message must be that we shall deal with asylum seekers swiftly and robustly and not allow those whose applications are rejected to leak into the general population; and that we shall adopt sensible policies on benefits, housing and settlement. That is the way to reduce demand for asylum and to enable those who really need help to receive it. It would have a marked impact on fears that asylum acts as a back door into the United Kingdom.

The Government's robust words about asylum conceal their generally pro-immigration policy. There must be a motive for the policy. What is the Government's philosophy on immigration? Is it that anyone is entitled to settle in the United Kingdom, subject to restrictions, or is it that no one is entitled to settle, but that permission may be extended to certain categories? What is the starting point, and what is the philosophy behind the restrictions or permissions that follow from it?

If, as the Government claim, high net migration brings many benefits, they should admit the numbers, sell the benefits to the public and bask in the adulation of a grateful electorate for providing such a generally beneficial improvement in our way of life. I see no evidence of that, because so far they have provided few arguments that mass migration is a good thing, but there are many arguments that the numbers put too great a burden on our infrastructure and public services, on the poorest people, and on our way of life.

2.12 pm

Sitting suspended for a Division in the House.

2.27 pm

On resuming—

Mr. David Taylor (in the Chair): May I clarify matters by saying that the temporary sessional orders allow injury time for suspensions, so the present debate is now due to conclude at 3.45 pm?

Mr. Turner: The Government argue that we need to welcome the considerable benefits of migration. They say:

> "Migrants contribute to our culture and society. They bring a range of backgrounds, cultures and faiths, which is one of the positive hallmarks of life in Britain in the 21st century."—[*Official Report*, 18 March 2003; Vol. 401, c. 916.]

Other arguments in favour of high inward migration—I invite the Minister to correct me if I have missed any out—include the suggestion that mass migration corrects declining population, worsening dependency ratios, the demographic time bomb and labour shortages, and that immigrants pay more taxes and contribute to gross domestic product.

Let me provide some facts. Britain's population is not declining. The Government Actuary predicts that with zero net migration the population will grow from 59.8 million in 2000 to 60.3 million in 2020. Britain does not have a declining work force, but the fastest growing work force in Europe. With zero net immigration it will grow by 1.2 million by 2020.

Britain is not suffering a demographic time bomb, with pensioners forming an insupportable burden on the working population. Indeed, the Government Actuary predicts that the number of children and pensioners per thousand people of working age will fall from 620 in 2000 to 583 in 2020. Neither are we suffering generalised labour shortages. Immigration is no fix to the problem, as it is sometimes termed, of an ageing population. Immigrants grow old too. To maintain the youthful element of the population an immigration level of 59 million by 2050 would be required, which is absurd.

Immigration does boost the gross domestic product, but there is no evidence that it boosts the measure that matters, which is per capita GDP. In fact, immigrants usually have lower incomes and so, on average, have lower per capita GDP. Although immigrants pay more tax than they receive in benefits and consume in public services overall, it is only because immigrants from north America, Japan and the EU pay so much more than their fair share compared with immigrants from other parts of the world, who have a net take from the tax system.

As for the argument that immigration is culturally enriching, doubling the amount of immigration does not, of course, double the amount of enrichment. When were the people of Britain last asked whether they wanted to be culturally enriched? They may go to Thai restaurants on the Isle of Wight, but do they want to see Chinese language advertisements in the *Isle of Wight County Press*?

Is it culturally enriching that a spokesman for Tower Hamlets council says that its schools are

> "moving away from a religious theme for Easter and will probably be serving naan bread"

instead of hot cross buns? Is it culturally enriching that flags of St. George are frowned upon, that Winterval is introduced in Birmingham, and that there are bans on nativity scenes in Red Cross shops or on the mention of pigs in some schools?

Those are absurdities, I acknowledge, but they worry many people in our population and create a damaging effect of migration. Another damaging effect is that those who benefit are the employers of cheap labour for whom immigrants are a source of cheap labour, whereas the people who lose are the competitors who provide cheap labour in the labour market, including unskilled workers, especially other ethnic minorities who are already settled in Britain. The problem of cheap labour is in no way resolved by introducing immigrants into the country except in the very short term.

High levels of migration provide competition for new houses. Two million more will be required by 2021, overwhelmingly in the south-east, pushing up pressure to build on green belt areas, pushing up house prices and adding to congestion. Of course, that effect is offset by people who move out of London, but it adds to transport costs and lowers the quality of life as more people commute.

Mr. John Hayes (South Holland and The Deepings): Before my hon. Friend moves on from the subject of labour, I wanted to make the point that the problems of cheap labour in agricultural and rural areas, and in my constituency in particular, are profound. The exploitation of immigrant populations and the exploitation of people who are not part of an organised work force—perhaps not unionised or organised in any way—is a real concern. My hon. Friend will know that action needs to be taken on that. It is not fair, it is not just and it is not appropriate.

Mr. Turner: Indeed it is not. That problem has also been mentioned by our hon. Friend the Member for Boston and Skegness (Mr. Simmonds).

The Deputy Prime Minister's proposals for solving the problem of additional population pressures in the south-east actually worsen things. There is talk of moving additional homes into the transport corridors that connect with London, thereby increasing pressure on transport to and from London.

There is a huge impact on infrastructure and an increasing need for school places, including in inner London. The hon. Member for Southwark, North and

[Mr. Turner]

Bermondsey (Simon Hughes) is in his place. That authority required at least three, and it may have been four, new secondary schools over the last three or four years to cope with, among other things, an increasing population. There is also, of course, competition for housing.

There is also an impact on public health. The House of Commons Library brief on this matter says:

> "During the 1990s, numbers of HIV cases in the UK following infection in Eastern Africa rose steadily, and were approaching 500 in 2001. Cases of infection in South Eastern Africa have increased dramatically over the past few years, and numbered nearly 900 in 2001. Of the 2,400 heterosexually acquired HIV infections diagnosed in the UK in 2001 . . . 70 per cent. were acquired in Africa."

They may have been by travellers, but they may have been by migrants.

Between 1998 and 2000, 11.2 cases of tuberculosis were reported per 100,000 population in England and Wales. That compares with 4.4 cases per 100,000 for people born in the UK; 73.4 cases per 100,000 for people born outside the UK and 280.5 cases per 100,000 for black African people born outside the UK. As Professor Peter Ormerod, the spokesman for the British Thoracic Society, says,

> "There are a few areas of the UK that have levels of TB comparable to Third World countries."

The London borough of Brent is one of them. It has a level of 116.5 per 100,000 population, compared with China, which has a level of 113. We cannot prove that those levels are caused by high immigration, but they occur in areas in which there are large immigrant populations. I ask the Minister whether we have adequate screening to cover the massive numbers of people who are reaching our shores, so that we may ensure that high levels of infection are not imported into our country.

There is a net cost to immigration that must be measurable by the amount spent on ethnically based programmes. It is much more difficult to assess than some of the costs that I mentioned, and I do not believe that the Government have the mechanisms for identifying those costs. Only when those and other issues are honestly and openly explored can there be honest and open debate on immigration.

Among the many issues related to mass migration, the most difficult is race and what has been called the changing face of Britain. It is self-evident that when an unwelcome change takes place unnoticed and surreptitiously, it is less likely to generate hostility than one that is widely trumpeted and publicised. That appears to have been the philosophy behind all Governments', not just this Government's, handling of immigration. Sooner or later, it will be trumpeted, and when that happens I fear that we will have to deal with the consequences.

Several hon. Members *rose—*

Mr. David Taylor (in the Chair): Order. It appears that four Back-Bench Members wish to speak. I intend to call the Liberal Democrat spokesman half an hour before the end of the debate. That leaves just under 40 minutes for the four Back-Bench Members who wish to speak. If they confine their remarks accordingly, all of them should be heard.

2.36 pm

Mrs. Ann Cryer (Keighley): I assume that I have 10 minutes. I will be obliged if someone let me know when I get to the end of those 10 minutes because I get carried away and forget where I am.

I will not even try to cover the subjects that the hon. Member for Isle of Wight (Mr. Turner) raised. I intend to confine my comments to my experiences in my constituency with Asian women. I shall speak exclusively about the abuse of Asian women's human rights brought about by the abuse of immigration policy by families. The women fall into two categories. Some are UK-born; some were ~~born~~ at Airedale general hospital in my constituency. They are extremely attractive, intelligent, capable women who are sometimes forced, sometimes persuaded or sometimes quite willing to enter into an arranged marriage with a cousin from Pakistan or Bangladesh; usually it is Pakistan.

Usually, the girl is taken to Pakistan to be married. When she returns she is frequently a willing sponsor. Many, however, are reluctant sponsors. A woman may not wish to sponsor her husband because she may have met him only briefly at a marriage ceremony and known him just for a few days. She may decide that she has no intention of living with that man and may refuse to be a sponsor. Her family will bring a great deal of pressure to bear on her, and she will usually come to ask me for advice to see how she can get out of her very difficult situation. Between us, we can usually think of ways round the problem. We give the high commission in Islamabad information about her, the marriage and the young man she has married to stop him being given a visa. That frequently works, and the girls are let off the hook.

Unfortunately, there is another category of young women who are more vulnerable and who need much more help than those in the first category. Those girls are brought in as wives by the family-in-law. They will rarely have been forced into a marriage, as they usually see this country as a land of milk and honey. They want to come and live here. It will help them and their families to live here, so force is rarely brought to bear on them. I know of a number of cases in which the girl has been abandoned by the husband. It is the girls who are the most vulnerable victims of using marriage to facilitate entry clearance.

The husbands keep the girls here, but they have little knowledge of their rights. Many do not even know the town where they live. Many of them arrive at Manchester airport and are taken directly to the house where they are to live. They do not know much beyond the corner shop. They are, therefore, not aware of their entitlements.

Sometimes, in the most unhappy circumstances, the husband and family-in-law abandon the girl. She is then brought to me by the Keighley Domestic Violence Service in order to facilitate the granting of indefinite leave to remain. Until she gets that, she is not entitled to benefit and therefore not entitled to go into a refuge—and many such girls have children by that time.

Her husband and in-laws simply drag their feet, because they regard her as an inadequate wife. Until she gains indefinite leave to remain, she is an extremely vulnerable young woman. I have yet to fail on any of those cases. I have always managed to obtain indefinite leave to remain for those girls, so that they have access to benefits and they and their young children have access to some form of sheltered housing.

If I were not on the scene, if I were an MP who did not care, if the girls did not receive the help of the Keighley Domestic Violence Service, I am convinced that they would be deported. If they did not have indefinite leave to remain, they would be over-stayers, and their family-in-law could report them to the police. They could then be sent back to Pakistan to their family, but I would have grave doubts about their future there because they would be a great source of embarrassment to their family. They would not be welcomed.

I believe that changes are needed in order to make it more difficult for the in-laws and the husbands to put those poor girls into such a dreadful situation. As I say, I have had a measure of success, and I am grateful to the Government for having the foresight to realise that such girls need indefinite leave to remain without the support of their husbands.

Opposition Members may say that, if we still had the primary purpose rule, none of those problems would arise, but I believe that they would. I am not aware of how the primary purpose rule worked, but I am sure that the hon. Member for Southwark, North and Bermondsey (Simon Hughes) could tell us how it worked—and that he would say that it was not a good idea. I have no experience of it, however, because the Government got rid of it soon after being elected. I have no way of knowing how it worked, but I do not think that it would help the present cases.

I have a few ideas that would help girls from the United Kingdom who are forced to marry and girls who are brought into the UK who are in difficult circumstances. I believe that a lower age limit would be useful for the sponsors and for those who are being sponsored. At the moment, there is no lower age limit. The only age limit is that of marriage, which is 16. It is ludicrous that girls of 16 should be brought here from Pakistan as wives, not knowing where they are going and not knowing what their futures will be. A great deal is expected of them, and they often do not live up to those expectations.

It is also ludicrous that girls as young as 15 and 16 are being taken off to Pakistan for marriage in order to facilitate entry clearance. An age limit of 21 would give those girls at least a fighting chance. That would have given the girls born in my constituency the chance to complete their A levels and go to university before real pressure was brought to bear on them by parents and extended family.

Simon Hughes (Southwark, North and Bermondsey): The hon. Lady may be interested to know that, unless I am mistaken, the Danish Government recently introduced an age limit of 24 for people in that category.

Mrs. Cryer: I am well aware of that. I am a member of the Council of Europe, so I know what is going on in European countries. About 12 months ago, Denmark introduced a lower age limit of 24 for anyone entering as a spouse from outside the EU. Of course, we cannot place restrictions on entry by EU citizens, but we could implement a lower age limit for people entering from outside the EU.

Many of the cases that I deal with would be helped enormously by the introduction of a lower age limit. If many of the girls involved were given the opportunity to make lives for themselves, it would ease the pressure put on them by their families to act as sponsors. A lower age limit would help those girls who come here as wives, because families would clearly understand that girls could not enter until they were 21, thereby easing the pressure on the girls themselves. Having reached the age of 21, a girl would be more able to look after herself and understand her rights. Both people acting as sponsors from this country and young ladies who are sponsored from the Indian sub-continent would be helped enormously by the implementation of a lower age limit.

It would also help me, as a Member of Parliament, and some of my constituents if the Home Office and Foreign Office stopped relegating us to the position of third parties. I get sick and tired of going to the Foreign Office and Home Office to tell them that a girl has been married under false pretences. It is frequently clear that the man whom she brought into this country did not want to marry her to be her spouse but simply wanted to enter the country, and that she facilitated his entry clearance. Frequently, the man leaves the girl, even before he has completed his 12 months' probation. Often, the girl comes to me and tells me a sorry story about how he has abandoned her after she has gone to all the expense of bringing him here. In many cases, the woman is a willing wife, who was happy to go along with her parents' wishes, but once he comes here and marries her, he leaves her.

Mr. David Taylor (in the Chair): Order. The hon. Lady asked to be reminded when she had spoken for 10 minutes.

Mrs. Cryer: Thank you, Mr. Taylor.

As I was saying, it would be helpful if the Home Office and Foreign Office allowed us to make representations without relegating us to the position of third parties. We need to tell them about the wrong-doing of some men and the unfortunate position that many young girls find themselves in when they want to have their husbands deported because they are not fulfilling their role of husband.

I have another idea, although I am unsure how it would work out. Some of the young men who come here as husbands and abandon their wives simply obtain a divorce and then, as long as they have indefinite leave to remain, call on young ladies from the Indian sub-continent to come here as their wives. That is extremely unfortunate, and it would provide more of a disincentive if they were unable to do that. It may also make them a little more determined to make their marriages a success. I suggest, therefore, that it should be necessary for someone entering this country to obtain citizenship before being allowed to act as sponsor.

I understand that the Government have certain changes in the pipeline, especially with regard to citizenship, to which I look forward. People who come

[Mrs. Cryer]

into this country as a spouse or in any other way should be welcomed. The new ideas for citizenship, which will follow the example of Canada where the family participates in a ceremony, will help to make our immigrant community more part and parcel of this country and more welcome. They should certainly be encouraged to learn English—another bee in my bonnet.

The American green card system is good. It allows into the country the people who are wanted, rather than those who are married to somebody who lives there. Ours is a poor system. It allows cases to occur such as the one in which I helped two asylum seekers to obtain entry clearance and indefinite leave to remain. They were splendid young men—Iraqi Kurds. One was a teacher, the other a doctor. They simply wanted to convert their skills so that they were usable in this country. When I compare those two people with the ones who abuse the rights of my female constituents by using them to gain entry clearance, there is no contest.

Let us welcome such young people, whether they come here as asylum seekers or as economic migrants. They add to our wealth of skills and intelligence. Let us welcome them because they are different. We should celebrate difference—there is nothing wrong in that. What is wrong is the abuse of young girls' human rights. That is what I am against. I am not arguing against people coming into this country. I am arguing against the way in which some of them get here by abusing immigration rules. We have a lot to learn from the United States' green card system. We should look at that in order to facilitate the immigration of economic migrants—people whom we could welcome and who would take up citizenship very quickly.

2.51 pm

Mr. John Horam (Orpington): We owe a debt of gratitude to my hon. Friend the Member for Isle of Wight (Mr. Turner). As he rightly said in a rigorous and brave speech, this enormously important subject is debated all too little; it should be aired far more often. I congratulate him and also the hon. Member for Keighley (Mrs. Cryer), who has pursued the issue with considerable courage over the years. I note that, despite the fact that this is a rare opportunity to discuss immigration, we have present six Conservative Members, two Labour Members and one Liberal Democrat. That gives us an idea of the relative importance attached to the issue by the parties. The Conservative party regards it as enormously important.

I am concerned, above all, about the quality of life, particularly—as the Member of Parliament for Orpington—about that in the south-east corner of our small and overcrowded island. The large population is a factor that damages the quality of life in our island. We live in one of the most overcrowded countries in the world. If we consider England on its own, it is populated more densely than Germany and four times more heavily than France, our nearest neighbour—the only comparable European countries are the Netherlands and Belgium—and it is getting worse.

United Nations estimates suggest that the population will increase from roughly 59 million now to about 66 million in 2050. A significant part of that increase will be due to net immigration. As my hon. Friend the Member for Isle of Wight pointed out, if it were not for immigration, the increase would be small. Such an increase will hold dangers for the quality of life. It is, as he said, not simply a matter of asylum seekers, although that issue often claims the headlines.

In 1997, there were 41,500 people officially seeking asylum in this country. Last year, as we know, there were almost three times as many—111,000—of whom only 12,000 were recognised as genuine refugees. In addition, the number of those coming to study has increased from approximately 62,000 to 70,000 in the early 1990s to 95,000 in 2000. As the hon. Member for Keighley said, the abolition of the primary purpose rule has led to an increase in chain migration, although I shall not go into that, as she did so very ably, when she talked about some of the consequences.

In addition to asylum seekers and those studying, there has been a deliberate policy of encouraging economic migrants. On average, roughly 30,000 a year came in during the latter years of the last Conservative Government. The figure was 100,000 last year, and the Government plan to increase that number to 175,000, or possibly 200,000, as a matter of deliberate policy. I assume that the Liberal Democrats support that position. I notice that the hon. Member for Southwark, North and Bermondsey (Simon Hughes), who has quite often spoken out about such matters, said recently:

> "The evidence shows that this country, like many other European countries, needs"—

I emphasise "needs"—

> "a net increase of immigrant workers to meet the needs of our economy."—[*Official Report*, 2 December 2002; Vol. 395, c. 615.]

It is interesting that both the Labour party and the Liberal Democrats see the need for more economic migrants as a matter of deliberate policy.

My hon. Friend the Member for Isle of Wight cited figures from Migration Watch UK, which is the independent organisation that we can rely on for sensible statistics on migration, and which Sir Andrew Green, the former British ambassador to Saudi Arabia, founded. Migration Watch UK estimates that roughly 250,000 people a year come into this country; this is net immigration. That would mean 2 million people over eight years. The Government's official figure is 2 million over 10 years. There is a difference, but both figures are very large. I emphasise that two thirds of those people usually come to the south-east corner of England. That is part of the problem. My hon. Friend compared the number of net immigrants a year to a large town the size of Luton. I represent Orpington, which is one third of the London borough of Bromley, which contains about 300,000 people. We are talking about 250,000 people a year coming into this country, which is almost two and a half constituencies—nearly the total size of Bromley.

That trend inevitably affects public services: it strains the health service and education; it adds to congestion on the roads; it adds to overcrowding in trains and in tubes; and it increases road building and house building. The Deputy Prime Minister's forward look at house building is to a considerable extent driven, especially in south-east England, by more immigration, as well as some movement from the north of Britain. There are also huge costs to the taxpayer, as well as social stress—although I shall leave aside the issue of terrorism.

Simon Hughes: It will be interesting if the hon. Gentleman has one or two more statistics to add. What percentage of the public service workers in Bromley, including those in the health service, are immigrants? What proportion of the public sector workers in London are immigrants? Many people reckon that more people are needed in public services, yet many jobs get done only because immigrants are doing them.

Mr. Horam: The hon. Gentleman raises a fair point that I want to consider—because the economic arguments are interesting—but certainly not in the way that he suggests. The situation has been caused partly by what I call traditional Labour incompetence. U-turns, policy changes and failures of policy have been legion. Only yesterday, the Home Secretary had to face another reversal when the law courts rejected his latest idea. The law courts were quite correct: it is shameful that the Government wanted to deny food and accommodation to people who have been allowed into the country, yet that appeared to be their policy.

In addition to incompetence, however, the Government have a deliberate policy of encouraging mass immigration, and that is the real difficulty when we consider the next decade and our quality of life. My hon. Friend spoke on the matter, so I shall not go into it at length, but I want to respond to the point made by the hon. Member for Southwark, North and Bermondsey.

It is true that the effect of more immigrants is to increase the size of the economy, but it does not increase the per capita income of the country's inhabitants. Yes, there are shortages, as the hon. Gentleman said, but not 200,000. The 30,000 coming in when the Conservatives were in office were adequate to cope with the shortage of nurses, teachers and doctors. It lies ill in the mouth of the Government to adduce such an argument, because they have had six years to deal with such shortages.

The economic arguments are not well made, but even if they were, looking at things in a sustainable way and balancing economic, social and environmental considerations, we should be paying more attention to environmental, quality of life factors, even if it is at the cost of pure economic growth or market-led success. I favour a more balanced approach than hitherto. It is significant that the person who has written most about immigration is Mr. Anthony Browne, the environment correspondent of *The Times*. Our approach should be to consider the environment and quality of life issues.

The argument for economic immigration advanced and supported by Labour and the Liberal Democrats is immoral. In so far as economic immigrants are skilled and qualified, we are draining their countries of origin of their skills. For example, 50 per cent. of Jamaicans and 30 per cent. of Nigerians who have a degree come to western Europe. How can one build a country when it loses its best and most intelligent people in that way? I am staggered that Liberal Democrats and Labour want to pursue this policy, which is damaging to third world countries, although I agree that if my approach is adopted it should be accompanied by a generous trade and aid policy to build up those countries.

Importing skilled people to deal with skill shortages is neither moral nor economic, and importing unskilled people is similarly immoral, because it lowers the living standards of low-paid people in this country. For the Labour party to be making such a point, when it should be concerned, as we are, about the wages and conditions of less-skilled people, is amazing.

The suggestions made by my right hon. Friend the shadow Home Secretary make total sense. He is saying that we should agree a number with the United Nations High Commissioner for Refugees—he said 20,000 as opposed to the present 12,000—who are genuine refugees and should be allowed in. But the current 91,000 with bogus credentials should not be allowed in, thus reducing the overall numbers. Equally, I would be concerned about the number of economic migrants. Our policy is the right solution; it is moral and humane, and above all concerns itself with the quality of life in these small, overcrowded islands.

3.3 pm

Mr. Peter Viggers (Gosport): I am grateful for the opportunity to take part in this brief debate.

This country has always welcomed those genuinely fleeing persecution but the numbers speak for themselves. In the 1980s, the numbers coming into this country were about 4,000 a year, but they were rising. In 1995 there was a bilateral agreement with France whereby those coming into this country could be returned to France within 24 hours, which was very effective. The numbers were rising, and three things have happened since then. The first was the attitude of the incoming Labour Government, which, by the abolition of the primary purpose rule, allowing in unmarried partners and adoptive children, relaxing the rules for employment in the UK, allowing in short-term foreign workers, and allowing graduates to switch from studies to an application for residence on a permanent basis in the UK, gave a green light to those who wished to come to this country.

The numbers, as I said, speak for themselves. In 2000, about 80,000 people sought to come to the UK, of which 78 per cent. were refused. In 2001, about the same number applied. In 2002, 110,000, including dependants, applied, of whom 10,000 were given permission to remain, 13,000 were returned to their place of origin and the remainder were either given exceptional leave to remain or simply stayed here.

It was not, of course, the Labour Government's policy alone that caused the massive growth in the number of people seeking to come to the UK. The second factor was that, in September 1997, the Government signed the Dublin convention, which was European Union-wide, and which superseded the bilateral agreement. The Dublin convention does not work and, as my hon. Friend the Member for Isle of Wight (Mr. Turner) pointed out, we should take constitutional steps to change it, and to return to some form of bilateral agreement.

The third aspect was that the Human Rights Act 1998 has taken the issue of immigration and political asylum out of the hands of the UK and Parliament.

[Mr. Peter Viggers]

We do, therefore, have the problem of a large number of people seeking to enter the UK. The Prime Minister said, in relation to the Immigration and Asylum Act 1999, that

"the problem with the asylum system is being sorted out by the measures that the Government have taken."—[*Official Report*, 19 April 2000; Vol. 348, c. 974.]

The Prime Minister has been proved wrong in that area. The Home Secretary was more accurate when he said at the Labour party conference in 2001:

"The asylum system doesn't work. It is a mess from beginning to end."

We in the Conservative party feel that we have found a way ahead on the issue. As my hon. Friend the Member for Isle of Wight has just indicated, the shadow Home Secretary suggested that a quota system of perhaps 20,000 should be agreed by the United Nations High Commissioner for Refugees. Those individuals should be scrutinised outside the UK, so that we get away from the unacceptable situation in which 100,000 people a year come in and are either turned away or disappear into the community. We believe that the present system is wrong and does not work, but that at the moment we have to work with it.

That brings me to the Government's proposals to create accommodation centres for some 3,000 people on a trial basis throughout the UK. The Government have examined some eight sites for the accommodation centres. They rejected six, and chose Newton and Bicester as locations for which they intend to apply for planning permission, each for an accommodation unit of approximately 750 people.

The Government have also announced that they propose to consider the Daedalus site in Lee-on-the-Solent, in my constituency, as a location for an accommodation centre. I ask colleagues to consider what the Government said about that. On 5 February, on a confidential basis between the Home Office and Gosport borough council, the Government said that they proposed the Daedalus site for accommodating 500 families and single young men. On 11 February, they had changed their plans, and proposed the site for accommodating 400 single men, but with open access—there would be an open gate, and the men could come and go as they wished. By 10 March, the Government had changed their mind again, saying that the location might be used for 400 single men, with a secure unit for those who had been told that they would be refused admission to the UK. Some of the men would be in the centre on a free basis and some would be held in a detention area.

The Government's stated objective is to provide a

"centre for single asylum seekers in an urban area."

I note and regret the absence today of the Minister for Citizenship and Immigration—she is being substituted for by the Under-Secretary. When the Minister spoke to me on the telephone on 11 February, she said that 500 people—which was the target then—would be

"less than 1 per cent. of the population of Gosport."

She gave the impression that that was not much to worry about. However, Lee-on-the-Solent is not Gosport but a completely separate area. It is in the administrative area of the borough of Gosport, but is a residential area in which some 6,000 people live. It has few facilities; there are certainly none for young men now that the Navy facilities are no longer available. It would be absolutely wrong to accommodate 400 young men in Lee-on-the-Solent—a quiet residential area with a significant number of retired people. That leads me to the point about consultation.

In a letter to me dated 11 February, the Minister for Citizenship and Immigration stated:

"We will continue to liaise closely with the local planning authority should we decide to submit an application for planning approval. We will also agree the timing and format of public consultation with them."

In the case of Newton, I understand that the Minister's public consultation was with 40 chosen people—it was not a public meeting—in a room for an hour. I am told that she grudgingly allowed the meeting to run on for an hour and twenty minutes, during which the county council, the local authority, all the local residents' interest groups and action groups all had to make their representations. She then swept away in her motor car.

We want genuine consultation in Lee-on-the Solent. I want the Minister to come to Lee-on-the-Solent and walk up and down the high street to meet the people and to realise that the entire population is hostile to the idea. I have had well over 1,000 letters, only six of which say that we should be considerate to asylum seekers. Of course we should be. That is the first thing that I said today. We have always been considerate to genuine asylum seekers, but the individuals who are likely to be in the accommodation centre are statistically unlikely to be genuine political asylum seekers.

Simon Hughes: Will the hon. Gentleman give way?

Mr. Viggers: If the hon. Gentleman will forgive me, I will not give way. His opportunity to speak is coming; I have only a moment or two left.

We must have genuine consultation. The Government have decided to proceed with planning permission in Newton and Bicester. They have stated that

"the Government is committed as a matter of policy to developing accommodation centres . . . at . . . Bicester . . . and . . . Newton."

So once the Government have decided to proceed with planning applications, it becomes a matter of Government policy to succeed.

I do not know how the Government can say on one hand that they are conducting genuine consultation, and on the other that they are committed to developing accommodation centres as a matter of policy and that the Deputy Prime Minister will take the final decision on planning permission on a quasi-judicial basis. That matter needs to be discussed further.

Several questions arise. Is it planned that the procedure at Daedalus will be a genuine trial? I have heard that the Home Office proposes to buy the land at Daedalus if it proceeds with its application for planning permission. Buying the land does not sound like a trial to me. Although it is intended that the claims and applications will be heard within six weeks, which can be extended to six, or possibly nine, months, I must draw the Under-Secretary's attention to two cases in my constituency that came to my notice last week. One man, whom I shall call Mr. A, has made 14 separate legal applications. He has made five applications for judicial review, including an application to the Court of Appeal. He came here as a visitor with a month's leave in June 1984, and he is still here. Another individual came here in 1994 with six months' leave to enter as a visitor. He has made a very large number of applications and is still here. That seems to show that these individuals will not be here for a mere six weeks.

How will the accommodation centres fit into the scheme of things in view of the Court of Appeal ruling yesterday, which said that individuals must be eligible for support, whether or not they have made immediate application for political asylum on arriving in this country? That is the point of accommodation centres: to provide those individuals with sustenance and support in lieu of money.

In conclusion, the Refugee Council said:

> "we remain fundamentally opposed to large, out-of-town centres for asylum seekers. Such centres not only go against common sense but also ignore the problems of isolation and institutionalisation found in such centres elsewhere in Europe."

Lee-on-the-Solent is not a suitable place for such an accommodation centre, and I urge the Minister to consider the issues that I have raised and that the Daedalus action group is so effectively pursing.

3.14 pm

Simon Hughes (Southwark, North and Bermondsey): I am grateful to the hon. Member for Isle of Wight (Mr. Turner) for securing this debate. It is a bizarre paradox that we have had two debates on the same subject in two days, as he rightly said, and I apologise for the fact that I could not be at last night's debate. In case he has not spotted it, I draw to his attention the fact that there was also a debate in the House of Lords on 7 March on a report from the Committee chaired by Baroness Harris of Richmond, although that was specifically about illegal immigration.

Our time is limited, and we cannot begin to have the debate properly, let alone conclude it, so I shall be selective. First, however, I want to note my regret that since our last Home Office debate, the right hon. Member for Southampton, Itchen (Mr. Denham) has felt unable to stay in the Government. I have spoken to him privately, but I want to thank him publicly for his regular courtesy and friendliness across party lines. I also want to record my thanks for and recognition of the work of the hon. Member for Woking (Mr. Malins), who resigned from the Conservative Front Bench because of the war in Iraq. Both Members took the same general position as me and were unable to support the Government last night.

I shall deal with the core points raised by the hon. Member for Isle of Wight. I share his view that it would be helpful to have both clear statistics and a clearer expression of Government policy. I am not afraid of this debate, which I welcome. It should take place in every country, and it is a debate that we need to have now more than ever before.

I say one thing to the hon. Gentleman in passing. He said that he was not aware that the British people had been asked for their views. I am not aware that the people in all the countries to which we went over hundreds of years around the world when we had a British empire were asked for their views on whether they wanted us as immigrants to take their wealth. We normally imposed ourselves, took their money and came away, so we must be careful not to be hypocritical in judging that it is right for us to go abroad and do well by other people but not acceptable for other people to have the same aspiration to come to a wealthy country such as ours. We must have a balanced view about that.

I do not share the hon. Gentleman's view that we should legislate to exclude the courts from judicial review of the Executive. They provide an important independent safeguard. I do not agree that we should come out of the European convention on human rights and re-enter only with a reservation. As he well knows, the convention, coupled with the refugee convention, means that people may not only be refused asylum if they have been in breach of international law, but lose their right to asylum if they are a threat to public security when in Britain. We have plenty of protection, and it worries me greatly that both the Conservative party and some voices in the Government have started to talk about undermining the two great institutions of the refugee convention and the European convention on human rights, the latter of which we introduced to domestic law only four years ago.

In that context, it would be nonsense to have a quota for asylum seekers. However influential the Prime Minister may think that he is, we cannot determine how may people seek asylum in any country around the world. I commend to the hon. Gentleman the book that I wrote last year, which Ministers have read. In it, I recommended that instead of trying to shirk the burdens, we share them across Europe. When people come to Europe, we should try to share responsibility throughout the European Union in a fair and equitable way. This is not about human pass the parcel, but about sharing responsibility, and I hope that he remembers that the number of asylum seekers coming to western Europe has gone down by half in the past 10 years. Britain has taken a relatively high share recently, which is why a burden-sharing system that evens out the peaks and troughs would be welcome.

The hon. Gentleman used to work in education in Southwark. I am not sure that the new Southwark secondary schools were principally the result of net migration, let alone net foreign migration. Some of them are new schools to replace old schools, as opposed to new schools for migrants. Many of them were needed because the London Docklands Development Corporation, under the Conservative Government, developed the borough and put in more houses.

Mr. Horam: Do I understand from the hon. Gentleman's previous remarks that the Liberal Democrats are opposed to a quota on asylum seekers?

Simon Hughes: We are absolutely opposed. It is wars and the rumours of wars that force people to seek asylum and move around the world. It is quite improper and unrealistic to think that one can limit the number of people who make an application. It is difficult enough to

[Simon Hughes]

get here, but if they do they should be allowed to put their case. In law, if they have a good case we should accept them. That is why I have proposed sharing responsibility, so we can distribute the numbers equitably according to a proper formula across Europe as a whole. I hope to persuade the Minister that that is the sensible approach.

The hon. Member for Keighley (Mrs. Cryer) made some important points. I support a citizenship recognition process. One point that needs to be considered is whether sponsorship should be more restricted so that it is by established citizens rather than people who have just arrived. I share her frustration that occasionally the Home Office does not recognise MPs' proper information.

In relation to the points made by the hon. Member for Orpington (Mr. Horam), my judgment is that, on all the evidence available, we need immigrants to fill certain places in the work force. We need to have the debate about how many. That is why Government policy needs to be clarified. We never get any answers when we try to ask that question. It is partly to do with the changing demography. I put to him one of the points that is hugely relevant. How many people doing the key public sector jobs, without whom we would be unable to run our health services and public transport, have come from migrant communities?

Mr. Horam: Will the hon. Gentleman give way?

Simon Hughes: I will not give way again, as I have limited time left.

I share the hon. Gentleman's view, however, that it would be wrong to go around the world and pick up talented people, when we have other people whom we could train. My experience of talking to Governments abroad is that the best system is for us to offer training so that people can return more skilled. Similarly, people from Britain could usefully go to be trained in other places and come back better skilled.

I must tell the hon. Member for Gosport (Mr. Viggers) that I support asylum accommodation centres of 250 people. If that were the number proposed in Lee-on-the-Solent, I believe that there would be no objection. It is far fewer single males than when the Navy was there. I believe that there is some hidden racism in his constituency. I shall visit his constituency—I shall let him know when. I will meet the people and talk to the local authority. I understand the issue, but I will not tolerate racism parading as something else. I hope that we can have an honest dialogue. Accommodation centres have to go somewhere. In my view, they should be for about 250 people and no bigger.

Mr. Viggers: Will the hon. Gentleman give way?

Simon Hughes: The hon. Gentleman did not give way. I have two minutes left. I will willingly talk to him outside the Chamber.

Has the Minister yet been able to form a view on whether the Government will have a common border force as recommended by the Home Affairs Committee and implicitly by the Lord Carlile of Berriew report on terrorism? That would give us much better control of our ports of entry. Rather than have three split agencies—the police, the immigration service and Customs and Excise—that seems a better way of managing our immigration. Whatever the policy, we must ensure that we know who is coming in. Secondly, can we have today or soon good projections of need and numbers?

Thirdly, I saw the reply that the Minister for Citizenship and Immigration gave last night. It seems that technologically we can quite easily put in place methods for checking who leaves. We ought to reinstate that. That seems an important thing that we could usefully do.

Fourthly, I agree with the hon. Member for Orpington that there is a need to ensure that migration is spread more evenly across the UK. All the figures show that, whereas about 25 per cent. of the London population are migrants, in most parts of the country it is between 0 and 5 per cent. It is important that there is fair sharing.

All the evidence from the Home Office and elsewhere shows that the migrant population coming to the UK is net financially beneficial. Home Office research and much other research shows that. Unless people can disprove that, we must be very wary of suggesting that migration is not a benefit. It has been a benefit throughout history and is a benefit now, although of course there is a question as to the right numbers. We should also beware of organisations such as Migration Watch UK: its figures have not been independently verified. If we have a debate, we must have it on honest facts and figures.

3.25 pm

Mr. Nick Hawkins (Surrey Heath): If the information coming to me is accurate, I fear that my remarks may be interrupted midway by a Division in the main Chamber. Nevertheless, I shall start by echoing the tributes paid by the hon. Member for Southwark, North and Bermondsey (Simon Hughes) to the former Minister of State, the right hon. Member for Southampton, Itchen (Mr. Denham), and to my hon. Friend the Member for Woking (Mr. Malins). I share entirely the hon. Gentleman's view. Both will be missed by their respective Front Benches—I know that my hon. Friend will be—and we wish them well. We understand entirely the decisions that they reached.

I pay tribute to my hon. Friend the Member for Isle of Wight (Mr. Turner) for initiating the debate. As he said, we consider this very important subject too rarely. We have had an opportunity to consider it briefly—in a half-hour debate led by my hon. Friend the Member for Mid-Sussex (Mr. Soames)—in the main Chamber, and for slightly longer this afternoon. However, I hope that these will not be the only two occasions on which we consider this subject.

Given the manifest confusion over the Government's own numbers and policy, I hope that the Minister will give a firm undertaking that there will be soon be a full debate in the main Chamber in Government time, specifically so that we can hear from the Home Secretary whether he endorses the estimate of immigration given by Baroness Scotland at a seminar in Oxford. When that point was put in the main Chamber last night, the Minister for Citizenship and Immigration declined to answer it. She suggested in other phraseology that she did not accept Baroness Scotland's figure, but she did not give her own.

I pay tribute to all my hon. Friends who have spoken—they have done so with passion—and to the hon. Member for Keighley (Mrs. Cryer). I have followed closely the work that she has done in her constituency and her various remarks on these very important issues in the House and the media, for two reasons. First, I think that she is a superb constituency Member of Parliament who does the work that we would all hope to do in our constituencies. Secondly—I am not sure whether she knows this—I lived in Keighley in the late 1980s, so I am very much aware of the problems and issues there with which she has been wrestling.

Both Government and Opposition Members should congratulate the hon. Lady, and I am sure that they do, on saying things that have been unpalatable for some of her colleagues about the need for citizenship tests and examinations and for people coming to this country to have their fluency in the English language assessed. She has referred to those matters in the media and has sometimes provoked what I can only describe as knee-jerk and hysterical reactions from some of her colleagues who have not understood the detail of the difficulties with which she has had to wrestle.

It just so happens—if I may introduce one personal note—that when I was growing up in the town of Bedford in the midlands in the 1960s and 1970s, it had the highest proportion of people who had not been born here of all towns in the UK. Most were refugees, not from the subcontinent, but from eastern Europe. Others had come here shortly after the second world war from Italy or had stayed on having been prisoners of war in this country. Many of the people with whom I was at school were second generation refugees—they were the sons of refugee families from eastern Europe or the sons of Italian parents.

Those families quickly made the effort to integrate into the UK population and learn the language. A lot of housing was occupied by people from eastern Europe and Italy, and as those people moved up in the world and succeeded in business, that housing became available to a growing population from the West Indies, the Caribbean and the Indian subcontinent. A Bedford tradition of welcoming people from all around the world—in particular, a clergyman called Rev. Nadkarni led the community effort—was thus maintained. From my earliest years I have therefore had an interest in and some experience of the issues with which the hon. Member for Keighley has to wrestle.

The hon. Lady talked about some of the particular problems that policy decisions have caused her. I echo what she said, because I, too, have had difficulties in getting the Home Office and the Foreign Office to listen to hon. Members.

3.30 pm

Sitting suspended for Divisions in the House.

4 pm

On resuming—

Mr. Hawkins: I shall try to cover a number of issues quickly. I was just coming to the contribution of my hon. Friend the Member for Isle of Wight, who opened the debate. He gave a valuable historical perspective at the outset of his remarks. We in the mainstream parties need to be conscious of what my hon. Friend said about ignoring the issue at our peril, because if we do not talk about it seriously, extremist parties will gain ground, as they will be the only people who are prepared to talk about it.

If any members of the mainstream parties, whether Front Benchers or Back Benchers, start accusing each other of "playing the race card", as it is called, and demean the level of serious debate in Parliament between the main parties, it will help the extremist parties. I earnestly hope that when we debate the issue seriously, whether in this Chamber or in the main Chamber, that will cease. There has been too much of it in recent times—some of it, I must say, coming from the Home Secretary, which I deeply regret and deplore, particularly as he accused my right hon. Friend the Member for West Dorset (Mr. Letwin), the shadow Home Secretary, of playing the race card. My right hon. Friend does not have, and never has had, a racist bone in his body.

My hon. Friend the Member for Isle of Wight talked about the important work done by Migration Watch UK, and about the answers to the arguments in favour of mass immigration. I know that he is also interested in the work of Anthony Browne, the environmental editor who has recently written a book on the subject. It is important that all of us who talk about these serious issues pay close attention to what important organisations such as Migration Watch UK have to say. I disagree with the hon. Member for Southwark, North and Bermondsey, who cast doubt on Migration Watch UK.

My hon. Friend the Member for Isle of Wight rightly asked the Government what their philosophy was. We certainly did not discover what that philosophy was from the Minister for Citizenship and Immigration in the Adjournment debate late last night in the Chamber. Nor did we discover the answer to my hon. Friend's other question, which was about the starting point. As he said, the Government have not provided any proper evidence or figures. He rightly talked about the strain put on health and education facilities by mass immigration.

I have already referred to the valuable contribution of the hon. Member for Keighley, and I shall add something in support of her views on the need for citizenship tests. In my constituency there is a charity called the Ockenden Venture. Some of those whom it supports have had to apply for British citizenship, and the Ockenden Venture has organised citizenship celebrations. I was asked to preside over one of them, and another involved the former governor of the Falkland Islands, Sir Rex Hunt. They were moving ceremonies, because the Ockenden Venture looks after people with mental handicaps, many of whom came from Vietnam. That was an example of how citizenship ceremonies can be important and valuable. That is important to remember.

[Mr. Hawkins]

The hon. Lady—rightly, in my view—talked about raising to 21 the age limit for those who are invited to this country as spouses. As she said, perhaps it would be even better to raise the age to 24, as the Danes have done. My hon. Friend the Member for Orpington (Mr. Horam) rightly said that the debate was important, and that he agreed with my hon. Friend the Member for Isle of Wight about how the figures would operate. He also paid tribute to Migration Watch UK.

My hon. Friend the Member for Gosport (Mr. Viggers) talked about the problems with the Government's plans for Lee-on-the-Solent. I agree with everything he said; as he knows, his campaign has the complete support of our Front Benchers. He drew attention to the Refugee Council, pointing out that any centres for asylum seekers should be in urban areas. As a result of their election victories the Government represent just about every major urban area in the country, so it is extraordinary that the three proposed sites are all in Conservative constituencies: those of my hon. Friend the Member for Gosport, my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), and my hon. Friend the Member for Banbury (Tony Baldry). That seems to us a very strange coincidence—or perhaps not a coincidence.

My hon. Friend the Member for Gosport was challenged by the hon. Member for Southwark, North and Bermondsey to say whether there would be any opposition in Lee-on-the-Solent if the centre were for only 250 people. I suspect that there would still be opposition, as there would be in most small communities—and for good reason.

4.5 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Michael Wills): I congratulate the hon. Member for Isle of Wight (Mr. Turner) on securing the debate. This is an important issue. However, I am baffled by his characterisation of the Government, and, indeed, by the suggestion by most of his hon. Friends, that we are somehow trying to conceal the debate or run away from it; far from it. As a Government, we have been more open, more transparent, given more opportunities for parliamentary discussion of the subject, and dealt with it more comprehensively than any Government whom I can remember. I am bemused by the idea that the Home Secretary—or the previous Home Secretary—would run away from an argument. That does not square with my experience of either of those two gentlemen.

I want to answer the many detailed questions that have been asked by all the hon. Members who have spoken today, but because of the relatively short time left, I fear that I will not be able deal with all of them. I will write to the hon. Member for Isle of Wight and other hon. Members who have raised questions, and send copies of those letters to everyone who has attended the debate. I hope that that is acceptable.

Before I address the substance of the debate, may I say something to the hon. Member for Gosport (Mr. Viggers), who regretted the fact that my hon. Friend the Minister for Citizenship and Immigration is not here today? It may help him in his state of anguish about that if I tell him that she is currently engaged elsewhere in the House, dealing with legislation on the subject that we are discussing. I hope that that will go some way towards mitigating his regret that I am here instead of her. I shall do my best to tackle the various questions.

I was struck by the way in which the hon. Member for Isle of Wight combined a philosophical and a historical approach with a practical approach. If I may, I will replicate that and deal with the matter by first giving a brief history of the subject. The hon. Gentleman alluded to the history of immigration, and the hon. Member for Southwark, North and Bermondsey (Simon Hughes) also went into that a little. We are an island nation. That is what makes us in many ways exceptional, not only geographically, but in giving shape to our values and our institutions. We are an outward-looking nation, and a trading nation. We are formed by our position in the world. As a result of that, as a people, we have also been formed by successive waves of migration over many hundreds of years. Huguenots, Jews, Irish, Asians and people from the Caribbean have all come here. It is our contention—my hon. Friend the Member for Keighley (Mrs. Cryer) rightly said so—that we have been enriched immeasurably by that. As a nation, we are indistinguishable from those waves of migration.

The fact that such issues have been contentious in modern times is also not new. We have only to go back to the early 20th century and consider some of the street demonstrations that took place, and the intense public anxiety that led to the passage of the Aliens Act before the first world war. All that is not new. Many of the questions that have been raised by hon. Members today are not new questions, either. If we read the debates of the late 19th and early 20th century about these very issues, we will often see that many of the same phrases were used. I believe that as a nation, we have dealt very successfully with the issues that have arisen out of the waves of migration, and I have no reason to doubt that we will continue to do so. It is important to put that point on the record.

The hon. Member for Isle of Wight rightly said that the issue is politically live. We all recognise that. For all the historical background that I have just sketched out, we have to recognise that our debate takes place against a different and often very challenging global context. People move around much more than they ever did. We live in an era of cheap air travel. People are much more conscious of the rest of the world. We are dealing with all the phenomena associated with globalisation of the world economy. Inevitably, that leads to far greater flows of people, not only to and from this country, but throughout the world. If we think about any area in the world, we realise that it is experiencing the phenomena that we have been discussing today. As a Government, we must respond to that.

We have had much discussion about the Government's philosophy—or the alleged lack of it—so I wish to set out the background to our approach. Last year we set out in our White Paper, "Secure Borders, Safe Haven", our comprehensive approach and the plan of action for immigration, nationality, asylum and the challenges that face the United Kingdom. I deliberately mentioned nationality and asylum because they are interconnected issues and we are tackling them holistically and coherently.

Our objectives are clear. We are developing our policy fundamentally to create supportive, safe, cohesive communities, and to manage flows of immigration through legitimate entry routes. We are developing managed migration policies to attract the people whom we need to compete and prosper in the global economy in a manner consistent with our international commitment to eliminate world poverty and our domestic commitment to achieve employment opportunities for all. Many practical details are associated with those broad policy objectives; I shall answer the questions that have been asked in a moment.

We are developing a more coherent and effective approach to dealing with abuse of the system. That lies at the heart of many of the worries that have been raised by hon. Members. We recognise that the system—honourable and legitimate as it is—is abused. It is being abused increasingly by organised crime, and we must tackle that problem. We recognise that there is a growing problem and are taking effective measures to deal with it. We will crack down on all those who undermine and abuse our systems. As is fundamental to our moral and humanitarian objectives, we are developing a seamless asylum process, which is clear throughout—from induction and integration to return. Those measures, taken together, are fundamental to reforming our citizenship, asylum and immigrations systems and to presenting a rational approach to the new challenges that we face, given the historical phenomena over many years.

I shall now deal more specifically with immigration. The key element of the overall package is about managing migration to the United Kingdom. It has to be balanced and coherent with other commitments and social policies. It must fulfil two ends: the needs of the UK economy in an increasingly global market, but also our commitment to international development targets and our responsibility to people in developing countries. The White Paper outlined our plans to bring that about.

Harnessing the vitality, skills and energy of migrants can stimulate productivity, economic growth and job creation. I hope that there is a consensus between all hon. Members about that. The hon. Member for Isle of Wight is shaking his head, but all the evidence shows that it is true. We have heard the Home Office figures that show that the net contribution of migrants to this country is £2.5 billion a year—although I acknowledge that that is accounted for disproportionately by the contribution of certain groups of migrants to this country.

I also ask the hon. Gentleman to reflect on the fact that the value of people to the community in which they live should not be measured by the size of their income alone. The hon. Member for Southwark, North and Bermondsey has made valuable points about the contribution of people who have come to this country recently to maintain and sustain our public services, not only in his constituency or the constituency of the hon. Member for Orpington (Mr. Horam), about which the exchange took place, but in all constituencies. That is certainly true in my constituency. I ask the hon. Member for Isle of Wight to think about that when shaking his head when I refer to the contribution that migration can make to the economy and to society in this country.

In addition to developing the skills of our existing population, in the fast-changing economic environment associated with globalisation, specific bottlenecks arise. The hon. Member for Isle of Wight made a specific point about generalised labour shortages. I carefully picked up on the adjective "generalised", because he did not deal with the point that bottlenecks often arise. That is a phenomenon that will be associated with economic management for the rest of our lifetimes. We saw it at the end of the last century in relation to ICT skills. That is not the case now, but it was then. I ask the hon. Gentleman to accept that if we are to have a competitive, fully productive economy, we need to find ways of managing such skills bottlenecks. Indigenous training programmes are often invaluable, but they always take time to take root. We saw that in relation to the health service. The effect of our investment—

Mr. David Taylor (in the Chair): Order. We now come to the next debate.

Miss Jo Martinson

4.15 pm

Mr. David Amess (Southend, West): There can be nothing worse than to lose a child. It is a nightmare that we all dread, but for the Martinson family, that nightmare has turned into reality. The newspaper headlines at the time read, "Gifted Joanna died after road smash". The story said:

> "Gifted university student Joanna Martinson was killed after a horror smash when her jeep ploughed into a tree and a wall, an inquest has decided."

However, that does not really tell one anything about the nightmare that the family has experienced. I know that the Minister will do everything that she possibly can to ensure that the issues that I raise this afternoon are considered properly. For Jo's parents Dawn and Chris, her sister Lucy, her brother Guy and her boyfriend Adam, the experience has been traumatic. Nothing that I say could bring Jo back, but I hope that I can give the family some comfort in the knowledge that the mother of Parliaments takes the loss of a loved one very seriously.

On 7 November 2001, at approximately 1.15, Jo was driving a Suzuki car along Hamlet Court road, which happens to be near where I live. It is not easy to drive quickly through that area, which is close to traffic lights and usually quite congested. Police have confirmed that the Suzuki was well maintained, had no mechanical defect and was travelling at 25 mph at the most.

Jo held a full driving licence and was insured to drive, and the car had a valid MOT certificate. Jo and her boyfriend, Adam Seomore, were both wearing seat belts. She was fit, in good health and not under the influence of drugs or alcohol. Adam confirmed that there was no harsh acceleration, no high engine revs and no sharp braking. He was looking out of the nearside passenger window when he became aware that the car had swerved sideways and was sliding towards a tree. Jo was gripping the steering wheel with both hands. Adam did not see what caused Jo to swerve, but recalls clearly that she was not distracted by anything in the car, such as a radio, conversation or a telephone. She was a scrupulously careful driver.

There were seven witnesses other than professionals. Adam, for the obvious reason that he was concussed, did not see what happened. Two witnesses arrived after the crash. Two of the witnesses implicate a large white DAF van, and its driver in particular, in the sequence of events that caused Jo's death, and two make no mention of the van's presence at all, yet there is no question but that the van was there. As police officers and a traffic warden at the scene of the crash observed, it was parked prominently, in a most dangerous manner, with a fraudulent vehicle excise duty disc.

A fixed penalty parking ticket was issued at 2.17 pm, and subsequently it was learned that the van's owner, a Mr. X, was a provisional driving licence holder with a medical defect—he had one eye—about which he had not notified the Driver and Vehicle Licensing Agency. He had no insurance and no MOT certificate. Furthermore, his van was found to have serious and dangerous defects and was subsequently prohibited by the police. No explanation has been offered for Jo's sudden swerve to the left other than by the two witnesses implicating the van and the driver. The police clearly regarded that to be valid, as they arrested Mr. X on suspicion of causing death by dangerous driving and failing to stop and report an accident. The coroner took a similar view when, on 11 April, having heard the first of the two witnesses giving evidence, he adjourned the inquest to refer the matter back to the Crown Prosecution Service.

The evidence of witness C is that he was walking along Hamlet Court road at the time of the crash when he saw a tatty and dented van reverse from a side road into Hamlet Court road and towards Jo. Witness C says that the driver was reversing with the door open, leaning out to look behind him, because the wing mirror was smashed. He saw the van continue to reverse briskly as Jo approached. He estimated her speed to be at the most 25 mph. C then heard Jo's tyres skid, and watched the car spin in the road before sliding towards a tree and wall. It was November and the weather was inclement. The tree impacted into the driver's door by approximately 40 cm. C describes the van driver showing panic and concern and driving the van back into the side road. He says that he would be able to recognise the van driver again.

Sadly, from the outset, the CPS regarded C as a potentially unreliable witness. He conceded that he had bad nerves and had had a breakdown some years ago. It is fair to say that some of the detail of his evidence is confused—for instance, the time of the accident and how far he was from the impact. However, the substance of his evidence at the inquest was consistent, credible and sufficient enough for the coroner to regard it as reason to adjourn.

There is another witness, witness H, who is known to witness C. He approached the accident scene shortly after the crash and spoke to witness C, who was, by that time, extremely distressed and told him what he had seen. Witness H then approached the van driver and spoke to him. He recognised the driver, having bought items from his second-hand shops and having seen him driving the van on previous occasions.

The van driver told witness H that he had been reversing into Hamlet Court road—he actually told him that—when he heard Jo crash behind him. He acknowledged to witness H that he had driven his van back into Windsor road, then gone to look at Jo in the wreckage. Witness H described him as agitated and anxious to move his van away. We are told that Mr. X has since denied driving the van that day.

On the basis of that evidence, the Martinson family were advised that there were sufficient grounds for a prosecution of Mr. X, at least on a charge of careless driving. Having initially decided not to prosecute, the CPS reviewed the file on three occasions, once at the request of a senior police officer, then at the request of the Martinsons' solicitor and again on the direction of the coroner. The only consequence has been a court appearance by Mr. X on 14 May last year on a charge relating to defective brakes.

When the Martinson family phoned the criminal justice unit on 15 May to question whether Mr. X might still be charged with having had no insurance, no licence and the other matters, they were told that the matter was academic, as the time limit of six months had lapsed by one week. That was obviously cruel news to give to the family. Members of the family, setting aside their feelings, are appalled by what they perceive to be the perversity and apparent negligence in that case. Characteristically for an agency that attracts national criticism—sometimes unfairly, but on occasion with merit—although the Crown Prosecution Service granted the Martinsons' solicitors access to the papers necessary to pursue a private prosecution, it was not prepared to test its budget or its competence in the pursuit of justice.

I shall speak about the role of the CPS in private prosecutions. The family were going to launch a private prosecution, but decided not to do so. I believe that the guiding factor was that the family found everything most traumatic, especially having to appear in court. The case has been going on for 18 months. The family were also concerned about the quality of the evidence that the witnesses might give.

The family do not seek a scapegoat, but they want justice to be seen to be done. I plead with the Minister. I know how difficult it must be, and I know that she will do everything that she can.

4.26 pm

Sitting suspended for a Division in the House.

4.40 pm

On resuming—

Mr. Amess: I say again that I realise how difficult this is for the Minister and her office, but the family would desperately like to see whether there is some way of reopening the case. They feel very strongly that Mr. X was, directly or indirectly, responsible for the accident. They do not want anyone to be used as a scapegoat, but they very much want justice for Jo.

I have correspondence from the Director of Public Prosecutions. As it is not marked "private and confidential", I want to share with hon. Members the tone of the correspondence that resulted from my raising several issues about the investigation of Jo's death. In a letter, Mr. Calvert-Smith says:

> "Essex Police laid informations before Southend Magistrates' Court, alleging that"

Mr. X

> "had used his vehicle on 7 November 2001 without insurance, without having a test certificate and with defective brakes. The police then sent a file of evidence relating to these motoring offences to the Crown Prosecution Service for review.
>
> A senior crown prosecutor reviewed the evidence and discovered that the information alleging no insurance had been laid out of time. The offence was alleged to have been committed on 7 November 2001 but the police did not lay the information until 24 May 2002, seventeen days after the six month limitation had expired."

It is not me saying that, but the Director of Public Prosecutions at the Crown Prosecution Service. The letter continues:

> "Furthermore, it could not be argued that the police were unaware of the insurance matter during the currency of the limitation period and therefore this offence could not proceed further."

The letter goes on:

> "I can confirm that the Crown Prosecution Service has never been asked to advise on any other offences relating to"

Mr. X

> "and, as I understand it, Essex Police have not commenced proceedings regarding the other offences mentioned by Mrs. Martinson in her letter of 21 August 2002."

The sole issue to be addressed is Mr. X's admission to criminal offences, as recorded by the police in witness statements relating to charges that were never brought. By his own admission, Mr. X had driven for many years without a full driving licence. That is incredible. He had driven, despite a serious visual defect. Originally, he told the police that he had notified the Driver and Vehicle Licensing Agency, but later accepted that he had lied. He had driven and owned a van displaying a fraudulent tax disc, and he had driven and owned an unroadworthy vehicle, described by police as "heavily used", "generally uncared for", with a braking system that was "seriously defective" and a recorded mileage that

> "may not be an accurate reflection ... given its age and condition."

A prohibition order was issued because the braking defect made its use on any road dangerous by any [illegible]n.

What really upset the Martinson family beyond belief was that they heard Mr. X joke about Jo's death in the witness box, and heard from a witness that he walked away from the wreckage of Jo's car. By any measure the family have been restrained. Mr. Calvert-Smith attempts to shift responsibility to the police for failing to prosecute. His letter states that

> "in advising the Police there was insufficient evidence to support any charges relating to Miss Martinson's death, the reviewing crown prosecutor did advise that the other Road Traffic Act offences relating to Mr. X's vehicle were made out ... It remains the responsibility of the Police to start proceedings."

Somewhere between the two agencies must rest responsibility for an incompetence that has protracted and exacerbated the difficult time for the Martinson family.

What happened to Mr. X? He was given a fine of £60. If I were found guilty of not paying the congestion charge by midnight, I would be fined £80. It is outrageous that Mr. X, who has flouted the law, has been allowed to get away with it.

In conclusion, I can do nothing better than refer to the obituary in the university publication, which said:

> "Jo will be remembered as being academically able, enthusiastic about her degree and extremely supportive of her fellow students. Most importantly, however, those who knew her will recall her vivacious personality, her warm and welcoming smile and how much they enjoyed being in her company."

I owe it to Jo, as her Member of Parliament, to see that justice is done and I know that the Minister will do her very best to ensure that it is.

4.47 pm

The Solicitor-General (Ms Harriet Harman): This debate is about the Crown Prosecution Service's action on the death of Jo Martinson. When reviewing the file of case papers, I came across the comments of Oxford Brookes university when it reported her tragic death to her fellow students. Jo Martinson's life was cut short and her friends, her brother and sister and her parents

[Ms Harriet Harman]

have suffered the greatest loss possible. Her parents, through their Member of Parliament, want answers to their questions. They want to know how she came to be killed at such a tragically young age and they want justice. They are entitled to nothing less. There will be no easy answers, but I have agreed to work with their Member of Parliament, the hon. Member for Southend, West (Mr. Amess). We are determined to do what we can to ensure that no stone is left unturned in this case.

As Solicitor-General, I assist the Attorney-General in superintending the Crown Prosecution Service. It is operationally independent, but through me, it is accountable to the House. I shall set out my understanding of the situation through my examination of the file and through talking to the relevant CPS department. I will make it my business to ensure that any points that remain unanswered or in dispute between us at the end of this short debate will be pursued until they are fully, properly and consistently answered.

I agree with the hon. Gentleman that we have no interest in passing matters between the CPS or the police. We must ensure that what happened is understood fully and, as far as we can, sort everything out. At the very least we need answers, and we will endeavour to give them.

To assist that process, I want to convey, through the hon. Member for Southend, West, the offer of the chief Crown prosecutor John Bell to meet Mr. and Mrs. Martinson to discuss any further matters that arise in the case. I know that Mrs. Martinson is a magistrate, so she fully understands how the criminal justice system should operate.

From what the hon. Gentleman said, much of what happened appears to be commonly acknowledged. As I understand it, at around 1.15 pm on 7 November 2001 at Windsor road, Westcliff-on-Sea, Jo Martinson was driving a Suzuki car that swerved and struck a wall and a tree. She was severely injured and died in hospital a week later. There was one passenger in the Suzuki, sitting in the front passenger seat, whose name was Adam Seomore. He gave a detailed statement to the police but was unable to explain why Jo Martinson swerved into the wall; as the hon. Member for Southend, West explained, he was concussed. It is commonly agreed that the vehicle was not travelling fast, but was below the 30 mph speed limit. Although the road surface was wet because it had rained recently, visibility was good.

Initially, perplexingly, no other vehicle appeared to be involved in the accident. When police arrived at the scene, they were not made aware of any other vehicle. Statements were taken from six witnesses, and those who saw the accident, with one exception, described the vehicle swerving into the wall but made no mention of another vehicle being involved. However, a witness, Mr. C, approached the police eight days later to implicate a white Leyland van that he had seen backing out from a driveway, which might have caused Jo Martinson's Suzuki to swerve.

A second witness, Mr. H, had not seen the accident, but had come upon the aftermath. He was a friend and neighbour of Mr. C and approached the police after speaking to Mr. C about the accident. Mr. H claimed to have spoken to the van driver after the accident and said that he thought that, as the hon. Gentleman said, he appeared anxious. He said that the van driver had admitted to backing out at the time of the accident. The van driver had parked and left the vehicle unattended, which is how the police found it when they arrived.

Coincidentally, a parking attendant who arrived at the scene of the accident after the collision happened noted that the van had been left parked on double yellow lines, with the rear end overhanging the give way line. She issued a fixed penalty notice. In addition, a police officer pointed out to her that the vehicle had a fraudulent tax disc, but as the hon. Gentleman said, no action appears to have been taken. I have made inquiries and I am not entirely satisfied about why that happened. It should have been followed up and prosecuted, but it was not. I know that that sounds unsatisfactory, but I am not yet able to say why. However, I undertake to do so, either in a parliamentary reply or in a letter to the hon. Gentleman.

As a result of the later statements by Mr. C and Mr. H, the police were aware that the van was suspected to have been involved in the accident. On 21 November the police stopped Mr. X when he was driving in the van, which he owned, and took it away for examination. On 26 November, Mr. X was arrested and taken to Southend police station for questioning. In interview, he denied any involvement in the accident. He was interviewed again on 11 January 2002 and maintained his original story, although as the hon. Gentleman said, he admitted other offences relating to the deplorable condition of the vehicle and its lack of documentation.

The police and the CPS lawyer, Keith Rylands—an experienced senior Crown prosecutor—had an initial case conference mainly to focus on whether it would be possible to mount a charge of causing death by dangerous or careless driving. The police file for advice was then submitted in writing to the CPS on 13 February and considered again by Keith Rylands. He weighed up all the evidence and reviewed the papers, and concluded that there was not sufficient evidence to make a conviction relating to the accident more likely than not. The evidence from the two later witnesses, Mr. C and Mr. H, was weighed up, but its inconsistencies and the lack of other witnesses weakened it. For example, Mr. C claimed in his first statement to have been 4 ft from the accident, but later admitted to being approximately 50 yds away. His statement contained other inconsistencies. I am not suggesting that he did not see what he said he saw, but such factors would undermine the strength of his evidence, and it would be less likely to withstand a cross-examination by the defence and thus lead to a conviction.

Mr. C also suffered from a nervous disorder, and he had come forward with evidence late in the day after seeing a news report of the accident. Again, I am not suggesting that he did not see what he said he saw. However, so far as proof in court is concerned, those factors tend to weaken and undermine evidence. Keith Rylands advised the police that there was insufficient evidence to charge the driver with causing death by either dangerous or careless driving. However, on the other motoring offences, the police were advised that there was sufficient evidence to charge on the following counts: driving without a full licence, driving with a disability—Mr. X only had one eye, which had not been notified—driving with defective brakes, and driving with no insurance and no MOT. The police were advised that there was sufficient evidence to prosecute on those counts, and the file was returned to them so that they could put papers to the inquest and instigate prosecutions for those five offences.

On 28 March 2002 the police laid information at Southend magistrates court for only two offences: driving a motor vehicle with a defective brake on 7 November, the day of the accident; and using a motor vehicle with no MOT. It appears that the police did not lay information on the other three offences at that stage. The CPS did not notice the error. The information on the two offences was laid in time, as the first court date was 23 April 2002. On 24 May 2002 further information was laid by the police, and lack of insurance was added to the list of offences. The defendant pleaded not guilty, and the case was scheduled for trial on 28 August 2002. On that date, the CPS offered no evidence on the allegations of defective brakes and no insurance. The defendant pleaded guilty to having no MOT and, as the hon. Gentleman said, was fined £60 with £35 costs.

In April 2002, following the start of the inquest, the coroner adjourned its conclusion to consult with the head of the CPS trials unit, Chris McCann, who was asked to review the papers with a view to starting prosecutions for offences relating to the accident. He reviewed the evidence, and came to the same conclusion as Keith Rylands. Chris McCann was conscious of the nearing statutory time limit, and, after consultation with the defence solicitor, who was to take counsel's advice, he arranged for Essex police staff to lay information for careless driving and for failing to stop and report, so that the case could be kept open in case the family wanted to take out a private prosecution.

I shall now address the CPS's decisions. It is plain that there was insufficient evidence to enable the CPS to mount a prosecution for causing death by dangerous or careless driving that would comply with the code for Crown prosecutors. However, the other allegations should have been pursued, and they were not.

I have set out some of the facts, but I have not had time to set out my analysis, and where we go from here. I only have time to say that today is the starting point of the discussion, and of the unpicking of the case. I am grateful to the hon. Member for Southend, West for giving us the opportunity to start off the process of discussion. I have more to say, and I shall seek to conclude the matter by finding some way of bringing it back to the Chamber—*[Interruption.]*

Mr. David Taylor (in the Chair): Order. I apologise to those observing the debate for its fragmented nature. The debate is now concluded, and the sitting suspended for a Division.

5 pm

Sitting suspended for Divisions in the House

6.2 pm

On resuming—

Question put and agreed to.

Adjourned accordingly at two minutes past Six o'clock.

Westminster Hall

Thursday 20 March 2003

[Sir Nicholas Winterton *in the Chair*]

Convention on the Future of Europe

Motion made, and Question proposed, That the sitting be now adjourned.—*[Gillian Merron.]*

2.30 pm

Mr. Deputy Speaker: Before I call the Minister to open the debate, may I say that the matter before us is a very important one?

The Secretary of State for Wales (Peter Hain): Thank you for your warm welcome, Mr. Deputy Speaker. Knowing of your strong views on Europe, I can think of nobody better to chair this sitting.

Given the importance of the ideas being considered in the Convention, it is vital that Parliament should have sufficient opportunity to debate the issues. That is why the Government have proposed today's Adjournment debate on the Convention. I welcome the interest of the Select Committee on European Scrutiny, before which I am due to appear next week. In the week after, that the Minister for Europe and I shall give evidence to the Select Committee on Foreign Affairs.

The Convention has moved into its most crucial and intense phase as we consider the draft treaty articles, which hon. Members have seen. We have made significant progress in several areas—for example, in securing a substantial role for national Parliaments in assessing whether action should be taken at European or national level, ensuring that the charter of fundamental rights does not change the competences of the EU, and resisting further moves to qualified majority voting in the social field while the provisions introduced at Nice have yet to be tested.

So far, so good. However, we have much to do to ensure that the progress that we have made is not undone in the draft articles prepared by the praesidium. There is pressure from some quarters to reopen the discussions of the working groups and the plenary response to those working groups. Some heavy lifting is also required to protect our key interests.

As hon. Members will be aware, the first set of draft constitutional treaty articles generated quite a bit of heat. So they should, because they cover key issues that go to the heart of the Convention's work. They set out the kind of European Union that we are creating—its values and objectives—and they tell us a bit about its genesis. I welcome the clear setting out of the competences of the Union and of the member states although, like many, I do not think that we are there yet. We must make it absolutely clear that the power of the Union stems from the member states, and not the other way round. I welcome the Convention president's public acceptance that that point needs to be clearly stated. A Brussels superstate is not on—full stop, end of story. The EU is and will remain a union of sovereign states.

I want a scheme of competence that is clear, flexible and simple, yet which preserves accuracy and legal certainty and allows us to safeguard our national interests. Distinct arrangements must be preserved for common foreign and security policy and aspects of justice and home affairs.

The first articles contain some good suggestions, such as the idea of "supporting action", which confirms that there are certain areas in which the EU cannot harmonise legislation. However, I was not happy with the language on economic governance and common foreign and security policy. I made it crystal clear to the Convention that the EU's foreign and security policy must remain intergovernmental, and economic policy must continue to function by member states co-ordinating economic policy in the Council, within the framework of rules established by the EU.

As a champion of plain English, I was pleased to see the hard work that had gone into making the drafts easier to understand. However, as Baroness Scotland reminded the Convention, we must not allow plain speaking and simplicity of language to replace legal certainty. That is particularly true of a constitutional treaty, which is why I made a number of suggestions to the Convention in my many amendments. I suggested removing ambiguities and ensuring that the constitution paints a clear picture of a Union in which member states freely co-operate and integrate by agreement when it makes sense to do so in pursuit of clearly defined aims against a background of shared values.

The first draft articles also included the F-word. I made it clear at the time—and I continue to do so—that "federal" means different things to different people and different countries. It therefore seems odd to include it in a document that is designed to provide clarity.

Mr. Richard Bacon (South Norfolk): I find that odd, too, although not because many speakers in the debate will welcome the word while many others will oppose it. The inclusion of "federal" is odd because the draft articles plainly describe a unitary state. The competences in article 12 indicate that member states can act only when the Union has not exercised or ceases to exercise its competence. Is not "federal" rather an odd way of describing what is basically a unitary state?

Peter Hain: I do not accept that view or the assumptions behind it. We are talking not about a unitary state or about drafting a constitution for one, but about a partnership—a union of sovereign member states. That is quite a different animal. The hon. Gentleman is either being mischievous or he is under a misconception; quite conceivably, he is both.

Instead of using the suggested terminology, we propose simply to say what we mean: certain policies are co-ordinated at the European level to achieve goals that member states cannot achieve by themselves.

The second set of draft articles was rather more technical than the first, so I may lapse occasionally into euro-jargon. I am a firm advocate of simplifying the Union, so I welcome the proposal to reduce the number of instruments and terms that it will use. "Law" and "framework law" are much clearer and simpler than the plethora of terms that has built up over the years. Introducing such changes will help to make Europe

[Peter Hain]

easier to understand. It should also make the Union more efficient by freeing the Council and the European Parliament to focus on setting the general frameworks in primary law, while leaving the detail to those more directly involved in implementation—usually the nation states and their constituent regions.

Draft protocols have also been produced on the role of national Parliaments and the principles of subsidiarity and proportionality. Some people have dismissed the protocols as being of secondary importance, but I believe that they are revolutionary and crucial.

The Laeken declaration drew attention to the need for national Parliaments to play a greater role in EU affairs. The protocols envisage a formal role for national Parliaments such as ours for the first time in the history of European co-operation at the EU level. My hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) has been a visible, vociferous and very effective campaigner in the convention for the greater involvement of national Parliaments.

I proposed introducing an early-warning mechanism, whereby details of new legislative proposals would be emailed out so that national Parliaments could give their view on whether the EU should take action on a particular policy. The Convention endorsed that proposal, which is reflected in the draft protocols on the principles of subsidiarity and proportionality, and in the draft treaty articles. That is a significant achievement. The key to its success will be ensuring its credibility, so I very much hope that the House will firmly grasp the opportunity to become more involved in EU decision making.

Mr. David Drew (Stroud): My right hon. Friend will accept that the problem is the perception rather than the reality of what is being said. Does he agree that part of the problem is the relationship that national Parliaments will have to a constitution? Will decisions gain legitimacy through a referendum, or—this is usually the British way—will Parliaments be sovereign and make decisions? Will that not at least cause confusion? Is it necessary to hold such a debate, whether though a referendum or otherwise, so that the people are taken along with what happens with the Parliaments?

Peter Hain: I agree that there is a need to bring along the people to which my hon. Friend referred. That is why the Minister for Europe is doing a lot of public speaking around the country, why I did the same when I was in that post, and why we are taking every opportunity to involve people in debate through websites and so on. On the question of holding a referendum rather than having national Parliaments take a decision, as my hon. Friend knows, different member states have different means of ratifying treaties There will be a treaty at the end of process. We have not gone down the referendum route, except in the case of the original decision to join and—if we indeed decide to hold a referendum—in the case of the fundamental decision of joining the single currency. On the issue in question, we shall proceed as we have done in the past, by ratifying treaties through Parliament, because, frankly, that is the best way to ensure the detailed scrutiny and accountability necessary to secure real democratic legitimacy for the outcome.

Mr. Bacon: Many people think that a document that starts with the words

"reflecting the will of the peoples"

should necessarily be subject to a referendum. Will the Minister tell me what it is about something so fundamental—to use his words—as the euro that makes a referendum necessary, but what is not so fundamental about a constitution, which is plainly fundamental to anyone, that does not make a referendum necessary?

Peter Hain: I am not sure whether the hon. Gentleman is suggesting that we should start to reject the will of the peoples. It is self-evident that a new treaty arrangement expressed in the form of a constitution should reflect the democratically expressed will of the peoples through their national Parliaments. It is the free, sovereign right of countries such as Ireland to hold a referendum. However, I still hold the view that it is better to adopt the parliamentary process.

Much in the new constitution embeds and clarifies what is in existing treaties. There are new additions, such as the national Parliament accountability, which I would expect the hon. Gentleman to welcome, and which ought to be included. The process is an exercise in clarifying and modernising European Union structures that are contained in hundreds of pages and thousands of words of tangled treaty language that is virtually incomprehensible to the average Member of Parliament, let alone to the average citizen. There is no reason why the fact that the document is labelled a constitution should trigger a referendum.

Mr. Austin Mitchell (Great Grimsby): I want to follow up on that point. The document strengthens the powers of the centre, is developed by a Convention that is loaded in favour of the EU—even though it probably has a majority of "federasts"— and fundamentally changes the balance of power between national Parliaments and Governments and the centre. That is a major constitutional change. Surely what is proposed must be put to the people, because it can have no legitimacy unless it has the consent of the people, not only in Britain but right across Europe.

Peter Hain: How can something strengthen the centre if it contains a new proviso for national Parliaments to have rights over subsidiarity and proportionality? That is a decentralising measure and a major advance, which came from the Prime Minister's speech in Warsaw several years ago, when he called for national Parliaments to have a role right at the beginning for the first time—the traditional scrutiny arrangements are by and large retrospective—and for nothing to be done in relation to serious legislation unless national Parliaments are consulted as to whether it infringes subsidiarity or proportionality.

I acknowledge my hon. Friend's long and expert interest in the evolution of the European Union, but we should await the outcome. The Convention will strengthen the centre in ways with which we agree, such as creating a more active justice and home affairs policy, to give us proper protection against human trafficking, asylum seekers, terrorism and international crime. That is a common-sense approach, and the Convention will not strengthen the centre just as a matter of iron law.

Although we are gaining ground support for more vigorous enforcement of the principle of subsidiarity, I am disappointed by the lack of interest in its partner principle, proportionality, which was also introduced by the Maastricht treaty, and which provides a check on how detailed and intrusive legislation may be. I sometimes think that it is the intrusive and detailed nature of legislation, whether in the form of directives or regulations, that is the problem, particularly for businesses, rather than the principles behind the legislation itself. Both principles—subsidiarity and proportionality—are essentially political. They are certainly not technical matters on which a court should be asked to rule. Given the link between them, it seems logical to me that the early-warning mechanism that we are setting up to consider subisidiarity should also decide on proportionality.

I am pleased that the draft treaty articles and draft protocols give formal recognition to the role of the regions in the European Union. In the paper that I submitted to the Convention in advance of the plenary discussion, I set out several ideas for strengthening the role of the regions and formally recognising their involvement in EU business.

Mr. Iain Luke (Dundee, East): I am glad that my right hon. Friend made that point. Our own example of subsidiarity, whereby this Parliament has devolved powers to Assemblies and Parliaments throughout the United Kingdom, is the proper way forward. It sets a good example to European countries, given that it keeps us within a United Kingdom but gives regional Assemblies and Parliaments a much stronger voice in deciding how to run their affairs.

Peter Hain: I very much endorse my hon. Friend's views. Indeed, the paper that I submitted proposed a strengthened role, in respect of influence in Brussels and consultation via Brussels, for any initiatives that must be implemented at a regional level or, in our country, at national level, such as in Scotland and Wales, in particular. That paper was drawn up in co-operation with the Scottish Parliament, the Welsh Assembly and the Northern Ireland Executive, and it puts us at the fore in strengthening the role of Europe's regions.

Very significant decisions are already made in the United Kingdom, as in many other member states, by local and regional government, but, at the moment, their voice is not effectively heard in Europe. That is a wasted opportunity because their involvement would improve the quality of the legislation produced. It would be also be a step in the right direction to involve more people in the European Union and reconnect Europe to its citizens. The idea that this is some sort of centralising constitution is confounded by the role that national Parliaments are being given for the first time, and by the enhanced role that we hope the regions of Europe will also be given.

Draft treaty articles relating to justice and home affairs in the budget were published on Monday. We are still closely examining those drafts. Taking the justice and home affairs articles first, I welcome the attempt to set out what it is, and is not, for Europe to do. It is good to see that, for the most part, the draft articles build on the significant advances that we have already achieved, for example, in relation to asylum and immigration. I am especially pleased that the draft articles confirm mutual recognition as the foundation on which justice and home affairs should be constructed. My alternate, Baroness Scotland, worked hard and expertly on the justice and home affairs working group to win agreement on that important principle.

We do not accept, however, the proposal for a European public prosecutor, who would investigate and prosecute cases of fraud against the Community budget. My concern lies with the bureaucracy and expense of creating such a post. To whom would such a figure be accountable? Member states already have national prosecutors to do that job. Those individuals are responsible to their courts and Parliaments, but that would not be the case for the European public prosecutor. In 2001, over 70 per cent. of fraud in the EU was committed in individual member states. We should be strengthening the systems that are in place in member states to prosecute criminals in their own country, not creating a new European legal bureaucracy. We are not alone in our concerns on that matter.

The draft budget articles seem to be helpful. They reflect well the Government's thinking on budgetary discipline and on sound financial management—key principles of which the UK has been a strong advocate. The present EU budgetary procedure is complex and opaque. I welcome the fact that the draft articles open the way to simplifying the annual budget process, provided that budget discipline and stability are maintained.

All the draft articles to which I have referred are in part 1 of the new treaty, which clarifies and simplifies the aims and objectives of the Union. Part 2 elaborates on those objectives and aims. We now have the results of a technical exercise by lawyers on part 2 to prepare the ground for merging the current treaties. It involves deleting those parts of the treaties that are now obsolete and amending others in the light of the consensus reached in the Convention.

The legal experts group did a good job; it reflected well the recommendations from the Convention's working groups. However, it followed through on one of the recommendations from the simplification working group—a recommendation to which we raised major objections. That is the proposal to generalise qualified majority voting and co-decision across the board. I have often made it clear that the UK would be prepared to examine each area that remains outside the procedures case by case. However, we do not accept a generalisation. There are some areas, taxation for example, in which we will not accept qualified majority voting.

The Convention has still to conclude its discussions on the important area of institutional reform. I support the widely held view that we should not distort the present institutional balance. However, there is scope to improve the workings of each institution and to make processes simpler and more transparent. A full-time elected chair of the Council would enhance its stability and its ability to provide a strategic overview of EU matters. Many member states support that idea,

[Peter Hain]

including France, Germany, Spain and Poland. As a result of his experiences of the presidency, the Danish Prime Minister changed his mind and said that he now regards the chair as essential to ensuring the effective functioning of a Council of 25 member states. He made the point that when the EU had 15 member states he had to make two tours during his six-month presidency before each Council. That was a severe strain for a serving Prime Minister. From 1 May 2004, the Union will have 25 member states; how much more of a strain will that be for a serving Prime Minister?

Another suggestion is for the European Parliament to elect the Commission President. However, I am sceptical of that idea. My concern is that such an independent figure, who must be acceptable to the member states through the Council, will get caught up in the politics of the European Parliament. If a way can be devised to prevent that, perhaps by including a high threshold for approval so that the President is not the hostage of one party faction, I would be willing to consider the idea again.

Finally, I cannot deny that events in Iraq have highlighted the need to reform and strengthen the EU's common foreign and security policy. Reports of its demise are wrong and unhelpful. There is a future for CFSP, and we are working in the Convention to identify how we might develop a serious and credible EU global role beyond the one that it has on aid and trade. The UK, like other member states, will not accept any shift from the intergovernmental nature of the CFSP; nor is there much sense in extending QMV to foreign policy. We need greater coherence. A single figure—merging the posts of the Council's high representative for the common foreign and security policy, Javier Solana, and the external relations Commissioner, Chris Patten, and answerable to the Council but with a foot in the Commission—could help us to achieve that.

We have come a long way in the Convention; I have been sitting on it for a month—for a year, rather; I wish it had been a month. I am sure that the right hon. Member for Wells (Mr. Heathcoat-Amory) and my hon. Friend the Member for Birmingham, Edgbaston would agree with that last thought.

We have already come a long way in the Convention, but there remains some distance to go before we conclude our work in June. In response to requests from Convention members for more detailed discussion of the articles, the praesidium has proposed additional plenary sessions. I will attend one such meeting next Wednesday. Further discussion groups have also been set up to examine issues where the working groups were unable to reach consensus. Baroness Scotland has participated in a discussion group on the European Court of Justice, and another group has just begun considering the Union's budget procedure.

There have been calls to extend the Convention until later in the year. Some say that that would give us more time fully to consider the implications and issues involved in our proposals. I am not convinced by such arguments. Indeed, the June deadline has been a spur to progress in the Convention, so I see no sense in delaying the conclusion of the Convention beyond the June European Council, as was originally decided.

An intergovernmental conference will be convened in due course to consider the Convention's recommendations and decide, by unanimity, the future shape of the European Union. The final decision will be with member Governments such as ours. The precise timing of the IGC has not yet been decided. I am relaxed about when it will begin and how long it will last, but it is important that there is sufficient breathing space between the end of the Convention and the beginning of the IGC to allow for a period of reflection, including, I hope, reflection by this House.

The IGC must debate the issues fully. I would not want it simply to rubber-stamp the Convention's work. It is also imperative that the accession countries are fully involved in the IGC. After all, the forum will decide the kind of Union to which the accession countries will be full members.

The House will appreciate that the Convention is making good progress in fulfilling its mandate from the Laeken European Council in December 2001. The British team, Government, parliamentary and European parliamentary representatives are fully engaged, proposing ideas, persuading others and listening closely. We made some promising gains in devising the new political architecture for a Europe of 25 and more states. Much remains to be done to continue to protect our national interest, but we are confident of rising to that challenge in order to deliver the Europe that British citizens want—safer, richer, stronger and more accountable to its citizens.

Mr. Deputy Speaker: Before I call the next speaker, I note that some 12 hon. Members intend to seek to catch my eye, including the spokesmen for Her Majesty's Opposition and the Liberal Democrats. If hon. Members show some discipline, without doubt everyone will get in. Although I do not normally indicate how I intend to call Members, it will help the Chamber if those who were intimately involved in the Convention may make their contributions early in the debate.

2.58 pm

Mr. David Heathcoat-Amory (Wells): As the Minister mentioned, the Convention has been sitting for rather over a year. The anniversary passed off quietly because it coincided with the extinction of any pretence that there is a common foreign or security policy in the European Union; the Iraq situation caused that.

Despite that rather glaring setback, the Convention is now in a state-building mode and the scale of the undertaking is now becoming clear. The end result will definitely be far beyond the treaty change system that we have seen at Maastricht, Amsterdam or Nice. A European constitution and, by extension, a constitution for this country is being written.

In fact, the Laeken declaration was fairly tentative about that undertaking. It referred to the need for simplification and said:

> "The question ultimately arises as to whether this simplification and reorganisation might not lead in the long run to the adoption of a constitutional text in the Union. What might the basic features of such a constitution be?"

Despite that rather hesitant suggestion, we are now into the serious business of considering detailed draft articles. The first 16 draft articles establish the basic structure of the Union, giving it a legal personality and making it clear that it is a separate entity from member states, so the idea that it is an association or partnership of states is long past. They also signal the end of the intergovernmental pillars, which have been a feature of the Union since Maastricht. Furthermore, draft article 5 states:

"The Charter of Fundamental Rights shall be an integral part of the Constitution."

The name of the entity is unimportant, but "the European state" would be appropriate. My hon. Friend the Member for South Norfolk (Mr. Bacon) was right, as we are witnessing the birth of a unitary state. Mr. de Villepin, who is supposed to be a great political theorist as well as French Foreign Minister, suggested that it is a federation of nation states. To me, that is a contradiction in terms. We cannot have a federation of nation states as we understand the term. We can have a federation of states like the United States, if we are to have the same status as Massachusetts or Oregon, but in a federation, by definition, powers are given up to the centre, which has powers directly applicable on the people of the constituent states. To talk about a federation of nation states is obfuscation and intellectually deceitful. If we are going to engage the public's attention and eventual consent to an outcome, we must be honest and square with them what is actually happening. I regret that the Minister has persisted with the idea of a partnership of sovereign states. We are building something entirely different.

Mr. Bacon: On that point, is my right hon. Friend as concerned as I am about the legal personality? He will know from the jurisprudence of the United States and its Supreme Court that once the European constitution is in place and has a legal personality, like Massachusetts, the individual states will exist because of the federal layer. A fundamental shift takes place once legal personality starts.

Mr. Heathcoat-Amory: My hon. Friend is undeniably right, which is shown by the history of the United States. For example, the Bill of Rights in the US constitution originally applied only to the federal Government, but through judicial activism under John Marshall, it eventually applied to all the constituent states. That process is already under way in the European Union, and the constitution will give it a great accelerating force.

The Minister claimed that the new constitution would at least bring clarity to the powers of the European Union compared with those of the member states. I do not find that in the draft articles. It is a botched exercise, and the long list of shared competences takes us nowhere. As a member state advocate, it is of no comfort to me to know that energy, social policy, the environment and public health are shared competences. That does not define the relative powers.

The articles give the lie to the idea that the Convention is simply about clarification or codification of the existing balance of powers between the two levels. I can give a specific example. Draft article 13 says:

"The Union shall coordinate the economic policies of the Member States".

That goes far beyond anything in existing treaties. It says not "may" but "shall" co-ordinate, which is unrecognisably different from what we have had before. It is a giant transfer of authority from member states to the new Union. I beseech the Government to be honest. If they want that to happen, they should admit and defend it. If they do not want it, they should announce now that they are against it and will veto it. Will the Minister give me that assurance?

Peter Hain: Surely the right hon. Gentleman must know that we tabled a strong amendment to get rid of that, and that I attacked it in very strong terms on the opening day of the plenary when it was published. We therefore agree, which he must know as an active member of the Convention.

Mr. Heathcoat-Amory: We may agree, but the question is what the outcome will be. I have sat on the Convention for a year, and have learnt that minority opinions are ignored unless they are very forcefully expressed and backed up with an explicit statement, which the Government can make but I cannot, that we will accept the outcome only if the draft article is changed. That is the only language that the Convention will understand. I have served on two working groups, registered dissident opinions and been completely ignored, even when I had allies, although admittedly we were still in a minority. Everything is simply driven from the top, which is a regrettable way of working. Frankly, it is not good enough for the Government to table an amendment that was scarcely touched on in the plenary debate that I attended.

Some 1,000 amendments were tabled to the first tranche of draft articles, of which I tabled nearly 100. I signed some that were tabled by the Government. We worked on this together. We were each given two minutes to speak to our amendments—two minutes to explain why I could not accept the draft articles and why my amendments should be promoted.

Mr. Austin Mitchell: Without hesitation, repetition or deviation.

Mr. Heathcoat-Amory: The hon. Gentleman was in the same boat. We had four minutes between us to explain why we could not accept the powers being transferred to the centre. We are being marginalised; by the word "we", I mean me, my colleagues in the Opposition and the Government representative.

The Minister said that this is all right because it is balanced by the new great powers that national Parliaments will have. What do they amount to? They amount simply to a third of member state Parliaments being able to ask the Commission to review a proposal if they consider that it breaches a subsidiarity principle. The hon. Member for Birmingham, Edgbaston (Ms Stuart), who I hope will contribute to the debate, has done a great job in trying to strengthen that and make it mandatory, so that the Commission has to withdraw the proposals if, say, two thirds of national Parliaments object. Again, however, that is not receiving a sympathetic hearing in the Convention.

All we are being offered is a review. Subsidiarity has been a principle since Maastricht, and has been treaty law since 1993. The subsidiarity protocol has existed since 1997. The proposals are, therefore, an admission

[Mr. Heathcoat-Amory]

that subsidiarity has been ignored, and we are now being asked to accept that we can simply request a review. That does not begin to offset the massive transfer to the centre that is evident in the draft articles already tabled. We have only had some of them; all the draft articles about the institutional balance and common and foreign policy are still to come.

We then had a tranche of draft articles dealing with legal instruments. Mindful of your comments about time, Mr. Deputy Speaker, I can only touch on them. They are dangerous, as they are advanced on the understanding that they are to simplify the legal instruments available to the EU. However, they do not do that. I am still greatly confused about laws and Executive actions. In particular, a new category has now been invented of non-legislative Acts. I ask the Chamber to ask itself what it understands by non-legislative Acts. It is clear from the other draft articles that that instrument will be given to unelected bodies, such as the Commission or other agencies, with powers to enact regulations that are directly binding on member states and the people in those member states; in other words, the people whom we represent. That, again, is a huge advance in the law-making powers of unelected European Union bodies. I do not see how that squares with the Laeken declaration, which asks us to democratise the Union.

The Laeken declaration, which is dated December 2001 and was solemnly agreed by the member states, asked us to bring the Union closer to its citizens. How can we achieve that by taking more laws upwards to the most remote tier of government of all, the European Union, by the widespread use of qualified majority voting and by the use of that new and peculiar category known as non-legislative Acts, which is at best obscure, and at worst highly dangerous?

The report includes a new section on justice and home affairs. I served on the working group on that area. The section provides for a common policy on immigration, asylum and borders, and approximation of criminal justice systems. To give one example, the draft article dealing with judicial and criminal procedures states that Acts, including those directly binding on the population—in other words, not requiring national Parliaments to enact them—can be brought forward to approximate the rules governing the admissibility of evidence, the definition of the rights of individuals, and the rights of victims of crime. "Approximation" is a form of harmonisation.

However, the rules referred to differ in the European Union. We have a common law tradition that differs profoundly on matters such as the right to silence or the admissibility of evidence based on hearsay or interceptor communications, but that will now be subject to approximation by qualified majority voting. Therefore, the House might pass laws connected with the rights of suspects, the right to silence being one of the examples that I gave, but those laws could now be overtaken by laws that bypass this place and are directly binding. An attempt could be made to harmonise our common law tradition, which has been built up over centuries, with the inquisitorial system that pertains on the continent.

Mr. Bacon: I want to ask my right hon. Friend about the working group on freedom, justice and security, of which he was a member, and particularly about the experts whom the working group consulted. Will he tell me who chose the experts who were consulted? It seems that institutions such as Europol, Eurojust and the European Commission were consulted, as were legal academics, but why were no legal practitioners consulted? Why were no experts from a common law jurisdiction consulted? What does that say about the attitude to diversity that will be necessary if the new system is to have any serious chance of working?

Mr. Heathcoat-Amory: I do not know who selected the witnesses, but everything else was done by the secretariat. That working group in particular was driven from the top.

On occasion, I assembled a slightly leaky little alliance of fellow-minded dissidents, which sometimes included Lady Scotland, Tim Kirkhope, an MEP who is known in our party, and the Irish Government representative, Mr. Pat Carey. In our various ways, the four of us emphasised the diversity that exists: the common law tradition and the difference in the United Kingdom between the Scottish tradition and that of England. Those representations were not taken account of at all.

More worryingly, on areas where the Committee failed to reach a united conclusion, such as on the question of the European public prosecutor, the secretariat ignored that. In the draft articles it is now proposed that there should be provision for a European public prosecutor, completely ignoring the working group's conclusions. I am pleased that the Minister said that he opposed that, but I wish that he opposed an awful lot more.

Let me give a final example from the section of the document to which I am referring. Harking back to the first few draft articles, there is an exclusive competence for the Union in future to conclude international agreements in areas affecting an internal Union Act. Everything that I have been discussing to do with justice, home affairs, asylum, immigration and extradition relates to internal Union Acts. It follows that we shall be prevented from concluding extradition treaties with, say, the United States, because that will become an exclusive competence of the Union. That is completely unacceptable. Again, it is a giant extension of the current situation, whereby the right to exclusive representation is confined to trade matters.

On a common foreign and security policy, I do not know whether to laugh or cry at the sheer pomposity of the draft article that we do have. It asserts that there is a common foreign policy and we must all sign up to it. I remind hon. Members of the phrase:

> "Member States shall actively and unreservedly support the Union's common foreign and security policy in a spirit of loyalty and mutual solidarity."

What common foreign policy? It is absurd to erect a giant institutional structure for something that does not exist. That is starting the wrong way round. Most countries start with a people—what the Greeks called a demos. Then they have a Government, who need to be restricted by a constitution. In Europe, however, we are starting with a constitution, which then finds a Government, who then look for a people and a foreign policy.

That is not only absurd but dangerous, because it will all be judiciable. Let us say that we took a contrary view and failed to support a line that the Union had cobbled together in a spirit of loyalty and mutual solidarity. The European Court of Justice might say that the debate that we had last night in the House of Commons was contrary to the spirit of loyalty and mutual solidarity. The document goes on to say that member states

"shall refrain from action contrary to the Union's interests".

That is highly dangerous, and it is about time that we punctured the delusion that some technocratic class in Europe can fashion a European will and enforce it when it simply does not exist.

Mr. Wayne David (Caerphilly): Before the right hon. Gentleman gets carried away, he must remember that the draft proposals will be submitted to the intergovernmental conference. It will make the decision, but we are nowhere near that yet.

Mr. Heathcoat-Amory: I respect the hon. Gentleman's intervention because he takes a close interest in these matters, but it is a delusion that we can retrieve everything at an intergovernmental conference. The French and German Governments regard the Convention as an intergovernmental conference. They have tabled a plan and are represented by their Foreign Ministers. No member state has challenged seriously the central architecture that I have outlined, and it is getting awfully late in the day. Doubtless we can get back some lost ground and alter some wording here and there, but we cannot retrieve everything. The essential thrust of what we are witnessing will endure through an intergovernmental conference unless the Government say no at this stage.

Mr. Kelvin Hopkins (Luton, North): I apologise for arriving late, Mr. Deputy Speaker, but this is an important point. Given that we shall have to be loyal to the Union's view, what would have happened if that had been the case this week? France and Germany take one view on the Iraq situation. Italy, Spain and Britain take another. Who would enforce loyalty on whom, and how would it be enforced?

Mr. Heathcoat-Amory: That is a good question. There was no qualified majority for either position. However, if the French and German Governments had managed to get more member states on their side, we had been isolated with one or two smaller states and the draft article were to become part of the constitution, we would be in breach of the constitution by persisting with an action that was clearly contrary to the agreed line.

That has not happened, and the arrival of the east Europeans has completely altered the picture. When the President of France told the east Europeans that they missed an opportunity to remain silent on the matter, it created immense resentment, because the last time the Czech Republic heard such language, it was used by Mr. Brezhnev in Moscow, when the Warsaw pact was run by the Soviet Union. It was a chilling echo for the Czech Republic of what it thought it had escaped from.

There are two clear lines in which the breach is obvious. However, it has not stopped the Convention building a fantasy institutional structure with powers and a supreme court to enforce it. One can make jokes about it and try to ridicule it but it is dangerous.

Mr. Bacon: On justiciability, does my right hon. Friend agree that if there is a written constitution it is folly to say that some clauses are justiciable and others are not? Either they are all justiciable or none of them is.

Mr. Heathcoat-Amory: That is true. There is no hierarchy. It will all become justiciable. Matters such as criminal justice and policing policy at present are in the third pillar and not subject to the European Court of Justice. It is clear from the draft articles that by swinging them over into the single institutional structure they will all become judiciable. It extends generally to include police co-operation and co-operation on internal security with other countries.

We have a well-known information exchange system with the United States regarding secret intelligence, which is itself no secret; it has existed since shortly after the second world war. According to the draft article, that will become subject to legislation by the new Union and will be judiciable. It will also be covered by the exclusive competence provision; in other words, only the Union will be able to make bilateral arrangements. The arrangements we have with the United States on intelligence sharing could never be conducted again, which is intolerable.

I plead with the Minister to make it clear that what is proposed is unacceptable. He said that some heavy lifting was still to be done and collectively we will help him with it; I certainly will. I want to preserve our powers of self- government and to return to the concept of a partnership of nation states. That is emphatically not the reality of what the Convention is building. It is apparently being done in the name of the peoples of Europe, which is the opening phrase in the constitution. If we are assuming the views of the peoples of Europe and saying that it reflects their will, we must ask them about it. This matter, of all things, must be subject to a referendum in as many countries as possible, and certainly in this one.

3.24 pm

Ms Gisela Stuart (Birmingham, Edgbaston): I am grateful for this debate in Westminster Hall because, as parliamentary representatives, we give evidence to Committees in this House and in the other place but we have not had much of a chance as representatives to have a dialogue with the Government.

I stand at the moment in the middle of a horseshoe, and that is how I sometimes feel sitting in the praesidium. It brings together parliamentary representatives, Government representatives, European Parliament representatives and Commissioners, but it has nothing similar to Cabinet collective responsibility for what it generates. It simply tries to produce a working document on which the Convention can work.

[Ms Gisela Stuart]

Over the year, which sometimes feels much longer, I have realised that there are two fundamental problems. First, mainland Europe has a tradition of building political institutions first and hoping that political action and political will follow the theoretical creation of institutions. We have never had that approach. We work from the assumption that once we have the political will to do something we say, "Fine, what institutions do we need?"

The difference is epitomised for me by the creation of the office of European public prosecutor. I have huge difficulties with it. It creates constitutional problems in this country because prosecutions are brought by the Crown in England and Wales and by the Lord Advocate in Scotland. I cannot see the point of it. Surely if the Commission is dealing with fraud, it should take its duty to do so seriously. Why create a new institution? The continental answer is to point out that the text says only that the office may be created by unanimity at a later stage. That highlights a real difference in approach to how things should be done.

Similarly, there is a real difference in approach towards making grand statements that we know cannot be delivered. Others feel that such statements should be made to highlight aspirations.

The third problem is that we are trying to create a legal entity that has never existed before. We all try to draw on our experiences of models with which we are familiar. The Union has so far worked on a basis that has not existed before. While it has a court, its powers are extremely restricted. Depending on which case people wish to make, they refer to the united states of Europe, which is not really legitimate as it is a different structure, or to the member states.

We are in a difficult position in terms of protecting the integrity of the nation state on areas such as common security policy and defence. There is not the political will, the capacity or the absence of national interest for that. One could not dream of running a common security defence policy on the basis of an initiative by the Commission based on qualified majority voting. That is cloud cuckoo land: can anyone imagine any member state sending its troops into battle on the basis of a qualified majority vote decision in Brussels? However, in some areas such as trade, Britain wants far tougher action and far more use of QMV and call-back rights to the European Parliament because we know that our commitment to internal markets and to the Lisbon agenda is much more serious. That is quite a conflict.

In my work on the Convention, I have tried to focus first and foremost on being a parliamentary representative. I pay tribute to the extraordinary input from the House of Commons and the House of Lords to our work, at both an institutional level in creating new committees and at officer level in supporting the work of representatives.

I am concerned about the myth that the Union suffers a lack of democratic accountability. It does not. It is represented by member states and their Governments. If democratically elected representatives of the Governments of the member states are not democratic, I do not know who is. There is also the directly elected European Parliament. There are two streams of democratic legitimacy.

The public continues to find it difficult to work out who made what decision and when. If we want the Union to move forward and if we really want deeper integration where it is necessary and right and where it has been successful, it must also be remembered that some areas, such as defence, common security and foreign policy and significant areas of criminal law, are the rights of member states. If we want that to continue and to hold the faith of the public in our work, the Union must be anchored in national institutions. At the moment, I do not think that that is possible by institutional design.

I do not subscribe to the notion that the intergovernmental method is more democratic. Frankly, if Ministers meet behind closed doors, I do not know whether it was a Minister or a civil servant who was there, whether any votes were taken or what position my Government took. National Parliaments cannot hold Governments accountable for the decisions they have made in those circumstances.

The democratic deficit, in the way that I perceive it to exist, is the lack of ability for parliamentarians to hold the Executive to account. At European level, that means the European Parliament holding the Commission to account. At national level, it means Parliaments being able to hold their Governments to account.

My right hon. Friend the Minister was quite right to say that the mere acceptance in the Convention that national Parliaments should have a say in subsidiarity, and have an early say within the first six weeks, has been a hugely significant step forward. As I say, it needs to be strengthened in some way so that the national Parliaments are able to say no at some point.

My experience of working with 28 countries over the last year has shown me that, when dealing with national Parliaments, there are at least 56 opinions because there are representatives of both Government parties and Opposition parties. From most continental countries, there were several parties, so that meant 70, 80 or 90 different opinions. Even when the point can be reached where two thirds actually agree on anything, it is on a proposal by the Commission so outrageously unreasonable that even the Commission should realise that it would never get it through the Council of Ministers. However, the theoretical principle must be accepted.

Mr. Austin Mitchell: After hearing the doubts, hesitations and concerns of the Conservative representative, the right hon. Member for Wells (Mr. Heathcoat-Amory), and hearing now my hon. Friend tell us of her own agonies—real agonies and problems with which she must grapple—I want to ask a simple question. Is my hon. Friend happy in her work?

Ms Stuart: I have for a long time given up the desire to be happy in anything that I do.

Governments represent us, and there is a real role for representation in the Council of Ministers. That is why our main interests are represented. Parliaments must also have an early say, and the early-warning mechanism will have its most significant role in alerting Parliaments to proposals. Parliaments will then be able to hold their Governments to account back home.

What I do not buy into, and I may disagree slightly with the Minister on this point, is that, although I agree with and recognise the importance of the regions, I have a real problem with proposals to give the regions more legislative rights in their relationship with Brussels. The proper flow of information is to make decisions, then have arguments back home with one's own Government. I am quite clear that even with decision making at European level, if national Parliaments do not like what is being done in their name, they must deal with their own Governments.

Mr. Hopkins: I am interested in my hon. Friend's comments on the regions. In some countries, there is a very strong attachment to regions; many of them were based on previous mini-states. In Britain, we do not have that—

Mr. Mitchell: Yet.

Mr. Hopkins: Well, yes.

Democracy is based upon what we perceive to be appropriate levels of government. I suggest that the levels of government to which democrats in Britain look are the nation state, national Governments and local authorities. There is no basis for regional government in Britain, unlike in other European states. It would lead to severe difficulty if the European Union moved towards an arrangement where much more power was given to regions.

Ms Stuart: I hope that I am not being misunderstood. Some countries are pushing for proposals to the effect that national Parliaments should not have the sole right to go to court for breaches of subsidiarity. For example, German Länder say that it should be for their Länder to do so, but that the Committee of the Regions should be given locus standi.

I have a slight problem with the role of the Committee of the Regions. Fundamentally, whatever its internal structure—whether it takes the Swedish model, according to which it cannot legislate but can raise taxes, the German Länder model or our model—delivery is up to the individual member states, not the European Union. The flow of information should go to national Parliaments, who may then decide how to deliver it sub-regionally.

Mr. Chris Bryant (Rhondda): I urge my hon. Friend not to be too enticed by the argument made by my hon. Friend the Member for Luton, North (Mr. Hopkins). It was poppycock, not least because he seemed to be proposing that every other country in Europe has a clear understanding of regional identities. He may think, for example, that all autonomous regions in Spain date way back to the 16th century just because some of them do. In fact, many were constructs of the late 1970s. I suspect that we may be in a much more transitory stage.

Ms Stuart: My hon. Friend is quite right; several of the later entrants into the European Union created regional structures so that they could be bid for regional funds.

Mr. Luke: I agree with the points made by my hon. Friend the Member for Luton, North (Mr. Hopkins) because the Scottish kingdom, as part of the United Kingdom, has had a traditional and historic role that is separate from that of the UK. It is re-establishing that role, and that should not be hampered. I agree with the proposal that the Scottish Parliament should be able to access European funds, because the current system whereby it has to go through the Treasury causes delays and hardship for small voluntary groups and different projects in the Scottish context.

Ms Stuart: I should leave it to the Secretary of State for Wales to respond to that point.

I shall continue to press for two things: first, the warning mechanism on subsidiarity and proportionality should be strengthened; secondly, there is the latest protocol on the role of national Parliaments. The current period of six weeks, during which Governments are not supposed to reach preliminary agreements, is frequently breached. It was made clear to me in Brussels that we should forget that idea; it will be breached whatever we do, and Governments will get together and reach agreements. My view is that if the only provision is a six-week break in a process that has been going on for years, that is not a delay. It has been set out in the protocols that parliamentary scrutiny takes place during that six-week period, and that that should not be breached. Governments may have fallen into some bad habits, but it should be clearly stated that no preliminary agreements should be reached during that period. The democratic deficit is much more likely to be overcome if the constitution clearly spells out what is done on behalf of citizens at the European level.

I was fascinated by the outrage of a large number of Government representatives to the first 16 articles, even though they spelled out many things that had already been agreed. Frankly, even Governments find it difficult to see things spelled out so clearly. Are other colleagues at Westminster and the public aware of that? They may say, "So be it. Fine. We are happy with it." However, things must be spelled out to enable people to understand who does what on their behalf in the institution.

We must also define much more clearly who does what. I agree to some extent with the arguments made by my right hon. Friend the Minister and my fellow conventioneer, the right hon. Member for Wells (Mr. Heathcoat-Amory, but one difficulty relating to competence is that we cannot provide answers until it is clearly defined in part 2. For example, public health is a shared competence in some areas, provided that it is defined in part 2 that it is limited to organ donations and blood.

The treaty negotiation is taking place in public, which has never happened before. I know that people who have negotiated treaties will say some three months before the end that nothing is agreed and we must wait until everything is agreed and we know everything. That is a normal state of affairs. Many of us have never been involved in such things. People cannot usually get all the negotiating positions on the website. That is unusual and innovative.

At this stage, we are beginning to see real tensions showing between those who wish to undermine the building blocks of the nation state and those who say firmly, "That cannot and must not be challenged, because these are our terms of engagement." We are also beginning to see some institutional tensions. For

[Ms Stuart]

example, the European Parliament and the Commission are asking for more powers. In fact, everybody is asking for more powers without justifying how the balance of power works. I was delighted that the British Government made it clear that they feel that the current institutional balance should be maintained.

It is a bit too early to say whether all is really doom and gloom, as the right hon. Gentleman said. I agree with the Minister. For the first time in my life I am beginning to have a true understanding of the term "heavy lift".

Mr. Deputy Speaker: We have had fairly long speeches today, which were very well informed and made by hon. Members who are uniquely involved. For future speeches, when I start drumming my forefinger, I suggest that whoever has the Floor might consider bringing their remarks to an end.

3.41 pm

Mr. Iain Luke (Dundee, East): Thank you, Mr. Deputy Speaker, I will look out for that.

I was in the Tea Room earlier and, when I got up to come to the debate, I was asked why I was there, given that Scots have a propensity to make their way home earlier than other hon. Members on a Thursday. I replied that I was off to a debate in Westminster Hall to discuss the future of Europe. My English lunch companion said, "Forget that, mate. The French have scuppered any idea of a European ideal in their actions over the Iraqi situation." I am here today to put the case for a closer union, in spite of the traditional English antagonism against foreigners in general and the perfidious French in particular.

As a Scot, I do not share the little Englander views that are often expressed in debates such as this one. I will address the matter from a much wider European perspective. Nevertheless, I believe in defending the benefits that the United Kingdom brings Scotland. I believe firmly in the UK, but I also believe in political progress and, although people may say that there will never be a united states of Europe, as a canny Scot I say, put your money on it. The process is irreversible and, during the next century, just as the German empire brought about the modern German state, I believe that the EU—formerly the common market—will bring about a federal united states of Europe. I welcome, rather than fear, that prospect. I urge all hon. Members to consider the matter optimistically.

I have made some points on behalf of Scotland, and I am sorry to see that, in spite of the carping we hear about the role of Scotland and the UK in Europe, no Scottish Nationalist Member is present to discuss that party's policy of independence. Hon. Members can perhaps gather from that the interest that the SNP takes in such issues.

Mr. Bacon: I have already taken up too much time in this debate, so I shall be brief.

The hon. Gentleman ought to know that the Scottish National party's spokesman was involved in a trip to Luxembourg and Strasbourg last week, during which he discussed the issues at great length. I do not know why he is not here, but it is unfair of the hon. Gentleman to suggest that the SNP does not take an interest in these issues. I have had many discussions with the hon. Member involved and I know that he does.

Mr. Luke: I am still sorry to see that the SNP is not present and that the only Tory representative from north of the border has not attended to put the case of the Scottish Conservatives for being a part of the UK and an active Europe.

I congratulate the Minister, who has a long-term commitment to the ideal of Europe, and all hon. Members from both sides who have been involved in the Convention and the praesidium. I am glad to see the superstructure of a European constitution emerging like a ship from the haar. It will provide a forum for a simpler, easier, construction and constitution that people can understand and identify with. We have been asking for that for some time.

I recall the mythical tale of Europa, the princess from the middle east who emerged on the back of a bull, which was Zeus in disguise. That is how Europe got its name. Europa carried the torch of civilisation from the middle east to the Mediterranean islands. The idea was that civilisation, which had its birthplace in the middle east, was being carried to Europe. Those sitting around the table in the praesidium should be inspired to introduce the rebirth of that idea. We should have an all-embracing Europe, a social Europe, and a Europe that contains a divergent form of culture—a culture that is now so common that we can no longer deny it.

Whatever emerges at the end of the process must satisfy certain criteria if it is to be commonly acceptable. It may be acceptable here and receive the approval of Parliament, but it must also be acceptable to the peoples of the UK and throughout Europe. We can have as many constitutions as we like, but unless they are commonly adopted and identified with, they will make no difference to how people view Europe in the long term.

The first thing that the new constitution should have is the ability to connect the citizens of Europe with its political processes and the political entity of the EU. Politicians get excited by politics, but many of our fellow citizens do not, so the constitution must also be able to excite the imagination and command the loyalty of the citizens of Europe. I did some work on American history for my university degree. The American constitution is revered by Americans. They use it almost as a holy text and swear allegiance to it. I hope that by the end of this process we can develop a document that at least has some credibility and excites the interest of ordinary citizens of the EU.

Ms Stuart: I am grateful for my hon. Friend's challenge, but I remind him that the excitement of the American constitution was not clear until a long time after it was written. Even the most famous phrase, "We the people" came about only because nobody knew whether Maryland would sign. The constitution had to be sent to the printers, so the individual states were not listed. I will probably not live long enough to know whether our text is exciting.

Mr. Luke: I am well aware of the lengthy process of getting states to come round to the idea of giving up their individual state rights in order actively to become part of the American constitution.

Mr. Bryant: Surely, any document would incite more excitement and pleasure than the Treaty of Rome.

Mr. Luke: That, I accept. However, I do not see a Thomas Jefferson on the scene to write the prose that we need to excite the people who have to accept the constitution. Remember that the American constitution was the product of many ideas that emerged from the Scottish enlightenment. Hopefully, those who are drafting the European constitution will read Hume, Smith, Robertson and the others who were so informative at that time.

Mr. Mitchell: It is difficult to sit here silently in the face of such disloyalty to Government policy and not intervene. My hon. Friend tells us that he is in favour of a federal Europe, which the Government oppose. He is in favour of a stronger centre, which the Government tell us will not happen. He likes the concept of citizens of Europe swearing an oath of allegiance—as happens in America—to the European constitution. Is he serious?

Mr. Luke: As a Scot, I have had to come to terms with living in a greater nation state—the UK. Although we have local loyalties, we often have to give those up to be active participants in a larger political body. I have a European passport. Why should we need an oath of allegiance to abide by a European constitution?

Such emotive issues aside, three criteria must be satisfied for the constitution to be workable: it has to be simple, direct and understandable. In a previous life, I was a senior lecturer in European studies and I had the privilege of taking many students to the European Parliament in Brussels and Strasbourg. The young people who visit it are excited by that multicultural and multinational institution, but if one takes them back home to teach them about the process of co-operation and the legislative processes and institutions of Europe—if one tries to teach them the incomprehensible—they are put off by the technicalities of the Union, although they are excited by the idea of it.

I have been involved in the past two European elections, and the number of people who get involved is pitiful. That is a sad indictment of a concept that was born from the bloodshed and strife of two world wars to bring about a better future for the European family. Those involved in writing the new constitution should be aware that they must come up with something with which people can identify and to which they can show loyalty. I do not believe that people will ever swear an oath of loyalty to Europe, but there should be some identification with the institution.

We need to shift the balance away from nation states and towards Europe, although that might not be too popular with some hon. Members. I accept that the President of the European Council should be elected, rather than nominated, by the member states. There should be an elected European individual who will balance the issue of nation states' rights. *[Interruption.]* I am sorry; I will cut my speech very short now, Mr. Deputy Speaker.

In closing, although I sometimes take a different view to that of the Government, I accept their view in this case; they are working hard to create something that we can all identify with, given the sceptical views of some hon. Members. Our long-term goal must be to remove the lukewarm attitude still often displayed in the House—and across the country—about our common European identity. I hope that we can build a closer European relationship that will, in future generations, be superseded by a commitment to an inevitable shared European future.

Mr. Deputy Speaker: I am grateful to the hon. Gentleman for his ready co-operation.

3.52 pm

Rachel Squire (Dunfermline, West): I am pleased to follow my hon. Friend the Member for Dundee, East (Mr. Luke).

This debate could not have taken place at a more crucial time. I, too, pay tribute to our Convention representatives and the working parties for the tremendous contribution that they have made, and will continue to make. I also pay tribute to the members of the Standing Committee on the Convention from both Houses, which have taken a keen interest in the subject. I shall make a few general points and then concentrate on common foreign and security policy, European security and defence policy, and defence policy generally.

It has been emphasised that the purpose of developing a European constitution is, supposedly, to further engage people in a Europe that is more open, accessible, understandable and accountable to them. There are many different proposals, and we are carefully considering how we can make the European Union far more open. To pick up on the comments of my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart), I certainly favour the idea of making the Council of Ministers more open and transparent. All too often, I have to depend on the media to tell me what is going on and being debated in that institution.

On national Parliaments, we have all been guilty of not giving enough attention to the proposals that the Convention has been considering. We should consider our parliamentary procedures, too. Given the dominance of some of the proposed legislation and regulations from Europe, I am almost inclined to think that we should extend our daily Question Times specifically to concentrate on the latest trade and industry proposals from Europe and to go through the various Departments.

Mr. Bryant: That matter has been exercising my mind, too. Remarkably few questions are asked about European matters at Foreign and Commonwealth questions. Would my hon. Friend support the

[Mr. Bryant]

introduction of something along the lines of the new system of cross-departmental questions in Westminster Hall for European matters?

Rachel Squire: I would certainly welcome the idea of making cross-departmental issues that are directly related to Europe a greater part of our daily debating and questioning practices.

I want to see a greater role for national Parliaments, but creating another institution will not increase public support or openness. We must debate how to modify existing bodies such as the Conference of Community and European Affairs Committees to build greater involvement by national Parliaments.

Even those of us who consider ourselves to be both British and European react to the promotion of a federal European superstate. Therefore, I welcome the commitment by the Minister and the Government not to agree to provisions under which certain competences would be administered federally.

Nowhere is my opposition to a federal Europe stronger than on the common foreign and security policy. Recent experience with some of our closest European allies over Iraq makes us all deeply suspicious of some of the motives behind, for instance, draft article 14, which the right hon. Member for Wells (Mr. Heathcoat-Amory) quoted. There were already diverging views about EU development, particularly the common foreign and security policy and the European security and defence policy, but the profound disagreements that have developed recently have highlighted them.

It worries me that France and Germany, in particular, want to develop Europe as a rival superpower to the United States. At the same time, there are those on the other side of the Atlantic who think that the United States should divorce itself from Europe and international coalitions. I say to our European and our United States allies that those who believe that rivalry, rather than partnership, is the way to promote peace and security among nation states on our continent and, indeed, in the world are deeply mistaken. Difficult though it might be—we have all felt a degree of anger recently—I hope that the meeting of the European Council of Ministers today and tomorrow will consider issues on which we can work together.

The eighth working group considered defence. I welcome its proposals on further developing the Petersberg tasks and, in particular, on how Europe can play a greater role in post-conflict stabilisation. Paragraph 29 of its report states that operational capability in Europe under ESDP may prove to be an important element in conflict prevention and crisis. In particular, a contribution could be made to the United Nations.

I recently visited the UN with other members of the Select Committee on Defence. Its representatives told us that they were very pleased with the role that we and two other of our European partners play in peacekeeping and conflict prevention, but they pleaded with us that they would like far more European countries to make a greater contribution. We could certainly work on that.

I am a Member of the NATO Parliamentary Assembly, and I resist the opinions of those who would like to see some European defence capability supplanting the role of NATO. I deeply oppose the proposal in the Convention that we should develop a European force to deal not only with Petersberg tasks but with high-intensity warfare and collective defence under article 5. It must be clearly emphasised that the commitment of armed forces to any sort of operation remains, and will always remain, the responsibility of national Parliaments.

In conclusion, whatever our strong feelings at this time, we must look beyond the immediate arguments that European nations are addressing and recognise that our long-term interests will best be served by this country remaining a key player in European development and the Convention, seeking to identify areas of common purpose not only in our continent but elsewhere in the world. I hope that, in the months ahead, European nations will be able to act for the peace and security of our own people, as well as those in the middle east and Iraq.

Mr. Deputy Speaker: Again, I thank the hon. Lady for her co-operation. The Scots are certainly showing the way today.

4.1 pm

Geraint Davies (Croydon, Central): I shall speak briefly. I apologise to my right hon. Friend the Minister for the fact that I must leave at 5 o'clock, before he winds up. I shall not focus on federalism versus sovereignty, subsidiarity, majority voting and wider constitutional issues, but on the right of children to be explicitly recognised in the new draft treaty.

In the current treaty, children are mentioned only in relation to offences against them. In formulating a constitution, it is crucial that we explicitly recognise the rights of children, so that our legislators can focus on them. It is the fourth anniversary of the Prime Minister's announcement on eliminating child poverty within a generation. Our Chancellor is working hard on that. We are all aware, from a global point of view, of the millennium goals to eradicate poverty and increase access to primary education, clean water, health care and the like.

It is worth remembering that all EU members have signed up to the UN convention on the rights of the child. It seems strange that, although our national Government and the United Nations recognise children's rights, we are not prepared to recognise and explicitly endorse the rights of children in the draft constitution. I suggest to my right hon. Friend that children's rights cannot simply be subsumed into human rights. I accept that it is a difficult argument, but children's rights are different in several ways. In particular, children are vulnerable, dependent, voiceless and not self-determining. Therefore, unlike other individuals who have rights under a constitution, children's rights need to be explicitly recognised, not overlooked, by the legislator.

If one looks at specific policies and EU directives, one can see that children's rights have been undermined in the interests of commercial considerations. I am thinking particularly of distance selling, toy advertising, television advertising and chemicals in toys. If children's rights were explicitly mentioned in the treaty, that would be much less likely to happen. Furthermore, child-specific considerations ~~are~~ relevant for a variety of competences. One that immediately sprang to mind when my right hon. Friend mentioned immigration and asylum was the rights of a child who has been separated from his or her parents by the asylum system. Unless we think clearly and in a focused way about the interests of children being equal throughout the world and the EU, there is a danger that children will inadvertently suffer. In so far as the EU has competences for health policies—be they on obesity, smoking or whatever—there are relationships with children. Whether we are talking about consumer affairs, advertising or social family policy, it is important that children are explicitly mentioned.

Article 3, paragraph 1, contains an explicit reference to the protection of children's rights. I fear that my right hon. Friend supports an amendment that would delete that because he believes that children's rights can be subsumed into human rights. I put it to the Chamber that that is not the case, which is certainly the view of charities that represent children in Britain—the National Society for the Prevention of Cruelty to Children, Save the Children, Euronet and so on—and those throughout Europe. Other rights, such as those relating to animals, are explicitly recognised in the Convention, but it has been suggested that children's rights should not be. Gender and disability rights are rightly mentioned. If we want to frame a new constitution for the future, my firm belief is that children's rights should be explicitly mentioned to ensure their consideration in our legislation.

I give my assurance to Members, particularly those on the Opposition Benches who may be worried that my suggestions would somehow introduce a new competence for the EU, that there is no suggestion of delivering a new competence. I am simply saying that children should be explicitly taken into account by legislation that is already ceded to the EU. The principal competence would remain with the member states, and the principle of subsidiarity would remain wholly supported. If we accept that children have rights and that those rights should be protected, it is important that they are not invisible to legislators because they have not been explicitly built into the new treaty. I hope that the Minister will carefully consider my points.

4.7 pm

Mr. Wayne David (Caerphilly): I approach the debate from a pro-European perspective. I am not fixated on the idea of Europe, but European co-operation is common sense, and it is central to allowing us to tackle successfully the challenges facing us in the modern world. However, I am also someone who strongly believes in the principle of democracy, and exercising it at the most appropriate level: as close to the people as is practicable. Today's debate brings those two approaches together. The task that we have as Europeans is to create a framework for our co-operation that makes sense, while, at the same time, being inherently democratic.

For some time there has been a need for a fundamental reappraisal of the point that we have reached. No one can deny that there is a need for clarity and simplification in European treaties, and today's debate has been right to focus on issues such as how to create a text that is both sounder in legal terms and accessible to ordinary people. If we are to make Europe relevant to people, we must start using a language that people can understand. Over the years, a distinct euro-jargon has developed that means little to ordinary people.

The second reason why the debate is important is because, from the treaty of Rome onwards, there has been a drift towards the European Union's gaining more and more competences. That has happened in an ad hoc way, so people understandably ask where it will end. This is an ideal opportunity to provide a clear definition of what the European Union is about—one in which people can have confidence.

Europe is on the verge of enlargement on an unprecedented scale. The treaty of Nice was necessary to make the European Union function effectively with 10 extra countries, but if we are to have a European Union of 25 or more states, it is important to have a constitution that is legally tight, that makes sense and that can take us forward together.

Giving national Parliaments a greater role is central to the process of making Europe more understandable and more acceptable. I have been encouraged by the fact that so much attention has been given to the issue. I pay tribute to the work of my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) in that respect. It is easy to say that we are not satisfied with how far we have got. That might be true, but let us not forget that we started from a very low base—national Parliaments were not recognised in the treaty; we have moved on significantly by taking up ideas such as the red card proposal. During the last months of the Convention, possibly when we reach the intergovernmental conference, we should have a debate that continues to focus on the role of national Parliaments.

There is much to commend articles 1 to 4. However, it is important to stress what is not in there as well as what is. Many are concerned about the phrase that there is a need to move towards an "ever closer union". That is one of the reasons why, as I said earlier, people have understandable reservations about where the European project is leading us. If we do not use that phrase, people across the continent will be reassured.

Some recommendations are very positive. I refer especially to article 2, paragraph 1, which spells out clearly that it is important to recognise national identities. Article 3 is a reformulation of article 2 of the existing European treaty, but it contains some positive statements about what the objectives of the European Union should be. I am glad that there is reference to the need to eradicate poverty and, bearing in mind what my hon. Friend the Member for Croydon, Central (Geraint Davies) said, that there is a reference to children's rights. However, without nit-picking, I find it strange that there is a suggestion that the Union's objectives should include the discovery of space. Of course, we like to have broad perspectives and grand visions, but that is going

[Mr. Wayne David]

a little too far. I hope that my hon. Friend the Member for Birmingham, Edgbaston will acknowledge that there is scope for that issue to be reconsidered.

Ms Stuart: My hon. Friend might be encouraged to know that the Maltese have suggested that we should also include the discovery of the deep sea.

Mr. David: I suppose that that, at least, provides some kind of balance.

Mr. Luke: Would my hon. Friend accept that there is a need for a vision in the document so that people will have something with which they can identify in the new Europe that we hope to create?

Mr. David: Yes, indeed. My hon. Friend makes a very good point. That is why the opening articles are so important, as they provide the kind of vision that is needed. However, the kind of references about which I spoke, whether on space or the deep sea, weaken that sense of vision.

Articles 18 to 60 are very important because they deal with the EU's competences. They are well set out. However, I find it strange that the competences are set out in such a way as to suggest exclusivity. They suggest that, if the legal advice that I have heard is correct, member states will not be able to take measures that are complementary to the stated competences. There will be exclusivity. That is a major change from the present legal position in the treaties, and it is a change that concerns me.

Another concern is the reference to a flexibility clause. There is one in the treaty, but as one of the purposes of our exercise is to set out clearly and precisely exactly what the Union's competences are, there is no need for a flexibility clause that says that it does not matter if the Council of Ministers wishes to deal with an area that is not included in the treaty because it can be dealt with through unanimity. A proper debate that reached consensus and agreement on the competences should be the end of the matter.

Three other points are important. I share some of the concerns about the proposals from the working group that has been considering justice and home affairs, particularly that for a public prosecutor. That is an extremely worrying suggestion and one that we must debate in earnest. My second point is that it is very easy for us to say that the common foreign and security policy and the European security and defence policy are off the agenda because of events in Iraq, but we should not do that. In many ways, the difficulties of the past few weeks make it more important that we think about and talk through the implications of having a common foreign and security policy.

Mr. William Cash (Stone): The hon. Gentleman and I are colleagues on the European Scrutiny Committee and often joust on these matters. However, I must take him up on that point. Does he not agree that the words "single autonomous policy" in the single institutional framework on the common foreign and security policy have been shot to pieces? Does he not agree that it has to do with fundamental interests and not just with rhetorical bandyings on the side?

Mr. David: The hon. Gentleman has a point, but only to a certain extent. I would not defend some of the language being used. Nevertheless, the debate must be held. There is still a need to consider the issue seriously; we should not kid ourselves that a fundamental rupture has taken place over the past couple of weeks. I do not believe that that has happened. There is still a long-term communality of interest between other European countries and us, particularly on the CFSP. That is not to say, however, that we will move towards qualified majority voting on the issue. The principles of unanimity and intergovernmental co-operation are important, but let us not pretend that the division that has developed, between Britain and France for example, is more fundamental than it really is. Much still holds us together—far more than what currently divides us.

Finally, as the fundamental basis of the EU is, and should be, co-operation between independent sovereign states that want to co-operate, but which also have a mutual respect for each other, the Council of Ministers needs to be reformed. There should be far more openness and transparency, and legislation must be agreed in public. The policy of a six-month presidency must end. However, I also believe that more permanency is necessary with regard to the Chair of the Council. I recommend strongly that the proposals that seem to command a consensus are firmed up.

To date, the Convention has been a positive exercise. All too often, we have shied away from the fundamental debates about the future of Europe. Such debates as have taken place have tended to be in smoke-filled rooms, behind closed doors, and in a language that people cannot understand. We have at least moved on from that. Europe will never be the same again. We are approaching a critical time, because we have to grapple with some difficult and contentious issues. However, I am quite confident that we have made significant progress and that we shall continue to do so. That can only be good news for the people of Europe and for the EU.

4.21 pm

Alan Howarth (Newport, East): I am very glad to have the opportunity to take part in this thoughtful and expert debate. I am especially grateful for the contributions of those colleagues who have served on the Convention. My right hon. Friend the Minister made an informative speech, and the right hon. Member for Wells (Mr. Heathcoat-Amory) and my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) spoke authoritatively, albeit melancholically.

The Government allowed quite a hare to be set running at Laeken. The Foreign Secretary told us at the time, "Don't panic, it's not such a big deal to have a constitutional convention. Football clubs and even the Labour party have constitutions, so we shouldn't take excessive alarm. It's absolutely fine; this is about tidying up." We might all, indeed, agree that there is merit in clarifying the rules of engagement. It provides an opportunity for the Government to re-emphasise the principle of subsidiarity, and declare against the superstate, as my right hon. Friend the Minister has done emphatically enough this afternoon.

It was also suggested that it would be useful to re-codify some principles. For example, as I understand it, we suffer from two concurrent legal bases. Legislation from 1972 to 1991 is European Community legislation, whereas that passed after 1991 is EU legislation. We would go crazy if we tried to understand such things; indeed, a certain madness does afflict some colleagues who spend too much time on those topics.

Other countries take a different view on the nature of the undertaking. The French and the Germans see it as an historic opportunity to move through ever-closer union to a new entity. The phrase "ever-closer union" does not appear in the draft, because the draft takes us beyond that stage.

It was helpful to hear my right hon. Friend the Minister's disavowal of the Government's acceptance of a centralising thrust of the Convention's conclusions, but I am doubtful about his interpretation of some of those conclusions as not centralising. He wants a partnership of states, but I do not think that the process is moving in that direction. I should therefore like to ask him about what is proposed and what it means, and what the Government's position is. I am not a constitutional lawyer, but, as a Member of Parliament, I have a responsibility to help to preserve our constitution and our parliamentary democracy.

Do the Government agree with the House of Lords Select Committee on the European Union that article 24,

> "creating a new category of 'regulation' and categorising some Union legislation as 'legislative acts' and some 'non-legislative acts' does not seem helpful"?

The right hon. Member for Wells raised that issue. My right hon. Friend the Minister said that the drafting is now easier to understand, but I confess that I still have some difficulty with it. I should be grateful for his help, whether in his winding-up speech or perhaps, if he is willing to answer that and other questions, in a letter to every hon. Member who has participated in the debate.

What is my right hon. Friend's view on the budget process? What is the Government's position on the proposal to remove the distinction between compulsory and non-compulsory expenditure? Would our discretion in those areas of public expenditure be safeguarded, and if so how? Does my right hon. Friend agree with the European Parliament's demand to have a say on both? Does he agree with its demand to have the final say in cases of conflict? If not, who do the Government think should have the final say?

A number of hon. Members have spoken about the importance of maintaining and enhancing the role of this and other national Parliaments. I am interested to know the Government's view of the red card proposal of my hon. Friend the Member for Birmingham, Edgbaston in the Convention. Do the Government accept the concept of shared competence on, for example, health and social security matters, which I think were not previously within EU competence? I should emphasise that I am referring to a shared competence on the basis that the EU's policies and laws would have primacy.

Does my right hon. Friend accept that all member states should have the overriding duty proposed in the articles to contribute to the achievement of the Union's objectives? We have often talked in this debate about the extension envisaged in the draft articles of the powers of the European Court of Justice and the extension of qualified majority voting. It would certainly help me and perhaps other hon. Members if my right hon. Friend spelled out what extension of the jurisdiction of the ECJ would be acceptable to the Government and in what spheres an extension of QMV would be acceptable.

I am more than happy to be persuaded that my apprehensions are misplaced, but I should like to hear more of my right hon. Friend's thoughts on the proposal that the common foreign and security policy second pillar should be dissolved and carried into a new concept and definition of EU competence.

We would all agree that it is a fairly bitter irony that we are debating that issue here in this of all weeks. The Council is also to debate it, commencing this evening. This week the French, abetted by the Germans, have destroyed the functioning of the United Nations and created a gulf between Europe and America. They have split Europe and—I deeply regret having to say this—made war unavoidable. Tonight European leaders will discuss the Convention while they are openly and angrily antagonistic about foreign and security policy. The bipolar or multipolar global power structure that we hear spoken of and the notion of Europe as a major force in international affairs seem a fantasy this evening.

Mr. Cash: The right hon. Gentleman will accept that I am completely in favour of the Government's policy on Iraq. However, does he accept, in relation to the discussions taking place tonight, that one seminal problem is the fact that the Prime Minister has, Janus fashion, promoted a common foreign and security policy and the war against Iraq, even though the common foreign and security policy is aimed directly at undermining the war against Iraq?

Alan Howarth: The hon. Gentleman seeks to take us too wide of the topic of debate.

Regardless of the view that we take about these events, the principle of national self-determination in foreign and security policy is an essential characteristic of a nation state. I find it impossible to envisage qualified majority voting in this field or to envisage that our policy could be justiciable in the European Court of Justice. I am pleased that the Government reject that proposition, but do they hold that the right of initiative in common foreign and security policy should remain with the Council? Is that conceivable in the proposed new structure?

As my hon. Friend the Member for Caerphilly (Mr. David) said, the United Kingdom should always work strenuously through diplomacy to achieve a shared view in the European Union. However, the UK is not going to take its marching orders from the EU, and nor will the accession states, which have been patronised by President Chirac, who called them badly brought up children, and which have made it clear that they share our analysis of the Iraq problem.

I turn to justice and home affairs. Are the Government content that that third pillar should likewise be collapsed? A country's criminal justice system also goes to the heart of its distinctive nationhood. As the right hon. Member for Wells reminded us, we have a common law tradition, and that

[Alan Howarth]

would be superseded under the terms of the Convention as it currently stands. Abundant co-operation is needed in this field, too—for example, in dealing with terrorism and other varieties of serious and organised cross-border crime. That co-operation exists and it is improving all the time, but we cannot accept that qualified majority voting and the European Court of Justice should determine our policies in these areas.

My right hon. Friend the Home Secretary blew a gasket when Mr. Justice Collins ruled that it was not permissible under our law to reduce asylum seekers to destitution. That judgment was upheld in the Court of Appeal. If the Convention has its way, the Home Secretary ain't seen nothing yet. I would be interested to learn what is the Home Office's remit to my right hon. Friend the Minister as he negotiates on behalf of the Government in the Convention. And what, more precisely, is the position of the Department of Trade and Industry? I understand that for purposes of policing the internal market it is content that power should be transferred to the first pillar, but how do we define what is involved in that and keep it watertight so that other crime is dealt with on a different constitutional basis? That is a crucial question. Would we be required to join Schengen? Would Schengen continue as a protocol?

Article 5 states that the charter of fundamental rights shall be an integral part of the constitution. Many of us have vivid memories of the day when my hon. Friend the Member for Leicester, East (Keith Vaz)—in his former capacity as Minister for Europe—explained that that charter had no more constitutional standing than the *Beano*. Since then, it has been bingo for the eurocrats. Why do our apologists for EU aggrandisement always pretend that European union is not a process?

Article 13 declares that the EU shall co-ordinate the economic policies of the member states. My right hon. Friend the Minister explained that the Government are not happy with that, but that is what the article says and the Government's amendment did not prevail. I asked my right hon. Friend the Chancellor in a parliamentary question what view he took of this recommendation, and he could not bear to give me an answer. However, we know that he takes strong exception to the upbraidings by the Commission and ECOFIN of his fiscal policy. He is correct to do so because the UK's fiscal and other economic policy has been right for the UK, and it has worked a great deal better than the fiscal and economic policies of countries that have subjected themselves to the stability and growth pact. He is also correct in principle, because it is the mark of a free democracy that it determines how its taxes are spent.

Interestingly, the Chancellor has proposed that regional policy should be repatriated, which I am sure is to the great distaste of the Commission because it would take away about one third of its spending. Central bureaucracies enormously dislike radical decentralisation. I suspect that it would also be to the distaste of the accession countries.

However, the Chancellor generally knows what he is doing, and his proposal drives a stake through the heart of the euro and perhaps even enlargement. I say that because the euro is tolerable only if substantial funds are available in the central budget for transfers of spending between richer and poorer countries. Will the Minister tell us what are EU resources as a percentage of European GDP before repatriation of regional policy, and what the percentage would be afterwards? I fancy that it would be less after such a move. At the moment, it is only some 1.27 per cent. of European GDP, compared with federal spending of 25 per cent. of GDP in the United States of America and 40 per cent. of public expenditure in this country. There are proper debates to be had about the appropriate percentage, but it is unarguable that we need a substantial kitty to ease the stresses and strains caused by a single currency and single interest rate.

The draft articles contemplate that some member states will not participate in the euro, but I am unclear how the EU will co-ordinate the economic policy of those member states. The mindset and philosophy of the Convention is predicated on the assumption that participation in the currency union is the norm. The logic of its proposals will be that countries that do not join the euro will not be able to remain in the new European Union. That is crossing a rubicon that many of us have been desperate not to cross. Those who believe that it is in Britain's interest to be a part of the European Union but not the euro may find ourselves with the crunch decision that we hoped that the statesmen of Europe would have the wisdom not to force.

The Council will be busy addressing the consequences of the single interest rate, large movements of labour and capital within the eurozone and the social and political stresses arising from the rigidity of the single currency and interest rate. There will be growing pressure in the eurozone to increase its budget and, therefore, for new powers to raise tax at a European level and common policies on tax and spending. Will the Minister tell us whether the Government will accommodate those pressures? Do they want the European Union to have a power and duty to co-ordinate economic policy?

It is ever more evident that there are two concepts of Europe. There is the drive from the original six and the Commission towards a country called the European Union, constructed as defined in article 1 on a federal basis. It would be a new constitutional entity with a new legal personality and a Union of which its people are citizens, as advanced in article 7. The peoples of those countries essentially took that decision long ago. Prepared psychologically by their historical experience, they are at ease with the thought of a single European state, even if they continue as democratic citizens to have doubts about aspects of policy.

On the other hand, there are those who take the view that the proper European Union is an association of member states, which is enlarging, pooling sovereignty—a dubious, slippery term, but we go along with it—in different areas. Those include defined areas, notably trade and, with some reservations, agriculture and fisheries, areas in which the argument has prevailed that the advantages outweigh the disadvantages. There are also some modest Community programmes in fields of joint competence such as science and culture.

The Convention conclusions reflect the first school of thought. My hon. Friend the Member for Birmingham, Edgbaston offered some interesting reflections on the differences in political culture that are making it awkward to arrive at a shared vision for the processes of the Convention. The United Kingdom belongs to the latter school. Our people are not in the main xenophobic—I adore the French—and they accept the realities of power in the world, of interdependence and of the dangers of isolation. But they resent being hustled along by an elite that they suspect of dealing disingenuously with them, as every "thus far, and no further" has been overtaken in the onward march to ever-closer union and the aggrandisement of European Union powers.

The deep integration implied by these articles, the loss of self-determination in foreign and security policy, justice and home affairs and economic policy go far beyond what Britons are ready to accept. Rightly and necessarily, the Prime Minister, the Foreign Secretary and the Minister will seek to heal the new wounds of the European Union tonight at the Council and as the Iraq crisis passes its peak. But in that impulse to heal, I hope that they will not rush to anoint the draft constitution.

I accept, as my right hon. Friend said, that a June deadline for the Convention's conclusions is suitable; let us get the proposals out. However, an intergovernmental conference in the second half of 2003 is far too soon. There are vast implications in these draft articles and what we need are thoughtful, unhurried study and debates—technical and political—among the peoples of the European Union. That process cannot be completed over the summer holidays.

My right hon. Friends the Minister and the Prime Minister have discouraged expectation of a referendum. It is one thing for the Prime Minister to twit the hon. Member for South Norfolk (Mr. Bacon) about Maastricht and so on at Prime Minister's questions, but that is not a sustainable or adequate response. It would be politically dangerous for the Government. Parliament, the media and the public will not accept integration into a new written constitution of the European Union in a fit of absence of mind and the subordination to it of the British constitution, which may be inchoate, elusive, in need of reform, changing, and organic, but which is effective, expressive of our identity and rooted deep in our history. I assure my hon. Friend the Member for Dundee, East (Mr. Luke) that the people will be excited by these proposals; they will be excited to deep anxiety by them.

The Government say that they support the process of the Convention in the interests of bringing about greater clarity. Why not test that clarity in a referendum? The hon. Member for South Norfolk was right to draw attention to the opening words of article 1, which speaks of a reflection of the will of the peoples of Europe. If we are to adopt a new constitution, let us ensure that it is indeed such a reflection. My right hon. Friend the Minister was the most vigorous of advocates of referendums on Scottish and Welsh devolution. In certain circumstances, there could be a referendum on the euro, which, by the way, must be a separate and different referendum. It would be inconceivable not to have a referendum if the IGC recommends changes that even approach the vastly ambitious and fundamental constitutional changes that we are examining.

There is an anecdote about a tourist in Whitehall who asked a policeman which side the Foreign Office was on. The policeman replied, "It is supposed to be on our side but I sometimes wonder." I hope that my right hon. Friend will be able to reassure us.

Mr. Cash: Come back!

4.43 pm

Mr. Chris Bryant (Rhondda): I had hoped to be able to start by saying that it was a delight to have had a debate in which there were no little Englander speeches, on the basis that one Scot, three Welsh people, one South African, a German, an English person representing a Scottish constituency and an English person representing a Welsh constituency had spoken. However, there have been some little Englander comments, and there was a hefty dose of them when the right hon. Member for Wells (Mr. Heathcoat-Amory) adopted the "Dad's Army" approach to foreign policy: "We're doomed, Captain Mainwaring, we're doomed."

We have come to the point in the Convention when we are debating an unfinished product. It is a jelly that has not yet set and we have not yet decided which mould to put it into. It is important that we—[*Interruption.*]

Mr. Deputy Speaker: Order. I enjoy lively debate, but I want only one speaker at a time.

Mr. Bryant: Thank you very much, Mr. Deputy Speaker.

I am intrigued that hon. Members have described two different versions of how Europe will progress. I spent some time last week in Spain with the all-party group on Spain. Of course, it was a unique moment because of Spain's relationship with Britain, the United States and Portugal, and the meeting in the Azores on Sunday. It was also interesting because I perceive a new divide in European understanding. One is heavily Atlanticist, and includes Britain, Spain, Portugal, to some degree Denmark, sometimes the Netherlands and most of the applicant members from eastern Europe who are coming into the EU next year.

On the other side are those who have what one might call a continentalist vision of Europe. That is based predominantly on the understanding of the Franco-German alliance, with others brought onside. I am intrigued by this partly because of my own interest in Spain, but also because in both English and Spanish, the word for the rest of Europe is the continent—el continente. I suspect that as enlargement brings new members into the EU, that understanding of what Europe is about will hold much greater sway over the minds, not only of people in the peripheral countries—I speak geographically, rather than politically—but in France, Germany, Belgium and Scandinavia.

People often ask why Aznar and Blair get on so well. The British ambassador in Spain, soon to be the British ambassador in Berlin, firmly maintains that it is because they do not speak each other's language and have to converse in French, but speaking French does not seem to have enabled the Prime Minister to get on with all world leaders. Of course, we have heard much in the last few days about the French and their slamming the door on diplomacy last week in the United Nations, and I

[Mr. Bryant]

agree with the Government about going down the United Nations route. In the end, the French made it impossible for us to secure a second resolution. They overplayed their hand.

However, it would be wrong of us at this point to write off the French as allies. They are probably among our most important allies; they certainly are historically. The Portuguese may be our oldest allies, but the French are among our most important. Ten per cent. of British exports go to France—

Mr. Deputy Speaker: Order. I am fascinated by the history that we are getting from the hon. Gentleman, but could he relate his remarks to the Convention on the Future of Europe?

Mr. Bryant: I am very grateful to you, Mr. Deputy Speaker, although you are perhaps being slightly unfair to me. British and French relations are vital to achieving a successful outcome in the Convention.

Mr. Cash: Will the hon. Gentleman give way?

Mr. Bryant: I will give way to the hon. Gentleman, but I note that he has not been here for the whole of the debate and he has criticised others for discourtesy.

Mr. Cash: There are matters relating to the war with Iraq in which I have been involved in my other capacity. Would the hon. Gentleman not agree that whereas Clausewitz said that war was the continuation of diplomacy by other means, the French have turned that on its head and for them diplomacy is now war by any other means?

Mr. Bryant: I obviously cannot comment on that. I would be straying a long way from the Convention.

Mr. Deputy Speaker: You would indeed.

Mr. Bryant: I note that one of the proposals that came from Mr. Giscard d'Estaing early on in the process of the Convention was that the constitution should have a clear statement of a religious intent. I am glad to see that so far there is no reference to God in the preamble or in the articles, and I do not believe that that will change.

Ms Stuart: That means that my hon. Friend has seen the preamble, whereas I have not. However, he may be too confident; God may still reappear in the preamble.

Mr. Bryant: God moves in mysterious ways her wonders to perform. God is not referred to in the articles and I hope that he or she will not appear in the eventual preamble, because to state that Europe is a wholly Christian entity would be wrong. Spain has a long history of an Islamic presence, and the Moorish aspects of its culture are important to it. Moreover, such a statement would not take account of the present multiracial, multi-ethnic and multi-religious constitution of Europe. I hope that that issue will not arise again.

The Convention will bring us real gains. I have mentioned before, and other hon. Members said earlier, how important it is that France and Germany have finally proposed what we proposed two years ago—that the presidency of the Council should be fixed rather than rotating every six months. I would prefer that presidency to be for five years rather than for two and a half, but that is still to be decided.

As one who used to work in Brussels for the BBC and who regularly tried to work his way through the labyrinthine processes of the presidency, I cannot stress too much how important it is for the work of the presidency and the Council of Ministers to be open and transparent.

We should also put an end to this stop-go business. The copyright directive took years to make its passage through the Council, the Commission and the European Parliament, partly because different presidencies gave it different levels of priority. That meant that many people in different European industries were unable to make secure investments for the future because they were not sure how the copyright directive, which would affect them directly, would come out.

The continuity of priorities is as important as the continuity of personalities. However, we should not be naïve about that. Some people have suggested that the President of the European Council would be someone that George Bush could suddenly telephone about any matter of import in Europe. I do not believe that that will happen. There might be benefits in terms of the President of the Council being able to tour the member states and garner their opinions on a regular basis in the way that a sitting Head of Government or Head of State could not do, but it is unlikely that that person will stride the world stage.

Mr. Luke: Does my hon. Friend accept that, if that happens, the President of the Council of Ministers and of the European Council should speak for Europe and not for any of the states that make up the European Union?

Mr. Bryant: I agree. One of the difficulties at the moment is for the President of the Council, who is Greek, not to speak with two heads. The same will apply to the Italians, although perhaps it will be easier for Mr. Berlusconi.

It is also important for us to move towards a system in which there is robust approval for the President of the Commission by the European Parliament. If that person does not command the approval of at least 70 to 75 per cent. of the MEPs, we will not be moving forward in a way that provides clarity for the Union.

I would also like to raise the issue of how the whole Commission is appointed, and whether the European Parliament's role in that will be to vote for, to approve, or only to be able to vote out the Commission. It should be possible for the European Parliament to veto individual members of the Commission.

The second real gain that I hope will result from the Convention is tidier treaties. My daily work used to involve trawling through different elements of the treaties and trying to remember whether clause 76, as it was commonly known in Brussels, had become clause 95 or 93, so I am aware that the documents have become difficult to handle. Also, the Brussels and Strasbourg machinery has been taken over by its own jargon—a jargon that is not just in one language, but in many. My right hon. Friend the Minister was right to say that if we can move towards documents that use plain language, we will have done an enormous service to the Union. I note with interest that most of the negotiations that have taken place in recent months involving applicant members for next year's enlargement were conducted in English. I suspect that English will be the language of Europe in future.

I support the clearer delineation of competences. The Nice European Council called on the Convention to consider how to establish and monitor a more precise delineation of powers between the European Union and member states that reflects the principle of subsidiarity. I think that all hon. Members would agree that that is suitable. I also support the idea of having three types of competence in the articles—exclusive and shared competences, and those in which member states might support the action of the Commission, or the other way around.

However, there is still more work to be done. In particular, although article 12 on shared competences would provide us with some significant gains—for example, in terms of French energy policy and its liberalisation—it is less clear than it could be. There are some issues, such as public service broadcasting, that should be wholly the responsibility of the member state and should not be interfered with by the Commission. The Commission has a tendency towards competency creep, and we must go some way to make sure that that is prevented in the articles and in the final format.

I also hope that there will be better relations with national Parliaments. Since becoming a Member of Parliament less than two years ago, I have been surprised at how spartan the scrutiny of European legislation is, not only in its final form, but in its developing form. The European Scrutiny Committee does a good but inevitably limited job, because it is just one Committee and there is a significant quantity of material that needs to be scrutinised.

Mr. Luke: Will the hon. Gentleman give way?

Mr. Bryant: I will, although time is tight.

Mr. Luke: Does my hon. Friend accept that sterling work is done by many members of European Standing Committees, including the members of European Standing Committee C on which I sit, on issues relating to trade and the environment? Quite a bit of scrutiny goes on outside the European Scrutiny Committee.

Mr. Bryant: My hon. Friend makes a good point, but I still think that we need to go considerably further. So many issues are the subject of ferocious battles in the European Parliament and the Commission, with Ministers representing British interests, but many of us have little idea of what is going on in those debates. We need to find better ways in this House, and in the House of Lords, to provide adequate scrutiny.

I said earlier that there were, perhaps, two broad views of Europe: the Atlanticist and the continentalist. However, the main battle has tended to be between those who have been referred to as federasts and those thought of as adamantly supporting the sole and exclusive rights of member states. Sometimes, that second form turns into a belief in an atomised Europe, which cannot possibly be in the interests of the people of Europe. However, as an ardent supporter of a move towards greater integration with Europe, I hold that it is right to remove from the new treaty the concept of ever closer union, because such a concept is circular by its very nature. I would prefer something more akin to the Latin tag, semper reformanda. The European Union will always need to reform itself, but that does not necessarily mean that we have to achieve ever closer union.

Finally, my view is perfectly expressed by the following:

> "where it can be clearly shown that we can achieve together what we cannot so effectively achieve separately we have no hesitation in stating that the EU and its institutions must have the competence and the effectiveness to act for and on behalf of the citizens of the Member States."

I quote from "The Future of the EU: a Positive Conservative Approach", a memorandum to which Lord Brittan, Lord Howe, Lord Heseltine and John Major, among others, put their names.

5 pm

Mr David Chidgey (Eastleigh): I shall try to keep my remarks within the 10-minute time limit that we discussed, so that the Minister will have time to answer the questions that I want to put to him.

The debate has been robust and generally healthy. It comes at a seminal moment in the development of the European Union. We are all aware that the recent schisms among some nation states on Iraq could be seized on to support an isolationist stance. Others, who I believe are in the majority, take a more considered view that the Convention provides an opportunity to address the issues that divide the nation states, no more so than in recent weeks, and to strengthen, not weaken, the common aims and interests that unite us.

The reports that have been published have shown that the Convention is making steady progress on the difficult task of framing a constitution for the new Europe. I want to pay tribute to our fellow parliamentarians from all parties who have served on the Convention. It is a long and painstaking task to negotiate each amendment and article, to find common ground that recognises the diverse views and aspirations of nation states, and to secure a consensus that strengthens the fundamental principles of the EU while rigorously protecting the interests of the nation states.

The end product will be a document that each nation can claim as its own, which will clarify the roles of the member states in relation to the EU and the role of the EU in relation to the peoples of Europe. Clarity must lie at the heart of the Convention. There must be clarity in the legitimate competences of the EU and in those competences that are, and must remain, the prerogative of the nation state.

There is no doubt that clarity is in short supply in the EU. Its institutions and procedures are often opaque, and its legitimacy is questioned as a result. The EU must be made more transparent if it is to be made more democratic. That is why the work of the Convention is

[Mr David Chidgey]

so important in redefining the collective articles of the EU and the treaty obligations that have flowed from them. It must be clear to jurists, politicians and, most importantly, to the peoples of Europe what the EU is for, and what it is not for.

There are also practical reasons why the workings of the EU must be improved and simplified as a matter of urgency. Enlargement will be upon us in a matter of months. The functions and goals of an enlarged EU of 25 countries will be very different from those of an EU of 15 members. Reform is imperative. The candidate countries rightly have a role on the Convention. When the outcomes of the Convention are debated at the next IGC, whenever that may be, those countries should also have the right to participate fully in that IGC. Some candidate countries clearly fear that an early IGC will undermine their position. The Minister referred to that in his opening remarks about the timing of the IGC. When he makes his winding-up speech, will he assure us that the Government will be more specific about when they want the IGC to take place?

A constitution for Europe would be welcome in order to realise the aims of clarity and legality and to strengthen democratic accountability. I notice that the Government have now accepted the need for a constitution, and I welcome their conversion. However, it remains an irony that they support a constitution for the EU but oppose one for the UK. If it is believed that a constitution could improve the democratic accountability of the EU, surely it could do the same for Britain.

The constitution currently under discussion draws together many elements of the existing legal framework of the EU. The Convention proposes that the charter of fundamental rights should be incorporated in the constitution—a proposal that Liberal Democrats support. I understand that the Government have some reservations about that proposal, although they appear to have accepted the incorporation of the charter in principle. Perhaps the Minister could outline the Government's position on that for us today.

The Government also believe that the constitution should attribute to member states the right to confer powers on the Union, while most other members of the Convention accept that, once a constitution exists, it, not the member states, should be the ultimate repository of rights. The charter of fundamental rights surely echoes that view. How does the Government's acceptance of the charter, in principle, square with their position on the constitution as a whole?

The articles to the Convention so far published set down the basic principles of the Union's role, the limits to its powers and the powers of member states. However, the detail has been reserved, in large part, for part 2 of the constitution. The contributions that we have heard today have been illuminating, in some ways entertaining, and, some would say, depressing. Nevertheless, I believe that the House is much better informed as a result of the debate.

Not unexpectedly, given the present climate, articles on the sensitive issues of the common foreign and security policy and the European defence policy have been postponed. Similarly, the reform of the European institutions has been left for a later date. Rather than postpone the discussion of foreign policy because of recent events, a strong case can be made that recent events make the issue of European co-operation more, not less, pressing. The divisions that have characterised the debate over Iraq within the EU, which have been misread my many and consequently mishandled, have highlighted the need for a mechanism that would assist in identifying unified positions in the European Union, when they can be established. Frankly, with four European countries currently on the Security Council, we could have done better in this current crisis in the United Nations.

There is a strong demand in Europe for the EU to play a larger role on the world stage. It already does in many areas, such as trade, the provision of humanitarian aid and the promotion of human rights. I agree with the majority on the Convention who would like the abolition of the post of Commissioner for external relations and the creation of a new agency for foreign and security policy, headed by a high commissioner who would chair the External Relations Council of member states. With oversight of aid policy and a more robust administration, he or she would be able to represent the EU on the world stage much more effectively.

The Government have tabled many amendments to the articles already published, but they have not outlined their vision for the future of Europe, in either a policy document or a White Paper. Those wider issues have not yet been discussed in the Convention, but they represent some of the fundamental issues with which it is concerned.

In my closing remarks, I shall outline some of the elements of the Liberal Democrat view on the future of European institutions, which we expect to be covered in the subsequent articles of the Convention. I invite the Minister, in his response, to share with us the Government's thinking on these key issues. The task of simplifying the European Union and making it more democratic and easier to understand would be served if the Commission had an elected head—a figurehead for Europe who had a direct relationship with the electorate of the Union. The MEPs should elect the President of the Commission, who would then choose his cabinet of Commissioners from a pool of nominations from the member states on the Council. How do the Government propose to reform the process of selecting Commissioners? The Minister mentioned the possibility of having a full-time elected chair. Will he clarify his views on the presidency? We believe that the presidency of the Council should remain with the member states; not with another elected individual. The legitimacy of an elected individual depends on the width of his electoral base. A President elected by the member states would not command any further legitimacy, but would further centralise that authority. A rotating presidency remains the best way of sharing authority and legitimacy within the Council.

The French and German proposal calls for an elected president for the Commission and the Council, creating a double-headed structure. The Government's initial reaction to that idea was scathing. What is their current position and what is their alternative? Our final proposal is that the Minister should gain a mandate from and report back to Parliament before and after attending European Council meetings. Although that is a domestic matter, I should appreciate the Minister's views.

The hon. Members who serve on the Convention are steadfastly addressing a very difficult task. They have raised important points to which I hope the Minister will respond. Their success will bring clarity and certainty to the competencies of the European Union and to those of the member states, to the ultimate and overarching benefit of the peoples of Europe. We recognise and endorse the value of their work.

5.11 pm

Mrs. Cheryl Gillan (Chesham and Amersham): I apologise for the absence of the shadow Minister, my hon. Friend the Member for West Suffolk (Mr. Spring). I know that he has spoken to the Minister before the debate, and I appreciate that I shall provide a poor substitute for his natural eloquence and knowledge of the subject. I shall also make a mess of the statistics given by the hon. Member for Rhondda (Mr. Bryant): he might be happy to know that I am half Scottish and half Cornish, was born in Wales and sit for an English seat. [*Interruption.*] Nobody could ever describe me as a little Englander.

I am grateful to the Minister for calling this second debate and for coming to the Chamber as the Government's representative on the Convention. Although the world's attention is, naturally, focused elsewhere today, the outcome of the Convention has not diminished in importance. Any constitutional treaty emerging from the Convention is meant to provide the EU's framework for the next 50 years.

I have been impressed by the quality of the speeches this afternoon, and many interesting points have been made. I hope that hon. Members will not mind if I do not single any of them out, because time is short. However, I want to pay tribute to the work done by my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) over the past year. His diligence and expert advice enlighten the debate at every stage. As my colleagues have often said, the Convention was set a vital task. The Laeken declaration rightly stated that the European Union must become closer to its citizens.

The European Union faces a crisis of democratic accountability and connection with its peoples. That was shown by the turnout for European elections, which fell below an average of 50 per cent. across Europe. As my right hon. Friend pointed out, the process is moving the EU further from its citizens. We want to solve this grave predicament for the EU. We want a European Union fit for the 21st century, with a membership of 25 or more, and able to deliver its core task—the job that its peoples want it to do and that it was set up to do—of helping to provide prosperity and stability in Europe. Sadly, I am not confident that the Convention is meeting that challenge.

My fears are shared by our representatives in the European Parliament and now, it seems, by the hon. Member for Birmingham, Edgbaston (Ms Stuart). I am pleased that she has spoken today because she, too, has worked hard and with sincere intent in her role in the Convention. I was fascinated to read the interview with her in *The Independent* last week. She has started to understand what we have been saying for a long time, which is that the Convention was always likely—not certain, but likely—to try to build a Europe better suited to some of its elites than to its people. I remember her telling my right hon. Friend the Member for Devizes (Mr. Ancram) of the words of Eli Weisel:

> "It is not because I cannot explain that you do not understand—it is because you do not understand that I cannot explain."

I hope that there is beginning to be a meeting of minds. Conservative Members have warned for a long time that a huge gap is developing between the people who make the decisions and the electorate. We have said that there is too little will to strengthen national Parliaments at the Convention. We have noted that a gap is opening up between reality and the grand aspirations of the integrationists at the Convention. We have repeatedly argued that there is no European demos—no feeling of common European nationhood. Above all, we have said again and again that Europe can no longer be built from the top down; it must work from the bottom up.

It is clearer than ever that the aspiration to introduce a common foreign and security policy does not correspond with the behaviour of European nations, or how they want to behave. It is no surprise—indeed, it is good sense—that the Convention has postponed discussion of the place of the CFSP in any new treaty until the situation has settled down. Moreover, recent events have shown that, despite the over-warm words of the Secretary of State for Wales, the Government's policy is a messy muddle on this issue above all others.

In his speech in Cardiff in December, the Prime Minister called for a unified European foreign policy, but the Government were confused even then. The Prime Minister outlined his plans in Cardiff, but he willed the end without willing the means. Now, we see that he does not care for the reality of policy either; indeed, he and President Chirac have made it unworkable. We can only speculate about how a real CFSP would stand now. Would it be for war or against war? Would it be stuck at the lowest common denominator, leaving us unable to do anything? Today's European Council meeting will be interesting, but we can only imagine the chaos that would ensue if it actually had to determine a unified European foreign policy. It would be a farce—and a tragic one at that.

Despite the Minister's opening remarks, the Government's whole policy has been characterised by a drift towards integration, with no real vision of the kind of Europe that they want. There is one honourable exception, and we all agree on the desirability of enlargement. However, that stands out because there is little else. The Government have been so poor at producing ideas that they have had to borrow them from others. They learned from the Conservative party the importance of giving the principle of subsidiarity real teeth. They picked up the idea of a president of the European Council from the French. They drafted in a distinguished expert—Professor Dashwood—to write a European constitution, but they have been unable to make up their mind whether it represented their thinking. Other ideas have been so ill thought through that they have had to be dropped. A second chamber for the European Parliament, which garnered minimal support across Europe, is my favourite. The Lords report described it as

> "an unreal solution to a real problem".

[Mrs. Cheryl Gillan]

Time is limited, so I will concentrate on a few points. First, I agree with the hon. Member for Birmingham, Edgbaston that national Parliaments are far too weak. The consensus in the Convention appears unable to recognise that, for all their faults, national Parliaments are the political bodies that the peoples of Europe understand best and to which they feel closest. National Parliaments must have real power over European legislation. It is pleasing that they may be able to warn of breaches of the principles of subsidiarity and proportionality, but will the Minister go further than he has done today and agree that that is grossly inadequate? They must be allowed to halt legislation that breaches those principles; after all, only they have a real interest in seeing them enforced. It is not unreasonable to expect institutions to enforce principles only when they have an interest in doing so. I hope that the Government will adopt our proposals on the issue as their policy.

I want briefly to mention the draft constitution's proposals on delegated legislation. Like others, I believe that they envisage too little oversight by democratic bodies. As matters stand, they represent too large an extension of Executive power. There is no legislative control, particularly by national Parliaments.

I welcome the Minister's e-mail early-warning initiative on draft legislation, but I remain unconvinced that we shall be offered the necessary protection, which would be afforded by strengthened powers of scrutiny.

I also look forward to hearing from the Minister about where the Government stand on the charter of fundamental rights. Their position seems to shift like the sands of the desert. Does the Minister agree that if the charter were incorporated into a treaty, it would be hard, no matter what the restrictions, to prevent a trickle-down effect?

I remember the hon. Member for Leicester, East (Keith Vaz) saying that the charter would be no more use in court than a copy of the *Beano*. The Government said that they would not accept its incorporation into treaties, but now we are told that its incorporation is acceptable provided that there are horizontal restrictions. With such a history, is the Government's position really credible? I would be interested to hear in due course the legal basis for that, providing of course that, as last weekend, the advice from the Attorney-General or the Lord Chancellor is published.

It should come as no surprise that the draft constitution is so ambitious. That is the nature of constitutions; they are not like golf club rules, they redistribute the balance of power. Whatever the content, any constitution would represent one of the greatest changes in the balance of power that our country has ever experienced. I find it disappointing and incredible that the Government who set up referendums for a Scotland, Wales, Northern Ireland, London and, I believe, even Hartlepool refuse to allow the British people a say on a European constitution.

All true democrats, whatever their persuasion, cannot agree with the Government's incoherent stance on the matter. I believe that the Government will end up agreeing with us on this point, and the Minister might as well do so now while he can make the move gracefully.

The Minister said that he was relaxed about when the IGC starts and how long it lasts. I hope that he will find time in his winding-up speech to explore that timetable in more detail for us.

We believe that the British people want a decentralised Europe doing less, but doing it better. We know that co-operation is essential in many areas, but harmonisation is unnecessary. The Convention's document must not be a constitution for a federal European state. The Secretary of State has tabled many amendments of his own to the draft constitution, and in the past he has seemed surprised at its integrationist nature. I do not know why, but I welcome his words:

> "A Brussels superstate is not on."

I hope that he will now embrace the suggestions of my party and, indeed, those of the hon. Member for Birmingham, Edgbaston and devote all his energies to fighting for a Europe of nations, not a nation of Europe.

Mr. Deputy Speaker: I call the Minister, who will reply with the permission of the House.

5.22 pm

Peter Hain: I apologise in advance for not taking any interventions in order to respond to colleagues in the short time available. I welcome the hon. Member for Chesham and Amersham (Mrs. Gillan) to the position. In the contrast between her elegant response and that of the hon. Member for Eastleigh (Mr. Chidgey), we saw the two opposite poles of European policy, neither of which works. There was a federalist blueprint from the Liberal Democrats, which would be rejected in Eastleigh just as much as it would in the rest of the United Kingdom, and, I am afraid, there was the same old dreary Euroscepticism from the Conservatives.

However, I am delighted to see my old friend the hon. Member for Stone (Mr. Cash) here. Does he have his leader's permission to be here? I do not want to shop him, but I thought that the new leader of the Conservative party, when he took over 18 months ago, said that mouths should be zipped up on Europe, especially the hon. Gentleman's, so I was delighted to see him in his usual good form.

The right hon. Member for Wells (Mr. Heathcoat-Amory) is doing a very diligent job in the Convention. However, he is being completely ignored, not because he is not diligent or expert but because he is back in the old handbag-waving stance that the Conservatives took under both Margaret Thatcher and John Major, which leads to Britain's position being completely ignored. His apoplectic tone—

Mr. Cash: The hon. Gentleman is testing me too far.

Mr. Deputy Speaker: Order. The Minister has indicated that he is not going to give way.

Peter Hain: The constitution is a first draft. There are items in it that the right hon. Member for Wells does not like and that I do not like, and we are seeking to amend them. The Conservatives have an inferiority complex on this matter. They always expect to lose in Europe, whereas what we have shown since 1 May 1997 is that we consistently win the argument.

I was asked about legal personality. Under the present treaty structure, the European communities have a legal personality that was endorsed by previous Conservative Governments, but the European Union does not. There would be advantages to having a single legal personality for the European Union's international profile, such as ease of understanding by EU citizens. However, we would never accept that, unless it was clear that common foreign and security policy remained intergovernmental and that member states retained their rights to representation on international bodies.

I do not agree that the UK is being marginalised in the Convention—we are quite influential. On the difficulties over Iraq, intelligence sharing with the United States of America would not be blocked by a European common foreign and security policy. My hon. Friends the Members for Caerphilly (Mr. David) and for Rhondda (Mr. Bryant) made the point that although we have a large and serious difference of opinion with France over Iraq, we are co-operating closely with the French on the Convention. We share a similar vision of the institutional architecture of the new Europe—that it should based on the nation state, rather than on Brussels. Together, we have drawn up a common defence and security policy, and co-operated to take that forward.

My hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) is doing a great job on the Convention. She is highly regarded for her diligence, and seems to live in Brussels as a representative of this Parliament. I applaud her. I agree with her that the European Council needs to be more accountable and that Council of Ministers meetings need to more transparent so that Europe's citizens can see proceedings, which would ideally be televised, of their heads of Government and Ministers in sectoral councils taking decisions on their behalf. My hon. Friends the Members for Rhondda and for Eastleigh made the same point.

My hon. Friend the Member for Dundee, East (Mr. Luke) made an eloquent speech that stressed his commitment to the European Union ideal. I agree that the concept behind the new European constitution is to create greater clarity and simplicity to allow citizens to understand how Europe works. My hon. Friend the Member for Dunfermline, West (Rachel Squire) gave a well-informed speech about where the issue of Europe had reached. I agree that the accountability of Europe to the House is not adequate. I was intrigued by her suggestion of extending departmental questions to include a European slot. That is not official Government policy, and I am here to represent the Government. However, I proposed that idea when I was a shadow Whip for European affairs in 1996. We need a radical consideration of how the House of Commons could better scrutinise decisions and ensure that the European Union is held accountable for them. My hon. Friend the Member for Rhondda also made important points on that subject.

I shall address the points raised my hon. Friend the Member for Croydon, Central (Geraint Davies) on children's rights. I fully share his concerns. He referred to my amendment to article 3.4. The reason for the amendment is that children's rights per se should not be a specific objective of the European Union. Human rights include children's rights, and the charter includes a specific provision for children's rights. The problem is that lawyers believe that including children's rights in the UK would lead to the extension of EU competence into family law. We do not want to encourage that, and I am not sure that my hon. Friend would not want to either.

My hon. Friend the Member for Caerphilly brought his expertise and experience to the debate. He was right to say that when considering a proposal for an early-warning mechanism for national Parliaments—a new extension—we must not forget the point from which we started. Currently, there is no effective national Parliament re-involvement until the end of the process, so that is a radical change, and it was strongly resisted by the Commission and European parliamentarians. The fact that it has now been broadly endorsed is important.

My right hon. Friend the Member for Newport, East (Alan Howarth) asked several telling questions. I shall write to him about article 24, and send him a paper that I submitted on the difference between compulsory and non-compulsory budgets. As for shared competences and their extension, there may be a case for extending shared competence on tackling bioterrorism in the area of public health. That makes a lot of sense given the problems that we face. On extensions to qualified majority voting, justice and home affairs issues could be considered on a case-by-case basis in relation, for example, to the battle against terrorism.

Finally, I agree with my hon. Friend the Member for Rhondda: I should like there to be a five-year, full-time President and an end to the rotating presidency. He also made some good points about the European Commission President.

Mr. Deputy Speaker: Order. I regret that, despite the importance of the debate, time is up.

It being half-past Five o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Written Ministerial Statements

Monday 10 March 2003

HOME DEPARTMENT

Prison Service Annual Report and Accounts 2001–02 (Erratum)

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): Due to an error, the expenditure figures reported in appendix 2 of the Prison Service annual report and accounts for 2001–02 (HC 957) are incorrect.

Amended expenditure, cost per place and cost per prisoner figures are given in the table.

	Expenditure 2001–02 £	*Cost Per Place £*	*Cost Per Prisoner £*
Acklington	12,306,951	15,738	16,459
Albany	9,638,824	21,612	21,853
Altcourse	30,595,345	49,695	37,029
Ashfield	12,542,677	30,817	33,314
Ashwell	7,977,359	16,465	20,204
Askham Grange	2,802,068	21,029	22,431
Aylesbury	10,900,371	26,077	31,466
Bedford	8,449,674	23,819	20,414
Belmarsh	30,948,620	38,702	36,608
Birmingham	16,696,491	23,173	19,839
Blakenhurst	9,672,424	14,950	11,540
Blantyre House	2,490,332	20,753	21,315
Blundeston	9,982,610	24,568	24,074
Brinsford	12,069,795	25,304	26,767
Bristol	17,134,205	35,063	29,872
Brixton	19,503,711	29,960	25,756
Brockhill	5,643,993	34,000	36,729
Buckley Hall	6,696,946	19,134	20,469
Bullingdon	15,178,114	19,648	17,073
Bullwood Hall	5,623,916	31,244	33,693
Camp Hill	10,096,506	20,991	19,231
Canterbury	6,268,130	31,657	21,955
Cardiff	13,370,996	25,521	20,800
Castington	11,168,010	24,278	37,740
Channings Wood	11,238,889	18,921	19,108
Chelmsford	11,573,580	25,834	24,770
Coldingley	7,909,234	21,338	21,754
Cookham Wood	3,576,878	29,807	24,264
Dartmoor	14,631,698	21,438	24,369
Deerbolt	9,711,053	20,487	23,968
Doncaster	18,369,239	23,825	17,028
Dorchester	5,726,272	33,292	23,785
Dover	6,728,429	21,292	33,600
Downview	7,158,940	25,334	35,572
Drake Hall	5,694,213	18,309	24,784
Durham	22,550,479	35,290	32,303
East Sutton Park	2,198,632	23,390	23,705
Eastwood Park	7,352,500	24,924	23,403
Elmley	15,151,353	19,858	16,523
Erlestoke	6,191,130	18,991	19,398
Everthorpe	7,959,428	18,172	18,446
Exeter	10,282,669	32,033	21,467
Featherstone	12,549,693	20,951	21,337
Feltham	24,346,837	28,915	37,471
Ford	6,271,678	12,518	15,260
Forest Bank	19,522,324	24,403	23,243
Foston Hall	5,299,241	25,611	27,422
Frankland	24,550,210	37,596	38,480
Full Sutton	23,541,026	39,040	39,827
Garth	12,879,054	20,346	21,016
Gartree	8,886,522	24,280	31,522
Glen Parva	16,615,880	25,024	21,642
Gloucester	7,417,888	31,432	25,869
Grendon	11,293,398	22,177	25,345
Guys Marsh	8,103,303	16,639	15,928
Haslar	2,847,598	17,797	19,526
Hatfield	4,116,132	22,867	24,428
Haverigg	9,638,719	17,398	17,955
Hewell Grange	3,018,642	15,681	18,022
High Down	17,266,744	26,605	24,374
Highpoint	16,860,131	19,159	20,056
Hindley	13,429,476	24,935	30,032
Hollesley Bay	12,625,347	27,269	37,678
Holloway	20,210,798	39,668	41,622
Holme House	16,789,328	18,524	17,891
Hull	13,824,391	23,425	24,056
Huntercombe	9,984,812	27,736	30,628
Kingston	4,748,471	24,603	26,102
Kirkham	10,642,725	18,445	22,226
Kirklevington	2,806,220	15,335	16,355
Lancaster	5,718,902	23,829	25,268
Lancaster Farms	11,715,333	23,620	23,478
Latchmere House	3,052,466	15,748	17,842
Leeds	23,291,510	30,015	18,876
Leicester	8,204,348	37,837	23,989
Lewes	9,985,425	20,589	21,672
Leyhill	8,585,073	20,939	22,592
Lincoln	11,655,841	25,561	22,666
Lindholme	15,386,512	23,635	24,941
Littlehey	10,376,197	16,629	16,653
Liverpool	25,565,332	21,163	18,957
Long Lartin	20,122,537	33,594	47,431
Low Newton	7,547,572	30,393	27,454
Lowdham Grange	12,694,649	25,188	25,667
Maidstone	10,405,357	18,625	27,607
Manchester	26,037,371	27,350	22,245
Moorland	15,006,469	20,279	19,625
Morton Hall	4,821,307	25,111	27,265
Mount	11,565,509	16,405	15,896
New Hall	10,405,367	31,821	28,731
North Sea Camp	3,738,139	16,763	19,369
Northallerton	5,080,145	33,385	26,164
Norwich	14,164,851	25,534	19,509
Nottingham	10,413,672	23,757	20,786
Onley	13,504,211	21,100	24,617
Parc	28,811,957	35,266	32,237
Parkhurst	12,434,863	25,798	28,450
Pentonville	22,239,323	24,793	19,136
Portland	11,313,801	22,097	23,949
Preston	13,192,099	30,614	23,816
Ranby	12,851,506	18,012	17,623
Reading	6,761,178	34,019	28,700
Risley	16,393,281	19,899	20,462
Rochester	8,790,555	20,864	35,686
Rye Hill	14,567,327	24,279	24,635
Send	4,609,307	20,951	21,315
Shepton Mallet	4,833,094	25,304	29,470
Shrewsbury	6,518,034	35,264	19,762
Stafford	10,624,651	16,945	17,201
Standford Hill	7,308,028	19,031	21,106
Stocken	9,454,466	17,004	16,493
Stoke Heath	13,554,911	22,445	25,959
Styal	10,894,273	26,442	25,375
Sudbury	7,606,310	14,712	15,213
Swaleside	13,493,143	17,953	17,933
Swansea	7,511,933	30,787	28,920
Swinfen Hall	7,445,594	23,322	23,883
Thorn Cross	7,359,861	23,291	33,671
Usk	6,805,526	27,132	21,016
Verne	9,534,353	17,272	16,823
Wakefield	19,914,099	26,695	35,688
Wandsworth	25,450,136	22,070	18,735
Wayland	9,928,885	16,014	15,821
Wealstun	10,870,434	17,200	17,990
Weare	7,340,016	18,350	19,478
Wellingborough	9,133,034	17,631	18,163
Werrington	5,058,625	38,962	41,778

	Expenditure 2001–02 £	*Cost Per Place £*	*Cost Per Prisoner £*
Wetherby	8,594,400	23,873	26,438
Whatton	4,877,528	17,736	18,048
Whitemoor	22,611,769	44,687	56,837
Winchester	11,907,739	27,125	20,498
Wolds	8,642,518	24,007	21,665
Woodhill	22,103,665	32,649	32,807
Wormwood Scrubs	23,256,552	19,424	22,778
Wymott	14,929,816	18,455	18,897

An erratum to the Prison Service annual report and accounts2001–02 will be placed in the Library.

Human Trafficking

The Minister for Citizenship and Immigration (Beverley Hughes): I am pleased to announce new measures to support female victims of human trafficking for sexual exploitation in the UK.

The Nationality, Immigration and Asylum (NIA) Act 2002, introduced a new offence that commenced on 10 February 2003 of "trafficking a person for the purpose of controlling him or her in prostitution."

From today, safe accommodation and a range of services will be provided to support female victims of human trafficking through a non-governmental organisation. A six-month pilot scheme located in London will cater for approximately 25 women, on a rolling basis, who meet the criteria for access to the services, including a willingness to come forward and co-operate with the authorities in the combating of international organised crime that could lead to prosecutions of criminals.

We will consider, in light of individual circumstances, whether it would be appropriate to allow such victims who have co-operated to remain here. Where they are to return home, we will assist them to do so, providing them with initial counselling, ensuring that they have suitable accommodation to return to, and providing help to enable them to re-integrate into their own community and find employment.

We are also publishing a new "best practice toolkit" for the police, immigration officers and others who deal with illegal immigrants and trafficking victims. The toolkit will help them to identify victims and to provide practical advice on how to deal with them appropriately.

The Sexual Offences Bill, introduced into the House of Lords on 28 January 2003 also proposes new comprehensive offences of trafficking for sexual exploitation to replace the stop-gap offence introduced by the NIA Act 2002 of Trafficking in Prostitution. These new offences tackle the movement of people into, within and out of the UK for the purposes of sexual exploitation, and will carry maximum penalties of 14 years imprisonment. The offence relating to trafficking within the UK applies equally to UK nationals trafficked from place to place in the UK, and to foreign nationals brought here and then moved around from place to place within the UK. This is the first time that the trafficking of UK nationals within the UK has been tackled in legislation.

Internationally, we are committed to addressing the issue of trafficking by our involvement with the EU Framework Decision on combating the trafficking of human beings, and the UN protocol to prevent, suppress and punish trafficking. I believe the trafficking provisions in this Bill meet the requirements of the EU decision, and the UN Protocol and indeed go further in that they criminalise trafficking for a sexual offence per se, whereas the protocol specifies it ought to be criminal only in certain circumstances, for example, where forcer, coercion or abduction are involved.

They also go further than the provisions in the NIA Act in specifying that it will be a criminal offence to traffic someone for the purposes of submitting them to a sex offence, rather than limiting this to trafficking them for the purposes of exploiting their prostitution. This allows us to offer greater protection against all forms of sexual trafficking, for example, for those who are trafficked in order to be sexually assaulted by others where there is no prostitution taking place.

In addition the Bill introduces new offences to tackle directly the commercial sexual exploitation of children. The activities that the offences cover include buying the sexual services of a child, causing or encouraging a child into commercial sexual exploitation, facilitating the commercial sexual exploitation of a child, and controlling the activities of a child involved in prostitution. The maximum penalties available for these offences will range from seven years to life imprisonment depending upon the nature of the offence committed and the age of the child victim.

All these provisions together, will set in place a comprehensive framework of robust legislation and improved support that will enable us both to bear down on perpetrators, often organised criminals, and provide a better response to victims.

HEALTH DEPARTMENT

National Health Service Charges

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): We have today laid before the House regulations to increase National Health Service charges in England from 1 April 2003. There will be a cash increase in the prescription charge of 10p from £6.20 to £6.30 for each quantity of a drug or appliance dispensed.

The cost of prescription pre-payment certificates will rise to £32.90 for a 4 month certificate and £90.40 for an annual certificate. These offer savings for those needing more than five items in four months or 14 in one year.

Prescription charges are expected to raise some £446 million for the NHS in 2003–2004.

Charges for elastic stockings and tights, wigs and fabric supports supplied through the Hospital Service will be increased similarly.

The maximum patient charge for a single course of dental treatment begun on or after 1 April 2003 will increase from £366 to £372.

The prescription charge increase is the same as in the previous four years and is well below the current level of inflation. The other increases are in line with this percentage increase.

Optical voucher values will increase overall by 2.5 per cent., to help children, people on low income and certain people with complex sight problems with the cost of spectacles or contact lenses.

A summary of these changes is given in the table.

Details of the revised charges and optical voucher values have been placed in the Library.

NHS charges and optical voucher values in Scotland and Wales are a matter for the devolved Administrations. Whilst the institutions in Northern Ireland are dissolved, responsibility rests with Ministers in the Northern Ireland Office.

Summary table—new NHS charges from 1 April 2003

Item	*Charges from 1 April 2002 (£)*	*Charges from 1 April 2002 (£)*
Prescription Charge	6.20	6.30
4 months PPC	32.40	32.90
12 months PPC	89.00	90.40
Surgical Bra	20.90	21.20
Spinal/abdominal Support	31.50	32.00
Wig Acrylic	51.50	52.30
Wig Partial Human Hair	135.90	138.00
Wig Full Human Hair	198.60	201.70
Maximum Dental Charge	366.00	372.00

CABINET OFFICE

Civil Servants (Local Elections Guidance)

The Minister of State, Cabinet Office (Mr. Douglas Alexander): I have today placed in the Libraries of the House copies of the guidance that has been issued to civil servants in UK Departments on their role and conduct in the forthcoming election campaigns in Scotland and Wales and the local elections in England.

Written Ministerial Statements

Tuesday 11 March 2003

HOME DEPARTMENT

Asylum Seekers (Language Analysis)

The Minister for Citizenship and Immigration (Beverley Hughes): In the light of concern that some asylum applicants from other countries are posing falsely as nationals from Iraq, we have decided to pilot language analysis testing for use in cases where appropriate when a person claiming Iraqi nationality applies for asylum. Language testing arrangements in such cases will start on 12 March 2003 and continue for an initial period of one month.

The purpose of language analysis is to provide expert evidence which helps to identify the place of origin of asylum seekers. Language analysis is used in a number of European countries, and the results have been generally successful. In the UK language analysis has been used already in the case of asylum claims made by nationals claiming to be from Afghanistan, Somalia or Sri Lanka. It was found to be a valuable aid in the asylum consideration process, clearly identifying in many instances that the applicant was not of the nationality he or she claimed to be, or not from the area of the country from which they claimed to originate. Language analysis also benefited genuine applicants by confirming the information they gave about their nationality.

The extension of language testing to nationals from Iraq is being given legal effect today by an authorisation made by myself under section 19D of the Race Relations Act 1976. Where there are objective reasons for doubting the nationality of a person claiming to be from Iraq, the authorisation will enable staff in the Immigration and Nationality Directorate to request the applicant to undertake a further interview which will be taped and sent to a language expert for analysis. Individuals may refuse to consent to this further interview (which will be conducted at the initial screening stage), but this refusal can be taken into account when determining whether the applicant has established the facts of their case. This may lead to their claim being refused.

We will review the need for this further authorisation later in the year. Independent scrutiny of the likely effect of authorisations made by Ministers and how they are operated in practice by officials is exercised by the race monitor, Mary Coussey, who reports to Parliament via the Secretary of State.

A copy of the addition authorisation has been place in the Library of the House. Any additional or amended authorisations will also be placed in the Library.

DEPUTY PRIME MINISTER

Local Authorities (Accounting Arrangements)

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Christopher Leslie): The Office of the Deputy Prime Minister consulted last year on proposals to amend and consolidate the Accounts and Audit Regulations, which set out the duties of local authorities on the keeping of accounts. The three-month consultation period provided for in our consultation came to an end in December. Having carefully considered representations made, I have today laid the Accounts and Audit Regulations 2003 (SI 2003 No. 533), to implement the changes. The aims of the amendments are to update the rules governing the way local authorities keep accounts, to reduce unnecessary bureaucracy so the accounting burden is proportionate to the size of the authority, and to make improvements to provisions relating to local authority corporate governance and accountability. Various changes have been made to the original proposals to reflect the concerns of consultees. The regulations will come into effect on 1 April 2003. Guidance will be issued to assist authorities in implementing the regulations.

Planning Inspectorate

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): I am pleased to announce the Government's acceptance of all the recommendations of the Advisory Panel on Standards (APOS) for the Planning Inspectorate Agency, as set out in their Ninth Annual Report published in November 2002. APOS jointly advises the First Secretary of State and the First Minister of the Welsh Assembly Government on the maintenance and improvement of quality standards for the planning inspectorate.

The panel's main finding was that the demanding quality standard target, that 99 per cent. of the Inspectorate's casework should be free from justified complaints, was being maintained. However, the panel also made a number of recommendations on steps that could be taken to further enhance quality standards. These included improvements to training and procedures, that have already been implemented, and the introduction of arrangements to correct simple errors within decision letters which is included in the Planning and Compulsory Purchase Bill currently before Parliament. The remaining recommendations are all part of a continuous process of training, development and monitoring, such as the introduction of a rolling customer satisfaction survey, to build on the experiences of users of the system.

I am particularly pleased to note the Panel's comments on the good work of the Inspectorate in encouraging diversity within the organisation, in promoting training interchange schemes to develop staff and in encouraging electronic access to information for the public and other interested parties through its planning portal project. These initiatives are playing an important part in the Government's wider initiative to promote planning as a positive instrument and to involve the community more effectively.

I commend the work of the panel and thank them for their helpful recommendations, and look forward to seeing further results of their hard work over the next year.

House of Lords Report on Devolution

The Deputy Prime Minister (Mr. John Prescott): I am today publishing the Government's response to the House of Lord's constitution Committee's report: "Devolution: Inter-Institutional Relations in the United Kingdom". The Government's response is published as CM5780 and copies have been placed in the Libraries of both Houses. The response will also be made available on the Office of the Deputy Prime Minister's website.

HEALTH DEPARTMENT

Dissolved NHS Trusts (Outstanding Public Dividend Capital)

The Secretary of State for Health (Mr. Alan Milburn): Pursuant to the dissolution of 59 National health Service trusts on 1 April 2002 and their reconfiguration through the establishment of nineteen new NHS trusts, I propose to create originating capital for the new NHS trusts equal to the net assets transferred to them and therefore to remit the outstanding debt of the dissolved trusts.

A number of primary care trusts were also established during the year. Public dividend capital is not required for the establishment of new primary care trusts as they are subject to a different financial regime. Net assets transferred from dissolving NHS trusts to primary care trusts are reflected in the general fund of the primary care trust.

These operations involved no overall loss to the Exchequer. Her Majesty's Treasury has today presented a minute to the House giving particulars and circumstances of the proposed remission which it has approved in principle.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Non-Producing Milk Quota Holders

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): The ruling of the European Court of Justice in the Thomsen case has important implications for UK dairy farmers. It means that quota holders who do not produce against their quota for one year will have it confiscated to the national reserve. In effect, non-producing milk quota holders (NPQHs) will no longer be able to hold quota. Leasing out of quota will not be enough to avoid confiscation.

There has understandably been considerable interest in the timetable for implementation of the ruling in the UK. I can confirm that the new rules will apply from 1 April 2004. Accordingly, NPQHs who have not produced against their quota in 2003–04 will be allowed until 31 March 2004 to sell it. If they do not do so by that date, it will be confiscated to the national reserve. During the 2003–04 quota year NPQHs may lease out quota if they so wish.

Currently, NPQHs who lose their quota may apply for its restoration within 6 years of confiscation if they resume active production. However, under current EC proposals this period may be reduced to two years.

In association with this, we shall be going out to consultation later in the year on the possible introduction of a 70 per cent usage rule. Under such a rule producers who do not use at least 70 per cent of their quota over a period to be fixed would have all or part of the unused portion confiscated to the national reserve. The introduction of such a rule would depend on the outcome of the consultation exercise. Subject to final confirmation of the legal base, we also propose to consult on breaking the link between quota and land, which will make it easier for tenants to buy in their own right any quota released by NPQHs.

We recognise that the change concerning NPQHs is an important one and have publicised the new rules widely, including sending individual letters to all NPQHs. We believe that we have put in place a fair transitional arrangement that both allows NPQHs a reasonable period of time to adjust to the new circumstances and also recognises the UK's obligations under Community law.

CULTURE, MEDIA AND SPORT

Television Licence Fee

The Secretary of State for Culture, Media and Sport (Tessa Jowell): On 10 February 2003, *Official Report*, column 35WS, the Government announed that from 1 April 2003, the fee for a colour television licence would rise to £116 and the black and white licence fee to £38.50. Later on today I will be laying before the House the regulations necessary to bring these new fees into force.

The new regulations also introduce preserved rights for beneficiaries of the Accommodation for Residential Care concessionary TV licence scheme whose accommodation ceases to meet the existing qualifying criteria, so long as it continues to be provided or managed by a local authority, a housing association or a development corporation.

EDUCATION AND SKILLS

Industrial Training Boards

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): In accordance with the Government's policy of conducting quinquennial reviews of all non-departmental public bodies, my Department is today beginning reviews of the Industrial Training Boards, CITB and ECITB.

Following Cabinet Office guidelines, the terms of reference for the first stage of the review will be:

> To review the functions of the Boards, and the likely need in the future for these functions

To consider whether some or all of the functions can be better performed through other means

To review the efficiency and effectiveness of the Boards in carrying out their functions

To consider the powers, terms of reference, constitutional status, membership and activities of the Boards

To ensure initial findings are available for consideration in and, if appropriate, incorporation into, the Government's Skills Strategy

To report the outcome of Stage 1 of the review by June 2003.

We should welcome comments on those matters to be covered by the reviews from all those with an interest in the work of the CITB and ECITB. Comments, which may be made public unless respondents specifically request otherwise, should be sent by 30 April to:

Anne Donkin
Department for Education and Skills
E4c
Moorfoot
Sheffield S1 4PQ
Or by e-mail to: anne.donkin@dfes.gsi.gov.uk

We have asked that this first stage of the review should be completed by 27 June 2003.

NORTHERN IRELAND

Water and Sewerage

The Parliamentary Under-Secretary of State for Northern Ireland (Angela Smith): Later today, I intend to launch a public consultation process on proposals for reform of water and sewerage services in Northern Ireland.

Since assuming responsibility for the Regional Development Ministerial portfolio, I have been acutely aware of the need for massive investment in Northern Ireland's water and sewerage infrastructure. Such a step-change in long-term investment can only be achieved through the development of secure, self-financing arrangements which also address the needs of the public as fairly and efficiently as possible.

In principle, this will require the introduction of domestic water charges in tandem with structural reform of the delivery of water and sewerage services in Northern Ireland to ensure that people will not be asked to pay more than is absolutely necessary. I am committed to full and inclusive consultation through which I believe arrangements for the delivery of water and sewerage services, tailored to the specific needs and circumstances of the people of Northern Ireland, can be developed.

The Consultation Paper which I have published today sets out a range of possible options for domestic water charging. Possible structural arrangements for water and sewerage delivery and business models for a reformed Water Service are also outlined, along with the associated issues of economic and consumer regulation and mechanisms for consumer representation on water issues.

The period of public consultation on these issues will run until June 2003. Following a period of assessment of the responses to the consultation document, detailed proposals will be brought forward for further public consultation in the autumn, ultimately leading into the production of appropriate legislation.

Copies of the Consultation Document; "The Reform of Water and Sewerage Services in Northern Ireland" have been placed in the Libraries of the House.

WALES

Public Sector Ombudsman Services

The Secretary of State for Wales (Peter Hain): A consultation on the future of public sector Ombudsman services in Wales began in November last year when the First Minister of the National Assembly for Wales and I published "Ombudsmen's Services in Wales: Time for change?". That document invited views on a proposal to bring together the offices of Welsh Administration Ombudsman, Health Service Commission Wales and the Commissioner for Local Administration in Wales to create a unified Ombudsman's jurisdiction for Wales, led by a single individual. We undertook to consult further on the precise remit of the new office if the principle of a single jurisdiction was endorsed.

I can announce that responses to the consultation have given the proposal for a single Ombudsman's jurisdiction in Wales almost unanimous support. We will therefore move later this year to a further round of consultation on the jurisdiction and powers of this new Office. Individual copies and a summary of the responses will be placed in the Libraries of both Houses.

Written Ministerial Statements

Wednesday 12 March 2003

HOME DEPARTMENT

Bind Overs

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): We are today publishing a consultation paper on Bind Overs, on which views are sought by 16 June 2003.

TRADE AND INDUSTRY

Combined Heat and Power Station, Hythe

The Minister for Energy and Construction (Mr. Brian Wilson): I have today given consent to increase the capacity of the combined heat and power station at the Polimeri Europa Ltd works at Hythe from 48MW to 53 MW. I have also given revised clearance under section 14 of the Energy Act 1976 for the larger station to be fuelled by natural gas.

The decision demonstrates the Government's continuing commitment to promote CHP, wherever practicable, and our commitment to reducing emissions of greenhouse gases and our aim to put the UK among the top 25 per cent. of the most energy efficient economies rather than mid-ranking as we currently are.

Copies of the press notice, section 36 decision letter and consent, and the section 14 clearance letter are being placed in the Library of the House.

Wind Farm (Kent)

The Minister for Energy and Construction (Mr. Brian Wilson): I have today decided to grant consent under section 36 of the Electricity Act 1989 to GREP UK Marine Ltd to build a 129 MW wind farm approximately 8.5 km north of Herne Bay, Kent.

The wind farm will produce enough electricity to power up to 100,000 homes and make a vital contribution to the Government's target to generate 10 per cent. of the UK's electricity from renewable sources by 2010.

Copies of the press notice, decision letter and consent are being placed in the Library of the House.

Offshore Wind Farm, Walney Island

The Minister for Energy and Construction (Mr. Brian Wilson): I have today decided to grant consent under section 36 of the Electricity Act 1989 to Warwick Energy Ltd. to build a 108 MW wind farm approximately 7.5 km south west of Walney Island, Cumbria.

The wind farm will produce enough electricity to power 80,000 homes and make a vital contribution to the Government's target to generate 10 per cent. of the UK's electricity from renewable sources by 2010.

Copies of the press notice, decision letter and consent are being placed in the Library of the House.

DEFENCE

Future Integrated Soldier Technology

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The FIST programme will bring the benefits of improved technology to the soldier by providing an integrated suite of personal equipment to enhance dismounted close combat capability. This will include the latest surveillance, target acquisition, navigation, communications and miniaturisation technologies, all integrated into robust, flexible and reliable military equipment, capable of operation anywhere in the world. It will further increase the tempo of our battlefield operations, ensuring British forces engaged on the battlefields of the future will be among the best equipped in the world.

Four companies were invited to compete for the role of FIST assessment phase prime contractor. BAE SYSTEMS Ltd, Marconi Mobile Ltd, Raytheon Systems Ltd and Thales Optronics Ltd, a division of Thales UK. All submitted strong bids. Following detailed consideration of the proposals, the four tenderers were reduced to two during August 2002. The final phase of the competition focused on the remaining companies plans for the management of the assessment phase. After a further period of evaluation, the Ministry of Defence has today selected Thales Optronics Ltd as the prime contractor for the assessment phase.

The contract with Thales UK has a value of £20 million. The FIST assessment phase will sustain and create around 70 jobs at Thales plants in the UK. In time, the demonstration and manufacture phase, for which we retain the option to compete the requirement, will sustain and create many more.

The assessment phase will last until 2006. An in service date for FIST will not be set until the main investment decision, but current estimates are around the end of the decade.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Flood and Coastal Defence Funding Review

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): I am pleased to inform the House of the Government's conclusions on the Flood and Coastal Defence Funding Review.

The review was conducted by an inter-departmental steering group which considered the most appropriate means of delivering and funding the flood and coastal defence service. The Government consulted on the steering group's recommendations last year and received over 300 responses. I placed a report on these responses on the Department's website last October.

Most respondents argued that the Exchequer should continue to fund all or most of the flood and coastal defence service, perhaps supported by locally raised funds. The funding and organisational arrangements, and the arrangements for implementing flood defence schemes, were considered to be over-complex and in need of streamlining, but with a strong local input into decision making. The responsibilities for flooding also needed to be made much clearer. There was, however, no clear consensus about what the precise future institutional arrangements should be.

Taking account of these comments, the Government have reached the following conclusions on the review.

The service should continue to be funded primarily by the Exchequer. As a measure of our commitment to this we have increased Government funding in successive spending reviews and following the 2000 floods. Following last year's spending review total provision for spending in England is set to increase to around £564 million by 2005–06, an additional £150 million a year on this year.

We also accept the steering group's argument that in principle a fair proportion of funding should come from local beneficiaries of the flood defence service. No decisions have yet been taken on local funding mechanisms and we are continuing to work on them. For example, one possible option is a charge payable by developers in the flood plain to reflect the general flood defence service provided in those areas. We shall of course pay full regard to comments made on the various options.

In terms of flood defence responsibilities, we have concluded that the Environment Agency should take responsibility for all rivers creating the greatest flood risk. Many of these rivers have already been identified and we will work with the agency in ensuring that they transfer to their control as soon as the necessary statutory procedures can be completed.

The rivers that will transfer to the agency are currently the responsibility of local authorities and internal drainage boards. The performance of those bodies in relation to these rivers has been patchy. There are concerns, for example, about some local authorities not taking any interest in these rivers and over the position taken by some IDBs towards nature conservation. Equally, however, I am aware and value the fact that many local authorities and internal drainage boards do an excellent job.

By transferring responsibility for these rivers to the Environment Agency the Government will place accountability for flood defence on all rivers creating greatest flood risk squarely in the hands of one body, something which will be welcome to hon. and right hon. Members as well as most respondents to our consultation. But we do expect the agency to contract back the day-to-day operational work to the local authorities and internal drainage boards which are willing and able to do the work, and have a good track record. Such contracts will ensure that work is in future undertaken efficiently and effectively but also in a way which is sympathetic to the Government's objectives for both nature conservation and flood protection.

Local authorities and internal drainage boards will continue to have flood defence and land drainage responsibilities under our proposals, and we shall be considering whether further measures are necessary to influence the way that these are exercised, including in drawing up and implementing water level management plans. We will consider a further elaboration of the Environment Agency's current general flood defence supervisory duty, will be reviewing our high level targets, and will be considering bringing internal drainage boards under the ambit of the local government ombudsman. A particular issue that we shall want to address is the present number and size of internal drainage boards, many of which are very small. We will also seek to ensure that the membership of IDBs is broadened to reflect a wider constituency of interest than at present.

The Government do not propose any change to the present responsibilities of local authorities for coastal defences. We shall look to the coastal local authorities to continue playing a full part in shoreline management plans to ensure that defence measures are properly planned and responsibilities properly attributed between themselves and the Environment Agency, leading to greater clarity for the public.

The Government propose that the Environment Agency's flood defence work in England should—subject to facilitative measures contained in the Water Bill—be funded by a single stream of Defra block grant covering both its capital and revenue expenditure. This will mean that the agency will no longer have to seek individual approval of capital projects below specified thresholds. This recognises the agency's position as a national body and its responsibility for developing and procuring schemes. The agency will, therefore, no longer raise most of its funding from levies on local authorities, which in turn are supported through the local government funding arrangements. We expect to introduce capital block grant from 1 April 2004; timing of implementation of revenue block grant requires further consideration.

The move to a single stream of block grant will remove many of the present uncertainties surrounding the annual funding available to the agency from local authorities. The agency will be able to plan ahead over a longer period than at present, providing greater certainty of delivering the flood defence service across the country. It will also remove the present distinction between capital and revenue work, and the apparently perverse incentive to encourage capital work, which attracts Defra grant, rather than maintenance work which does not.

We also propose that there should be a single tier of flood defence committee. Six of the nine flood defence regions in England have a single, regional, committee but three regions have a second tier of between 3 and 5 local committees. Local committees consume substantial resources in managing them and their accounts, but even more importantly they blur accountability with decisions made by one tier being second guessed by the other. Recognising the need for local input and decision making, we will work with the Environment Agency in consulting local interests to see whether some of the current regions need to be split into, say, two or three smaller parts each served by a single tier flood defence committee. Facilitative amendments contained in the Water Bill will allow the creation of additional single tier committees.

Many respondents to our consultation were concerned about the lengthy process for approving flood defence schemes. Some of the time taken is irreducible, reflecting the need to design bespoke schemes to meet the needs of the area to be defended as well as the need to obtain planning permission, to carry out environmental impact assessments and, in some cases, to secure compulsory purchase of land or property. But we need to streamline where possible and we are therefore taking action to simplify the present procedures for approving flood defence schemes in Defra. We propose to consider Environment Agency schemes at the "option choice" stage rather than waiting for detailed design. This will mean that the Agency will be given the certainty of Defra funding at an earlier stage and before devoting resources to detailed design.

We shall be looking hard at whether, how and when such approaches might be applied to local authorities and internal drainage boards. The Government also intend to consider further its relationship with the Environment Agency, in the light of the changes we now propose, to see whether, and how, further streamlining might be introduced to reduce the overheads associated with provision of flood defences, especially following the introduction of block grant to the capital programme from 1 April 2004.

The decisions I have announced today are substantive and should result in real improvements. I recognise that we have much work to do with the Environment Agency and other stakeholders in implementing this outcome.

We will also be liaising with the Welsh Assembly Government on issues arising from cross-border catchments.

We shall agree the financial consequences with local authorities and others with an interest. For local authorities, we will adhere to the new burdens principle to ensure that councils are not adversely affected financially by these proposals. We will also honour the undertaking in the Local Government White Paper to ensure that most grant reaches councils as general funding.

We shall be drawing up an implementation plan, with target dates, in the next month or so and I will arrange for this to be published on the Department's Website.

We recognise that flood and coastal defence policy is a long term commitment and requires stability of strategic approaches and structures for delivery. The approach I have announced today, including the roles of IDBs and of local authorities in coastal defence, will be subject to review after three years of operation. We shall want to assess their effectiveness in delivering a streamlined and more effective service which also properly reflects wider needs including those of nature conservation. We shall also need to take account of currently emerging issues, such as the Government's regional agenda and implementation of the Water Framework directive. These, taken together with the outcome of work on new funding streams will influence whether more fundamental changes might be required in future.

LORD CHANCELLOR

Tribunal System

The Parliamentary Secretary, Lord Chancellor's Department (Ms Rosie Winterton): Reform of the justice system is one of this Government's priorities. Since 1997 we have implemented major improvements in the criminal and civil courts. In 2000 the Lord Chancellor asked Sir Andrew Leggatt to review the tribunal system. We published Sir Andrew's radical blueprint for reform—"Tribunals for Users: One System, One Service"—in August 2001.

Since then the Government have been determining how best to meet the challenge set by Sir Andrew. We have taken a wide range of views, including through a formal consultation exercise. A summary of the responses to that consultation has now been published; a copy has been placed in the Library of the House and it has been published on my Department's website at www.lcd.gov.uk/civil/tribunals.htm

The Government have decided that the best way to take tribunal reform forward is to bring most non-devolved central Government tribunals together into a single service. The service will reflect the needs and specialisms of individual jurisdictions and will in particular respect the differences between party *v.* party and citizen *v.* state tribunals. It will be a distinct part of the justice system, accountable to the Lord Chancellor. Initially the new service will be based on the ten largest tribunals. Of these, the Immigration Appellate Authorities, the Office of the Social Security and Child Support Commission, the Tax Appeals Tribunals, the Pension Appeals Tribunal, and the Lands Tribunal already form part of my Department. The Appeals Service, Employment Tribunals, Mental Health Review Tribunal, Special Educational Needs and Disability Tribunal, and Criminal Injuries Compensation Appeal Panel will transfer to the LCD over the period 2004–05 to2007–8 from their current parent Departments. Where appropriate, other smaller tribunals will also join the new service. The Government will publish a White Paper later this year on the reform and modernisation of the tribunals justice system within an increasingly unified tribunals service.

Written Ministerial Statements

Thursday 13 March 2003

EDUCATION AND SKILLS

Teachers' Pension Scheme

The Minister for School Standards (Mr. David Miliband): The Government Actuary has reported on the results of his valuation of the Teachers' Pension Scheme (TPS) as at 31 March 2001. His report recommends that the employer contribution rate for the TPS should increase from the current rate of 8.35 per cent. to 13.5 per cent. from 1 April 2003. The contribution paid by teachers will remain at 6 per cent. of their salary.

The majority of the increase (equating to 4.75 per cent.) arises because for the first time the cost of pensions increase (the annual cost of inflation increases) will be covered by the employer contribution, whereas previously it was funded directly by the Exchequer. Employers in the maintained sectors have been provided with additional funds to help them to meet the cost of this increase. The remaining 0.4 per cent. of the increase is as a result of demographic changes since the last valuation, most notably improvements in life expectancy. This anticipated pressure was taken into account in the 2002 Spending Review settlement for education.

A copy of the Government Actuary's report has been placed in the House of Commons' Library

DEFENCE

Service Accommodation

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The Government gave a commitment under SDR to improve Single Living Accommodation for Service personnel. I am therefore pleased to announce that, following competition, FALCON, a consortium led by Interserve fm and Compass, has been selected as the Preferred Bidder for the ARMADA Private Finance Initiative (PFI) Project. Subject to the successful completion of negotiations, it is planned to award the contract in late July of this year.

The ARMADA Project encompasses the provision of services in the Fleet Accommodation Centre at HM Naval Base Devonport over a 25-year period. This includes property maintenance, infrastructure maintenance, catering, cleaning and responsibility for environmental aspects and ground maintenance as well as the design, build, finance and operation of the Fleet Accommodation Centre Single Living Accommodation.

En-suite accommodation is planned for 55 Senior Officers, 195 Junior Officers, 600 Warrant Officers and Senior Ratings and 700 Junior Ratings, with 100 beds (non-en suite) retained for transient personnel.

Iraq (Further Contingency Preparations)

The Secretary of State for Defence (Mr. Geoffrey Hoon): In a statement on 20 January 2003, *Official Report*, columns 34–35, I informed the House of the Government's decision to deploy a land force package led by Headquarters 1 (UK) Armoured Division to provide military capabilities for potential military action against Iraq. This deployment has made good progress.

I told the House that operational planning continued to evolve. In order to provide Headquarters 1 (UK) Armoured Division with further flexibility to respond to a range of possible tasks and circumstances, we now plan to deploy two additional units. Members of the 1st Battalion The Duke of Wellington's Regiment will deploy to provide additional infantry capability. 202 Field Hospital (Volunteer) will deploy to provide additional medical capability. We had originally envisaged that 202 Field Hospital (Volunteer) would replace 33 Field Hospital, which is already deployed. We now plan that 33 Field Hospital will remain in theatre, along with 34 Field Hospital and 202 Field Hospital (Volunteer), for the time being.

These changes involve some 850 personnel; the total size of the deployment remains about 45,000 personnel.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Partners for Water and Sanitation

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): I am pleased to welcome the publication of the first annual report from the UK tri-sector partnership Partners for Water and Sanitation.

This partnership between Government, civil society and the private sector aims to make a contribution towards achieving the targets for water and sanitation agreed at the World Summit on Sustainable Development in South Africa last Autumn.

The annual report gives details of the progress made in each of the three African partner countries—South Africa, Nigeria and Uganda—with information about the exploratory and scoping study visits undertaken by the partnership. The report also sets out plans for future activity.

It is encouraging to note the progress made by this partnership in developing strong relationships with partner countries and the Government wish it every success in the contribution it is making towards achievement of the water and sanitation targets agreed at the World Summit in Johannesburg last year.

Copies of the report will be placed in the Libraries of both Houses.

WORK AND PENSIONS

Households Below Average Income 2001–02

The Secretary of State for Work and Pensions (Mr. Andrew Smith): Today I have published Households Below Average Income (HBAI) for 1994–95—2001–02. This is a report published under National Statistics arrangements with results that cover Great Britain. Copies have been placed in the Library.

The report shows that all incomes have been rising rapidly, but it is lower incomes that have been rising faster. Income growth has been at roughly double the long-term trend, but unlike comparable earlier periods like the late 1980s when the poor were left behind, the gains have been felt across the whole income distribution: rising prosperity for the many and not just the few. Whereas median real disposable income for the population as a whole had risen by 19 per cent. since 1996–97, median incomes for the poorest two-fifths were up by 25 per cent.

The reduction of child and pensioner poverty is a priority for this Government. There have been very significant falls in the numbers within both groups below "absolute" low-income thresholds.

In 1996–97 there were 4.3 million children in households with incomes below 60 per cent of the median (after housing costs income); by 2001–02 the number of children whose households fell below this same real income line was down by 1.8 million, a decline in this poverty count of 42 per cent. For pensioners below the same threshold, the decline is from 2.7 million in 1996–97 to 1.1 million in 2001–02, a decline of 1.6 million or 59 per cent.

We are not just increasing the incomes of poorer pensioners and children, we are doing so at a fast enough rate to help them to narrow the gap with the rest of the population. Before the late 1990s, there was a generation-long trend for relative income poverty amongst children to rise. The number of children below 60 per cent of contemporary disposable income more than doubled from 1979 to reach 4.3 million in 1996–97. The new figures confirm that this trend is now in reverse, with a fall of 100,000 in the number of children below this threshold this year. By 2001–02 there were half a million fewer children living in households below 60 per cent. of contemporary median (after housing costs) income than in 1996–97. For pensioners, the same relative poverty count fell from 2.7 million in 1996–97 to 2.2 million in 2001–02.

INTERNATIONAL DEVELOPMENT

Iraq (Humanitarian Contingency Planning)

The Secretary of State for International Development (Clare Short): I welcome the International Development Committee's report on humanitarian contingency planning in Iraq. The House may welcome a summary of the principles my Department has applied in our planning, our current level of preparedness and constraints on it, and our assessment of the international community's planning. I set out my position in a written memorandum to the Committee before I gave evidence on 12 February. We will respond in due course to the report's detailed recommendations, some of which have already been addressed or are already Government policy. I want to set out to the House now how our planning has developed in the last month.

The Government's objectives on Iraq were set out to the House in a written statement by Jack Straw on 7 January. These include as an immediate priority to continue to support humanitarian efforts to relieve the suffering of the Iraqi people. We have worked to encourage contingency planning for a range of scenarios, including the possible resolution of the crisis without conflict. My responsibilities as Secretary of State for International Development include helping minimise the risk of humanitarian suffering as well as alleviating it when it occurs, and this has guided our planning. We have had extensive discussions across Government about how military strategy can minimise and mitigate the risks of conflict to the Iraqi people.

In the event of conflict in Iraq, my Department would have two humanitarian roles. One is to help advise the Ministry of Defence and the armed forces on how best to discharge their humanitarian responsibilities under The Hague and Geneva Conventions. The other is to use the funds, expertise and influence available to us to support the direct delivery of impartial humanitarian assistance by the international humanitarian community. I will summarise what we are doing in both capacities.

In the event of conflict and the occupation of Iraqi territory by the UK military, the occupying forces would have humanitarian responsibilities under The Hague and Geneva Conventions. It is likely that in the first stages of any conflict, UN agencies and NGOs would not be fully operational, particularly if there is a credible threat of the use of chemical or biological weapons. Military forces thus might have primary responsibility for the initial delivery of humanitarian assistance. They are also likely to play a key role over a longer time period in providing a secure environment for other organisations to deliver humanitarian assistance. My Department has been advising the Ministry of Defence and the armed forces on these issues for some time. We have recently agreed the secondment of a full-time Civil-Military Humanitarian Adviser to the Headquarters UK 1 Division in Kuwait, and are also providing advice to the National Component Headquarters in Qatar. We are considering additional support. We are discussing with the armed forces the use of military Quick Impact Projects in the period immediately after any conflict, which DFID would consider funding where there are clear humanitarian needs.

The principles we apply in delivering humanitarian assistance to Iraq are the same as anywhere else. They are not determined by the nature of the conflict, or subject to military strategy or diplomatic considerations. We will respect international humanitarian law and relevant human rights laws and conventions. We will allocate our assistance impartially based on the best possible assessment of need. We will state clearly the standards we aspire to and how we are accountable for our assistance. We will respect the neutrality and independence of our humanitarian partners. Where moral dilemmas in the delivery of humanitarian assistance arise, often requiring fast and difficult decisions, with lives at stake, we will be explicit in the analysis which guides our choices, and communicate this openly.

It is the Government's policy to support the work of international humanitarian agencies, particularly those of the United Nations, to take the leading role in responding to humanitarian emergencies. My Department's regular funding to the UN and other humanitarian agencies includes provision for emergency preparedness for a variety of contingencies across the world. On 10 February I announced I was supplementing this funding with an additional £3.5 million contribution to support UN humanitarian contingency planning for Iraq. This money has been allocated to a range of UN agencies including the United Nations High Commissioner for Refugees, the United Nations Children's Fund (UNICEF), the World Food Programme, the World Health Organisation, the UN Office for the Coordination of Humanitarian Affairs and the United Nations Security Coordinator (UNSECOORD). I decided last week to provide a further £6.5 million to supplement our existing funding for the Iraq planning work of these agencies, and support a small number of NGOs in their contingency preparedness. For UN agencies to maintain a high level of preparedness for a range of scenarios is prudent, but this has continuing recurrent costs. We are keeping this situation under regular review and maintain close contact with UN agencies and other donors about how far UN appeals have been met.

This £10 million of new funding is in addition to the UK's ongoing humanitarian programme in Iraq. Since 1991 DFID has provided over £100 million of bilateral assistance, and DFID's contributions through the EC have been an additional £15 million. In 2002–03 we expect to spend over £8 million. Much of this supports the work of NGOs operating in northern Iraq. Humanitarian work in the north, where the Oil-For-Food programme is run by the UN and the Kurdish authorities are keen to collaborate with a range of international organisations, is much easier than in the centre/south. Despite sanctions, humanitarian indicators such as maternal mortality and child mortality have improved much faster in the north under the Oil-For-Food programme. But my Department is also funding the work of UNICEF, the International Committee of the Red Cross and CARE in Baghdad-controlled Iraq. These organisations do essential technical work improving water and sanitation systems, repairing health facilities, and building the capacity of the Iraqi people to maintain their own infrastructure.

My Department is now holding weekly confidential meetings with NGOs to share information on our and their contingency planning, and discuss areas of mutual co-operation such as preserving humanitarian independence. We are making contingency preparedness funding available to those who have carefully thought through the complexities of the humanitarian environment and are likely to be able to play a significant role in the early stages after any conflict.

DFID believes that the UN, through the Office for the Coordination of Humanitarian Affairs should play the leading role in the co-ordination of humanitarian activity, including in the vital function of the pooling and sharing of information about priority needs. The UN is best able to reassure implementing agencies of the independence of humanitarian decision making. My Department is funding OCHA to prepare for this role in Iraq, including through support for the creation of a Humanitarian Information Centre headquartered in Larnaca, to which we will be seconding a specialist. We are also supporting the UN Joint Logistic Centre through further secondments.

DFID's strategy for responding to the humanitarian needs following any conflict will be determined by events which cannot be predicted. Retaining sufficient flexibility at this stage to deploy our finite financial and human resources where they are most needed is essential. We are deploying operational humanitarian staff to key locations in the region now so we can take rapid and well-informed decisions when required about future deployment.

We have brought DFID's stockpile of non-food items, vehicles and equipment to immediate readiness, and are procuring additional supplies. We are positioning some of these stocks in Kuwait and elsewhere in the region, where they could be used by a variety of implementing partners. This is in addition to the prepositioning done by UN agencies and others which we are helping to fund.

DFID is working closely with the Ministry of Defence, the Foreign and Commonwealth Office and the Treasury to assess the possible costs of humanitarian assistance in the event of conflict. The unmet needs could be enormous. The precise cost will depend on the extent of damage and displacement caused by any conflict, and particularly on disruption to the Oil-For-Food programme (OFF). We have put considerable effort into discussing how to minimise that disruption. Contingency planning includes looking at how disruption to the delivery of essential services provided by OFF can be minimised. The Government expect a leading role for the UN in such circumstances. We are working with others on detailed ideas for a possible further UN Security Council Resolution to ensure OFF could continue to operate in a modified form after any conflict.

As well as close liaison with UN agencies whose contingency planning we are already contributing to, my Department has maintained dialogue with a range of other Governments. The Office for Reconstruction and Humanitarian Affairs in the US Department of Defense is now leading American planning on humanitarian issues which would arise after any conflict. DFID has a secondee in ORHA; the Foreign and Commonwealth Office and the Ministry of Defence have also seconded staff. My officials are in close contact with their US counterparts on a range of humanitarian issues. The Government are aware of the plans of a large number of other countries and international organisations who would contribute to immediate humanitarian assistance in Iraq in the event of conflict. Most would do so according to humanitarian principles regardless of who the belligerents were and on what basis conflict started. Co-ordination of planning is politically sensitive for many of them at this stage. The UK will encourage wider international co-ordination as quickly as these political sensitivities allow.

My assessment of the overall level of preparedness of the international community to cope with the humanitarian challenges which may lie ahead in Iraq is that it is limited, and this involves serious risk. UN agencies have made sensible plans with the resources at their disposal. The USA has put a lot of effort into its planning but lacks recent on the ground experience of work in Iraq, and I am concerned by optimistic assumptions about how quickly the UN and NGOs might be able to do post-conflict work. The UK military's humanitarian planning has been proceeding quickly in recent weeks but their Geneva Convention obligations could be huge.

Many donors have not engaged fully with the detail or the scale of the potential humanitarian challenges. There are currently serious humanitarian crises in Afghanistan, the West Bank/Gaza, southern Africa, Ethiopia and Eritrea, and both the international humanitarian system and DFID resources are highly stretched. We could do more with a little more time. But ultimately no preparation would be enough to cope with the scale of the worst-case scenarios—16 million people currently dependent on Oil-For-Food handouts deprived of their monthly ration for a sustained period, the complete collapse of water and sanitation systems in a largely urban country of 25 million people, and the possible use of chemical and biological weapons on the civilian population. That is why it is so important to minimise those risks.

My Department is also considering the longer term reconstruction and reform issues. It is clear that a UN mandate will be required to provide legal authority for the reconstruction effort, and to make possible the engagement of the international financial institutions and the wider international community. Efforts are being made to ensure that a suitable mandate is put in place.

TREASURY

Spring Reports

The Chief Secretary to the Treasury (Mr. Paul Boateng): Following the announcement that the Budget will take place on 9 April 2003, HM Treasury plans to publish the 2003–04 Main Estimates, the Supplementary Budget Information publication that accompanies the Main Estimates, and the Public Expenditure Statistical Analyses 2003–04 on Tuesday 6 May 2003.

DEPUTY PRIME MINISTER

Rent Services Agency

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): Key Performance Targets have been agreed for the Rent Service Agency for the business planning period 1 April 2003 to 31 March 2004. The targets are included in the agency's business plan, which includes management objectives, performance indicators and key tasks.

Copies of the business plan will be placed in the Library in due course.

The key targets for The Rent Service are:

To process 87 per cent. of Housing Benefit Determinations without an inspection within three working days.

To process 87 per cent. of Housing Benefit Determinations with an inspection within 15 working days.

To process 87 per cent. of Pre-Tenancy Determinations within four working days.

To process 87 per cent. of Redeterminations within 15 working days.

To process 87 per cent. of Fair Rent Determinations within 40 working days.

To increase the number of cases determined per employee by a minimum of 1 per cent. whilst reducing the costs per case by a minimum of 1 per cent. in real terms, and with improvements in the quality of service provided.

To achieve a 2 per cent. reduction in the number of Local Reference Rent Housing Benefit cases that are amended by more than 5 per cent. on redetermination.

To achieve a 1 per cent. reduction in the number of Fair Rent cases that are amended by more than 10 per cent.on appeal to the Rent Assessment Committee.

To improve customer satisfaction rating from 85 per cent. to 87 per cent. in 2003–04. This percentage relates to people who rate the Agency's service as "good" or better.

The key performance targets remain more challenging than the statutory requirements for the Rent Service and represent the Government's commitment to continuous improvement of the Service.

Best Value and Performance Improvement

The Minister for Local Government and the Regions (Mr. Nick Raynsford): The Government have today published a circular on best value and performance improvement, containing guidance for principal local authorities about how to achieve best value and secure continuous improvement in delivering local services. It consolidates and replaces existing guidance.

The services provided by local authorities directly impact on everyone's quality of life. It is therefore vital that these services are delivered to a high standard, and in ways that are responsive to the needs of their users.

The circular emphasises the important role that best value can play in helping to drive up the quality of local services. It explains how authorities can make arrangements under best value to secure a well-trained and motivated workforce, to review performance effectively, and to use the annual performance plans to record their priorities for improvement and achievements.

It includes a code of practice on workforce matters in local government service contracts. The code will ensure that the provision of local services is not undermined by poor employment practices in respect of new joiners to contracted-out services. Partnerships with the private and voluntary sectors should be selected where these will drive up service performance standards, not in order to drive down staff terms and conditions.

Authorities should use the guidance to continue to challenge how services are delivered and look for new and innovative ways to deliver quality services.

Today, I am also laying an order requiring all best value authorities to consult recognised unions and employees' associations, and staff, when conducting best value reviews. This will ensure that better decisions are made, increase understanding of the reasons for those decisions, and help authorities achieve continuous improvement in service delivery.

Copies of the circular have been placed in the House Libraries.

Written Ministerial Statements

Friday 14 March 2003

DEFENCE

Armed Forces Pay Review Body

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): I am pleased to announce that I have reappointed Lord Patel as a member of the Armed Forces Pay Review Body for a second three-year term. This appointment has been conducted in accordance with the Office of the Commissioner for Public Appointments' guidance on appointments to public bodies.

Hayes PPP Project

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): The Ministry of Defence has decided to appoint TNT Express Services with ProLogis Ltd. as the preferred bidder for the Hayes PPP Project. Subject to negotiations, TNT will be responsible for the provision of records management and archiving services to the Ministry of Defence and a number of other Government organisations for a 25-year period. ProLogis will become the owners of the Ministry site at Bourne Avenue, Hayes, Middlesex and will be responsible for its redevelopment. Within two years, TNT intends to relocate the records service to new facilities in the midlands.

This project is a pan-government collaboration between the MOD, as project sponsor, and its 13 partners who are as follows:

Court Service
Public Record Office
Lord Chancellor's Department
Department for International Development
Department of Trade and Industry
Public Guardianship Office
Parliamentary Commissioner
Crown Prosecution Service
Home Office
Metropolitan Police Service
Food Standards Agency
Veterinary Medicines Directorate
Energywatch

When the contract takes effect, possibly in the summer of 2003, TNT will become the new employer for all transferring civil servants (perhaps more than 60). All transfers to TNT will be covered by the Transfer of Undertaking (Protection of Employment) Regulations (TUPE) 1981.

The Hayes PPP contract will initially provide secure storage for possibly 200Kms of official paper records. The service will include a high degree of accountability for this material and will offer a range of delivery standards to suit each Government organisation's needs via a UK-wide logistics network.

TREASURY

Air Transport

The Economic Secretary to the Treasury (John Healey): The 2002 pre-Budget report announced that the Government would discuss with stakeholders the most effective economic instruments for ensuring that the aviation industry is encouraged to take account of, and where appropriate reduce, its contribution to global warming, local air and noise pollution.

To take this process forward, the Government will shortly be issuing invitations to all key representative stakeholders to attend discussion sessions. The stakeholders will include umbrella organisations covering the following broad areas:

Industry and business (including airlines, airport operators, manufacturers, tourism bodies and union representatives)
National environmental groups
Public bodies
The expert community

To provide background and support to these discussions, the Government are today publishing a discussion paper, *Aviation and the environment: using economic instruments*. This document, copies of which are available in the Libraries of the House, covers:

The Government's objectives for aviation. The Government believe that aviation should aim to maximise its significant social and economic benefits and minimise its environmental impacts.

The Government's approach to using economic instruments in general, following the Government's environmental tax principles set out in Tax and the environment: using economic instruments, published alongside the 2002 pre-Budget report.

The Government's estimates of aviation's environmental costs, including its impacts on climate change, local air quality and noise.

The document also contains a list of questions which the Government would like stakeholders to consider in more detail at the discussions.

The discussions with stakeholders, as well as the document being published today, will help to inform policy on the future development of air transport in the UK on which the Government are consulting through a series of documents issued last summer and, additionally, through a second edition of the South East consultation document published on 27 February. The Government will set out their views in their air transport White Paper later this year.

Written Ministerial Statements

Monday 17 March 2003

INTERNATIONAL DEVELOPMENT

Uzbekistan

The Secretary of State for International Development (Clare Short): On 4 March 2003 the Board of Directors of the European Bank for Reconstruction and Development (EBRD) agreed a new two-year strategy for Uzbekistan, which was supported by the UK. As the strategy clearly states, Uzbekistan has taken some positive measures on economic and political reforms but overall the situation remains serious and progress with reforms has been slow and characterised by setbacks. The country's ability to grow its economy, attract investment and reduce poverty is dependent on the Uzbek authorities making progress with both economic and political (including human rights) reforms.

The UK welcomes the EBRD strategy, which provides a detailed analysis of the current political and economic situation in Uzbekistan. We agree with EBRD that the Government of Uzbekistan needs to take a number of critical steps to put the country on a path of sustained progress towards multi-party democracy and a market economy and we support the decision by the Bank to hold a review after one year, looking for progress against seven key benchmarks.

The EBRD has identified three operational priorities: support for private investment, strengthening financial institutions, and critical infrastructure; but the strategy notes that only through economic and political reforms can Uzbekistan hope to unlock its economic potential, which will in turn allow the Bank to mobilise additional financial support for the country.

Uzbekistan's economy remains generally closed to competition with a high degree of state control. EBRD notes that it is crucial, if the Uzbek authorities are to unlock their country's economic potential, that they embrace more fully the principles of open and free markets and encourage the private sector to drive economic growth. Uzbekistan's human rights record remains very poor. During 2002, Uzbekistan made some limited attempts to address human rights. But the UK shares the widespread and serious concern about the continuing abuse of human rights in the country, including the recent assessment of the UN Special Rapporteur on Torture that torture is systematic in Uzbekistan. The strategy identifies critical areas for progress by the Uzbek authorities. These include implementation of recommendations to be made on the basis of the UN Special Rapporteur's report.

In May, EBRD will hold its annual meeting in Uzbekistan. This will be the first time that the EBRD annual meeting has been held in Central Asia. Since the collapse of the Soviet Union, Central Asia has largely been neglected. The newly independent countries faced the double challenge of building new institutions and making the transition to a market economy and political pluralism. Their progress has been patchy. Uzbekistan, Tajikistan and the Kyrgyz Republic are all now low-income countries. Desperate poverty, high levels of debt and corruption, and deteriorating infrastructure and public services exist in much of the region. The region's geography means that the countries are co-dependent for trade and natural resources. But relations have been characterised by the isolationism of some states; all the countries stand to benefit from increased regional cooperation and trade.

We hope the annual meeting will focus international attention on the country, and that it will provide a forum for international engagement and an open debate on the opportunities and challenges facing Uzbekistan and the countries of central Asia. The meeting is an opportunity to try to secure social and economic progress, progress with human rights, and improved regional cooperation. It is an incentive for the Uzbek authorities to reform and not an endorsement of current policies. The UK hopes that the Uzbek authorities will consider the strategy carefully and, by the time of the annual meeting, take the opportunity to demonstrate to the international community, progress towards political and economic change.

The strategy was published on EBRD's website www.ebrd.com/ yesterday. I have placed a copy in the Library of the House.

LORD CHANCELLOR'S DEPARTMENT

Electronic Conveyancing

The Parliamentary Secretary, Lord Chancellor's Department (Ms Rosie Winterton): A report on the responses to the e-conveyancing consultation exercise will be published later today. Copies have been placed in the Libraries of both Houses.

Most respondents viewed the concept of an e-conveyancing system positively. Useful suggestions were made to enhance the initial proposals, and a number of concerns were highlighted. All of these issues will be addressed during the next phase of the e-conveyancing programme. My Department believes it to be important that the system finally delivered carries the greatest measure of support from stakeholders and makes full use of the talents of the private sector. My noble and learned Friend Baroness Scotland has asked the Land Registry to continue to take forward this work.

It will now be engaging stakeholders, including potential service providers in developing the e-conveyancing concept and proposing the shape of the final system.

My noble and learned Friend Baroness Scotland has asked for a report on progress to be made to her later in the year.

DEPUTY PRIME MINISTER

Neighbourhood Renewal Funds

The Minister for Social Exclusion and Deputy Minister for Women (Mrs. Barbara Roche): Neighbourhood renewal is about reversing the spiral of decline in our most disadvantaged neighbourhoods and raising the standard of public services in the places which need them most. It involves working with local communities to deliver economic prosperity and jobs, safer streets, good education, decent homes and better health, as well as fostering a new sense of community among residents. This can be achieved by encouraging better partnerships at the local level and through a major investment of resources to drive change.

Our aim is thriving and sustainable communities, where people are being empowered to improve their quality of life. Local people are therefore working with the public, private and voluntary sectors to tackle the problems of deprived neighbourhoods, and bring about a step change in the way local services are planned and delivered. Over the last 2 years, £500 million of Neighbourhood Renewal Fund resources have supported this work. As a result of progress so far, entitlement to a further £400 million is today being confirmed for 88 deprived communities across the country. The final neighbourhood renewal fund allocations and spending conditions will be subject to Parliamentary approval later this month.

Making sure public services work better over the long term in deprived neighbourhoods, is vital to building sustainable communities. Lasting change can be delivered by shaping and resourcing public services for the task, and making them focus on the places and people most in need of support. The neighbourhood renewal fund is being used to initiate this process and local communities have already benefited from a range of actions to improve living conditions.

In Wythenshawe in Greater Manchester, for example, NRF has funded the youth contact team to worked with local partners to run environmental clean ups, and a football tournament as well as taking part in outreach work on the streets, leading to an overall reduction of almost 40 per cent. in youth nuisance and an 18 per cent. reduction in recorded crime. In Portsmouth, over 50 dedicated coaching staff have been funded in 18 schools to improve the quality of teaching and learning. In Halton in Cheshire, a new approach and improved technology for dealing with benefits claims has reduced processing times from eight weeks to less than a fortnight.

Equally important to the lasting renewal of neighbourhoods, is the engagement of local communities in identifying local priorities and needs, and developing solutions for their area. Through the establishment of local strategic partnerships, local people have been brought together with local authorities and other public service providers, to plan for a step change in the way local services are delivered. £53 million was made available over the last two years to support community and voluntary sector involvement in renewal. Networks have been set up to strengthen the sector's voice in the planning and delivery of services, building communities where people want to live, not leave.

Progress over the last year means that that today I can announce the re-accreditation of the local strategic partnerships in all 88 areas. This allows the delivery phase of their plans, and will bring real change on the ground.

Over the next year, service providers must continue to work with local communities to strengthen plans for improving services and meet challenging targets for improving living conditions in the worst neighbourhoods. In order to ensure results on the ground, we will support partnerships over the next year through their full access to £400 million of NRF, and by improving skills, driving performance by service providers and empowering local people to participate in this process. Ensuring real change in the way public services are delivered will be the priority for partnerships over the year ahead.

I will make a more detailed announcement in due course on how the Office of the Deputy Prime Minister, will monitor and drive delivery by local partnerships. This will include ensuring that accreditation of partnerships is streamlined. I will also make an announcement shortly on the future distribution of and priorities for the additional £975 million of neighbourhood renewal fund resources, and related Community Programme funding, for 2004–05 and 2005–06.

HOME DEPARTMENT

Forensic Pathology Services

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): I commissioned an independent review into the provision of forensic pathology services and have accepted the key recommendations of that independent review. There is clearly a need to establish a unified forensic pathology service to deliver the needs of the police service, coroners and the wider criminal justice system.

The Government intend to:

enable a standard high quality service to be offered across England and Wales;

ensure availability of service by providing the framework of a career structure to retain existing practitioners and to attract new entrants to the field;

facilitate the provision of specialist regional service delivery centres;

introduce improved management and budgetary controls for the provision of forensic pathology services.

I have instructed my officials to implement the key recommendations of the review as quickly as possible, with the intention that:

by autumn 2003, we will:

move to new accreditation and disciplinary procedures based on model competencies; and

have two centres prepared to deliver a training programme against the improved standards.

by summer 2004, we will aim to have:

more newly trained, and operational forensic pathologists;

an agreed career structure for the future national forensic pathology service; and

developed contracts of employment.

I will continue to take a close interest in progress and will receive regular reports on progress from the Programme Delivery Board established to take this work forward. The delivery board will include representatives of both users and providers of forensic pathology services.

A copy of the review has been placed in the Library.

FOREIGN AND COMMONWEALTH AFFAIRS

Cayman Islands

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mike O'Brien): The Attorney General of the Cayman Islands, Mr. David Ballantyne, has decided to leave office on 15 March, by mutual agreement with the Cayman Islands Government. Mr. Ballantyne had come under criticism in the Cayman Islands following the collapse of the Eurobank money-laundering trial. He took the view that this made it impossible for him to carry out his role there effectively. I am informed that press allegations that Mr. Ballantyne had prior knowledge of or had approved the destruction of evidence which led to the collapse of the Eurobank trial are inaccurate. The evidence is that he acted to ensure the disclosure of all relevant information to the defence in order to secure a fair trial, and acted properly in bringing the trial to an end when he concluded that a fair trial could not be ensured. In doing so he carried out the independent role the Cayman Islands Constitution assigns to the Attorney General. Her Majesty's Government are satisfied that Mr. Ballantyne has throughout acted with professional integrity and in the best interests of the administration of justice in the Cayman Islands.

Press reports suggesting that Baroness Amos agreed, on behalf of Her Majesty's Government, to the dismissal from office of Mr. Ballantyne are also incorrect. The independence and security of tenure of the Attorney General is constitutionally protected in the Cayman Islands.

Written Ministerial Statements

Tuesday 18 March 2003

INTERNATIONAL DEVELOPMENT

Pakistan (Poverty Reduction Strategy)

The Secretary of State for International Development (Clare Short): We are committed to supporting Pakistan's economic and social reforms. The ambition is to eliminate poverty in Pakistan that currently condemns over 40 million of its people to live on less than $1 per day.

In October 2001, I pledged £105 million to Pakistan over three years (to December 2004) to support Pakistan's Poverty Reduction Strategy (PRS). Payments under this pledge are linked to the IMF reviews under the Poverty Reduction and Growth Facility (PRGF) and to the Government of Pakistan's commitment to poverty reduction.

The first tranche of £20 million against this pledge was disbursed in March 2002, as notified to Parliament. Following Pakistan's elections, and in view of continued progress against the PRGF, we plan to disburse a further £85 million between now and March 2005, including a second tranche of £20 million to be disbursed this month. Up to £55 million will be provided as support to the PRGF, and £30 million will be for the National Health Facility (NHF). Disbursements will be conditional on continued and concerted progress with the PRS and with the implementation of the NHF.

UK financial aid supports additional spending on poverty reduction in Pakistan, particularly in health and education. The Government of Pakistan, which is committed to sustained reforms in the health and education sectors, has agreed to increase public spending in those sectors by 20 per cent. in 2002–03 as against a general increase in public spending of 8 per cent. UK financial support underpins this trend.

PRS support will be disbursed against Pakistan's debt payments to the IMF, World Bank and the ADB, as this is the most efficient method of disbursing our financial aid.

TRANSPORT

Light Dues

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): I am pleased to announce that there will be no changes to the light dues rates for 2003–04. Current rates were set last year, when the rate was reduced to 40 pence per ton and a 40,000 tonnage ceiling was introduced to reduce the burden of light dues falling on the largest vessels. Rates were last increased in 1993. Efficiency savings have funded two replacement ships and met the costs of redeveloping the Oban depot. Rates were reduced in 1997 and 2002. We shall continue to work closely with the General Lighthouse Authorities to secure cost effective provision of GLA services and to keep future requirements for marine aids to navigation under review.

Additional investment is required to further reduce running costs. A review of the operation and management of the GLAs' 5 ships will be completed shortly. The replacement of two vessels over the next four years will reduce costs. Trinity House has already announced a depot rationalisation scheme. The Northern Lighthouse Board will close the Stromness depot in 2004. We are considering options to redevelop the Commissioners of Irish Lights depot at Dun Laoghaire. We believe that this work can be carried out within the existing income levels.

The Government remain committed to a cost recovery system. Taxpayers generally should not meet the costs of providing aids to navigation for shipping. It was disappointing that only 160 responses were received to our consultation exercise on the review of light dues. The results were inconclusive with no consensus on the way forward.

I therefore propose to carry out further work on a number of key areas. These include:

> an economic study on arrangements for funding aids to navigation and the possible economic effect on commercial trading patterns, in consultation with the shipping and ports industry;
>
> development of an electronic collection system to come into operation during 2004 which will remove some of the practical restrictions on charging patterns and would, for example, permit the introduction of a flatter charging structure;
>
> working with the GLAs to review the future requirements for marine aids to navigation;
>
> further work on the use of navigational aids by each sector—commercial, fishing and pleasure craft; and
>
> seeking further discussions with the Irish Government to negotiate the full costs of provision of navigational aids in Ireland.

We will also publish a fuller response to the consultation exercise as soon as possible.

DEPUTY PRIME MINISTER

Home Ownership Taskforce

The Deputy Prime Minister (Mr. John Prescott): The Home Ownership taskforce, which I announced to the House on 5 February, will meet for the first time today, chaired by the right hon. the Baroness Dean of Thornton-le-Fylde. It will consider schemes currently available to potential homeowners on low or modest incomes and identify the most effective ways of promoting home ownership.

The terms of reference for the Task Force are as follows:

> '*Sustainable Communities: building for the future* marks a step change in housing. Resources have been increased substantially to deliver sustainable communities but more needs to be done to help tenants and those on waiting lists to move into home ownership, without the loss of social housing. New ideas and a new approach is vital in helping people on low or modest incomes into home ownership.

> The taskforce is to examine the routes and methods by which those in housing need can be helped to meet their home ownership aspirations in a way that ensures the sustainability of that ownership and is cost effective. It will examine who is being helped through current initiatives, to what extent these initiatives free up social tenancies for other occupants, and the scope for better targeting and design. It will also take account of the work being undertaken by Government Departments and others to review issues in relation to existing homeowners.
>
> The taskforce will develop a more rational and straightforward suite of programmes to allow social tenants and those on waiting lists to purchase either their own home or another home, whilst recognising the many different circumstances of aspiring homeowners.
>
> The taskforce will build on 'Evaluation of the low cost home ownership programme' and other recent ODPM research, consider a wide range of innovative funding proposals and take into account proposals on single tenure, commonhold, flexible tenure, equity shares and new forms of public and private low cost home ownership schemes.
>
> Throughout its work the taskforce will take into account the difficulties faced by traditionally disadvantaged groups such as disabled people, and BME communities, in accessing home ownership and look at the different problems faced by people wishing to access home ownership in areas of low demand and the growth areas.
>
> The existing programmes that will be considered are:
>
> Right to Buy
> Rent to Mortgage
> Right to Acquire
> Cash Incentive Scheme
> Voluntary Purchase Grant
> Shared Ownership
> Do-it-yourself Shared Ownership
> Homebuy
> Self Build
>
> The taskforce will report with recommendations on how the above home ownership objectives can be most effectively delivered.'

The Home Ownership taskforce is due to report in the Autumn.

We are also publishing today the report, "Equity Shares for Social Housing", in fulfilment of our 2001 manifesto commitment to consider equity shares. Equity shares are one way to deliver our objectives to promote home ownership, increase asset ownership, and improve the image of social housing. The report concludes that the costs of introducing equity shares are likely to be substantial, while the scale of benefits is highly uncertain. We will continue to keep this issue under review.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Welfare of Laying Hens

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): We have recently completed a public consultation exercise on whether to ban enriched cages for laying hens in England at the same time as conventional barren cages are banned in 2012. I am pleased that some 1,000 people responded to this consultation.

After a thorough consideration of the comments received and the available scientific and other evidence, I have concluded that as there is a lack of definitive evidence currently available there are insufficient grounds at present to justify a unilateral ban on enriched cages from 2012.

Because there are a range of issues to consider, not least the current stocking density set by the directive, I consider that a better approach would be to review the future of enriched cages on an EU basis, when the welfare of laying hens directive is next considered by the Agriculture Council in 2005.

By then it is hoped we will be in a stronger position to address some of the questions on the welfare concerns of enriched cages, as research programmes are completed. It is clear however, that it would be premature for producers to consider that existing cages could be adapted to meet the standards of enriched ones.

Quality Parish and Town Council Initiative

The Minister for Rural Affairs and Urban Quality of Life (Alun Michael): In November 2001 the Government issued a consultation paper on their proposals to develop the concept of quality town and parish councils first outlined in the Rural White Paper in November 2000. The proposals aimed to develop a framework for partnership working and equip local councils to take on a stronger role for the benefit of the local community.

I am pleased to announce the details of the quality parish initiative which the Government have developed in the light of the responses to consultation. The scheme has been developed jointly by DEFRA and ODPM with the collaboration of key stakeholders such as the Local Government Association, the National Association of Local Councils and the Countryside Agency.

The scheme sets some straightforward tests that parish and town councils have to pass before they are awarded quality parish or town council status. These tests for accreditation require a quality council to *(a)* have initially at least 80 per cent. of its seats filled by candidates who stood for election (rising to 100 per cent. for re-accreditation), *(b)* have a suitably qualified clerk *(c)* hold at least six council meetings each year, *(d)* publish annual reports *(e)* provide regular information to residents on parish activities; and *(f)* produce properly prepared and audited accounts. Applications will be assessed by county panels including people with experience of both principal authorities and town and parish councils.

The scheme also includes a model charter where all parish councils are encouraged to negotiate with principal authorities to set out how these tiers of local government can promote partnership working. Once granted quality status, local councils will be in a position to give their communities a better deal on local services and a stronger voice in decisions affecting peoples day to day lives.

Copies of the summary will be placed in the Libraries of both Houses.

Agriculture in the UK 2002

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): Agriculture in the United Kingdom 2002 has been published today. Copies of this report are available from the Libraries of the House. It is also available in electronic form from DEFRA'S website at http://www.defra.gov.uk/esg/m_publications.htm.

WORK AND PENSIONS

British Sign Language

The Secretary of State for Work and Pensions (Mr. Andrew Smith): The Government recognise that British Sign Language (BSL) is a language in its own right regularly used by a significant number of people. For an estimated 70,000 deaf people it is their preferred language for participation in everyday life. BSL is a visual-gestural language with its own vocabulary, grammar and syntax.

The Government understand that people who use BSL want their language to be protected and promoted in the same way some minority languages are by the Council of Europe's Charter for Regional or Minority Languages. The Council is considering how that might be achieved for indigenous sign languages. The Government will give careful consideration to any proposals which the Council might make.

The Government have already taken action to improve access to BSL, for example by identifying situations where it might be reasonable for employers and service providers to engage the services of a BSL/English interpreter.

The Government will be funding a discrete programme of initiatives to support this statement.

HOME DEPARTMENT

Nationality, Immigration and Asylum Act 2002

The Minister for Citizenship and Immigration (Beverley Hughes): I have today published a public consultation document seeking comments on some practical issues surrounding the implementation of new powers in sections 134 to 139 of the Nationality, Immigration and Asylum Act 2002. The provisions in question will enable the immigration authorities to require employers and financial institutions to supply information in respect of specified individuals who we reasonably suspect have committed certain immigration offences, including fraud against the national asylum support arrangements. The deadline for responses to the consultation document is 9 June 2003. I have arranged for copies of the document to be placed in the Library and on the Immigration and Nationality Directorate website.

Asylum Claims

The Minister for Citizenship and Immigration (Beverley Hughes): A new fast track pilot scheme to be introduced in April will radically reduce the time taken to process asylum claims from arrival to removal.

The pilot will operate at the Harmondsworth Removal Centre and will build upon the reforms in the Nationality, Immigration and Asylum Act 2002 and the success of the Oakington fast track process. This new pilot will enable us to deal rapidly with straightforward asylum claimants and to remove those with unfounded claims within four weeks of their arrival.

The new Fast Track Procedure Rules to be laid before Parliament later this week will enable us to pilot fast-track decisions and appeals based upon co-location of key elements of the asylum process. For this to work effectively, we will be detaining at Harmondsworth Removal Centre asylum seekers whose claims appear to be straightforward, pending a decision on their claim. Detention will initially be for about two to five days to enable claimants to be interviewed and an initial decision made. This new process will have bulletin access to legal advice. Detention of asylum seekers for a short period of time for the purposes of making a speedy decision on their claim was upheld last October as lawful by the House of Lords. If the claim is refused or for any reason cannot be dealt with in accordance with the pilot timescales, a decision about further detention will be made in accordance with existing detention criteria. Detention in this category of cases will therefore normally be where it has become apparent that the person would be likely to fail to keep in contact with the Immigration Service or to effect removal.

Written Ministerial Statements

Wednesday 19 March 2003

NORTHERN IRELAND

Northern Ireland Housing Executive Annual Accounts (2001–2002)

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Desmond Browne): The accounts of the Northern Ireland Housing Executive (NIA 71/02) for the year ended 31 March 2002 incorporating the Reports of the Local Government Auditor and the Comptroller & Auditor General thereon will be laid before the NI Assembly on Wednesday 19 March 2003.

Copies of NIA 71/02 have been placed in the House of Commons Library and in NI Assembly Library at Stormont.

TRADE AND INDUSTRY

National Minimum Wage

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): In June 2002 I asked the independent Low Pay Commission to produce their fourth report on the national minimum wage by the end of February 2003. I deliberately gave the Commission a wide remit so that they could come back with recommendations on any aspect of the minimum wage, including the levels of the adult and development rates.

The Government is today publishing the Commission's fourth report and I would like to take this opportunity to thank the Chair of the Commission, Adair Turner, and its other members for their work on this very important issue.

The Commission have put forward sixteen recommendations in total, but I regard five of these as key recommendations. The Commission have recommended increasing the adult rate of the minimum wage from the present £4.20 to £4.50 in October 2003, and to £4.85 in October 2004. They have recommended increasing the development rate from the present £3.60 to £3.80 in October 2003 and £4.10 in October 2004. They have also recommended that they should be invited to fine-tune the recommended October 2004 upratings of the rates in early 2004, in the light of economic circumstances.

The Commission have found little or no evidence so far of any significant impact on the employment prospects of the low paid, and they believe that all the signs are that the minimum wage can now be increased as a percentage of average earnings benefiting more workers without producing damaging economic effects. The Commission have therefore proposed successive increases to the adult rate of around 7–8 per cent. in both 2003 and 2004—about double the present rate of average earnings. Between 1.3 to 1.6 million low-paid workers stand to benefit from the 2003 increases, and 1.7 to 2.5 million low-paid workers stand to benefit from the 2004 increases.

The Government agrees with the broad approach followed by the Commission; namely that the minimum wage should be increased in order to help the low paid, while taking care not to damage their employment prospects. We are therefore pleased to accept the recommended rate increases for 2003 and also provisionally to accept the increases for 2004 subject, as the Commission proposes, to their further advice in early 2004 in the light of economic circumstances. The Commission have recommended that they be asked to consider the case for introducing a minimum wage rate for 16–17 year old workers and to report by February 2004, so that a rate could be introduced by October 2004.

The Government agrees that this is a serious issue which merits further consideration. The Government will ask the Commission to look at the possible advantages and disadvantages of a minimum wage rate for 16 to 17 year olds in the context of a wider review looking at education and training policy, and the system of financial support for young people. The Commission will be asked to work closely with relevant Departments. The Government will draw up a formal remit for the Commission's work on this issue and the review of the proposed 2004 increases shortly, including the timing of their report.

The fifth key recommendation from the Commission is that we should move 21 year old workers onto the adult rate. Unfortunately we are unable to accept this recommendation. Economic evidence continues to show that employment and unemployment rates for 21 year old workers are more in line with 18 to 20 year olds rather than older workers, and in some cases worse than those for 20 year olds. We therefore believe that there would be a real risk of further damaging their employment prospects if they were moved onto the adult rate.

I have placed copies of this statement, the Report from the Low Pay Commission, the Government's full response to the Commission's recommendations and our Regulatory Impact Assessment in the Libraries of the House.

HOME DEPARTMENT

Secured Car Park Scheme

The Parliamentary Under-Secretary of State for the Home Department (Mr. Bob Ainsworth): The Home Office has today published the research report "Between the Lines: An evaluation of the Secured Car Park Award Scheme". Copies have been placed in the Library.

The Government has set a target to reduce vehicle crime by 30 per cent. over five years and reducing car crime significantly plays an important part in meeting it.

The Secured Car Park Scheme belongs to the Association of Chief Police Officers (ACPO) and is strongly supported by the Home Office. Key findings highlighted in the report include:

> The scheme can help reduce the level of crime and fear of crime in car parks;
>
> Formal surveillance (including patrols), lighting, access and a good physical appearance of the car park can lead to reductions in car crime;
>
> The management of car parks appears to be a critical factor in developing safer car parks;
>
> The scheme would benefit from improved marketing and more consistent application of standards across the country.

The report made a number of recommendations as to how the scheme could be improved and these are being taken forward by the ACPO Secured Car Parks Joint Steering Group where all key stakeholders are represented.

Written Ministerial Statements

Thursday 20 March 2003

WORK AND PENSIONS

Benefit Fraud Inspectorate

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): On behalf of my right hon. Friend the Secretary of State for Work and Pensions, the Benefit Fraud Inspectorate (BFI) has today announced its programme of activity for 2003–04 (Phase 8).

The BFI is an independent unit within the Department for Work and Pensions that inspects and reports directly to the Secretary of State for Work and Pensions, on the standard of benefit administration and counter-fraud activity in local authorities and Departmental agencies.

As part of the Phase 8 activity, the BFI will be inspecting 8 of the poorest performing councils identified through the comprehensive performance assessment process: Barking and Dagenham, Bury, Isle of Wight, Knowsley, Milton Keynes, Portsmouth, Swindon, and Wokingham. These local authorities are collectively responsible for paying out nearly £200 million per year in housing benefits.

BFI is also offering specialist advice as part of its Performance Improvement Action Team programme to a further 9 poor performing councils identified through the comprehensive performance assessment process.

The BFI will undertake a first inspection of Redcar and Cleveland Borough Council, which performed well during the 2002 comprehensive performance assessment of its benefit service, but has consistently failed to provide quarterly management information to the Department for Work and Pensions.

Follow-up inspections on other local authorities will also be undertaken. These authorities have been identified from post-inspection monitoring of performance.

In addition to first and follow-up inspections, the BFI will also undertake comprehensive performance assessments in England on the benefits service for 183 district local authorities, and updates on the 115 single tier local authorities assessed in 2002.

In Scotland, BFI will undertake 10 best value inspections in partnership with Audit Scotland. BFI will also undertake assessments of the benefits service for the 22 Welsh local authorities as part of the Wales Programme for Improvement.

TREASURY

Provisional Debt Management Report 2003–04

The Financial Secretary to the Treasury (Ruth Kelly): In compliance with the Code for Fiscal Stability, the *Provisional Debt Management Report 2003–04* is being published today. Copies are available in the House Library.

Invest to Save Budget: Round 5

The Chief Secretary to the Treasury (Mr. Paul Boateng): I am pleased to announce that 48 bids from across the public and voluntary sectors have been successful in Round 5 of the Invest to Save Budget at a cost of £32 million including consequential funding for the devolved Administrations, and £28 million in total over the 3 years to 2005–06. The attached table describes the winners of this round.

The Invest to Save Budget (ISB) is a joint Treasury/Cabinet Office initiative. It provides support for projects which increase the extent of joint working between different parts of government, identify innovative ways of delivering public services and reduce the cost of delivering the services and/or improve the quality and effectiveness of services delivered to the public. This is the fifth round of the ISB which started in 1999.

It is expected that a total of £354 million will be spent on ISB projects over the period from 1 April 1999 to 31 March 2004. Round One was restricted to central government departments and their agencies. In the second and third rounds local authorities, police and fire authorities, health authorities, non-departmental public bodies and public corporations could also apply. In the fourth round, voluntary sector bodies were able to apply for the first time. The fifth round continues the partnership and innovation themes and is encouraging effective project and risk management.

Winning projects have to agree an implementation plan with the sponsor departments. Each project has to provide six-monthly progress reports and carry out an evaluation of its success once it has been completed. Wider dissemination of the good practice from completed projects is then fed back into the whole spectrum of public service providers.

Lead Partner	*Title*
Central Government	
Cabinet Office	Development of generic electronic forms to drive forward delivery of citizen focused transactional services.
Cabinet Office	CV Bank and Job-Matching systems for civil service recruitment
DCMS	Modernise the British Library's document supply service
DEFRA	Emergency sub-sea hazard location facility
DEFRA	Electronic Public Register to enable public participation in environmental decision making processes
DOH	Rapid diagnosis of patients with Methicillin Resistant Staphylococcus (MRSA) and to develop electronic tools for the surveillance of MRSA in hospitals.

Lead Partner	*Title*
DOH	Integrated Care Records project will implement, in electronic form across specialist mental health care, education, primary care, and social services: multi-agency assessment/referral templates that communicate clinical information.
DTI	CHAMELEON—to develop a comprehensive e-service on employment related regulations
DTI	Web based bankruptcy applications.
DFT	e-Business Management Information and service delivery System for the Forum for Mobility Centres (MAVIS)
FCO	e-administration for Chevening scholarship applications
HM Customs & Excise	Development of a web-driven 'alert' system to push multi-department messages relevant to importers and exporters, directly to the target audience, improving Government-wide customer service.
Home Office	RESTART Project—resettlement project designed to break the cycle of re-offending and custody of adult offenders.
Home Office	The Hope Project—targets prison inmates who have committed serial crime. The aim is to release offenders back into the community under close supervision, thereby, breaking the cycle of further drug abuse, and the commission of further crime
Home Office	Joint National Asylum Service/UK Immigration Service to detect and deter illegal working by removing offenders and reducing fraud.
Home Office	Project Vanguard—provision of e-communications on policing services that allows the public to transact e-business with the Kent Police Force
Home Office	Lost and Stolen Passport Database
Home Office	Project PLX—pilot electronic link from the Criminal Records Bureau to police forces to enable enhanced disclosure checks.
Home Office	Increasing customer focus of the police service
Home Office	South West Integration (SWING)—project to establish a pioneering dual prison/probation regional resettlement unit to help reduce prisoner re-offending
HM Treasury	Banking across the Chancellor's Departments
Lord Chancellor's Department	Access to registered users to information held at the DVLA
Lord Chancellor's Department	Reducing Offending Through Advice (ROTA)-providing social welfare and legal advice services to prisoners via intranet and video conferencing services to link prisoners with advice providers.
Lord Chancellor's Department	Pilot for Child Contact Centre—to test arrangements designed to ensure that children and their families (where the parents relationship has ended) are referred to child contact centres.
Lord Chancellor's Department	Electronic Forms—improve access to civil and family justice for the citizen by providing an internet-based transaction channel to court forms.
MOD	Critical rainfall thresholds for pluvial flooding.
MOD	To demonstrate a non-invasive drug detection capability to improve drug detection in the UK.
ODPM	To modernise the system for revaluing business rates by using the Internet.
ODPM	Website to provide businesses, individuals, local authorities and others with a path through ERDF information and application process and guidance on and State aid legislation.
Local Authorities	
Blackburn with Darwen Borough Council	Portable Intuitive Verbal Assessment tool (PIVAT)—to develop a portable assessment tool that will reduce duplication and delay and replace 'paper based' health and social care assessments.
Hampshire County Council	Improving facilities for the public for notifying highway problems though the creation of a web based form and creation of an Interchange facility between Local authorities and Hampshire County Council.
London Connects	Development of a comprehensive and modular 'e-democracy' tool kit. To enable London boroughs to consult citizens on-line on policy development and service planning.
Stockport Borough Council	On-line transactional counselling service
Southampton City Council	Electronic co-ordination of inter-agency referral systems and some centralised aspects of service delivery for social care in Southampton
South Yorkshire Partnership Transport Authority	RESPOND—pilot of a demand responsive transport service in an area of multiple deprivations in Rotherham
City of Sunderland Council	Amalgamation of citizen's personal details held by various local public services, then providing capacity for individuals to access their own information on- line using digital signatures to ensure accuracy of information.
Westminster City Council	Project to establish a database containing immigration and local authority information on unaccompanied asylum seeking children
Voluntary and Community Sector	
Advice Sendee Alliance	A pilot to test the use of on-line services to support a self-help approach to dealing with legal problems.
Bridgewater College	Skills for Life—a project to pilot a life skills initiative focused on first time offenders.
Charity Commission for E & W	Guidestar UK-project to build a shared and accessible website reporting the activities, finances and performance of voluntary sector organisations
Construction Industry Training Board	Electronic testing and certification process for Gas Engineers.
Derby College	More than on-line Registration (MoTOR)—to provide on-line attendance and achievement system accessible and responsive to learners. Registration data will be updated in the classroom enabling early warning of non-attendance.
Hampshire coalition of Disabled People	Equipment Direct-project to provide informed advice to disabled people about independence enabling equipment

Lead Partner	*Title*
London Quadrant Housing Trust	Neighbournet Housing Benefit Module—to establish the viability of automating the payment of housing benefit from local authority to registered social landlord.
Manchester Metropolitan University	Arts in Health—to provide arts based products for the NHS to enhance patient care. Using art to promote public health.
National Children's Bureau	Children's Centre project -brings together a consortium of children's charities in order to improve the quality of their current services, develop new joint services and prepare a common building.
NEL Workforce Development Confederation	Refugee Health Professionals—pilot project to develop a website to support health professionals who wish to re-qualify to work in the UK.
South East London Shared Services Partnership	London-Wide Child Protection on Line (CPoL)—to provide electronic access to social services child protection registers to NHS Hospitals across London.

HOME DEPARTMENT

Threat of Terrorism

The Secretary of State for the Home Department (Mr. David Blunkett): When I last spoke to the House of Commons about terrorism on 3 March 2003, I made clear that this country continues to face a significant threat from international terrorism.

In agreeing to renew Part Four of the Anti-Terrorism, Crime and Security Act 2001, Parliament accepted that we need to continue to protect ourselves from those who recognise no legal procedures, no boundaries and no parameters in terms of the action they are prepared to take.

The terrorist threat remains real, and is serious. In the context of the present situation and concern that terrorists may seek to exploit the commencement of hostilities with Iraq by attempting attacks.

I should assure the House and the public that we have taken and are taking every feasible precautionary measure to protect British citizens both here and abroad.

I must re-emphasise that if a warning is necessary to protect safety, we issue it—and will issue it—without hesitation. And we will give any further information that helps people respond effectively.

As I promised the House of Commons on 3 March, we have set up a dedicated website, http://www.homeoffice.gov.uk/terrorism, which went live on 18 March. That website provides a central point to publish advice and information from the security and intelligence services, on civil resilience, and other material that departments publish. It gives advice to the public on what measures they can take to protect themselves and their families at home, at work and when preparing to go abroad. And it provides information on the measures the Government is taking to protect British citizens and British interests, including information on departments and agencies, legislation, protecting our infrastructure, and resilience and contingency planning.

I further made it clear in a written statement on civil contingencies (available on the "reports and publications" section of the new website) laid before the House on the same day that we have taken important steps to improve our resilience and contingency planning to deal with terrorist attacks should they occur.

The emergency services now have more equipment and trained officers to enable them to respond to a release of CBRN material and this has been accompanied by the publication of specific protocols for dealing with this kind of attack. For example, under a £5 million programme, the Department of Health has provided 360 mobile decontamination units; the CBRN Police Training Centre has been established at Winterbourne Gunner and the police now have 2,350 officers trained and equipped in CBRN response. Since 11 September 2001, £96 million has been spent on CBRN medical countermeasures, including spending on extra vaccines and antibiotics.

We have also looked hard at local resilience and London resilience and taken steps at both these levels to review and improve capability through funding and personnel training. But we must continue to strengthen and improve our resilience as part of a long-term strategy to work with our partners and allies to remove the terrorist threat and the threat of fear from the United Kingdom and the international arena.

Many people will be aware that action taken in 1991 to detain large numbers of Iraqi citizens proved to be ineffective. I do not consider the action taken in 1991 to have been the most appropriate means to deal with the situation then and I do not intend to repeat it now. Now in 2003, we are aware of only a very small number of people in this country who may be sympathetic to the Iraqi regime. These individuals are being interviewed and we will continue to keep under close review any threats posed by them or others to our security. However, we have no current reason to intern or otherwise detain citizens of Iraq who are resident in this country, but I remain in close touch with the Security Service and the police over this and will I take whatever action is necessary to protect the public based on constant threat assessments.

Military action in Iraq should not—and will not—detract from our commitment to a multi-racial and diverse Britain—one which values the contribution made by each of our many diverse ethnic, cultural and faith communities. We want a truly dynamic society, in which people from different backgrounds can live and work together—while retaining their distinctive identities—in an atmosphere of mutual respect and understanding. But we understand that military action in Iraq will have an impact on how some members of our society feel—not least in increasing insecurity.

We are therefore working with the police and other local agencies to ensure that tension levels within our communities are monitored on a daily basis. Within local areas agencies are working together—and with local communities—to provide reassurance and to ensure that there are arrangements in place to deal with any potentially difficult situations that might emerge. At this stage the assessments provided give us no reason to believe that there is a serious risk of a disturbance—but we are not complacent about this.

I state unequivocally that we have taken precautionary measures to deal with the events that we can anticipate. We cannot guarantee 100 per cent. security but we are preparing for a range of eventualities. We are in a situation that can develop at speed and change at speed. We will keep all aspects of our planning under review and I undertake to keep Parliament and the British public informed of any significant developments.

Nationality, Immigration and Asylum Act

The Minister for Citizenship and Immigration (Beverley Hughes): Section 55 of the Nationality, Immigration and Asylum Act 2002, which came into force on 8 January 2003, prevents the provision of support to asylum seekers unless the Secretary of State is satisfied that their asylum claim was made as soon as reasonably practicable after arrival in the United Kingdom. Exceptions include families with children and those who can show they would suffer treatment contrary to the European Convention on Human Rights (ECHR). Those with care needs continue to be supported by local authorities under the National Assistance Act 1948.

On 19 February, Mr Justice Collins gave judgment in six test cases. He found that the section 55 decision-making process was flawed, largely on the grounds that there had initially been insufficient investigation of the circumstances in which entry to the United Kingdom was achieved, to give the claimant the opportunity to rebut a suggestion of incredibility and to set out fully the reasons for decisions. He also decided that there will normally be a real risk that to leave someone destitute will violate Articles 3 and 8.1 of the ECHR, and that inquiries should be made to try to establish whether any support is likely to exist. This effectively shifted the burden of proof to the Secretary of State, rather than the asylum applicant, as section 55 had originally intended.

The Home Secretary appealed against the decision of Mr Justice Collins and the Court of Appeal gave judgment on 18 March 2003. The Attorney-General made it clear that the appeal was being made on the basis of the key legal principles, not on the basis of the six individual cases.

At the Court of Appeal, the appeal was dismissed, as expected, in relation to the six cases, the judgment found in favour of the Government on several key issues of legal principle.

The Court's decision makes it clear that the burden of showing an asylum claim was made as soon as reasonably practicable is on the asylum seeker, the ECHR does not require State support to be given automatically to all destitute asylum seekers who have failed to make their asylum claims when required to do so, and section 55 is not incompatible with the ECHR in any respect.

The Court found against the Government on procedural fairness and drew attention to a number of areas where they considered improvements could be made.

The Home Office has already changed the procedures for making section 55 decisions to meet the Court's main concerns.

The Government will not appeal to the House of Lords against the Court of Appeal decision.

The Court of Appeal judgment means that the Government can continue to operate section 55 as Parliament intended. It gives renewed legal backing for the Government's policy to tackle abuse of the asylum system and send a clear message to those who are abusing the system that they will not be supported at public expense.

The key legal issues have been settled by the Court of Appeal and the Government can, therefore, uphold the robust and fair asylum support system for which Parliament legislated.

DEFENCE

Armed Forces Pension Scheme

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): The Government is aware of the concerns of Service personnel whose unmarried partners are currently ineligible for pension benefits. While this is being considered as part of the reviews of pension and compensation arrangements for the Armed Forces, we have concluded that it would be appropriate to address now the particular risks associated with conflict. We have therefore decided that, as of today, where a Service person dies as a result of service related to conflict, ex-gratia payments equivalent to benefits paid to a surviving spouse under the Armed Forces Pension Scheme may be awarded to their unmarried partner, where there is a substantial relationship. Eligibility for such benefits will be assessed against a set of criteria which would include financial dependence or interdependence, children, shared commitments such as mortgage, prime beneficiary of a will, shared accommodation, the length of the relationship and no legal spouse. The decision on eligibility would be based on a broad assessment of the substance of the relationship and not all of these criteria would need to be met for entitlement to exist.

PRIME MINISTER

Council of Europe and Western European Union

The Prime Minister (Mr. Tony Blair): The Baroness Knight of Collingtree has been appointed a full member of the United Kingdom Delegation to the Parliamentary Assembly of the Council of Europe and the Assembly of Western European Union while the hon. Member for North Dorset (Mr. Walter) has been appointed a substitute member.

CULTURE, MEDIA AND SPORT

Scottish Land Fund

The Secretary of State for Culture, Media and Sport (Tessa Jowell): The Scottish Land Fund, operating under the New Opportunities Fund's Green Spaces and Sustainable Communities Programme, has made a significant impact on sustainable development in rural Scotland. Since its launch in February 2001, it has assisted 88 projects, worth a total of £8.2 million.

In response to representations from the Scottish Executive and the New Opportunities Fund, I propose to allocate an additional £5 million to the Scottish Land Fund, by increasing the budget allocated to the Green Spaces and Sustainable Communities Initiative from £125 million to £130 million. In accordance with the provisions of the National Lottery etc Act 1993 (as amended by the National Lottery Act 1998), I intend to issue an amendment to the New Opportunities Fund's Directions, subject to consultation with the Fund and the Scottish Executive, to bring into effect the increase in funding for the Scottish Land Fund, through the Green Spaces and Sustainable Communities Initiative.

TRADE AND INDUSTRY

Broadband Stakeholder Group

The Minister for E-Commerce and Competitiveness (Mr. Stephen Timms): The Government is today publishing its response to the Broadband Stakeholder Group Second Annual Report and Strategic Recommendations at http://www.dti.gov.uk/. I have also placed copies of the response in the Libraries of the House. The Broadband Stakeholder Group made fifteen recommendations to the Government for the development of its broadband strategy; the Government broadly accepted all of them.

The Government response sets out its broadband strategy and features information on many of the projects and initiatives underway throughout the English regions and Devolved Administrations.

In particular, the response highlights the importance of aggregation of public sector demand for broadband in the Government's strategy for broadband roll-out. The pace of aggregation is growing. The recently established UK Broadband Task Force, which is taking forward our work on aggregation, is tasked to create regional structures, which will carry out the aggregation of public sector demand. The Government will ask the Regional Development Agencies to play a major role in the creation and implementation of these regional structures as part of their responsibility for regional economic development and infrastructure.

The UK Broadband Task Force is now discussing with central Government departments the inclusion of their connectivity requirements in its new remit. Through this work we will ensure that the new investment in broadband infrastructure necessary to meet specific public sector needs also results in wider broadband availability for businesses and households in rural and remote areas.

NORTHERN IRELAND

Census 2001

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): Copies of the third report of the Northern Ireland Census 2001—"Northern Ireland Census 2001 Standard Tables" have today been laid in the Northern Ireland Assembly as required by statute. Copies have also been lodged in the House of Commons Library and the House of Lords Library.

Written Ministerial Statements

Friday 21 March 2003

FOREIGN AND COMMONWEALTH

Central America

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): Changing strategic priorities require the Foreign and Commonwealth Office constantly to adapt and amend its pattern of representation overseas. In order to free up resources to strengthen the UK's diplomatic network in other parts of the world now more critical for UK interests, I have decided to make the following adjustments to our diplomatic representation in Central America. With effect from mid-summer, the Embassy in San Salvador will be closed. We intend to appoint an Honorary Consul and for HM Ambassador at Guatemala City to be simultaneously accredited to the Government of El Salvador. Later this year and early next year we intend to reorganise our representation in Honduras and Nicaragua. In each case, we propose to appoint a Chargé d'Affaires. The Ambassadors will at the same time be withdrawn, and HM Ambassador at Guatemala City will be simultaneously accredited to both capitals. The diplomatic representation in the other countries of the region will remain unchanged.

PRIME MINISTER

Intelligence Services Commissioner

The Prime Minister (Mr. Tony Blair): In accordance with Section 59(1) of the Regulation of Investigatory Powers Act 2000, after consultation with the Foreign, Home and Defence Secretaries, I have decided to re-appoint Lord Justice Simon Brown as the Intelligence Services Commissioner from 1 April 2003 to 31 March 2006.

I am delighted that Lord Justice Simon Brown has agreed to continue to serve as the Intelligence Services Commissioner.

DEFENCE

Project Vanguard

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): Further to my statement on 12 December 2002, *Official Report*, column 29WS, a contract has now been awarded to Landmark Support Services Limited. As a result of the contract the Ministry of Defence expects better support to training for the Armed Forces and more effective and sustainable management of the Army Training Estate through the introduction of this strategic commercial partner.

The contract will cost £600 million over 10 years and will start on 1 April 2003. Approximately 1,300 Ministry of Defence civilian personnel will transfer to the private sector on 1 July on their current terms and conditions of employment. Departmental Trades Unions have been fully consulted throughout the process and formal consultation will take place before Ministry of Defence employees transfer.

This decision enables the Army to concentrate on its core purpose. It will bring best commercial practice to bear on non-military issues such as management information systems, estate investment and conservation, rationalisation and efficiency, all of which will provide better value for money and operational benefits.

TRADE AND INDUSTRY

British Shipbuilders

The Minister for Employment Relations, Industry and the Regions (Alan Johnson): On 27 February 2003 I laid before Parliament a minute about proposals to undertake liability in respect of compensation on certain health claims in respect of periods of employment with particular companies when they belonged to British Shipbuilders. The claims relate to subsidiaries which were subsequently sold on, taking with them responsibility for employment liability, then became defunct. My Department is today announcing compensation arrangements whereby it will meet the cost of the portions of these claims which relate to the period of public ownership. Claims will be handled by Iron Trades Management Services (ITMS), who manage claims relating to Chester Street Insurance Holdings Limited, the now insolvent insurer of these claims, who will bill DTI for the portion of claims it is responsible for. :

The relevant companies are:

Ayr Engineering Constructional Company Limited
Brook Marine Limited
Conoley & Company Limited
Hall Russell Limited
Blackwall Engineering Limited (formerly R&H Green & Silley Weir Limited)
Howard Doris Structures Limited (formerly Sir James Laing & Sons Limited)
Energy & Marine (Wearside) Limited (formerly Sunderland Forge Limited)
SHSEGL Realisations Limited (formerly Swan Hunter Shipbuilders Limited)
Northumbrian Engineering Limited (formerly Tyne Shiprepair Limited)
Vosper Shiprepairers Limited
Burnsmith Limited (formerly Wallsend Slipway & Engineering Limited)

Queries should be addressed to the following contacts:

PricewaterhouseCoopers (PwC—on behalf of ITMS): Lorna Siddall: 020 7213 4731
British Shipbuilders: Mr Alexander Dowie of Eversheds (solicitors): 0191 241 6050.

DEPUTY PRIME MINISTER

Labour Market (Ethnic Minorities)

The Minister for Social Exclusion and Deputy Minister for Women (Mrs. Barbara Roche): The Strategy Unit's report, "Ethnic Minorities and the Labour Market", is being published today as agreed Government policy. The report contains a wide-ranging new Government strategy that aims to ensure that British ethnic minority groups no longer face unfair barriers to achievement in the labour market. The report demonstrates that the underlying causes of under achievement are complex, and that Government strategy should be targeted to address these varied obstacles to achievement.

The report contains actions in three areas:

In building employability—New incentives for schools to address gaps between ethnic groups, while redirecting existing resources to genuine need, and promoting greater take-up of best practice.

In connecting people with work—Making crucial adjustments to existing jobs and training programmes to get better employment outcomes, and connecting people more effectively to the world of work via childcare, transport and housing.

In improving equal opportunities in the workplace—Offering poorly-informed firms concrete support to become good equal opportunities employers; addressing unfair practices by discriminatory employers; and encouraging more public bodies to take account of race equality in public procurement contracts.

My right hon. Friend the Secretary of State for Work and Pensions will report on progress to the Cabinet Committee on Economic Affairs, Productivity and Competitiveness. The Government will set up a task force—chaired by the Minister for Work—to help departments work in more co-ordinated ways to deliver improved labour market outcomes for ethnic minorities. This task force will issue annual reports on progress, with a full review of progress after three years.

Copies of the report have been placed in the Vote Office and the Libraries.

Written Answers to Questions

Monday 10 March 2003

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Carbon Dioxide Emissions

Mr. Hopkins: To ask the Secretary of State for Environment, Food and Rural Affairs what the Government's official estimates are for the total of UK carbon dioxide emissions in *(a)* 2001 and *(b)* 2002; what proportion of each total is attributable to emissions from the domestic sector, as defined in the UNECE definitions of end user groups; and whether the Government has made an estimate of what those levels will be in 2003. [100878]

Mr. Meacher *[holding answer 6 March 2003]*: The most recent UK carbon dioxide emissions data, published in March 2002 show that total UK carbon dioxide emissions were 152.1 million tonnes of carbon per year (MtC/yr) in 2000. Provisional data suggest that while emissions were around 3.4 MtC higher in 2001 than in 2000, they declined between 2001 and 2002. Final data for 2001 will be available later this month.

Data based on the UNECE classification are available for 2000. This classification includes coal, oil and gas delivered for combustion in dwellings. The use of these fuels produced emissions of around 23 MtC/yr in 2000. In addition, approximately 18 MtC/yr were emitted from power stations, refineries and other energy industries serving the domestic sector. End user data for 2001 based on the UNECE classification will be available in April 2003.

Compulsory Purchase

Mr. Edward Davey: To ask the Secretary of State for Environment, Food and Rural Affairs how many properties have been compulsorily purchased by the British Waterways Board in each year since 1999. [101817]

Alun Michael: None.

Electronic Correspondence

Lynne Jones: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy for it to be possible for correspondence between hon. Members and Ministers to be carried out electronically. [95021]

Alun Michael: A great deal of progress has been made recently on tackling the significant difficulties experienced by DEFRA on dealing effectively with Member's correspondence since it's formation in June 2001 and the situation continues to improve. I have asked officials in DEFRA to look at how we might introduce an electronic correspondence system with Members. However, as our highest priority on correspondence at the moment is to ensure that we continue to improve Departmental performance under the existing system.

Environment Agency Inspections

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what targets were set by her Department for the number of inspections carried out by the Environment Agency in each year since 1997; what percentage were met; and if she will make a statement. [93708]

Mr. Meacher: Operational decisions are delegated to the Environment Agency. Although the Agency publishes a number of output and performance statistics, the departmental requirement upon the Agency is that they should assign resources to inspections that address environmental risk.

The Agency makes information about its regulatory inspection activity available in its published Corporate Plans. These record the Agency's performance against its internally-generated targets. The Agency has recorded the following statistics for its planned inspections for each year ending 31 March as follows:

Year	*Waste target*	*Percentage achieved*	*Process industries target*	*Percentage achieved*
1998	171,940	82	3,998	80
1999	180,000	83	4,342	76
2000	150,000	84	4,835	79
2001	125,000	96	4,227	70
2002	125,000	81	4,276	84

The Agency only sets targets for inspecting waste and process industries. Other inspections are not "planned" and therefore do not have targets set for them.

Foot and Mouth

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many contracts which her Department and its agencies signed with companies to incinerate animal carcases under the over thirty months scheme have been cancelled since 1996; and if she will list the reasons for those cancellations. [101265]

Alun Michael: 24 contracts for the incineration of over thirty month scheme animal carcases have been cancelled since 1996. The reasons for cancellation, are as follows:

> One contract was terminated for failure to comply with a contractual requirement to commence full operations, Eighteen contracts were terminated at the end of their term, with new contracts being introduced following a competitive tendering exercise; Five contracts terminated following the cessation of the foot and mouth emergency.

GM Crops

Joan Ruddock: To ask the Secretary of State for Environment, Food and Rural Affairs whether she will support the 18 applications for marketing consents for GM crops and foods under consideration by the European Commission. [100867]

Mr. Meacher: The United Kingdom has not yet reached an opinion on any of the 19 applications to place GMOs on the market under EU directive 2001/18. Each application is considered initially by the member state where the GMO is to be placed on the market for the first time. Once the lead member state is satisfied that the application complies with the directive it is passed to the other member states with an assessment report. The UK will consider each application on its own merits on a case-by-case basis using the criteria laid down in the EU legislation. The Government's view will be informed by the advice of its relevant independent expert groups, the Advisory Committee on Releases to the Environment and the Advisory Committee on Novel Foods and Processes, together with advice from the statutory nature conservation bodies, the Food Standards Agency and the Health and Safety Executive. If the UK has comments or reasoned objections to the placing on the market of the GMO in question these will be forwarded to the European Commission. A collective decision will then be taken by member states as to whether or not the GMO in question should be placed on the market in accordance with the provisions of the Directive.

Joan Ruddock: To ask the Secretary of State for Environment, Food and Rural Affairs when the public debate on genetically modified organisms will be concluded. [100868]

Mr. Meacher: The Public Debate Steering Board is due to submit its report on the debate to Government by the end of September.

Greenhouse Gas

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what she estimates the cut in greenhouse gas emissions in the UK between 1990 and 2010 will be, relative to the target of 12.5 per cent. [101731]

Mr. Meacher *[holding answer 7 March 2003]:* The UK published its Climate Change Programme in 2000. It contains an integrated package of policies and measures to reduce greenhouse gas emissions across all sectors of the UK economy. The programme estimates that these policies and measures could reduce total greenhouse gas emissions by 23 per cent. below 1990 levels by 2010, and could reduce emissions of carbon dioxide by 19 per cent. below 1990 levels by 2010. A formal review of the Climate Change Programme will take place in 2004.

Ruddy Ducks

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her written ministerial statement of 3 March 2003, *Official Report*, column 71WS, for what reason domestic legislation was introduced to protect the ruddy duck population. [101380]

Mr. Morley: Under the Wildlife and Countryside Act 1981, all wild birds, as defined by Section 27(1), are protected. As ruddy ducks have been present in this country in the wild since 1953, the Department considers that they fall within this definition.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her written ministerial statement of 3 March 2003, *Official Report*, column 71WS, on ruddy duck culling, whether those ruddy ducks culled under the control scheme will be made available for human consumption. [101621]

Mr. Morley: All recovered carcases of ruddy ducks are subject to post-mortem examination to determine age and sex of the animals. This information is used to help assess the consequences of control on population growth rates and productivity. The Department has no plans to make ruddy duck carcases available for human consumption.

Secondments

Mr. Blunt: To ask the Secretary of State for Environment, Food and Rural Affairs how many of her Department's officials have been seconded to *(a)* British Energy, *(b)* BNFL and *(c)* other (i) companies and (ii) NGOs involved in the nuclear sector since 1 January 2002; and on what areas of policy seconded individuals have worked. [101701]

Alun Michael: None.

Tallow

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much compensation from the European Union her Department has received for the incineration of tallow produced under the over thirty months scheme since its inception. [101263]

Alun Michael: Compensation paid to producers under the OTMS scheme is funded approximately 70 per cent. by the EU and 30 per cent. by HM Treasury. Of the element that can be reimbursed by the EU, 80 per cent. is payable at the time animals are rendered, and the remaining 20 per cent. after the Meat and Bone Meal (MBM) and Tallow produced by the rendering process have both been incinerated.

To date, £106,057,555 has been reimbursed following the incineration of MBM and Tallow.

Waste Disposal

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* incinerators and *(b)* waste to energy plants handle waste collected by local authorities in the UK; and where they are located. [100473]

Mr. Meacher: There are sixteen facilities which burn municipal waste in the UK at the following locations.

Bolton (Manchester)

Cleveland (Billingham)

Coventry

Dundee

Dudley

Edmonton (North London)

SELCHP (Lewisham, London)

Tyseley (Birmingham)
Kirklees
Lerwick (Shetlands)
Nottingham
Sheffield
Stoke
Wolverhampton
Isle of Wight (PDF)
Pebsham (RDF)

They all generate power and/or heat. The last two plants on the list burn refuse derived fuel (RDF) prepared from municipal waste.

Dr. Whitehead: To ask the Secretary of State for Environment, Food and Rural Affairs how many waste incinerators are planned by waste disposal authorities; what the capacity is of each incinerator planned; and what information she collates on the contractual arrangements for waste disposal. [99675]

Mr. Meacher: Information on the number of waste incinerators which are subject to planning applications determined by local planning authorities is not held centrally.

Information is available, however, from the Environment Agency on the number and status of proposed new Municipal Waste Incineration Plants in England and Wales and is set out in the following table. The data are based on information shared with the Environment Agency by prospective applicants for Pollution Prevention and Control permits which are needed before a new plant starts operations. There may be other planning applications or amendments which have been submitted to local authorities on which the Agency has not been consulted. The planning status may have changed since the data were supplied.

My Department does not routinely collect information on contractual arrangements for waste disposal which is the responsibility of waste disposal authorities.

Operator	*Location*	*Size/tonne/yr*	*Planning status*	*Permit status*
NEWLINCS Developments	Grimsby	56,000	Granted	PPC application to be submitted
Onyx	Portsmouth	165,000	Granted after appeal	PPC application expected this year
Onyx	Marchwood, Southampton	160,000	Granted	PPC application being determined
Surrey Waste Management	Capel, Surrey	116,000	Permit withdrawn after JR. New application expected	PPC permit issued
Grundons	Slough	400,000	Granted	PPC application being determined
Onyx	Chineham, Surrey	110,000	Granted	PPC permit issued
HLC Waste Management Services	Neath, Port Talbot	85,000	Granted	PPC permit issued
Waste Recycling Group	Hull	150,000	Application refused. Planning appeal in progress	PPC permit issued
Kent Enviropower	Maidstone, Kent	500,000	Granted	PPC permit being determined
Riverside Resource Recovery	Bexley, London	580,000 nominal capacity	Application submitted; public enquiry pending	PPC application pending
Brightstar Environmental	Derby	55,000 up to 222,000	Granted	PPC application to be submitted '03
Onyx	Sheffield	225,000	Granted	PPC application determined
County Environment Services	Roche, Cornwall	64,000	Application submitted	No application

Waste Electrical Equipment

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to ensure that there are markets for waste electrical equipment diverted from landfill. [101691]

Mr. Wilson: I have been asked to reply.

Markets already exist for many of the materials arising from waste electrical equipment and there is also a wide spread reuse and refurbishment market for specific products such as mobile telephones or washing machines. The Waste Electrical and Electronic Equipment (WEEE) Directive, due to be transposed next year, is likely to result in an increase in the availability of materials and components arising from WEEE although the additional tonnages will not be large relative to other sources of these materials.

There will, however, be a need to encourage some new market applications where, for example, materials are contaminated or market prices are very low. The DTI will be working with Defra, WRAP (the Waste and Resources Action Programme) and business to help address this.

Waste Minimisation and Recycling Schemes

Helen Jones: To ask the Secretary of State for Environment, Food and Rural Affairs what criteria will be adopted for the funding of waste minimisation and recycling schemes when changes to the Landfill Tax Credit Scheme are introduced. [98526]

Mr. Meacher *[holding answer 24 February 2003]:* The precise arrangements for the administration of the new public spending programme to encourage sustainable waste management, which will replace parts of the Landfill Tax Credit Scheme (LTCS), are still under development but are unlikely to include a grant scheme for which criteria would need to be drawn up. Details will be set out alongside the Government's response to the Strategy Unit Report "Waste Not Want Not", which we aim to publish in the spring.

For the period prior to 1 April 2004, my right hon. Friend the Chief Secretary to the Treasury announced on 3 February 2003, *Official Report*, columns 5–7WS, that Government would provide transitional funding for waste management and recycling projects currently supported through the LTCS beyond March 2003, for one year only, provided these projects meet the eligibility criteria included in the announcement and subject to any constraints resulting from EU state aid rules.

TRADE AND INDUSTRY

Arms Trade

Mr. Gardiner: To ask the Secretary of State for Trade and Industry (1) if, when drafting the secondary legislation for the Export Control Act 2002, she will extend the licensing regime for extraterritorial controls on brokered arms deals to cover all types of military and security equipment brokered by UK nationals to any destination, wherever they conduct their activities; [101338]

(2) if she will extend the provisions in the Export Control Act 2002 to include the licensing of all brokered activities, including the provision of financial services to those involved in the arms trade. [101340]

Nigel Griffiths: The consultation document published on 30 January 2003 sets out the draft secondary legislation to implement the Export Control Act 2002 and explains what brokering activities are proposed to be licensed. Copies of the consultation document have been placed in the Libraries of the House. Final decisions on drafting the secondary legislation will not be taken until after the consultation closes on 30 April 2003 and all the responses have been carefully considered. The current consultation reflects the conclusions reached in the light of the earlier consultations.

Bottled Water

Norman Baker: To ask the Secretary of State for Trade and Industry what her estimate is of the number of litres of bottled *(a)* sparkling and *(b)* still water consumed in the United Kingdom in each year since 1992; and what percentage was supplied in (i) plastic, (ii) glass and (iii) other materials. [99291]

Mr. Morley: I have been asked to reply.

The Government do not themselves gather data to this level of detail. However, industry market intelligence data available to us show the following:

UK bottled water consumption

Litres (million)

	Still	*Sparkling*
1992	315	180
1993	330	200
1994	350	250
1995	440	288
1996	430	270
1997	495	279
1998	550	285
1999	696	300
2000	862	283
2001	990	270
2002	1,080	300

In addition, the data available reveal that in 2002, 81 per cent. of bottled water was supplied in plastic, nine per cent. in glass and 10 per cent. in other materials.

Norman Baker: To ask the Secretary of State for Trade and Industry what her estimate is of the number of litres of chilled water cooler water supplied to homes and businesses in the United Kingdom each year since 1992; and what proportion of this water is classified as mineral water. [99292]

Mr. Morley: I have been asked to reply.

The Government do not themselves gather data to this level of detail. However, industry market intelligence data available to us show the following:

UK water cooler water supplies

	Litres (million)
1992	33
1993	43
1994	57
1995	76
1996	95
1997	124
1998	153
1999	205
2000	265
2001	335
2002	390

In addition, the data available reveal that in 2002, mineral water accounted for 27.4 per cent. of total water volume supplied.

Broadband

Sir Robert Smith: To ask the Secretary of State for Trade and Industry if she will make a statement on the planned 2002–03 allocation of resources to the broadband category listed in the Better Regulation Section on page 123 of the Department of Trade and Industry's Expenditure Plans 2002–03 to 2003–04, Cm 5416. [100149]

Mr. Timms: The £15 million listed represents the 2002–03 allocation from the £30 million UK Broadband Fund given to the Regional Development Agencies and the devolved Administrations.

Mr. Swire: To ask the Secretary of State for Trade and Industry what measures her Department is taking to promote access to broadband in rural areas. [100342]

Mr. Timms: DTI has established the UK Broadband Task Force to look at the aggregation of public sector broadband demand and it is envisaged that this will help extend broadband availability into rural areas. Projects funded through the £30 million UK Broadband Fund are seeking to develop broadband networks, often in rural and remote areas, and spread best practice from these throughout the country. DTI works closely with DEFRA on rural broadband issues and will continue to do so.

Mr. Swire: To ask the Secretary of State for Trade and Industry what incentives the Government have offered to encourage *(a)* BT and *(b)* other suppliers to provide affordable broadband in rural communities. [100343]

Mr. Timms: The Government's policy is not to subsidise service providers to roll out broadband but to stimulate a competitive market through fair regulation to provide consumer choice at low prices.

We have provided the RDAs and devolved Administrations with the £30 million UK Broadband Fund to help develop broadband networks. The UK Broadband Task Force through its demand aggregation work will help broadband become increasingly available to areas not currently served by an affordable broadband service.

Mr. Swire: To ask the Secretary of State for Trade and Industry what assessment she has made of the economic impact on areas where people are unable to access broadband in the next three years. [100344]

Mr. Timms: No such assessment has been made.

Mr. Swire: To ask the Secretary of State for Trade and Industry what projections her Department has made of the level of access to broadband by the beginning of next year. [100345]

Mr. Timms: DTI does not make detailed forecasts of levels of access to broadband. Currently, broadband is available to just over 70 per cent. of the UK population and it is anticipated that this will rise substantially in the future.

Mrs. Ellman: To ask the Secretary of State for Trade and Industry what assessment she has made of broadband coverage in Liverpool; and if she will make a statement. [101420]

Mr. Timms: The Government has made no specific assessment of broadband coverage in Liverpool. In the UK as a whole, 71 per cent. of the population has access to a broadband service.

A map showing geographical availability of broadband services can be found in the UK Online Annual Report 2002, available at http://www.e-envoy.gov.uk/oee/oee.nsf/sections/esummit-ukoannrep/$file/indexpage.htm

Controlled Goods

Mr. Berry: To ask the Secretary of State for Trade and Industry (1) what records she holds of offsets arranged by UK companies as part of the conditions of sale of controlled goods to overseas buyers; and if the details of these offsets are publicly available; [101710]

(2) what records she holds of arrangements entered into by UK companies to license the production overseas of controlled goods; and whether the details of these arrangements are publicly available. [101711]

Nigel Griffiths: Since information is held only if it was contained in documents provided in support of an export licence application. Such documents are not normally publicly available.

An export licence is not a requirement from the Department of Trade and Industry's Export Control Organisation to manufacture items outside the UK. However, where the product to be manufactured under commercial licence has a potential military use, the UK exporter might require an export licence before the goods and technology necessary for the establishment and operation of the licensed production facility can be supplied from the UK.

Deloitte & Touche

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will list the matters upon which her Department and the public bodies sponsored by her Department have obtained recent advice from Deloitte & Touche. [100523]

Ms Hewitt: Deloitte & Touche have provided advice to the Department and its NDPBs on the following issues:

Tax advice to various NDPBs

Audit work for various NDPBs

Risk management

Management information system

Electronic submission framework

Administration strategy

Wind up of the Pension scheme of Inward

Access to Finance—SMEs

Data Protection Act review and Performance Management Framework

Work-Life Balance Challenge Fund

Royal Mail including the Post Office network

National Debtline pilot evaluation

BNFL PPP Advisors

Financial Systems development

Inward Investment Overseas and in UK

The Department's Executive Agencies will be responding directly.

Letter from Roger Heathcote to Mr. Austin Mitchell, dated 10 March 2003:

You tabled a question on 27 February 2003 to the Secretary of State for Trade and Industry, asking if she will list the matters upon which her Department and the public bodies sponsored by her Department have obtained recent advice from Deloitte & Touche. I have been asked to reply on behalf of the Employment Tribunals Service(ETS) which is an executive agency of the DTI.

The Employment Tribunals Service have obtained no advice from Deloitte & Touche in the calendar year 2002.

Letter from Alison Brimelow to Mr. Austin Mitchell, dated 10 March 2003:

I am replying to your Parliamentary Question, tabled on 27 February 2003, about matters upon which the Department of Trade and Industry has received recent advice from Deloitte & Touche.

The Patent Office has received no advice from Deloitte & Touche.

Letter from Dr. J. W. Llewellyn to Mr. Austin Mitchell, dated 10 March 2003:

The Secretary for Trade and Industry has asked me to reply on behalf of the National Weights and Measures Laboratory (NWML) to your question if she will list the matters upon which her Department and the public bodies sponsored by her Department have obtained recent advice from Deloitte & Touche.

National Weights and Measures Laboratory have not obtained recent advice from Deloitte & Touche.

Letter from Claire Clancy to Mr. Austin Mitchell, dated 10 March 2003:

I am responding to your recent Parliamentary Question on behalf of Companies House, which is an Executive Agency of DTI. I can confirm that Companies House has received no recent advice from Deloitte & Touche.

Letter from Martin Wyn Griffith to Mr. Austin Mitchell, dated 10 March 2003:

You asked the Secretary of State for Trade and Industry, if she will list the matters upon which her Department and the public bodies sponsored by her Department have obtained recent advice from Deloitte & Touche.

I am writing to confirm that the Small Business Service has not called upon the services of Deloitte & Touche in the last calendar year.

Letter from Mike Goddard to Mr. Austin Mitchell, dated 10 March 2003:

I have been asked to reply in respect of the Radiocommunications Agency to your recent Parliamentary Question about advice from Deloitte & Touche.

This Agency has no recent contracts with Deloitte & Touche.

Energy White Paper

Llew Smith: To ask the Secretary of State for Trade and Industry pursuant to paragraph 2.27 of the Energy White Paper, Cm 5761, what areas of liaison she expects to develop with the European Parliament to implement the proposals on emissions trading. [100079]

Mr. Meacher: I have been asked to reply.

The Department takes the lead in negotiations on the EU Emissions Trading Directive. Political agreement was reached on the proposed Directive at Environment Council on 9 December 2002. The European Parliament will begin its second reading shortly. Officials from my Department have had meetings with the rapporteur for the Directive in the European Parliament and a number of Members of the Parliament to discuss the agreement reached in Council and the prospects for the Parliament's second reading. I expect further discussions with the European Parliament to take place during the second reading process. The trading scheme is due to begin in 2005. There is provision for the European Commission to bring forward proposals to amend the scheme, including extending its scope to cover other sectors and gases, before the start of the second phase in 2008. Any proposals would be subject to agreement between Council and Parliament, and I would expect these to lead to further discussions with the European Parliament.

Sue Doughty: To ask the Secretary of State for Trade and Industry what percentage improvement in energy efficiency would be required to deliver from the household sector the *(a)* 5 MtC saving between 2002 and 2010 and *(b)* the 6 MtC saving between 2010 and 2020 identified in the Energy White Paper. [100783]

Mr. Meacher: I have been asked to reply.

Assuming continuation of past trends for the growth in household demand for energy, an additional annual saving of 5 MtC by 2010 would correspond to an energy efficiency improvement of approximately 20 per cent. relative to the year 2000. This represents broadly a doubling of the average rate of improvement seen in the 1990s.

A further 4 to 6 MtC of annual savings by 2020 would correspond to an efficiency improvement compared with 2010 of around 18 to 22 per cent.

HMX

Mr. Frank Cook: To ask the Secretary of State for Trade and Industry what conditions were attached to the recent licence for the export of HMX to Iran; and if she will make a statement. [101298]

Nigel Griffiths: There were no special conditions attached to the licence since the Government is satisfied that the HMX pellets, specifically designed for cutting collars and perforating tubes, are intended for only legitimate purposes as part of the process of drilling oil and gas wells.

Internet

Mr. Gardiner: To ask the Secretary of State for Trade and Industry if she will make it a requirement for the internet sites of companies registered in the United Kingdom to carry the registered address of their company. [101337]

Mr. Timms: In June 2002, the European Commission published a proposal to update the First Company Law Directive, which sets out basic safeguards for the protection of shareholders, creditors and other third parties dealing with limited companies, to reflect technological developments since the Directive was originally agreed in 1968.

A provision within the Commission proposal was that companies should be required to include basic statutory information, including information sufficient to identify the public file relating to the company and the location of its registered office, in electronic documents and on any company website. The UK supports this proposal as an important protection for those dealing with companies via the internet.

It is hoped that agreement to the final text can be achieved in the near future. Early consideration of the legislative steps necessary to achieve the objectives of the Directive in the UK will then take place

Miners' Pensions

Mr. Ronnie Campbell: To ask the Secretary of State for Trade and Industry if she will make a statement on progress in reinstating pension rises for miners sacked as a result of the 1984 industrial dispute. [101812]

Mr. Wilson: Following my announcement in December 2001, a scheme was launched in April 2002 to handle applications from those miners dismissed in connection with the 1984–85 strike, and not subsequently re-employed by British Coal.

The closing date for the scheme was 31 December. The Department is currently assessing the applications which have been received, and we hope to be able to inform those who are eligible for the enhancement of their pension in the near future.

Renewable Energy

Mr. Blunt: To ask the Secretary of State for Trade and Industry if she will make a statement on the operation of the renewables obligation certificate trading system; and if she will calculate the effect of every certificate holder being able to realise the full value by having the right to cash out. [101286]

Mr. Wilson: The renewables obligation certificate trading system is working smoothly and well. The obligation is a market based mechanism and the value of certificates is established in contracts between generators and suppliers or third party traders. The terms of these contracts are a matter for the parties concerned. renewables obligation certificates are trading at a high value at present reflecting the shortage of renewables electricity in the early years of the obligation.

Sudan

Mr. Roy: To ask the Secretary of State for Trade and Industry how many UK companies are operating in the oil sector in Sudan. [101585]

Mr. Wilson: As the Department is not active in promoting trade with or investment in Sudan, our information on the number of UK companies operating in the oil sector in the country is limited. To our knowledge, no UK companies have any direct investment in the upstream oil sector in Sudan.

CHURCH COMMISSIONERS

Ordinands

26. **Mr. Swayne**: To ask the hon. Member for Middlesbrough, representing the Church Commissioners what financial provision is being made for an expansion in the number of ordinands. [101632]

Mr. Bell: The Church of England has always made financial provision for all those who have been recommended for ordination training. In 2003 this will cost in the region of £9 million.

Clergy Pensions

28. **Mr. Jack:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners if he will make a statement on the ability of the Church of England pension fund to meet its future liabilities. [101634]

Mr. Bell: Clergy pensions earned on service before 1998, for which the Commissioners are responsible, are covered more than twice over by the Commissioners' assets. Those on service from 1998 are met from the new scheme administered by the Church of England Pensions Board and funded by contributions from parishes. Actuaries provide regular advice on the financial position in both cases.

Bishopstone Estate

29. **Mr. Key:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners what income has been derived from the Commissioners' estate at Bishopstone, Wiltshire, in each of the past five years. [101635]

Mr. Bell: The income for the Bishopstone estate has fallen by just over 14 per cent. during the last five years as a result of the general downturn in agricultural incomes. The Commissioners, in common with other large estate owners, do not publish precise income figures for their estates, as this information is commercially sensitive.

ELECTORAL COMMISSION

Proportional Representation

27. **John Robertson:** To ask the hon. Member for Gosport, representing the Speaker's Committee on the Electoral Commission what recent discussions the Commission has had with the Scottish Executive regarding proportional representation in Scotland. [101633]

Mrs. Browning: I have been asked to reply.

I understand that Commissioners and staff regularly meet members and staff of the Scottish Executive. However, no discussions have taken place on the subject of proportional representation in Scotland.

CULTURE, MEDIA AND SPORT

Youth Fitness

13. **Syd Rapson:** To ask the Secretary of State for Culture, Media and Sport what the Department's strategy is for improving youth fitness. [101467]

Mr. Caborn: The Government's £459 million investment over the next three years in PE and sport in schools will increase youth participation and fitness.

Game Plan recommends that participation needs to rise to improve the fitness of the whole population. We are working with the Department of Health to deliver this.

Access to Music

14. **Andrew Mackinlay:** To ask the Secretary of State for Culture, Media and Sport what measures she proposes to give greater access to *(a)* ballet and *(b)* classical music concerts to persons in social classes C1 and C2. [101468]

Dr. Howells: In our latest funding allocation to the Arts Council of England, we have asked the Arts Council to put strategies in place to ensure that world class art is accessible to as many people as possible. This will be reflected in the Funding Agreement which is currently being negotiated with the Arts Council. It will now be for the Arts Council to develop measures to address these issues, building on the success of initiatives like Creative Partnerships, the New Audiences Programme and the National Touring Programme.

Stonehenge

15. **Mr. Key:** To ask the Secretary of State for Culture, Media and Sport, who will fund the proposed Stonehenge visitor centre. [101469]

Dr. Howells: The new Stonehenge visitor centre will be primarily funded by the Heritage Lottery Fund, DCMS and English Heritage. English Heritage will conduct a fund-raising campaign to cover part of the cost.

2012 Olympics

16. **Dr. Ladyman:** To ask the Secretary of State for Culture, Media and Sport what assessment she has made of sites for sailing events for a bid to hold the Olympics in London. [101470]

Mr. Caborn: The Arup report on the costs and benefits of staging the Olympic Games in London in 2012 considers a number of venues that will be required should we win the right to stage the games. Some of the venues, including a venue for sailing, will be located outside the London area. All the venues will be subject to further assessment if the Government decide to support a bid.

Lottery Grants

17. **Mr. Bill O'Brien:** To ask the Secretary of State for Culture, Media and Sport what steps she is taking to simplify the application process for lottery grants; and if she will make a statement. [101471]

Mr. Caborn: As part of the Lottery Funding Review, my right hon. Friend the Secretary of State is considering a number of proposals further to simplify application processes and will make an announcement in the summer.

International Sporting Events

18. **Mr. Andrew Turner:** To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the Government's policy on bringing international sporting events to the United Kingdom. [101472]

Mr. Caborn: The Government remains committed to attracting more international sporting events to the UK. The Department will take forward the recommendation of the Strategy Unit to create a strategy for bidding for mega events. We will consider with UK Sport how best to assist organisations at the bidding, delivery and evaluation stages of major sporting events.

Capital of Culture

19. **Mr. George Howarth:** To ask the Secretary of State for Culture, Media and Sport what reports she has received from the independent expert panel who will judge Liverpool's bid to be designated European Capital of Culture. [101473]

Dr. Howells: The independent Advisory Panel, chaired by Sir Jeremy Isaacs, considered all 12 bids carefully and thoroughly against the criteria laid down by the ED and the Government. The panel thought that all the bids were of a very high standard but the six shortlisted bids are those which the panel considered to be the strongest overall. As my hon. Friend knows, Liverpool's bid has been shortlisted.

The Panel will now consider the shortlisted bids in more detail. My right hon. Friend the Secretary of State will wait for further advice and recommendations from the panel before reaching any conclusions about which city should be the UK's nomination for European Capital of Culture 2008.

Broadband

John Robertson: To ask the Secretary of State for Culture, Media and Sport what action she is taking to ensure that internet access in public libraries can be by broadband. [101461]

Mr. Caborn: The £100 million, Lottery funded, People's Network programme has enabled internet connections to 99 per cent. of UK libraries so far. It was a condition of the funding that broadband connections should be made, where possible. Through business plans received from library authorities, Resource: The Council for Museums, Archives and Libraries, estimate that around 85 per cent. of our libraries will have broadband internet connectivity of 2 mega-bytes or more. The remaining 15 per cent. of libraries are in areas where it is very difficult to install broadband currently.

TREASURY

Translation and Interpreting Services

John Mann: To ask the Chancellor of the Exchequer how many Government contracts for *(a)* translation and *(b)* interpreting services are put out to tender. [101579]

Mr. Boateng: The information is not held centrally.

Accidental Deaths (Wales)

Chris Ruane: To ask the Chancellor of the Exchequer how many accidental deaths there were in Wales in each of the last 20 years. [101239]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Colin Mowl to Mr. Chris Ruane, dated 10 March 2003:

The National Statistician has been asked to reply to your recent question asking how many accidental deaths there were in Wales in each of the last 20 years. I am replying in his absence. (101239)

The most recent available mortality data are for the calendar year 2001. Figures on the total number of accidental deaths for each year from 1982 to 2001 are given in the attached table.

Number of deaths from accidents[1], persons Wales[3], 1982 to 2001[3]

Calendar year	Number of deaths
1982	803
1983	756
1984	793
1985	780
1986	820
1987	770
1988	632
1989	701
1990	690
1991	706
1992	666
1993	659
1994	678
1995	684
1996	735
1997	706

Number of deaths from accidents[1]*, persons Wales*[3]*, 1982 to 2001*[3]

Calendar year	*Number of deaths*
1998	751
1999	720
2000	687
2001	717

[1] The cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) codes E800-E928 excluding E870-E879 for the years 1982 to 2000, and, for the year 2001, the International Classification of Diseases, Tenth Revision (ICD-10) codes V01-X59.

[2] Figures relate to deaths of people resident in Wales, rather than deaths occurring in Wales.

[3] Figures are for deaths registered in the years 1982 to 1992, and for deaths occurring in each calendar year from 1993 to 2001.

Accounting Standards Board

Mr. Flight: To ask the Chancellor of the Exchequer (1) pursuant to his answer of 5 February 2003, *Official Report*, column 302W, on the private finance initiative, what assessment he has made of the performance of the Accountancy Standards Board; [101191]

(2) what plans he has for his Department to issue accounting standards in relation to *(a)* special purpose vehicles, *(b)* PFI contracts and *(c)* other issues; [101194]

(3) whether officials from his Department have met representatives of the Accounting Standards Board to discuss accounting standards relating to special purpose vehicles. [101192]

Mr. Boateng: The issue of accounting standards is a matter for the Accounting Standards Board (ASB), not for HM Treasury.

HM Treasury does not assess the performance of the ASB. The ASB is an independent body, a company limited by guarantee, which is formally a subsidiary of the Financial Reporting Council (FRC). A full report of the ASB's activities is set out each year in the FRC's Annual Review.

HM Treasury has observer status on the Accounting Standards Board and Treasury officials have regular contacts with the Board on a range of issues.

Annuities

Mr. Gardiner: To ask the Chancellor of the Exchequer what response he has made to the recommendation from the Financial Services Consumer Panel that the Government should consider establishing an independent charitable trust charged with offering consumers free advice on the purchase of annuities. [101333]

Ruth Kelly: The Pensions Green Paper, "Simplicity, Security and Choice: Working and Saving for Retirement" (Cm 5677), made clear the Government view that compulsory independent financial advice would not be appropriate at this stage. Reforms to the market for financial advice and sales look likely to increase both consumer choice and the availability of low-cost financial advice.

Mr. Gardiner: To ask the Chancellor of the Exchequer if he will create a CAT standard annuity. [101332]

Ruth Kelly: There are no plans to introduce a CAT standard for annuities.

Centre for Non-Residents

Matthew Taylor: To ask the Chancellor of the Exchequer what guidance the Centre for Non-Residents has issued for British nationals *(a)* returning from countries neighbouring Iraq and *(b)* otherwise affected by Foreign Office advice on safety, concerning their tax liability and legal residency for financial year 2002–03; and if he will make a statement. [101781]

Dawn Primarolo: The tax position of those returning to the UK from countries neighbouring Iraq on the basis of advice on safety from the Foreign and Commonwealth Office is as set out in my answer to the hon. Member for Eddisbury (Mr. O'Brien) on 4 March 2003, *Official Report*, column 919W. Staff at the Inland Revenue's Centre for Non-Residents are advising taxpayers accordingly. They have taken appropriate steps to ensure that their contact telephone number (0151 472 6196) is widely available.

Child Care

Caroline Flint: To ask the Chancellor of the Exchequer if lone parents will be able to claim the new child care tax credit for a period of time before returning to work. [101049]

Dawn Primarolo: The new Working Tax Credit, including the child care element, can be claimed by lone parents who are in qualifying remunerative work for at least 16 hours a week. To meet that test, the person has either to be working 16 hours a week at the date of claim or to have accepted an offer of work at that date and the work is expected to start within 7 days.

People who are on paid maternity leave, paid adoption leave or paid paternity leave, and who met the Working Tax Credit remunerative work requirement before their leave started, will be able to claim during their leave for child care costs for the children in the family they were responsible for before the arrival of their new child.

Child Support

Mr. Gardiner: To ask the Chancellor of the Exchequer if he will make a statement on the change in Government financial support for children since 1997. [101364]

Dawn Primarolo: From this April the introduction of the new tax credits, the Working Tax Credit and the Child Tax Credit, will provide more generous support for families with children—with more for those on lower incomes.

The Child Tax Credit combined with Child Benefit will deliver up to £54.10 a week in support for first child, compared to £27.70 a week in April 1997.

Under the new tax credits:

the average gain for those currently receiving Working Families Tax Credit will be £12 per week;

families on Income Support and income based Jobseeker's Allowance will gain an average of £11 per week;

students and student nurses with children could gain up to £38 per week for the first child; and

over 500,000 one-earner families with children with incomes over £30,000 a year will become newly eligible for support for their children.

This builds on existing policies to support families financially:

we have provided record increases in Child Benefit. From April 2003, the rate of Child Benefit for the first child will rise to £16.05, a 25 per cent. increase in real terms on the 1997 level;

we introduced the Children's Tax Credit in April 2001, now worth up to £529 a year;

we have introduced the Working Families' Tax Credit (WFTC), which benefits over 1.3 million families, and nearly 2.7 million children;

as part of the Working Families Tax Credit, 175,000 thousand families received help with their child care costs, more than three times the number who benefited from the old child care disregard in Family Credit. We are currently paying out £1 million a day in child care tax credit; and

we have increased the children's allowances in Income Support and other income-related benefits, including a doubling in real terms of the rates for children under 11.

Computer Misuse

Mr. Flight: To ask the Chancellor of the Exchequer pursuant to his answer of 11 February 2003, *Official Report*, column 653W, on computer misuse, how many Inland Revenue staff have been *(a)* dismissed and *(b)* prosecuted as a result of misuse of its computer systems. [101141]

Dawn Primarolo: The information, for each of the last five years, is as follows.

	Dismissals	*Prosecutions*
1998	[illegible]	0
1999	[illegible]	0
2000	[illegible]	0
2001	6	0
2002	3	0

Consumer Confidence

Mr. Flight: To ask the Chancellor of the Exchequer what recent research he has commissioned into the level of consumer confidence in the UK economy; and if he will make a statement. [101274]

Ruth Kelly: The Government's Fiscal Statement and Budget Report, to be delivered on 9 April 2003, will include a full assessment of developments in the UK household sector including consumer confidence.

Corporation Tax

Mr. Prisk: To ask the Chancellor of the Exchequer what estimate he has made of the change in corporation tax revenue resulting from the introduction of the congestion charge. [101076]

Dawn Primarolo: No estimate has been made of the impact of the congestion charge on corporation tax receipts. But estimating its impact would not be straightforward as companies may feel benefits as well as the more obvious costs.

Economic Growth (EU)

Mr. Spring: To ask the Chancellor of the Exchequer what the Government's forecast is of the average economic growth rate in the EU from 2000 to 2010. [101606]

Ruth Kelly *[holding answer 7 March 2003]:* In line with the practice of previous Governments, we do not publish growth forecasts for the EU. Growth forecasts for the G7 aggregate are published in the Pre-Budget and Budget Reports.

Euro

Mr. Prisk: To ask the Chancellor of the Exchequer what recent *(a)* discussions he has had with and *(b)* representations he has received from (i) the Bank of England, (ii) representatives of business and (iii) employees representatives on the assessment of the five tests for euro entry. [101863]

Ruth Kelly: I refer the hon. Gentleman to the answer given by the Chancellor of the Exchequer on 11 February 2002, *Official Report*, columns 104–05W.

Mr. Flight: To ask the Chancellor of the Exchequer if he will publish the *(a)* terms of reference and *(b)* guidance issued to the review of the implications for UK statistics of joining the euro. [101275]

Ruth Kelly: The Chancellor has asked Christopher Allsopp to undertake a wide-ranging review of the informational and statistical requirements for monetary and wider economic policy-making, following the end of his term as a member of the Monetary Policy Committee of the Bank of England.

The terms of reference and other details of the review were published in a press notice on 27 February 2003, available on the Treasury's website: www.hm-treasury.gov.uk

Economic Reform (EU)

Mr. Prisk: To ask the Chancellor of the Exchequer what recent proposals he has made to the European Union on increasing the rate of its economic reform. [101864]

Ruth Kelly: The Government's proposals for increasing the rate of EU economic reform are set out in "Meeting the Challenge; Economic Reform in Europe", published on 17 February 2003.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer pursuant to his answer of 24 February 2003, *Official Report*, column 217W, on Lisbon and Stockholm objectives, if he will *(a)* make a statement and *(b)* publish a document listing progress towards each objective listed in Appendix A of the European Economic Reform White Paper 2002. [102048]

Ruth Kelly: Progress towards the Lisbon and Stockholm objectives is described in the progress report on European economic reform, 'Meeting the Challenge; Economic Reform in Europe', and in 'Structural Indicators of European Economic Reform; Measuring Europe's Progress', both published on 17 February 2003.

Financial Services Authority

Mr. Gardiner: To ask the Chancellor of the Exchequer pursuant to his answer of 3 February 2003, *Official Report*, column 30W, whether the FSA will continue the advertisement complaints procedure to its conclusion in cases in which the offending advert has been removed. [101396]

Ruth Kelly: Decisions about the action to take in response to complaints about advertisements, and when and how to bring that action to a conclusion, are a matter for the FSA, taking into account the circumstances of each case.

Fraud

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer how many prosecutions for tax fraud the Inland Revenue's special compliance office has pursued in each year since 1997; and how many of these prosecutions resulted in convictions. [102005]

Dawn Primarolo: Statistics on prosecutions and convictions by the Inland Revenue are published each year in their Annual Reports, copies of which are available in the House Library.

House Price Inflation

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what recent assessment HM Treasury has made regarding the level of house price inflation in the UK economy. [101698]

Ruth Kelly: The Government's Fiscal Statement and Budget report to be delivered on 9 April will include an assessment of recent house price developments.

Household Debt

Mr. Prisk: To ask the Chancellor of the Exchequer what steps he is taking to reduce the level of household debt as a percentage of disposable income in the UK. [101053]

Ruth Kelly: Within a sound financial framework, the Government believe that households are best placed to decide on the level of debt that they should hold. Growth in household debt reflects strong fundamentals with a robust labour market, low interest rates and strong gains in housing wealth.

Inflation

Mr. Flight: To ask the Chancellor of the Exchequer what the inflation rate was for *(a)* the public sector and *(b)* the private sector in each of the last 12 months. [101280]

Ruth Kelly: Public and private sector inflation, as measured by the implied Government and private consumption deflators respectively, are not available on a monthly basis as they are derived from quarterly nominal and real consumption data. The latest data were published by the Office for National Statistics in the First Release on UK output, income and expenditure for the fourth quarter of 2002 on 26 February 2003.

Insurance Premiums

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what recent discussions officials from his Department have had with representatives of *(a)* employers and *(b)* employees concerning the cost of insurance premiums. [101700]

Ruth Kelly: Officials from HM Treasury and other Government Departments have meetings with a wide range of representative groups on issues related to insurance, including the cost of insurance premiums.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer (1) what revenue has been received from Insurance Premium Tax in each year since 1997; [101704]

(2) what plans he has to provide business with a rebate from Insurance Premium Tax revenues. [102117]

Ruth Kelly: The total amount of insurance premium tax collected in the UK can be found on the HM Customs and Excise website: www.hmce.gov.uk/about/reports/ann-report/n2.pdf.

As with all taxes, Insurance Premium Tax is kept under review and any changes would be announced in the annual Budget.

Labour Statistics (Wales)

Chris Ruane: To ask the Chancellor of the Exchequer (1) how many people aged 16 to 21 there were in low rates of pay in Wales for each of the last 20 years; [101241]

(2) how many people aged 16 to 21 were unemployed in Wales in each of the last 20 years. [101243]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Mr. Colin Mowl to Mr. Chris Ruane, dated 10 March 2003:

The National Statistician has been asked to reply to your Parliamentary Questions about unemployment and low pay rates in Wales. I am replying in his absence. (100241, 100243)

The attached table gives estimates of the number of unemployed people aged 16 to 21 in Wales for the three month periods ending May of each year from 1984 to 2002. These estimates are from the Labour Force Survey and are not seasonally adjusted. This information is not available on a consistent basis for 1983.

For years from 1998, ONS has published estimates of the numbers of people paid below the National Minimum Wage on the basis of sample survey data. However, for the group requested, sample numbers are too small to provide a reliable estimate.

Unemployed people aged 16–21 in Wales; Spring (March to May) 1984 to 2002

Thousand, not seasonally adjusted

March to May	
1984	49
1985	45
1986	47
1987	35
1988	31
1989	23
1990	25
1991	28
1992	23
1993	33
1994	22
1995	23
1996	23
1997	28
1998	21
1999	26
2000	21
2001	24
2002	23

Note:

These Labour Force Survey (LFS) estimates are Not Seasonally Adjusted (NSA) and have not been adjusted to take account of the Census 2001 results.

Source:

ONS Labour Force Survey

Maastricht Criteria (Budget Deficits)

Miss McIntosh: To ask the Chancellor of the Exchequer what assessment he has made of the prospects for the United Kingdom meeting the Maastricht criteria relating to budget deficits. [101645]

Ruth Kelly: I refer the hon. Member to paragraph 2.61 of the 2002 pre-Budget report. A copy can be found in the Library.

National Health Service

Mr. Flight: To ask the Chancellor of the Exchequer what assessment he has made of the increase in spending on the national health service announced in the Budget Statement 2002 in relation to *(a)* productivity, *(b)* efficiency and *(c)* savings due to economies of scale. [101278]

Mr. Boateng: The health settlement announced in the 2002 Budget Statement, which covers the period from 2003–04 to 2007–08, is linked to a programme of reform to deliver the NHS Plan. Progress against this will be assessed and reported regularly by the Department of Health in their annual Departmental Report and in their Autumn Performance Report, both of which are available on the Department of Health website.

National Insurance

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer pursuant to his answer of 28 February 2003, *Official Report*, column 769W, on national insurance contributions, what assessment his Department has made in recent economic forecasts of the effect that the increase in national insurance in April will have on *(a)* disposable income, *(b)* consumer spending as a percentage of GDP, *(c)* personal borrowing levels and *(d)* the savings ratio. [101911]

Ruth Kelly: I refer the hon. Member to the reply given him by my right hon. Friend the Paymaster General on 28 February 2003, *Official Report*, column 769W.

Pensions

Mr. Gardiner: To ask the Chancellor of the Exchequer what response he has made to the European Commission on its inquiry into whether UK pensions tax rules meet EC requirements. [101362]

Ruth Kelly: In common with all other member states, the UK was asked to provide details of existing tax rules for pension schemes, and whether any changes to those rules were contemplated. The response was a factual description of the reliefs and tax treatment currently available. Reference was also made to the pensions simplification review then under way.

Personal Sector Wealth

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what percentage of total personal sector wealth was owned by the wealthiest half of the adult population in each year since 1997. [102112]

Ruth Kelly: The available information which relates to the distribution of UK marketable wealth, including that owned by the wealthiest half of the adult population, is given in Table 13.5 of Inland Revenue Statistics 2003 which is available at www.inlandrevenue.gov.uk/stats/index.htm.

Public Sector Comparators

Matthew Taylor: To ask the Chancellor of the Exchequer if he will publish Treasury investment appraisal guidance used to construct Public Sector Comparators; and if he will make a statement. [101759]

Mr. Boateng: Guidance on Public Sector Comparators is set out in Treasury Taskforce Technical Note 5, "How to Construct a Public Sector Comparator".

Work is currently under way to assess how guidance might be updated to reflect recent changes in the 2002 Green Book.

Public Service Agreements

Mrs. Helen Clark: To ask the Chancellor of the Exchequer if he will assess the contribution Public Service Agreements will make to the Government's sustainable development strategy. [101506]

Mr. Boateng: Public Service Agreements make a significant contribution to the delivery of the Government's sustainable development strategy. The Spending Review 2002 required each Department with its own Public Service Agreement to produce a Sustainable Development Report, explaining the sustainable development implications of its policy priorities. Further information on the specific contribution Public Service Agreements make can be found in the 2002 Spending Review White Paper and in the Government 2002 Annual Report on sustainable development, "Achieving a Better Quality of Life".

Revenue Qualifying Regimes

Mr. Gardiner: To ask the Chancellor of the Exchequer pursuant to the answer of 3 February 2003, *Official Report*, column 33W, on revenue qualifying regimes, whether changes to the qualifying regime will be subject to an assessment of the likely impact to those on low incomes. [101810]

Ruth Kelly: I confirm that in considering changes to the qualifying policy regime the Government will assess the likely impact of those changes on those on low incomes.

Secondments

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer pursuant to his answer of 24 February 2003, *Official Report*, column 220W, on secondments, from which private accounting firms the three people are seconded; how long the secondment is of each; and what their responsibilities are. [102046]

Ruth Kelly: The information is as follows:

Deloitte Touche—24.9.01–23.09.03

Duties: General Business Taxation (including corporation tax, capital gains for companies, tax issues for multinational businesses, taxation of insurance, offshore funds and other collective investment schemes, rural tax issues and film tax relief).

Arthur Andersen—2.1.02–30.6.03

Duties: Team Leader responsible for Public Enterprise Partnerships

PKF—22.7.02–21.7.04

Duties: Accountancy advice. Post-Enron work and Corporate Governance issues.

Suicides (Wales)

Chris Ruane: To ask the Chancellor of the Exchequer how many suicides of those aged 15 to 24 there were in Wales in each of the last 20 years. [101244]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Mr. Colin Mowl to Mr. Chris Ruane, dated 10 March 2003:

The National Statistician has been asked to reply to your recent question concerning how many suicides have been recorded in each of the last 20 years for those aged 15 to 24 in Wales. I am replying in his absence. (101244)

The most recent available mortality data are for the calendar year 2001. Figures for each year from 1982 to 2001 are given in the attached table.

Number of deaths from suicide and injury undetermined whether accidentally or purposely inflicted[1], persons aged 15 to 24, Wales[2], 1982 to 2001[3]

Calendar year	Number of deaths
1982	31
1983	36
1984	28
1985	26
1986	31
1987	40
1988	35
1989	31
1990	33
1991	42
1992	42
1993	40
1994	44
1995	46
1996	40
1997	53
1998	47
1999	50
2000	35
2001	41

[1] The cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) codes E950-E959 and E980-E989 excluding E988.8for the years 1982 to 2000, and, for the year 2001, the International Classification of Diseases, Tenth Revision (ICD-10) codes X60-X84 and Y10-Y34 excluding Y33.9 where the Coroner's verdict was pending,

[2] Figures relate to deaths of people resident in Wales, rather than deaths occurring in Wales

[3] Figures are for deaths registered in the years 1982 to 1992, and for deaths occurring in each calendar year from 1993 to 2001.

Tax Credit

Mr. Willetts: To ask the Chancellor of the Exchequer pursuant to his answer to the hon. Member for Northavon (Mr. Webb) of 10 February 2003, *Official Report*, column 604W, how much each mailshot to potential new tax credit claimants has cost. [100764]

Dawn Primarolo: The answer I gave to the hon. Member for Northavon (Mr. Webb) referred to a reminder mailing in November and a further mailing in February. The approximate costs for these mailings are as follows:

£

Date	*Print and production*	*Postage*
November	299,000	588,000
February	70,000	364,000

Mr. Tony Clarke: To ask the Chancellor of the Exchequer how many families in *(a)* the United Kingdom and *(b)* Northampton, South will be entitled to the new Child Tax Credit and Working Tax Credit; and of these, how many (i) have applied for them and (ii) have returned their claim form. [100788]

Dawn Primarolo: Six million families in the United Kingdom are expected to benefit from the new tax credits in 2003–04, including 1.3 million families with children who receive Income Support or Jobseeker's Allowance and who will receive the additional support through those benefits until they move into the Child Tax Credit itself in 2004. By the end of February we had already received over three million claims. Numbers for Northampton South are not available.

Tax Evasion

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer if he will make a statement on the rate of prosecution for tax evasion. [102012]

Dawn Primarolo: The Revenue tackle fraud, error and avoidance using civil investigation and settlement, and applying financial penalties where appropriate. The Revenue also operates a selective prosecution policy intended to bolster the overall enforcement strategy. The focus is on cases where prosecution will do the most to promote compliance by deterring tax, contribution and tax credit fraud.

Statistics on prosecutions and convictions by the Inland Revenue are published each year in their Annual Reports, copies of which are available in the House Library.

Tax Revenues

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer pursuant to his answer of 24 February 2003, *Official Report*, column 222W, on tax revenue forecasts, what estimate he has made of the effect on public sector net borrowing *(a)* this year and *(b)* next year if GDP growth were 1 per cent. lower than assumed over the coming year. [102047]

Ruth Kelly: I refer the hon. Member to paragraph B17 of the 2002 Pre-Budget Report (Cm 5664), where the estimates are set out.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer (1) what assessment he has made of the effect of lower than forecast manufacturing growth on total tax revenues; [102118]

(2) if he will make a statement on the strength of the growth of tax revenues. [102107]

Mr. Boateng: Consistent with the Code for Fiscal Stability, projections for the public finances, including tax revenues, will be set out in the Budget to be presented to the House on 9 April 2003.

Teenage Pregnancy (Wales)

Chris Ruane: To ask the Chancellor of the Exchequer how many births there were to girls conceiving under the age of 16 in Wales for each of the last 20 years. [101240]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Colin Mowl to Mr. Chris Ruane, dated 10 March 2003:

The National Statistician has been asked to reply to your recent question asking how many births there were to girls conceiving under the age of 16 in Wales for each of the last 20 years. I am replying in his absence. (101240)

The latest available figures are for 2001. The information requested is given in the attached table.

Births to mothers conceiving below 16 years of age, Wales 1982–2001[1]

Number

Year[2]	*Births*[3]
1982	273
1983	303
1984	288
1985	308
1986	287
1987	259
1988	275
1989	241
1990	293
1991	231
1992	253
1993	267
1994	276
1995	330
1996	360
1997	318
1998	322
1999	282
2000	265
2001(p)	235

[1] Figures are for mothers who were usually resident in Wales at the time of birth.

[2] Age at conception was estimated before 1987 using complete months, and from 1987 onwards using exact dates.

[3] Includes live births and stillbirths.

(p) Provisional data.

Voluntary Service (Young People)

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what funding he is making available to encourage gap year voluntary service by young people. [102010]

Mr. Boateng: The Secretary of State for Education and Skills has allocated £5 million of the Spending Review 2002 settlement for the Young Volunteer Challenge scheme to promote volunteering for 18–19 year olds from lower-income backgrounds. Through this scheme, young people will receive a weekly allowance of £45 and a lump sum end of experience award of £750 to support them during a period of full-time voluntary activity.

War Chest

Mr. Flight: To ask the Chancellor of the Exchequer how much money has been allocated, by continent, by HM Treasury for the global war on terror since 11 September 2001. [101279]

Mr. Boateng: Such information is not kept in the format requested. Apart from funds for military operations in Afghanistan, which totalled £618 million from 2001 to 2003, and £1.75 billion set aside this year to cover the costs of military and overseas operations so that the UK can continue to play a leading role in the global war against terror, the Treasury does not hold information on all departmental expenditure on counter terrorism and UK resilience measures since 11 September 2001. The Government are committed to ensuring that UK domestic security is given a high priority and the strengthening of the UK's defences against the threats posed by international terrorism was a key theme of last year's Spending Review. Consequently, departments have prioritised measures for improving the UK's resilience to, and capability to deal with, a terrorist attack. UK resilience arrangements have been reviewed and planning has been mainstreamed as a routine activity.

NORTHERN IRELAND

Arts Council Steering Group

Mr. Dodds: To ask the Secretary of State for Northern Ireland who the members of the Steering Group for the Arts Council of Northern Ireland's research project on the Arts of Irish and Ulster-Scots are; and what organisations they represent. [100445]

Angela Smith: The current members of the Steering Group are as follows:

Roisin McDonough	Arts Council of NI
Noirin McKinney	Arts Council of NI
Nick Livingston	Arts Council of NI
Aodan Mac Poilin	Iontaobhas Ultach/ Ultach Trust
Deirdre Davitt	Foras na Gaeilge
George Holmes	Tha Boord o Ulster Scotch
Maurna Crozier	NI Community Relations Council; seconded to DCAL at the time of the setting up of the Steering Group

Royal Victoria Hospital

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland whether the Royal Victoria Hospital is retaining body parts from recent autopsies. [101940]

Mr. Browne: The Royal Victoria Hospital has only retained body parts from recent post mortem examinations with the valid consent in writing of the next of kin or closest living relative.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many post mortems had been performed at the Royal Victoria Hospital between the setting up of the numbered post mortem system and 31December 2002, broken down by *(a)* coroners and *(b)* hospital post mortems. [101936]

Mr. Browne: There was a total of 49,956 post mortems carried out in the period between the commencement of the current post mortem numbering system and 31 December 2002. It is not possible to provide further information in the form requested, as it is not readily available and could only be obtained at disproportionate cost.

Burns Report

Mr. Beggs: To ask the Secretary of State for Northern Ireland when the report by Professor Gardiner on the practical issues of implementation of the Burns Report, commissioned by the Educational Committee of the Northern Ireland Assembly, will be published. [99339]

Jane Kennedy: As I explained to the hon. Gentleman in my reply on 13 February 2003 *Official Report*, column 934W, it is my understanding that this report cannot be made publicly available until the Assembly Education Committee has had the opportunity to consider and approve it.

Carbon Dioxide Emissions

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the estimated impact on the environment the European Union Working Time Directive will have in respect of carbon dioxide emissions from heavy goods vehicles in Northern Ireland; and if he will seek derogation from this Directive on behalf of the quarrying and construction industries. [101738]

Jane Kennedy: The European Working Time Directives are designed to protect the health and safety of people at work.

I have not assessed the impact of the Directives on the environment and I do not propose to seek a derogation along the lines suggested.

Columba Initiative

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many annual reports the Columba Initiative have published; and if he will place them in the Library. [100442]

Angela Smith: The Columba Initative registered as a company limited by guarantee in April 2002. Its first annual report is expected to be published in the summer of this year on completion of annual audited accounts. The annual report and accounts will be placed in the Library.

Credit Strategy

Mr Donaldson: To ask the Secretary of State for Northern Ireland what discussions he has had with counterparts in Edinburgh, Cardiff and London regarding the development of a pan-UK credit strategy, particularly with respect to a credit transcript system. [100433]

Jane Kennedy: The introduction of a unit based curriculum with credit attached remains a major aim of the Department for Employment and Learning's (DEL) lifelong learning strategy. Officials are working with the relevant Departments in England, Scotland and ales to try to secure complementarity across the UK.

In 1999 DEL commissioned a three year, Northern Ireland Credit Accumulation and Transfer System (NICATS) implementation project, to develop the specifications for a single credit framework which could be used to support the operation of a credit accumulation and transfer system in NI including a template for a standardised NICATS credit transcript to provide a summary of each learner's achievement.

DEL has tasked the NI Council for the curriculum, examination and assessment (CCEA), as the regulatory authority for Northern Ireland, to provide advice on the next phase of NICATS taking account of funding implications, added value and work of credit systems in the rest of the UK.

Hospital Post-Mortems

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland whether *(a)* parents and *(b)* relatives of deceased persons are entitled to refuse a hospital post-mortem. [101938]

Mr. Browne: Hospital post mortems are only carried out with the consent of the parents, legal guardian or relative of the deceased, as appropriate.

Organ, Block and Slide Retention

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland whether *(a)* organs, *(b)* blocks and *(c)* slides (i) are and (ii) have been retained at (A) Moyle Hospital, Larne, (B) Omagh Hospital, (C) Foster Green Hospital, Belfast, (D) Ulster Hospital, Dundonald, (E) Antrim Hospital, (F) Erne Hospital, Enniskillen, (G) Daisy Hill Hospital, Newry, (H) Coleraine Hospital, (I) Ards Hospital, Newtownards, (J) Wavenay Hospital, Ballymena, (K) Mid Ulster Hospital and (L) Royal Victoria Hospital, Belfast. [101939]

Mr. Browne: The Royal Group of Hospitals has previously retained and continues to retain organs, blocks and slides. Antrim Area Hospital has previously retained organs, blocks and slides and currently retains blocks and slides. The Ulster Hospital has previously retained, and continues to retain, organs. The Waveney Hospital previously retained organs, blocks and slides. This has ceased and all pathology has moved to Antrim Area Hospital.

The other hospitals listed have never had the on-site laboratory facilities to produce blocks and slides and at the time of the Chief Medical Officer's survey in May 2001 had no retained organs. Beyond that, the information is not available in the format requested.

Police Service of Northern Ireland Band

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will list the Northern Ireland charitable organisations that have benefited from a performance from the PSNI Band. [101609]

Jane Kennedy: The names of the charitable organisations who have benefited from a performance of the PSNI Band are not available. In 2002, the band played at six functions affiliated to registered charities and fourteen other fund raising functions for various community organisations.

Mr. Spring: To ask the Secretary of State for Northern Ireland how many, and what proportion, of Police Service of Northern Ireland band members have been returned to normal policing duties. [101610]

Jane Kennedy: The PSNI Band will be stood down on 31 March 2003. When the decision to stand down the band was taken 32 officers were serving with the band. On 1 April 2003, 30 police officers will be returned to duties at District Command Units, 1 officer will take up duties in Crime department and 1 officer has resigned.

Policing Partnerships

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many people applied to be members of the Belfast District Policing Partnership; and how many were deemed to be appointable candidates. [100440]

Jane Kennedy: 203 people applied to be members of the Belfast District Policing Partnerships and of those, 63 were deemed to be appointable candidates.

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many people have applied to be members of the District Policing Partnerships in Northern Ireland; and how many were deemed to be appointable candidates. [100435]

Jane Kennedy: 1,511 applications have been received for membership of District Policing Partnerships and of those, 737 were deemed appointable candidates.

Resettlement Grants

Mr. Cox: To ask the Secretary of State for Northern Ireland how much has been paid in resettlement grants to prisoners released under the early release scheme in Northern Ireland since the scheme began; and if he will make a statement. [100616]

Jane Kennedy: The Northern Ireland Prison Service has made payments of £44.5k to organisations or individuals assisting with the resettlement of prisoners under the Northern Ireland (Sentences) Act 1998.

FOREIGN AND COMMONWEALTH AFFAIRS

British Indian Ocean Territories

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs how many joint financing arrangements, at what estimated budgetary cost, have been made since 1997 with the United States for *(a)* site preparation, *(b)* construction, *(c)* maintenance and *(d)* operation of facilities on British Indian Ocean Territories. [100886]

Mr. Mike O'Brien: None.

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the islands in the British Indian Ocean Territories that have buildings and facilities used or set aside for future use by the United States or UK for defence purposes. [100894]

Mr. Mike O'Brien: Diego Garcia.

Charlotte Wilson

Jane Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Burundi since the killing of British aid worker Charlotte Wilson in December 2000. [98985]

Mr. Mike O'Brien: Since the tragic death of Charlotte Wilson we have made numerous representations to the Burundi authorities. As soon as our Embassy in Kigali was made aware of her killing, we made contact with the Burundi authorities, urging them to bring the perpetrators to justice. They assured us that they would do all they could to apprehend Charlotte's killers. The Burundi Foreign Ministry has confirmed this in writing.

Since that time, our Ambassador in Kigali and other Embassy staff have frequently raised Charlotte Wilson's case with the Burundi authorities and will continue to do so. My right hon. Friend the Foreign Secretary discussed Charlotte Wilson with Burundi President Pierre Buyoya and Minister of Justice, Fulgence Bakana, during his visit to Burundi in January 2002. More recently, on 10 February 2003, my noble Friend Baroness Amos raised Charlotte's case with the Burundi Foreign Minister, Therence Sinunguruza, during his visit to London. We also arranged for Charlotte's mother to meet the Foreign Minister on the same day.

We have offered assistance to the Burundi authorities from the Metropolitan police, should they require it. We continue to press for a full investigation and for the perpetrators to be brought to justice.

Congo

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of progress towards the ratification of the all inclusive agreement signed in December 2002 between the participants of the Inter-Congolese Dialogue; and if he will make a statement. [101047]

Mr. Rammell: Three issues are blocking the establishment of the transitional national government (TNG) provided for in the Global Accord (signed in Pretoria on 17 December 2002):

(i) Agreeing the constitution for the TNG;

(ii) Provision of security in Kinshasa for the TNG and its institutions;

(iii) Formation of a new national army.

Talks aimed at resolving these issues started in Pretoria on 25 February under the mediation of the UN Secretary General's Special Representative and the Government of South Africa. Our diplomatic staff in Kinshasa and Pretoria are monitoring the talks and remain on hand to support the mediation as required.

Detention

Mr. Swayne: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on paragraph 18 of the UN Working Group on Arbitrary Detention opinion 16/2002; and what additional information his Department has sought from the authorities in Dubai. [99941]

Mr. Mike O'Brien: The UN Working Group on Arbitrary Detention, in paragraph 18 of its opinion 16/2002 of 29 November 2002, comes to the conclusion that

> "with regard to the present period of detention, dating from 13 December 1999, the Working Group considers that it does not have sufficient information to give an opinion on whether or not the continued detention is of an arbitrary nature, which would involve interpreting a domestic regulation on the granting of early release".

We have previously advised Mr. Atkinson in Dubai that a local lawyer would be best placed to address the issue of the application and interpretation of the laws governing his imprisonment. Early last year, our embassy supplied Mr. Atkinson's UK based lawyer with a list of Dubai lawyers. We will continue to offer Mr. Atkinson all the assistance we properly can.

Diego Garcia

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultation has taken place with the United States concerning the use of construction labourers on Diego Garcia since 1997; and how many workers from Mauritius and the Seychelles have been employed on such construction projects. [100887]

Mr. Mike O'Brien: Matters relating to the workers employed on Diego Garcia by the US contractors are regularly discussed between the United Kingdom and United States authorities at all levels. The number of workers fluctuates from year to year and within any given year. Currently, about 40 Mauritian workers are employed by US contractors on Diego Garcia. No workers have been engaged from the Seychelles for many years.

Diplomatic Corps

Mr. David Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the range of salary scales for Her Majesty's ambassadors and high commissioners. [100857]

Mr. Mike O'Brien: Her Majesty's Ambassadors and High Commissioners abroad are appointed from the following Foreign & Commonwealth Office grades. The current salary ranges for these grades are shown in brackets.

Current Salary Ranges

	(£)
D6	34,544 to 776
D7	42,640 to 58,182
SMS	51,250 to 145,550
Grade 1 Ambassadors	115,000 to 189,000

Guantanamo Bay

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs for how many hours in each month since their initial detention each of the UK citizens held at Guantanamo Bay has undergone interrogation. [100888]

Mr. Mike O'Brien: The detainees at Guantanamo Bay are in US detention. We do not know the length of time each detainee has been interrogated.

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the legal authority for the detention of UK citizens at Guantanamo Bay. [100890]

Mr. Mike O'Brien: The question of the status of the detainees at Guantanamo Bay under international humanitarian law is complex and has to be considered in the light of the facts relating to each individual detainee. We have made clear our position that, whatever their status, the detainees are entitled to humane treatment, and, if prosecuted, a fair trial.

HMS Mauritius

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs how many UK personnel are stationed at HMS Mauritius; and at what annual cost in the last five years. [100892]

Mr. Mike O'Brien: HMS Mauritius was a Royal Navy Communications Centre in Mauritius. It was established under an Agreement on Mutual Defence and Assistance that came into force on 12 March 1968 when Mauritius became independent. HMS Mauritius closed at the end of March 1976 and all personnel were withdrawn.

Iran

Valerie Davey: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will press European Union partners to introduce a censure resolution on human rights abuses in Iran at the next session of the UN Human Rights Commission. [100942]

Mr. Mike O'Brien: All EU partners are concerned about the human rights situation in Iran and we are currently consulting on how to encourage positive change. A resolution is one of a number of possibilities, which are being discussed.

Ituri Pacification Commission

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs what representation he has made to the Governments of the Democratic Republic of the Congo and Uganda to ensure the effectiveness of the Ituri Pacification

Commission; and if he will make a statement on the humanitarian situation in Ituri province of the Democratic Republic of the Congo. [101027]

Mr. Rammell: The humanitarian situation in Ituri (north-eastern DRC) remains serious. We have urged all Congolese parties and the Governments of Rwanda and Uganda to play their part in stabilising the situation, and to give their full support to the Ituri Pacification Commission. But we believe that the real key to bringing stability to the region is the formation of a transitional national government in Kinshasa.

We are working closely with our partners on the UN Security Council and at the EU to maintain pressure on the parties to address the situation in Ituri, and to take forward the formation of the transitional national government.

Myanmar

Mr. Horam: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on trade sanctions against the Government of Myanmar; and if he will make a statement. [101383]

Mr. Mike O'Brien: We do not encourage trade or investment in Burma. We offer no assistance at all to companies wishing to pursue trade or investment with Burma. Companies asking for our advice are told of our policy, the regime's appalling human rights record and its economic mismanagement.

Due to a combination of these factors, there is virtually no new foreign investment in Burma and Burma's international trade is falling.

Rwanda

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports his Department has received regarding the arrest of the Rwandan journalist Ismail Mbonigaba; and if he will make a statement. [101026]

Mr. Rammell: We received a report in January that Ismail Mbonigaba (editor of the Rwandan newspaper *Umuseso*) had been arrested for allegedly inciting "divisionism and discrimination" through an article and cartoon which appeared in his paper. On 27 February the Court of Appeal released Mr. Mbonigaba provisionally pending a further hearing. No date has yet been set for this hearing.

We will continue to monitor events closely and to urge the Government of Rwanda to respect the principle of freedom of the press and free speech. I, my right hon. Friend the Secretary of State for International Development and my noble Friend Baroness Amos discussed this with President Kagame in January.

Smoking

Chris Grayling: To ask the Secretary of State for Foreign and Commonwealth Affairs what policy his Department has adopted on smoking in the workplace. [100951]

Mr. Mike O'Brien: Smoking is only allowed in designated smoking areas in Foreign and Commonwealth Office buildings in the UK. The same principle is applied in overseas missions where feasible.

Terrorist Incidents

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the number of terrorist incidents which have taken place in each of the past five years. [102085]

Mr. Mike O'Brien: The Foreign and Commonwealth Office does not keep this kind of statistical record of world-wide terrorist incidents. A number of academic institutions compile such statistics. Another useful reference is the United States Department of State's Annual Report on "Patterns of Global Terrorism".

UN Resolutions

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the British Government has to sponsor a resolution against *(a)* Libya, *(b)* Zimbabwe and *(c)* Iraq at the UN Commission on Human Rights Session in Geneva, Switzerland, on 17 March; and if he will make a statement. [101802]

Mr. Rammell: The UK is committed to playing an active role in the forthcoming meeting of the UN Commission on Human Rights. The UK does not table resolutions at CHR on a national basis. We are currently discussing with EU partners which resolutions the EU will sponsor at this year's CHR. Decisions on EU initiatives at CHR are taken by consensus. At last year's CHR, the EU tabled resolutions on Zimbabwe and Iraq and it is likely the EU will do so again this year. We are discussing with EU partners whether to make reference to Libya at this year's CHR.

INTERNATIONAL DEVELOPMENT

Turkey

Patrick Mercer: To ask the Secretary of State for International Development how much aid has been provided by the Government to Turkey to assist in dealing with Kurdish refugees from Iraq in the last 10 years. [101144]

Clare Short: My Department has not provided assistance to the Government of Turkey to assist with Kurdish refugees. UNHCR, for whom we provide annual core funding, has a regional programme that includes some support to Kurdish refugees in Turkey.

Afghanistan

John Barrett: To ask the Secretary of State for International Development what estimate she has made of the number of civilian deaths which occurred *(a)* directly and *(b)* indirectly as a result of military action in Afghanistan since 11 September 2001. [101023]

Mr. Ingram: I have been asked to reply.

It is impossible to know for certain how many casualties, either military or civilian, there have been as a result of coalition action in Afghanistan. The Taliban's claims of casualties cannot be taken at face value.

Military action inevitably carries risks, but as my right hon. Friend the Secretary of State has made clear in the House, our targeting and weapons selection processes are rigorous. Every effort is made to avoid civilian casualties.

Award Schemes

Annabelle Ewing: To ask the Secretary of State for International Development if she will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by her Department; what their scope was; when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102051]

Clare Short: None.

Contingency Reserve

Tony Baldry: To ask the Secretary of State for International Development how much of the Department's contingency reserve for this financial year has not been spent. [101999]

Clare Short: DFID's contingency reserve for 2002–03 has been fully committed, mainly to strengthen our response to emergencies in Africa and the Palestinian territories.

Developing Countries (Water Supplies)

Mr. Laurence Robertson: To ask the Secretary of State for International Development what discussions she has had with other EU governments about *(a)* the management of water and *(b)* the control of water supplies in developing countries; and if she will make a statement. [101872]

Clare Short: My department is currently working with other EU member states on a joint water initiative, which is addressing these issues.

The European Commission and the EU Member States set up the water initiative in order to respond to the demand of the partners in developing countries and create a platform for better co-ordination of water related development aid and for new partnerships.

Although involved in many aspects of the initiative, my department is leading the financing component, working on management and control issues through a multi-stakeholder process. The finance working group is currently developing a set of guiding principles that recognises the important contribution of the many stakeholders to the provision and management of water and sanitation services, and the need for effective governance in the water and sanitation sector.

Israel

Mr. Dhanda: To ask the Secretary of State for International Development what representations she has received from NGOs regarding access to water supply in Jayyous. [101200]

Clare Short: I have not received any representations from NGOs regarding access to water supply in Jayyous.

Mr. Dhanda: To ask the Secretary of State for International Development what representations she has made to *(a)* the Israeli authorities and *(b)* the United Nations regarding (i) the potential separation of Jayyous from its water supply and (ii) alternative water supply options. [101204]

Clare Short: The route of the security fence and its effects on the Palestinian people are unacceptable. The route taken will have a severe impact on Palestinian water rights and access to water resources in Jayyous and other towns and villages near the Green Line. We have made representations at the highest level, both bilaterally and through the EU, to the Government of Israel.

Mr. Dhanda: To ask the Secretary of State for International Development what assistance her Department has given to charitable work and projects in the Occupied Territories that have been, or may be, demolished by the Israeli authorities to make way for the concrete separation wall. [101205]

Clare Short: The security fence has already severely disrupted the lives of many Palestinians, separating them from their land, water and communities. British funded development projects have not so far been affected, but we will continue to monitor closely this aspect, and the situation more generally.

Small Arms

Mr. Gardiner: To ask the Secretary of State for International Development if she will make a statement about the conference on small arms proliferation attended by representatives of her Department on 14 to 15 January. [101365]

Clare Short: On 14 and 15 January a conference on Strengthening Export Controls of Small Arms and Light Weapons: Implementing the UN Programme of Action was held at Lancaster House. The Conference was organised by my Department, the Foreign and Commonwealth Office and Ministry of Defence, and was funded from the Global Conflict Prevention Pool. I gave the opening address to delegates. The Conference brought together representatives of 49 States that produce or trade small arms and light weapons, as well as representatives of international and non-governmental organisations, in order to discuss strengthening controls on exports and transfers of small arms and light weapons (SALW).

Some consensus on strengthening export controls had been achieved during the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in all its aspects, and the objective of the Lancaster House conference was to make further progress on this issue. Participants discussed better implementation and strengthening of existing export controls and controlling brokers and trafficking of SALW. The Conference identified those areas where there is now considerable consensus and those requiring further work. A full report of the Conference will be published shortly.

We will use the further opportunity to achieve greater consensus on strengthening export controls in the margins of the UN Biennial Meeting of States in July 2003.

Sudan

Mr. Roy: To ask the Secretary of State for International Development what discussions she has had with the Sudanese Government in relation to aid available to their internally displaced persons in Southern Sudan. [101591]

Clare Short: We have not discussed with the Sudanese Government aid available to internally displaced persons (IDPs) in southern Sudan; however, under the auspices of OCHA, a Displaced Persons Task Force (with representatives from UNDP, UNICEF, IOM and others) has been established to take forward planning for IDP return in the event of peace. The Task Force will also to assist the Sudanese Government and the Sudan People's Liberation Movement/Army in planning around IDP issues and establishing an IDP policy framework.

With some four million IDPs, Sudan has largest IDP population in the world We continue to be deeply concerned about the humanitarian crisis in Sudan, particularly in the south. In the decade since 1991 Britain has pledged over £220 million to help with humanitarian crises in Sudan. This financial year, we have committed approximately £10 million to support life-saving humanitarian work, education, peace building activities (including support for the Inter-Governmental Authority on Development Secretariat and monitors for the Nuba Mountains ceasefire), and anti-slavery work.

Trade Liberalisation

Mr. Laurence Robertson: To ask the Secretary of State for International Development if she will make a statement on the likely impact on developing countries of trade liberalisation, with particular reference to the control of water supplies. [101873]

Clare Short: The impact on developing countries of trade liberalisation depends on a variety of factors such as the nature and extent of initial trade distortions, whether trade liberalisation is comprehensive or limited to a few sectors, and whether other countries also open up their markets. As a result, estimates of impact vary widely. One assessment by the World Bank indicates that comprehensive multilateral trade liberalisation backed up with increased aid for trade related infrastructure (e.g. roads and ports) could lift an additional 300 million people out of poverty by 2015.

The General Agreement on Trade in Services (GATS) provides the framework for multilateral (WTO) negotiations between countries on the liberalisation of trade in services, including water supply. The GATS is a bottom-up agreement, which means that countries themselves decide whether—and when—to open up their service sectors to foreign competition. Nor does GATS require or encourage countries to privatise public services. Should WTO members choose to involve the private sector, there is nothing under the GATS to prevent or pressure them into a specific public or private service delivery model.

My Department's priority is to make sure the poor benefit from improved water and sanitation services, through effective regulation and appropriate tariff structures, including subsidies for the poorest, if required. In all water and sanitation services, whether municipalities chose to involve the private sector or not, the principle of cost recovery is important and must be recognised as central to sustainability. Effective institutions that are accountable, representative and transparent are essential to manage and regulate the water sector.

Wildlife and Poverty Study

Mr. Gardiner: To ask the Secretary of State for International Development if she will make a statement about her Department's Wildlife and Poverty Study. [101363]

Clare Short: My Department endorses the recently published DFID Wildlife and Poverty Study. The study is available on the DFID website at www.dfid.gov.uk.

CABINET OFFICE

Public Information

Sir Sydney Chapman: To ask the Minister for the Cabinet Office if he will make a statement on the trends in spending on public information by *(a)* the UK Government and *(b)* the European Union in the last five years. [101088]

Mr. Alexander: The UK Government have spent the following on advertising in the last five years.

£000s

	Cash expenditure	*Prices in real terms*[1]
1997–98	60, 000	65,800
1998–99	106,000	110, 600
1999–2000	113, 500	114,100
2000–01	192,400	186,600
2001–02	162, 600	162,600

[1] In real terms at 2001–02 prices based on advertising media inflation rates.

Source:

COI.

Advertising is used by Departments when they judge it is the most cost effective way of delivering the publicity necessary to support a policy or proposal. These figures represent the advertising commissioned on behalf of Departments and Agencies by the Central Office of Information. The EC budget finances a variety of EU information programmes, the funding amounts for which are decided on an annual basis by the budgetary authority.

PRIME MINISTER

Iraq

Llew Smith: To ask the Prime Minister what action he has taken against United Kingdom companies which assisted Iraq in providing equipment and material in support of weapons of mass destruction. [100113]

The Prime Minister: Following the inquiry led by Sir Richard Scott (now Lord Scott of Foscote), the Government has introduced a number of legislative and non-legislative measures to improve the UK export control regime, culminating in the Export Control Act of 2002.

A number of UK companies and individuals were prosecuted for the supply of goods to Iraq in contravention of legislation in force at the time. The prosecutions were subsequently scrutinised by Lord Scott as part of his inquiry.

Any further allegations that there have been breaches of export controls in respect of exports to Iraq would require careful examination by HM Customs and Excise, which is responsible for the enforcement of UK export controls.

Mr. Allen: To ask the Prime Minister if, in the event of conflict with Iraq, he will issue a statement of the war aims of the United Kingdom, with particular reference to the post-war government of Iraq. [101408]

The Prime Minister: No decision to launch military action against Iraq has been taken. Our policy objectives were set out by my right hon. Friend the Foreign Secretary in his written statement of 7 January 2003, *Official Report*, column 4WS.

Mr. Allen: To ask the Prime Minister what plans he has to publish the actions which the Government of Iraq must take in order to avoid conflict with Her Majesty's forces, and the maximum length of time in which those actions must be completed; and if he will make a statement. [101502]

The Prime Minister: I refer the hon. Member to answers I gave at Prime Minister's questions on 5 March 2003, *Official Report*, columns 808–17.

Mr. Allen: To ask the Prime Minister what discussions he has had with other governments about the costs of *(a)* a conflict in Iraq and *(b)* the subsequent occupation of the country. [101636]

The Prime Minister: No decision has been taken to launch military action against Iraq. I regularly discuss all aspects of our Iraq policy with other governments.

Mr. Andrew Turner: To ask the Prime Minister what records the Government has kept of claims by Mr.Hussain Karnell relating to the destruction of weapons by Iraq. [101736]

The Prime Minister: Mr Kamil's claims were dealt with by UNSCOM, not the UK. UNSCOM's files are now the responsibility of UNMOVIC. It is they that have the most complete records of Iraqi disarmament claims which they share by regular reports to the UN Security Council.

Mr. Allen: To ask the Prime Minister when he first decided that the possible use of military action to disarm or overthrow Saddam Hussein should become British defence policy. [101922]

The Prime Minister: No decision to launch military action against Iraq has been taken. Our policy objectives remain as set out by my right hon. Friend the Foreign Secretary in his written statement of 7 January 2003, *Official Report*, column 4WS. United Nations Security Council resolution 1441(2002) recalls that the Council has repeatedly warned Iraq that it will face serious consequences as a result of its continued violation of its obligations.

Mr. Challen: To ask the Prime Minister if it is the policy of the Government that the second United Nations resolution on the Iraq crisis will invoke Article 42 of the United Nations Charter. [101931]

The Prime Minister: The draft resolution tabled by the UK, US and Spain on 24 February makes it clear that the Security Council would be acting under Chapter VII of the UN Charter, which includes Article 42. It does not make specific reference to individual articles of the Charter.

Llew Smith: To ask the Prime Minister what his policy is in respect of providing compensation to families of civilian victims of military action against Iraq. [101995]

The Prime Minister: No decision to launch military action against Iraq has been taken. The UK is committed to acting in accordance with international law.

Llew Smith: To ask the Prime Minister pursuant to his statement of 25 February 2003, *Official Report*, column 123, on Iraq, what the evidential basis was for his statement that Saddam Hussein has used much of the money from the oil-for-food programme for his own and his family's personal use. [102072]

The Prime Minister: This information comes from a number of sources, including contracts submitted for approval to the UN Sanctions Committee.

Mr. Allen: To ask the Prime Minister whether Lord Levy has represented him in discussions with overseas governments on policy towards Iraq. [101412]

The Prime Minister: No.

Northern Ireland Assembly

Mr. Peter Robinson: To ask the Prime Minister for what reasons he would not hold the Northern Ireland Assembly elections on 29 May. [101943]

The Prime Minister: We intend that the election will be held on 29 May 2003 and will bring forward legislation to that effect later in the month.

Security and Intelligence Agencies

Harry Cohen: To ask the Prime Minister further to his Written Ministerial Statement of 28 February 2003, *Official Report*, column 58WS, on the Security and Intelligence Agencies' Vote, what the reasons are for *(a)* the change in resources, *(b)* the change in capital, *(c)* the change in administrative costs limits, *(d)* the change in the security and intelligence agencies DEL, *(e)* the take up of end of year flexibility, *(f)* the PES transfer from the MOD, *(g)* the PES transfer from the Home Office, *(h)* the transfer from capital to revenue, *(i)* the take up of end of year flexibility and *(j)* the PES transfer from the Cabinet Office; what his policy is on increasing resources to public service organisations (i) as a general rule and (ii) in relation to the security and intelligence agencies, when they have received adverse audit reports on how they have handled existing allocated resources; and if he will make a statement. [101346]

The Prime Minister: I have nothing to add to the information provided in my Written Statement of 28 February and in the published Estimates and Departmental Reports for the Security and Intelligence Agencies. Detailed information about the Agencies' accounts is outside the scope of the 'Code of Practice on Access to Government Information' (paragraph 6 of part 1). However, there are processes that exist to ensure that the detail of these accounts can be properly scrutinised while maintaining security.

Government policies on expenditure apply to the Agencies in the same way as to all other departments.

Smoking

Chris Grayling: To ask the Prime Minister what policy his Department has adopted on smoking in the workplace. [100923]

The Prime Minister: I refer the hon. Member to the answer given to him by my hon. Friend the Minister of State, Cabinet Office on 7 March 2003.

LORD CHANCELLOR'S DEPARTMENT

Community Charge/Council Tax

Andy King: To ask the Parliamentary Secretary, Lord Chancellor's Department how many people able to pay the *(a)* community charge or *(b)* council tax refused to do so in each of the last 10 years; and from how many people the taxes could not be recovered by attachment to earnings or benefits. [100615]

Mr. Leslie: I have been asked to reply.

The information requested is not held centrally and could be provided only at disproportionate cost.

Fine Defaulters

Mr. Ben Chapman: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the *(a)* maximum and *(b)* minimum penalties for non-payment of financial penalties imposed by magistrates' courts. [99874]

Yvette Cooper: When a defaulter is brought before the court, the magistrates will have a number of enforcement options available to them. The sanctions to ensure the payment of fines include an attachment of earnings order if the defendant is in employment or deductions from social security benefits if they are not working. The maximum amount that can be deducted from an unemployed person is £2.70 per week. Other options include the issue of a distress warrant, (which empowers the person executing it to seize a person's goods or money to the value of the sum owed), or as a last resort, the court may decide to commit the defaulter to prison. The Courts Bill currently before Parliament proposes a number of new arrangements to facilitate the enforcement of fines, including new penalties such as clamping vehicles and entering the fine in the Register of county court judgments.

TRANSPORT

Car Insurance

Mr. Drew: To ask the Secretary of State for Transport what discussions he has had with insurance companies on the provision of car insurance for young drivers with an aim to reduce driving without insurance. [101176]

Mr. Jamieson: The Jill Dando Institute of Crime Science, in reporting on the UK vehicle registration system, recommended a review of the motor insurance industry aimed at reducing uninsured motoring. The Secretary of State established a Modernising Vehicle Registration Implementation Board to take forward the Jill Dando Institute's recommendations. The insurance industry are represented on that board. They have considered a number of matters and we are currently progressing measures which are intended, among other things, to help reduce uninsured driving. The Road Traffic (New Drivers) Act 1995 already provides that a driver caught driving uninsured within two years of passing his test will have his licence revoked.

Disabled Parking

Lynne Jones: To ask the Secretary of State for Transport what requirements the Department of Health places on *(a)* public and *(b)* private bodies to designate a proportion of parking spaces they provide for disabled only use; and what requirements are placed on such providers to enforce disabled only parking. [101051]

Mr. Jamieson: The responsibility for the provision of disabled persons' parking bays on the public highway lies with individual local authorities. They have a wide range of powers available to them to designate parking places for specific users, including bays for use by holders of disabled persons' badges (Blue Badges). The position in private car-parks is different and the conditions of use and provision of parking for disabled people are matters for the individual operators concerned.

The allocation of parking spaces for disabled people is the subject of a Departmental Traffic Advisory Leaflet (5/95) which includes guidance on the proportion of spaces that might be appropriate. The decision on exactly how many parking spaces to provide, both on and off street, remains one for individual authorities and operators to determine, depending on local circumstances.

However, under Part III of the Disability Discrimination Act 1995 (when fully implemented) service providers will be required to take reasonable steps to ensure that disabled people do not find it impossible or unreasonably difficult to enjoy the service on the same basis as non-disabled people. This will have implications for local authorities and car park operators, who may have to demonstrate that as well as marking out disabled person's parking spaces, they have taken reasonable steps to ensure they are available to disabled people.

In terms of enforcement of disabled persons' parking bays, there are a wide variety of powers available to local authorities under the Road Traffic Regulation Act 1984 to tackle abuse and misuse on-street. For example it is an offence to park a vehicle which is not displaying a badge in a designated disabled persons' parking bay.

Off-street car parks are private property and the conditions of use are a contractual matter between the owner and the motorist. In these car parks, spaces marked for badge holders only are in most cases not legally enforceable, but depend on the courtesy and consideration of other drivers. Car park operators could ask a non-disabled driver to move their car from a space set aside for disabled people but they might not be in a position to insist upon it.

The Department has, however, given its full support to the 'Baywatch' campaign run by a coalition of disability organisations (including the Disabled Drivers Association and the Disabled Drivers' Motor Club). They are committed to encouraging greater protection of disabled persons' parking bays in retail car parks from abuse by non-disabled drivers.

The issue of enforcement was a key part of the major review of the Blue Badge Scheme that we have just completed. Following a public consultation process that ended last year, the Disabled Persons Transport Advisory Committee (DPTAC), the Department's statutory advisers on the transport needs of disabled people, considered responses and submitted 47 recommendations to Ministers on the future shape of the Scheme. I announced in the House on 18 December 2002 that the Government would be taking forward the majority of these, including a number of additional enforcement measures. Details of all the recommendations were placed in the House Libraries on 18 December 2002. The Government will be seeking to implement the changes at the earliest opportunity.

In the meantime, it is open to anybody to bring instances of fraudulent use to the attention of the police, traffic wardens, the appropriate local authority or car park operators and we will continue to work with these bodies and stakeholder groups to minimise the potential for abuse and misuse.

London Underground

Harry Cohen: To ask the Secretary of State for Transport what role the Government had in assisting London Underground PPP Infrastructure Consortia to obtain grants or loans from *(a)* the European Investment Bank and *(b)* other financial institutions; and if he will make a statement. [101751]

Mr. Jamieson: The Government has played no direct role in assisting the London Underground PPP consortia to obtain grants or loans. The method by which they finance their obligations under the PPP, and how they raise the necessary funding, is a matter for the consortia.

Harry Cohen: To ask the Secretary of State for Transport how many *(a)* train failures, *(b)* signals/

points failures and *(c)* track failures there were on each London Underground line (i) in 2001–02 and (ii) in 2002–03. [100995]

Mr. Jamieson: This is an operational matter for London Underground who have provided the information set out in the table.

London Underground rolling stock, track and signal failures by line

	Rolling stock failures		*Track and signal failures*	
Line	*2001–02*	*2002–03 to date*[1]	*2001–2002*	*2002–2003 to date*[1]
Bakerloo	1,113	951	567	273
Central	2,957	2,353	715	586
Circle/Hammersmith and City	2,055	1,720	562	357
District	1,149	1,150	822	694
East London	147	80	94	62
Jubilee	1,427	865	518	312
Metropolitan	1,034	1,067	749	584
Northern	1,518	1,104	531	646
Piccadilly	3,070	2,181	433	283
Waterloo and City	36	60	32	29
Victoria	1,022	949	370	460
Total	15,528	12,480	5,393	4,286

[1] To 1 February 2003

Transport Grants

Mr. McLoughlin: To ask the Secretary of State for Transport what the administrative costs were of the *(a)* Water Freight grant, *(b)* Mobility grants, *(c)* Road Safety grants, *(d)* Clean Up Haulage grant, *(e)* Clean Up grant, *(f)* Powershift grant, *(g)* Track Access grant, *(h)* Rail Freight grant and *(i)* Bus Service Operator's grant in the last financial year. [101474]

Mr. Jamieson: I refer the hon. Member to the answer I gave on 3 December 2002, *Official Report*, column 663W.

Airports

Bob Spink: To ask the Secretary of State for Transport if he will meet a delegation from Essex and Kent on Saturday 5 April to discuss issues surrounding options for an airport in the Thames region. [100858]

Mr. Jamieson: Ministers are happy in principle to meet hon. Members with representatives of areas affected by options in the current airports consultation. Although I am unable to make the date suggested by the hon. Member, I am sure that alternative arrangements can be made. I would invite the hon. Member to contact my office.

Patrick Mercer: To ask the Secretary of State for Transport under what statutory authority security companies operate at British airports; and what guidance he issues on the criteria to be used in recruiting security firms at British airports. [101165]

Mr. Jamieson: Airlines, airports, air cargo agents and aviation caterers are currently directed under sections 12 to 14 of the Aviation Security Act 1982. While they may engage agents to act on their behalf, they remain legally responsible for the security function. Work is under way to create a list of approved providers of aviation security, which will include those companies contracted by Directed parties to provide a service. Such companies will have to meet certain criteria, set down by my Department, before they can deliver security functions at British airports.

Croydon Tramlink

Mrs. Dunwoody: To ask the Secretary of State for Transport whether the arrangement between Amey and Croydon Tramlink regarding the Special Purpose Vehicle is a non-recourse financial arrangement. [101427]

Mr. Jamieson: Croydon Tramlink is a matter for the Mayor and Transport for London (TfL). I understand that the Tramlink Concession Agreement is between TfL and Tramtrack Croydon Ltd. (TCL). It would not be appropriate for the Government to speculate about TCL's financial arrangements.

Aviation

John McDonnell: To ask the Secretary of State for Transport what consideration he has given to the impact of the potential use of hand-held surface to air missiles on aviation security. [100721]

Mr. Jamieson: My Department's approach is to manage the risk to the industries arising from the threat of a terrorist attack. The security measures imposed seek to minimise the industries' vulnerabilities while recognising operational realities. The Government's aim is to set the measures to counter the risk.

All the security programmes are kept under continuous review. It is not our practice to detail the required security measures for obvious reasons.

Mr. Flight: To ask the Secretary of State for Transport what research he has commissioned as part of the Government's work for the Aviation White Paper. [101283]

Mr. Jamieson: The Government have commissioned a substantial body of work in connection with the proposed air transport White Paper. Most of the work has been carried out as part of the Regional Air Services studies relating to the North of England, the Midlands, the South West, Scotland, Wales and Northern Ireland; the Regional Air Services Co-ordination study; and the South East and East of England Regional Air Services study. This work is formally categorised as consultancy rather than research. The relevant reports are listed in the Annexes to the regional consultation documents on the future development of air transport in the United Kingdom, as follows.

Consultation document	*Annex*
The Future Development of Air Transport in the United Kingdom: Midlands	D
The Future Development of Air Transport in the United Kingdom: South East (Second Edition February 2003)	C
The Future Development of Air Transport in the United Kingdom: North of England	I
The Future Development of Air Transport in the United Kingdom: South West	D
The Future Development of Air Transport in the United Kingdom: Scotland	E

Consultation document	*Annex*
The Future Development of Air Transport in the United Kingdom: Wales	D
The Future Development of Air Transport in the United Kingdom: Northern Ireland	D

Copies of the consultation documents have been placed in the House Libraries and are also available on the Department for Transport's website www.airconsult.gov.uk.

The Department has also commissioned or is supporting research in a number of areas to inform ongoing policy development. This includes research into the impact of aviation on climate change, the subjective perception of noise, Deep Vein Thrombosis, and aircraft engine emissions. In addition, we have offered a substantial contribution to help fund an international study (under the auspices of the International Civil Aviation Organisation) into establishing a global emissions trading scheme in which aviation can participate.

Mr. Edward Davey: To ask the Secretary of State for Transport how many properties have been compulsorily purchased by the Civil Aviation Authority in each year since 1999. [101827]

Mr. Jamieson: There has been no compulsory purchase of property by the Civil Aviation Authority since 1999.

Biofuels

Mr. Jim Cunningham: To ask the Secretary of State for Transport how many cars in the UK run on biofuels; and if he will make a statement on the benefits of the use of biofuels for the environment. [101063]

Mr. Jamieson: The best indicator of biofuel use is volume of sales rather than number of vehicles. This has increased significantly since the introduction of a lower rate of duty for biodiesel in July 2002; Customs and Excise figures for January indicate over 400,000 litres of the fuel being sold from around 100 filling stations. The November Pre-Budget Report announced a commitment to introduce a similar preferential duty rate for bioethanol and we would expect a similar pattern of take-up of this new fuel once this has been introduced.

Biofuels offer a number of environmental benefits compared to conventional mineral fuels. Importantly, they can contribute to a reduction in carbon emissions due to the absorption of carbon dioxide during the growth stage of the biofuel feedstock; recent studies have shown that both biodiesel and bioethanol can reduce emissions by at least 50 per cent. measured over the "life-cycle" of the fuel. In addition, the use of biofuels can help improve air quality, particularly when used in a blend with conventional mineral fuels. Furthermore, the low toxicity and high biodegradability of biodiesel in particular makes its use ideal for sensitive environments such as waterways.

Biofuels are mainly used in a 5 per cent. blend with conventional fuels. All cars are warranted for use with 5 per cent. blends of biodiesel and bioethanol which meet the respective European Fuel Standards, EN590 and EN228. Biofuels not produced to these standards may damage vehicles and their use will invalidate car manufacturers' warranties. It is also an offence to use fuel on which the relevant duty has not been paid.

Registration Numbers

Harry Cohen: To ask the Secretary of State for Transport what assessment his Department has made of the matter of cloned number plates on vehicles; what action in relation to it is planned; and if he will make a statement. [101215]

Mr. Jamieson: We are extremely concerned about the apparent increase in vehicle cloning in order to avoid road traffic enforcement cameras. We are taking action to tackle this difficult problem.

Since 1 January 2003 it has been a requirement for suppliers of number plates to be registered with DVLA. To date over 26,000 outlets have registered. This will ensure that in future number plates are only sold by registered suppliers to a purchaser who can show proof of entitlement and identity. Records will be kept of all sales for inspection by the police and local authority trading standards officers. Plates already have to be marked with the details of the producer.

In addition, in order to prevent the theft of number plates from vehicles for the purpose of cloning, consideration is being given to the use of additional security features designed to establish a clear and visible link between a number plate and the vehicle on which it should be displayed. The use of more secure fixings is also under urgent investigation.

Highways Agency

Harry Cohen: To ask the Secretary of State for Transport what assessment he has made of the Highways Agency's performance in registering with the Land Registry its acquisition of land; whether a system is in place to ensure acquired land is registered; and if he will make a statement. [101748]

Mr. Jamieson: The Secretary of State has not made a specific assessment of the performance of the Highways Agency in registering the acquisition of land with the Land Registry. Solicitors acting for the Agency register land as a matter of course following the acquisition of title.

Congestion Charging

Martin Linton: To ask the Secretary of State for Transport what assessment he has made of the effect of the London Congestion Scheme on overcrowding on suburban rail routes into London. [100897]

Mr. Jamieson: Transport for London (TfL) has projected an increase in overall public transport use of 1–2 per cent. as a result of the introduction of congestion charging. TfL expect that there will be about 5,000 additional passengers on London Underground and national rail services in the morning peak (7–10 am). This is around one extra person per carriage.

TfL are assessing rail patronage using both existing data and an enhanced programme of station and terminal counts at locations in and around the charging zone. TfL will be publishing a comprehensive report detailing all the effects of congestion charging early next year.

Motorways

Mr. Laws: To ask the Secretary of State for Transport what his most recent estimate is of the number of journeys on English motorways each *(a)* day and *(b)* year, broken down by (i) cars, (ii) lorries and (iii) other vehicles; what information is available to break these figures down by each such motorway; and if he will make a statement. [101528]

Mr. Jamieson: This information is unavailable in the format requested. Statistical information can be found in the document entitled Transport Statistics, Road Traffic Statistics: 2001 and Transport Statistics Bulletin—Traffic in Great Britain: Q4 2002 Data. Access to both these documents can be found at the following websites: http://www.transtat.dft.gov.uk/tables/2002/rts/rts01.htm and www.transtat.dft.gov.uk/qbullets/qtraff.htm.

I have arranged for copies of the downloaded document to be placed in the House of Commons Library.

Mr. Laws: To ask the Secretary of State for Transport what his estimate is of the marginal cost to the *(a)* motorist, *(b)* other motorists and *(c)* society of each marginal additional mile of travel on the M25 motorway for each period of the day; and if he will make a statement. [101529]

Mr. Jamieson: No estimate at this level of detail is available for the marginal costs of travel on the M25 motorway.

Trust Ports

Mr. Chope: To ask the Secretary of State for Transport pursuant to his answer of 5 March 2003, ref 100668, which of the first ports identified are classified as non-fishery. [102128]

Mr. Jamieson: The non-fishery trust ports on that list are:

Caernarfon;
Chichester;
Dover;
Falmouth;
Harwich;
Langstone;
Littlehampton;
Port of London;
Milford Haven;
Orford;
Poole;
Sandwich;
Shoreham;
Teignmouth; and
Port of Tyne.

Mr. Chope: To ask the Secretary of State for Transport pursuant to his answer of 5 March 2003, ref 100668, when a decision will be taken as to whether the ports fall within the classification as public corporations; and what the cause of UK present uncertainty is. [102129]

Mr. Jamieson: As soon as we are able to assess the full impact of the proposed classification, my officials will resume discussions with the Office of National Statistics and the Treasury.

Mr. Chope: To ask the Secretary of State for Transport if he will place in the Library the latest annual account of *(a)* non-fishery trust ports, and *(b)* fishery trust ports. [102130]

Mr. Jamieson: Although non-fishery trust ports are required to submit their annual accounts to the Secretary of State, the obligation to make them publicly available lies with the individual harbour authorities, not my Department. Copies of the annual reports and accounts for each trust port, both fishery and non-fishery, are available from the individual authorities.

Railways

Tom Brake: To ask the Secretary of State for Transport what recent discussions he has had with Network Rail on their *(a)* objectives, *(b)* accountability, *(c)* pay awards and *(d)* performance bonuses. [102170]

Mr. Jamieson: My right. hon. Friend, the Secretary of State meets the Chairman of Network Rail on a regular basis to discuss a range of issues. Pay awards and performance bonuses are a matter for Network Rail, subject to its licence conditions. These require the preparation of an annual management incentive plan and set out the broad parameters of such a plan.

Mrs. Ellman: To ask the Secretary of State for Transport whether he was consulted on the Strategic Rail Authority's latest announcement on cuts to rail services to Liverpool; and if he will make a statement. [101430]

Mr. Jamieson *[holding answer 7 March 2003]:* The changes to the rail service to Liverpool were made by the SRA to improve the operational effectiveness of the UK rail network. My right hon. Friend, the Secretary of State, was consulted on these changes and fully supports the SRA's strategy to improve the reliability of train services.

Mr. Rosindell: To ask the Secretary of State for Transport if he will make a statement on the level of investment in the national railway infrastructure. [101974]

Mr. Jamieson: I refer the hon. Member to the answer given to the hon. Member for New Forest, West (Mr. Swayne) on 4 March 2003, *Official Report*, column 942W.

Mr. Norman: To ask the Secretary of State for Transport how many staff have been employed by the Office of the Rail Regulator in each year since 1997. [102226]

Mr. Jamieson: I refer the hon. Member to the answer given to the hon. Member for Bath (Mr. Foster) on 3 February 2003, *Official Report*, column 46W.

Rolling Stock

Tom Brake: To ask the Secretary of State for Transport (1) what discussions he has had with *(a)* the Strategic Rail Authority, *(b)* South West Trains and *(c)* Connex South Eastern on their Mark I replacement programme; and when the last Mark I stock will be replaced for each of the operators; [102167]

(2) what discussions he has had with the Strategic Rail Authority on *(a)* the delay to the replacement of Mark I carriages, *(b)* the safety implications of the delay and *(c)* compensation claims for the inoperability of new rolling stock. [102165]

Mr. Jamieson: The Government has regular meetings with the Strategic Rail Authority covering a range of issues including Mark 1 replacement. The SRA is leading an industry wide Mark 1 replacement programme to ensure that all Mark 1 rolling stock is removed from the Network by 31 December 2004. Because of the failure of Railtrack to ensure an adequate power supply for the South London Network, it has become clear that it may be necessary to provide for around 300–350 vehicles to operate on the network after December 2004 but the SRA expects these vehicles to be removed from the network in Spring 2005. From 1 April 2003 all Mark 1 vehicles will be fitted with Train Protection and Warning System (TPWS), which seeks to prevent a collision by providing automatic braking if trains pass red signals or travel at excessive speed. Compensation is a commercial matter between the relevant parties.

Motoring Costs

Mr. Laws: To ask the Secretary of State for Transport what plans he has to reduce motoring costs in rural areas; and if he will make a statement. [101637]

Mr. Jamieson: National statistics show that average motoring costs—for motorists in rural areas and elsewhere—have fallen by 5 per cent. in real terms since 1997. This fall is primarily due to lower car prices which we have encouraged through greater retail competition. We have also reduced vehicle excise duty for motorists who use fuel-efficient cars and introduced fuel duty incentives for clean fuels—all of which rural motorists can benefit from.

Roads

Mr. Laws: To ask the Secretary of State for Transport what assessment he has made of the merits of funding new trunk roads in the private sector through road tolls; and if he will make a statement. [101639]

Mr. Jamieson: There has been no general assessment of funding new trunk roads in the private sector through road tolls.

Mr. Laws: To ask the Secretary of State for Transport what his latest estimate is of the total external social costs in pence per average vehicle mile for road travel in the United Kingdom accounted for by *(a)* congestion costs, *(b)* accident costs, *(c)* air pollution costs, *(d)* noise pollution costs and *(e)* climate change costs; and if he will make a statement. [101526]

Mr. Jamieson: A study commissioned by my Department from the Institute for Transport Studies[1] at the University of Leeds made the following estimates of the marginal external social cost of road use per vehicle kilometre in Great Britain:

a) Congestion costs : 9.71 to 11.16 pence

b) Accident costs : 0.82 to 1.40 pence

c) Air pollution costs: 0.34 to 1.70 pence

d) Noise pollution costs: 0.02 to 0.78 pence

e) Climate change costs: 0.15 to 0.62 pence

[1] Surface Transport Costs and Charges, Great Britain 1998, Institute for Transport Studies, University of Leeds July 2001.

Mr. Laws: To ask the Secretary of State for Transport what his estimate is of the total growth in vehicle miles travelled on United Kingdom roads in each year from 1980–81 to 2002–03; and if he will make a statement. [101527]

Mr. Jamieson: The year on year growth rates for vehicle miles travelled from 1980–81 to 2002–03 are detailed in the table.

Percentage

Year	*All Motor Vehicles*
1980	6.2
1981	1.8
1982	2.7
1983	1.3
1984	5.2
1985	2.2
1986	5.1
1987	7.7
1988	7.2
1989	8.3
1990	1.0
1991	0.2
1992	0.1
1993	0.0
1994	2.5
1995	2.0
1996	2.7
1997	2.3
1998	1.5
1999	1.7
2000	0.3
2001	1.3
2002	2.4

The figures on which these are based have been published in the Transport Statistics Bulletin (02)23—Road Traffic Statistics: 2001 (Table 1.1) and Transport Statistics (03)5—Traffic in Great Britain: Q4 2002 Data, copies of which are in the House of Commons Library.

Strategic Rail Authority

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will make a statement on the funding of the special purpose vehicle projects being pursued by the Strategic Rail Authority; and if he will list the companies with which the Strategic Rail Authority is negotiating regarding SPV projects. [101183]

Mr. Jamieson: The Strategic Rail Authority is developing its model for procurement of projects, including those in which SPVs may play a role, in discussion with Network Rail. Projects are under preparation but are not yet at the negotiating stage.

Mr. Don Foster: To ask the Secretary of State for Transport what budget *(a)* resource, *(b)* capital and *(c)* in total has been provided by his Department to the Strategic Rail Authority in each year since it has been in operation, including in its shadow form, and projected to 2004–05 (i) at out-turn prices and (ii) at today's prices. [95570]

Mr. Jamieson: The table provides the information requested, for the years from 1999–2000 to 2004–05.

£ million

	Resource	*Capital*	*Total*
Outturn prices			
1999–2000	1,110.7	0.2	1,110.9
2000–01	1,036.3	4.6	1,040.9
2001–02	1,248.3	623.7	1,872.0
2002–03	1,407.4	944.1	2,351.5
2003–04	3,370.1	-19.0	3,351.1
2004–05	3,408.0	-4.0	3,404.0
2002–03 prices			
1999–2000	1,192.0	0.2	1,192.2
2000–01	1,087.2	4.9	1,092.1
2001–02	1,279.5	639.3	1,918.8
2002–03	1,407.4	944.1	2,351.5
2003–04	3,296.0	-18.6	3,277.4
2004–05	3,251.6	-3.8	3,247.8

From 1 April 2003 capital grants to the private sector will be classified as resource instead of capital. This is why the figures in the resource column increase from 2003–04 onwards. In 2003–04 and 2004–05, the negative capital figures reflect the fact that the main capital item is income from property sales.

Mr. Lansley: To ask the Secretary of State for Transport (1) whether any specific liabilities of the Strategic Rail Authority, beyond those detailed in his Minutes to Parliament of 27 June 2002, are comprised within the comfort letter proposed to be issued to the Strategic Rail Authority, as set out in the Secretary of State's Minute of 3 February; [98960]

(2) what requirements for accountability to Parliament he intends to apply to the Strategic Rail Authority in respect of its receipt of guarantees from public funds for its borrowings; [98970]

(3) if he will inform the House if his current intentions as regards the matters contained in his proposed comfort letter to the Strategic Rail Authority (3 February 2003 written statement) were to change; [98941]

(4) whether the contingent liabilities of the Strategic Rail Authority which are proposed to be the subject of a comfort letter from him would score against public sector debt; [98956]

(5) pursuant to his written statement of 3 February, for what reason his power to guarantee the Strategic Rail Authority's borrowing under Schedule 14 of the Transport Act 2000 is confined to "sums which the SRA borrows temporarily"; and how he defines "temporarily" in this context; [98977]

(6) whether the contingent liabilities of the Strategic Rail Authority in respect of which he proposes to issue a comfort letter includes *(a)* the Bridge Facility I, *(b)* the KfW facilities, *(c)* the EIB facilities and *(d)* the legacy working capital facility, as set out in Minutes from him laid before Parliament on 27 June 2002; [98952]

(7) whether any limit *(a)* has been and *(b)* is intended to be set in relation to the contingent liabilities of the Strategic Rail Authority which are proposed to be the subject of a comfort letter from the Secretary of State, as set out in his minute of 3 February; [98957]

(8) what limit on contingent liabilities, which may be the subject of the proposed comfort letter to the Strategic Rail Authority from him as proposed in his Minute to Parliament of 3 February, is consistent with the Strategic Rail Authority's current *(a)* agreed budget and *(b)* financial framework; [98972]

(9) under what circumstances his statement in paragraph 12 of his proposed comfort letter to the Strategy Rail Authority, that the letter does not create binding obligations and should not be construed as a guarantee, would override his current intention as set out in paragraph 11. [98969]

Mr. Jamieson: The contingent liabilities notified to Parliament on 27 June 2002 were in respect of the SRA's specific obligations for the support arrangements for Network Rail. These included support for the Bridge Facility, the KfW facility, the EEB facility, and the legacy working capital facility. The SRA comfort letter notified to Parliament on 3 February 2003 covers the generality of the SRA's financial obligations, and therefore covers, inter alia, the specific obligations notified in June.

It is not possible to quantify or limit the contingent liabilities in respect of the SRA comfort letter beyond the provisos set out in the letter, especially at paragraphs 9 to 11. The SRA is required to operate within its agreed budget and financial framework.

Any new contingent liabilities in respect of the SRA, or any significant changes to the nature or size of existing contingent liabilities, will be notified to Parliament in accordance with Government Accounting. Under UK accounting standards, a liability is defined as contingent if it is dependent on uncertain future events or is not likely to be called. Contingent liabilities do not score as public sector debt.

The Minute accompanying the proposed SRA comfort letter summarises the Secretary of State's statutory powers to finance the SRA. In particular it notes the Secretary of State's opinion that he has no legal power to guarantee the performance of the SRA's financial obligations apart from the provision in Schedule 14 of the Transport Act 2000 in respect of temporary borrowing by the SRA from another person. Temporary borrowing is intended to cover borrowing such as by way of overdraft or bridging facility, where moneys are not intended to be advanced on a long-term basis .

There are currently no such guarantees from public funds for any temporary borrowing by the SRA. If any such guarantees were to be given by the Secretary of State, or where any sum were to be paid out in fulfilling a guarantee, then notification to each House of Parliament is required in accordance with the provisions of the Transport Act 2000.

The statement in paragraph 12 of the SRA comfort letter, that it does not create legal obligations, reflects the legal position in respect of that letter. It is compatible with the statement of the Secretary of State's current intentions in paragraph 11 of the comfort letter.

Trafficmaster Detectors

Mr. Key: To ask the Secretary of State for Transport whether Trafficmaster detectors on motorways and trunk roads are equipped with lenses capable of reading vehicle registration numbers; and if he will make a statement. [101382]

Mr. Jamieson: The Trafficmaster units on the motorway and trunk road network use two types of detector. The model using an infrared beam is not fitted with lenses. The other type incorporates a camera that reads vehicle registration marks.

To preserve privacy, equipment at the roadside removes the first and last characters of each number plate read by the cameras. The remaining characters are encrypted and processed to create a unique Identifier which is used to calculate the average speed of a batch of vehicles. No other information about a vehicle is recorded, and after two hours, the Identifiers are discarded.

DEFENCE

Afghanistan

Mr. Flight: To ask the Secretary of State for Defence what the cost has been of British operations in Afghanistan in each month since operations began. [101281]

Mr. Ingram: The monthly totals for 2001–02 are as follows.

	£ million
Month	
September	13.677
October	12.016
November	25.942
December	27.775
January	25.335
February	24.358
March	92.285
Total	221.388

I regret that since 2002–03 figures have not been audited, it might be misleading for me to provide that information on a monthly basis until the NAO audit has been completed. The forecast annual cost is £376 million.

Anthrax Immunisation

Mr. Keetch: To ask the Secretary of State for Defence how many members of the armed forces offered voluntary immunisation against anthrax received the vaccine at *(a)* zero weeks, *(b)* three weeks, *(c)* six weeks and *(d)* six months into the course; what percentage of the total offered vaccination this represents; and if he will break down these figures by service. [99363]

Dr. Moonie: Up to 12 February 2003, the period for which most recent figures are available, the data requested are as follows:

Service	*Offered*	*Accepted*	*Percentage*
Royal Navy (including Royal Marines)	3,581	1,346	38
Army	6,466	4,340	67
Royal Air Force	8,572	3,840	44
Other (including Royal Fleet Auxiliary, Joint NEC Regiment and civilians)	1,160	569	49
Total	19,779	10,095	51

Immunisation against anthrax is recorded in an individual's medical records when it is administered. However, it takes time for copies of these details to be passed back to Ministry of Defence and entered into central records, hence these figures do not include personnel most recently included in the programme. We are confident that a majority of personnel now deploying to the Gulf will opt to receive immunisation against anthrax, and expect take-up to improve further as the programme expands. Up-to-date information on second, third and subsequent immunisations could be only provided at disproportionate cost.

Anti-personnel Mines

Norman Lamb: To ask the Secretary of State for Defence if he will make a statement on compliance by the UK with the Ottawa Convention on the use of anti-personnel mines. [102352]

Mr. Hoon: The United Kingdom is fully in compliance with its obligations under the Ottawa Convention.

Astute Submarine

Mr. Breed: To ask the Secretary of State for Defence how the delay in the Astute Submarine in service date will affect the Astute Class Training Service run by DSEI; what the cost will be to his Department; and if he will make a statement. [99925]

Mr. Ingram: A contract for the provision of an Astute Class Training Service was placed with FAST Training Services Ltd in September 2001. The Department is currently evaluating the impact of realigning the training programme to take account of delays in the ASTUTE submarine programme. A decision on the way ahead, based on the best value for money solution is expected later this year.

Civil Aircraft Contracts

Mr. Goodman: To ask the Secretary of State for Defence what experience of tenders for civil aircraft contracts was available to the assessor of the Wattisham Air Traffic contract. [101373]

Mr. Ingram *[holding answer 6 March 2003]:* I assume that the hon. Member is referring to the competence of the technical assessor of the bids for the second Wattisham Air Traffic contract. The Wattisham contract was for the provision of air traffic control services, associated equipment maintenance and simulator services. As the most significant proportion of the contract was for air traffic control services for the Ministry of Defence, the most appropriate technical assessor was a military air traffic controller. Against this background it was not considered necessary for the assessor to have had experience of civil air traffic contracting.

Mr. Goodman: To ask the Secretary of State for Defence what the main differences were between the risk assessments used in the first and second assessments of the Wattisham Air Traffic contract. [101374]

Mr. Ingram *[holding answer 6 March 2003]:* The risk assessment used in the second competition for the Wattisham Air Traffic Contract benefited from lessons learnt in the first competition. The second competition utilised a better defined requirement, a more rigorous and explicit approach to the risk assessment and a different assessment team—all of which improved the quality of the risk assessment overall.

CVF Project

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) whether industrial co-operation between France and the United Kingdom on the CVF project will have an impact on his Department's contractual arrangements with *(a)* BAE Systems and *(b)* Thales UK; [97329]

(2) if he will make a statement on the proposed Anglo-French co-operation on the CVF aircraft carrier project. [97326]

Mr. Ingram: While we have been exchanging information and discussing carrier procurement issues with the French Government, to date there has been no Anglo-French co-operation on CVF at the industry to industry level. As a result of France's decision to buy a second aircraft carrier we are exploring potential areas for co-operation—such as transferring design information and facilitating, in due course, industry to industry links—to inform the French decision-making process. Much will depend on the procurement route and solution selected by France. It is not envisaged that industrial co-operation will impact on our procurement strategy and our relationship with BAE Systems or Thales UK.

Mr. Gerald Howarth: To ask the Secretary of State for Defence how much the firms bidding for the CVF project are estimated to have spent on their participation in the competition. [97330]

Mr. Ingram: From the start of the CVF Assessment phase contract in November 1999 to the end of the competitive stage on 20 November 2002, the Ministry of Defence paid around £39 million (VAT inclusive) to both BAE Systems and Thales UK. Additional spending by the companies is a matter for them.

Dean Hill

Mr. Key: To ask the Secretary of State for Defence whether plans for the closure of Dean Hill munitions depot remain as before; and if he will make a statement. [101662]

Mr. Ingram: The closure of Dean Hill munitions depot remains on track and it is planned to cease operations by 1 April 2004.

Gibraltar

Mr. Hoyle: To ask the Secretary of State for Defence pursuant to his answer of 3 February 2003, *Official Report*, column 55W, on Gibraltar, whether the Government of Gibraltar have requested a meeting to discuss commemoration of 300 years of British sovereignty. [101815]

Mr. Ingram: The Government of Gibraltar have not requested any meeting with either British Forces Gibraltar or the Ministry of Defence to discuss the commemoration of 300 years of British sovereignty.

Home Defence

Mr. Ben Chapman: To ask the Secretary of State for Defence if he will make a statement on the UK's home defence capability. [101670]

Mr. Hoon: Defence and security within the United Kingdom are primarily the responsibility of my right hon. Friend the Home Secretary. The Ministry of Defence's contribution, including the enhancements currently being implemented, were described in Section 5 of the White Paper "The Strategic Defence Review: A New Chapter" (CM5566 vol. 1), presented to Parliament on 18 July 2002.

Media and Communications (Gulf)

Mr. Keetch: To ask the Secretary of State for Defence how many personnel from his Department with responsibility for media and communications operations are *(a)* in the Gulf and *(b)* on their way to the Gulf; and if he will make a statement. [101593]

Mr. Ingram: As at 7 March 2002, the Ministry of Defence had 160 specialist media operations staff deployed to the Gulf. There is one more member of staff due to be deployed within the next week.

Mines

Mr. Frank Cook: To ask the Secretary of State for Defence what progress has been made on new technologies for detecting and removing landmines; if he will list such new technologies that have been tested in the field; under what conditions such technologies have been tested; and in which mine-affected countries they are now operational. [101294]

Mr. Ingram: Research into mine detection, and destruction or removal, continues to be undertaken [illegible] several firms in the United Kingdom. A wide range of technologies have been tested, including: ground penetrating radar; magnetometers (sometimes combined with GPS locating equipment); aerial platforms for mine detection equipment; vehicle mounted mine detection and marking equipment; mine destruction flails; mine destruction and lifting rotators and scarifiers; and pyrotechnic disposal tools. Tests have included remote controlled equipment of all types. Testing work has also been carried out with explosive and mine detection dogs.

Technologies have been tested under control conditions against dummy targets (for example, a known number of targets buried at a known depth in a known location and in a certain type of soil), in dummy minefields laid in typical conditions found in various parts of the world, and under control conditions against live targets. Equipment that is derived from or has benefited from these tests is operational in the Middle and Far East, in Africa, and in Europe (including Bosnia and Kosovo).

Mr. Frank Cook: To ask the Secretary of State for Defence how many British service personnel are involved in landmine clearance; and in which countries they are working. [101295]

Mr. Ingram: There are no British troops currently involved in landmine clearance. British troops may be required to clear mines on a war fighting deployment in support of operations. They may also be required to carry out limited mine clearance operations or operations other than war if the local situation demands. However, mine clearance on humanitarian operations will normally be passed to appropriate United Nations or civilian contractors.

No-fly Zones

Mr. Menzies Campbell: To ask the Secretary of State for Defence on how many occasions since October 2002 coalition aircraft patrolling the southern no-fly zone in Iraq have *(a)* detected violations of the no-fly zones, *(b)* detected a direct threat to a coalition aircraft and *(c)* responded in self defence; how much ordnance was released in each month since October 2002; and if he will make a statement. [99714]

Mr. Ingram *[holding answer 3 March 2003]*: The information requested is only currently available up to the end of January. No-fly zone (NFZ) violations are detected in several ways, though rarely by tactical aircraft. The number of violations recorded, by month, in the southern no-fly zone, is as follows:

	Number
October 2002	2
November 2002	2
December 2002	9
January 2003	2

Coalition aircraft recorded threats on a total of 113 occasions, as follows

	Number
October 2002	14
November 2002	48
December	18
January 2003	33

Coalition aircraft in the southern NFZ responded in self defence against Iraqi Air Defence targets on 41 occasions in the period, and released 128.4 tons of ordnance.

Responses conducted in self defence

	Number
October 2002	6
November 2002	10
December 2002	13
January 2003	12

Tonnage of ordance released

	Number
October 2002	17.7
November 2002	33.6
December 2002	53.2
January 2003	23.9

Operation Telic

Dr. Julian Lewis: To ask the Secretary of State for Defence how many urgent operational requirements (UORs) there are in respect of Operation Telic, and if he will list them, together with the total value, broken down where available by individual urgent operation requirement. [101417]

Mr. Ingram *[holding answer 6 March 2003]:* Over 170 urgent operational requirements (UORs) have been approved at a value of around £500 million for equipment related to Operation Telic. The broad categories into which these can be broken down are shown in the following table.

Category	*Description*
Force protection	Including measures to enhance situational awareness and platform protection, and to maximise Combat ID inter-operability with US forces.
Modifications for desert operations	Action to address the lessons identified from Exercise SAIF SAREEA II and enhance, inter alia, the performance of Challenger 2 and AS90 in desert conditions.
Close-quarter fighting	A range of measures including additional light machine guns and enhanced night vision and thermal imaging equipment.
Precision munitions	Increased stocks of precision munitions in accordance with lessons identified from operations in Kosovo.
Secure communications	A range of measures to ensure interoperability with US forces at both unit and platform level.
NBC protection	A range of measures to protect UK forces from any CBRN threat.
Medical support	Includes enhancements to field hospital infrastructure and medical equipment.
Support equipment	Including additional Temporary Deployable Accommodation (TDA), support to logistics operations, water and fuel distribution.

These measures do not include the additional purchase of stock, such as clothing, which are not obtained by the UOR process.

Service Personnel (Welfare)

Mr. Keetch: To ask the Secretary of State for Defence what mechanisms exist for servicemen and women on operations to raise concerns and complaints about their welfare; and if he will make a statement. [101592]

Dr. Moonie: The provision of operational and non-operational welfare support to Service personnel and their families is a high priority within the Armed Forces personnel strategy and in particular during operational deployments. Welfare is part of the unit commander's responsibility, supported by welfare staff both within the operational theatre and at home. There are a number of avenues through which a Service person can raise a welfare concern. These include the officer commanding their unit or section, the Chaplain and medical staff. The specific procedures, which apply equally to operational and non-operational duty, are publicised to Service personnel through normal briefing arrangements. Welfare support is also available to the families at home.

In the event of a complaint, there are the Service Redress of Complaints procedures. These procedures are enshrined in the Services Discipline Acts. They apply equally to welfare as to any other issue and provide the statutory right for all personnel to state a complaint and have it reviewed at successively higher levels in the Service. The principle is to deal with a complaint in an effective, fair and timely manner at the lowest appropriate level but with provision for escalation if it cannot be resolved there.

South Korea

Patrick Mercer: To ask the Secretary of State for Defence how many British warships have made a visit to South Korea in each of the past five years. [101162]

Mr. Ingram: The number of Royal Navy ship visits to South Korea in each of the past five years is detailed below. For completeness visits by Royal Fleet Auxiliary vessels are also included. HMS Nottingham had been programmed to visit South Korea towards the end of September 2002 but the visit was subsequently cancelled following her grounding off the east coast of Australia in July 2002.

No visits have been undertaken so far during 2003.

1998	*1999*	*2000*	*2001*	*2002*
HMS GRAFTON (Chinhae 11 to 13 October) HMS GRAFTON (Pusan 13 to 17 October)	Nil	HMS CORNWALL (Pusan 31 August to 4 September) HMS NEWCASTLE (Pusan 31 August to 4 September) RFA FORT VICTORIA (Pusan 31 August to 4 September) RFA FORT VICTORIA (Pohang 15 September)	Nil	Nil

Uranium-tipped Ammunition

Patrick Mercer: To ask the Secretary of State for Defence what guidance has been given to British troops regarding the *(a)* handling and *(b)* use of uranium-tipped rounds. [101159]

Mr. Ingram: I refer the hon. Member to the answer my hon. Friend the Under-Secretary of State gave on 10 February 2003, *Official Report*, column 508W to my hon. Friend the Member for Norwich, North (Dr. Gibson).

Patrick Mercer: To ask the Secretary of State for Defence whether British forces destined for the Gulf have been equipped with uranium-tipped rounds. [101160]

Mr. Ingram: I refer the hon. Member to the answer I gave on 29 January 2003, *Official Report*, column 858W to my hon. Friend the Member for Blaenau Gwent (Llew Smith).

HOME DEPARTMENT

Airline Passengers (Deportations)

Mr. Chope: To ask the Secretary of State for the Home Department how many passengers have been removed from the United Kingdom on scheduled airlines pursuant to Government deportation or removal orders under section 27 of the Immigration Act 1971 in each of the last three years; and at what cost to public funds. [101416]

Beverley Hughes *[holding answer 6 March 2003]:* No passengers have been removed under section 27 of the Immigration Act 1971.

This section of the Act refers to offences committed by carriers rather than passengers. It does not contain powers for removal.

Section 27 makes it an offence for a captain of a ship or aircraft to knowingly permit a person to disembark when this is prevented under schedules 2 or 3 of the 1971 Act, or to fail to make arrangements for a person's removal under this Act.

The power to remove persons refused leave to enter and illegal entrants lies in schedule 2 of the 1971 Act. Paragraph 9 of that schedule provides for removal at the carrier's expense and paragraph 10 provides for removal at public expense. Schedule 3 to the 1971 Act allows the Secretary of State to set removal directions pursuant to a deportation order, with the expenses defrayed by the Secretary of State. Section 10(6) of the Immigration and Asylum Act 1999 gives a power to set removal directions for persons who breach their conditions of leave or who obtain leave to remain by deception. The costs must be met by the Secretary of State.

Asylum Seekers

Mr. Wray: To ask the Secretary of State for the Home Department what steps he will take to ensure that unaccompanied child asylum seekers are not recruited for *(a)* sexual exploitation, *(b)* child labour and *(c)* other forms of child exploitation. [100315]

Jacqui Smith: I have been asked to reply.

Unaccompanied, asylum-seeking children are supported by councils with social services responsibilities, in accordance with the duties laid on them by the Children Act 1989. The Act draws no distinction between such children and other children in need.

Children at risk of becoming involved in prostitution and other forms of commercial sexual exploitation are likely to be in need of welfare services and, in many cases, protection under the Children Act 1989.

Where there is a risk to the life of a child or a likelihood of serious harm, an agency with statutory child protection powers, such as the police or councils with social services responsibilities, should act quickly to secure the immediate safety of the child. In some cases, it may be necessary to ensure either that the child remains in, or is removed to, a safe place. Under section 20 of the Children Act 1989, a local authority may provide accommodation for any child within its area if it considers that this would safeguard or promote the child's welfare.

When a child is identified as at risk of being drawn into prostitution or other commercial sexual exploitation, an assessment of the child's needs will be undertaken in accordance with "Safeguarding Children Involved in Prostitution" (2000) and "Working Together to Safeguard Children" (1999), the Government's child protection guidance, and the "Framework for the Assessment of Children in Need and Their Families" (2000). This assessment should be followed by consideration of how best to address the identified needs of the child and the development of a care plan. The plan could include a range of services.

The Children and Young Persons Act 1933 is the primary legislation governing child employment. The legislation is intended to protect children and young people who are being employed. Local authorities are responsible for ensuring compliance with the legislation and any related local byelaws.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department when he expects to agree a target figure for the removal of asylum seekers whose claims are judged to be unfounded. [101148]

Beverley Hughes: I refer my hon. Friend to the answer given by my right hon. Friend the Home Secretary during Home Office oral questions on 24 February 2003, *Official Report,* column 13. In his reply my right hon. Friend said 'Within weeks of taking over as Home Secretary, I made it clear to the House that the original intention, the technical commitment that had been made in relation to the number of people who could be removed from the country was not feasible. I indicated then that it would be more sensible to have commitment related to a proportion of the intake and that we should switch our energies into preventing entry by strengthening our borders. That is precisely what I have done in the past 20 months'.

The Public Service Agreement (PSA) in 2003–04 remains the same as in the PSA 2000 i.e. to enforce the immigration laws more effectively by removing a greater proportion of failed asylum seekers.

Jeremy Corbyn: To ask the Secretary of State for the Home Department how many asylum seekers known to his Department are in the UK and not in receipt of any kind of benefit; and how many there were at the same date in each of the last three years. [101237]

Beverley Hughes *[holding answer 6 March 2003]*: The requested information is not available.

Statistics on the number of asylum seekers who are supported by the National Asylum Support Service (NASS) are available on the Home Office's Immigration and Asylum Statistics website: http://www.homeoffice.gov.uk/rds/immigration1.html

Mr. John Taylor: To ask the Secretary of State for the Home Department under what circumstances work permits can be issued to asylum seekers who do not have jobs. [101429]

Beverley Hughes *[holding answer 17 February 2003]:* None. The United Kingdom's work permit arrangements are employer-led. It is for the employer to apply for a work permit in respect of a specific post.

Dr. Iddon: To ask the Secretary of State for the Home Department what plans are in place for Iraqi asylum seekers already in the UK should war be declared on Iraq. [100835]

Beverley Hughes: No decision has yet been taken to launch military action against Iraq. Appropriate arrangements are, however, being put in place to deal with the consequences, should such action be taken. Those arrangements cover the situation of Iraqi asylum seekers already in the United Kingdom.

Chorley Hospital

Mr. Hoyle: To ask the Secretary of State for the Home Department what measures he is taking with the Department of Health to provide more resources to Chorley Hospital in order to cope with the number of prisoners being treated at the hospital. [99909]

Jacqui Smith: I have been asked to reply.

Responsibility for meeting the costs of prisoners' medical treatment in hospital lies entirely with the national health service. Allocations made to primary care trusts include provision for the costs of such services.

Clearsprings Management

Mr. Swayne: To ask the Secretary of State for the Home Department (1) if he will make a statement on the work Clearsprings Management Ltd. undertakes for the National Asylum Support Service; [100842]

(2) for what reason Clearsprings Management Ltd. requires a confidentiality agreement from landlords; and if he will make a statement. [100853]

Beverley Hughes: Clearsprings Management Ltd. has a contract with the National Asylum Support Service (NASS) to provide accommodation for destitute asylum seekers. As part of the contract, Clearsprings Management Ltd. is required to respect a confidentiality clause. This is primarily to protect the identities and location of asylum seekers accommodated within their properties. To enable it to comply with the terms of its contract with NASS, Clearsprings Management Ltd. would need to ensure that its contracts with subcontractors also included a confidentiality clause.

Correspondence

Mr. Steen: To ask the Secretary of State for the Home Department when he will answer the letter dated 13 December 2002, from the hon. Member for Totnes, concerning the status of Mr. Fahrettin Yalcin of Brixham, Devon, which was transferred to his Department from the Foreign and Commonwealth Office for reply; and if he will make a statement on the reasons for the delay in replying. [101771]

Beverley Hughes *[holding answer 7 March 2003]*: I wrote to the hon. Member on 6 March.

Mr. Burns: To ask the Secretary of State for the Home Department when he will reply to the letter from the hon. Member for West Chelmsford of *(a)* 13 November 2002, reference 22406/2 and *(b)* 26 September 2002, reference 19999/2; and if he will make a statement on the reasons for the delay in replying. [96152]

Beverley Hughes *[holding answer 10 February 2003]:* The information is as follows:

(a) I wrote to the hon. Member on 4 March in response to his letter of 13 November 2002.

(b) My noble Friend Lord Filkin, responded to the hon. Member's letter of 26 September on 11 February 2003.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letter to him dated 23 December 2002 from the right hon. Member for Manchester, Gorton with regard to Mr. Ahmed. [98962]

Mr. Blunkett: I wrote to my right hon. Friend on 20 February 2003.

Mr. Kaufman: To ask the Secretary of State for the Home Department (1) when he will reply to the letter to him dated 20 December 2002 from the right hon. Member for Manchester, Gorton with regard to Mr. Mark Kissingu; [100686]

(2) why he has not replied to the letter to him dated 20 December from the right hon. Member for Manchester, Gorton with regard to Mr. Mark Kissingu. [102187]

Mr. Blunkett: I wrote to my right hon. Friend on 6 March 2003.

Mr. Kaufman: To ask the Secretary of State for the Home Department (1) for what reasons he has not replied to the letter to him dated 23 December 2002 from the right hon. Member for Manchester, Gorton with regard to Mrs. Lutfi; [100688]

(2) why he has not replied to the letter to him dated 23 December from the right hon. Member for Manchester, Gorton with regard to Mrs. Lutfi. [102190]

Mr. Blunkett: I wrote to my right hon. Friend on 7 March 2003.

Criminal Records Bureau

Mr. Burstow: To ask the Secretary of State for the Home Department how much the inquiry headed by Patrick Carter into the Criminal Records Bureau cost. [100165]

Hilary Benn *[holding answer 6 March 2003]:* The estimate cost of the independent review of the Criminal Records Bureau is £585,000. This includes the costs of various consultancies in support of the review.

Chris Grayling: To ask the Secretary of State for the Home Department what his policy is on the vetting of nannies by the Criminal Records Bureau. [99552]

Maria Eagle: I have been asked to reply.

Child care workers operating in child care settings regulated by Ofsted or the National Care Standards Commission are vetted through the Criminal Records Bureau. Nannies or other child care workers who care for children in the child's own home are not regulated by Ofsted, and therefore, are not vetted by the Criminal Records Bureau.

However, parents wanting to secure a nanny who has been vetted by the Bureau can go to a registered agency offering to supply such a nanny.

Bob Russell: To ask the Secretary of State for the Home Department how many volunteers have requested checks through the Criminal Records Bureau; how many have been processed; and when he expects the backlog to be cleared to meet the processing time target. [99651]

Hilary Benn: The Criminal Records Bureau (CRB) has received 160,000 applications from people in the voluntary sector. To date 135,000 have been processed and a percentage of the outstanding applications are under three weeks old.

The latest figures show that 51,857 of all the applications being processed are older than three weeks, that is to say, outside the published service standard of three weeks. This figure does not include incomplete or incorrect applications that have had to be sent back to the customer before they can be processed.

I am unable to confirm exactly when the backlog of outstanding applications will be cleared. It is, however, falling steadily and equates to less than two weeks' output. When compared against the number of outstanding applications in October 2002, 115,483, and the last week in January 2003, 62,687, there has been a steady improvement in performance.

Emergency Planning

Mr. Fallon: To ask the Secretary of State for the Home Department what recent guidance on emergency planning has been issued to local authorities. [102134]

Mr. Alexander: I have been asked to reply.

The most recent guidance issued to local authorities, emergency services and other responding agencies on emergency planning was 'The Decontamination of people exposed to chemical, biological, radiological or nuclear (CBRN) substances or material: Strategic National Guidance'. Its publication was announced in a Written Ministerial Statement by the Minister of State for the Home Department, on 3 February 2003, *Official Report*, column 3WS.

'Dealing with Disaster' (3rd Edition) is currently being revised and will be published by the middle of this year. This forms the core guidance to local authorities and other responders for emergency planning and response to all types of emergencies.

Guidance on the 'Response to the deliberate release of chemicals and biological agents: guidance to local authorities' was issued in October 2001 by the Cabinet Office. This is currently being updated by the Home Office and will be re-issued in the next two months.

Brian Cotter: To ask the Secretary of State for the Home Department what plans his Department has to make available to the public an information booklet for emergency planning in the event of a terrorist attack; and if he will make a statement. [99112]

Mr. Blunkett *[holding answer 25 February 2003]:* The Government keeps under constant review its arrangements to ensure that the public has the best possible advice about the threat in the United Kingdom. Any general advice has to be carefully considered, to ensure that it is neither too vague nor too comprehensive to be useful, given the many different forms that threat may conceivably take. We already publish information on the current security position on the Government's emergency planning website, www.ukresilience.info, together with practical advice as and when necessary in connection with specific alerts, for example handling suspect packages. That site contains a wide range of emergency planning information and links to other United Kingdom government department sites and related sites around the world, which interested members of the public can explore in depth. The Government will ensure that the advice which it provides strikes the right balance between keeping the public informed and not provoking unnecessary anxiety.

I also announced to the House on 3 March, a new website: www.homeoffice.gov.uk/terrorism to ensure the public has more access to information about terrorism and how best to protect themselves.

Illegal Meat Imports

Tim Loughton: To ask the Secretary of State for the Home Department how many people have been prosecuted in the last 12 months for illegal importation of meat products in their personal luggage on arrival at UK airports. [100782]

Mr. Morley: I have been asked to reply.

Figures on prosecutions for the illegal importation of meat are not collected centrally. Responsibility for prosecutions lies with local authorities. We are, however, aware of one successful prosecution last year, brought by Crawley borough council in July 2002. The Corporation of London Port Health Authority issued six cautions in October 2002.

A decision to bring a prosecution before the courts is a matter for the enforcement authority. They would take a number of factors into account, including the weight of evidence to prove intent to break the laws in question, and the ability to bring the offender before the British courts. These criteria may not be easy to satisfy in the case of air passengers bringing in meat illegally, especially where small quantities are seized.

In many cases, other penalties may be more appropriate. Seizures are confiscated and destroyed. We have been working with the Home Office to add details of repeat offenders to the warning index used by immigration officers.

Metropolitan Police

Mr. Cox: To ask the Secretary of State for the Home Department what surveys his Department has made of the views of people living within the Metropolitan police area on the efficiency of the police force; and if he will make a statement. [100603]

Mr. Denham: The British Crime Survey asks all respondents a general question regarding how good a job they think the police are doing. Findings for this question are available by police force area and therefore for the Metropolitan police area. The latest findings from this question have been published in "Crime in England and Wales 2001–02: Supplementary Volume 01/03" (table 8.03). A copy can be found in the Library. These results can also be found in the Police Performance Monitoring 2001–02 publication.

Office for Civil Nuclear Security

Llew Smith: To ask the Secretary of State for the Home Department what role was played by the Government's Office for Civil Nuclear Security in the preparation of the

"National Guidance on Decontamination Following the Accidental or Deliberate Release of Dangerous Material", published on 3 February 2003; and what steps he has taken to publicise this guidance to relevant bodies and individuals. [96922]

Mr. Denham: Advice on civil nuclear issues to inform the "Strategic National Guidance on the Decontamination of People Exposed to CBRN (Chemical, Biological, Radiological and Nuclear) Substances or Material" was obtained through the Department of Trade and Industry.

Following the written ministerial statement I made on 3 February 2003, *Official Report*, column 3WS, a press release announcing the publication of the guidance was issued. The document has been placed on the Home Office and UK Resilience websites. Stakeholder organisations, including Government Departments, the emergency services and local government have been asked to ensure that their members are made aware that copies of the guidance can be downloaded and to place links to the document on their own websites. Notification of the publication has also been sent directly to Emergency Planning Officers.

Police

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what the cost was of policing *(a)* the Iraq demonstration on 15 February and *(b)* the last Countryside Rally in London. [101145]

Mr. Denham: I understand from the Commissioner of Police of the Metropolis that the total cost of policing the 'Stop the war' demonstration on 15 February was £965,238 and the total cost of policing the Countryside Alliance Mass Lobby of Parliament on 16 December 2002 was £163,000.

Mr. Laws: To ask the Secretary of State for the Home Department how much was spent on administration by each English police authority in the last year for which figures are available; and if he will make a statement. [99880]

Mr. Denham: The information is not held centrally.

Mr. Tony Clarke: To ask the Secretary of State for the Home Department how many police officers there are in each police force area in England and Wales; and how many *(a)* police officers and *(b)* civilian support staff there were in England and Wales in each year since 1996. [100803]

Mr. Denham: The information requested is provided in the tables. By 31 March 2002, police service strength had reached the record number of 129,603, on track for the Government's targets of 130,000 by March 2003 and 132,500 in 2004.

Force	*Police officer strength as at 31 March 2002*	*Civilian support staff strength as at 31 March 2002*
Avon and Somerset	3,096	1,611
Bedfordshire	1,069	524
Cambridgeshire	1,362	733
Cheshire	2,059	884
Cleveland	1,461	626
Cumbria	1,100	631
Derbyshire	1,848	953
Devon and Cornwall	3,053	1,639
Dorset	1,381	741
Durham	1,614	660
Essex	2,946	459
Gloucestershire	1,183	1,571
Greater Manchester	7,217	545
Hampshire	3,480	3,135
Hertfordshire	1,825	570
Humberside	2,058	1,597
Kent	3,355	1,121
Lancashire	3,304	816
Leicestershire	2,100	1,958
Lincolnshire	1,198	1,442
London, City of	764	816
Merseyside	4,125	600
Metropolitan Police	26,223	247
Norfolk	1,468	1,532
Northamptonshire	1,214	10,459
Northumbria	3,929	819
North Yorkshire	1,417	645
Nottinghamshire	2,330	743
South Yorkshire	3,199	742
Staffordshire	2,133	1,403
Suffolk	1,203	1,087
Surrey	1,992	1,435
Sussex	2,893	1,352
Thames Valley	3,762	1,030
Warwickshire	969	692
West Mercia	2,018	1,043
West Midlands	7,681	1,507
West Yorkshire	4,889	2,061
Wiltshire	1,157	459
Dyfed-Powys	1,132	1,116
Gwent	1,333	3,007
North Wales	1,506	2,364
South Wales	3,222	649
Total Secondments	2,336	887
Total police officer strength	129,603	58,909

Year as at 31 March	*Police officers*	*Civilian support staff*
1996	126,901	52,933
1997	127,158	53,011
1998	126,814	52,975
1999	126,096	52,465
2000	124,170	52,588
2001	125,682	53,575
2002	129,603	58,022

Source:

Home Office Statistical Bulletins—Police Service Strength—1996–02

Mr. Lidington: To ask the Secretary of State for the Home Department what recommendations have been made by HM Inspectorate of Constabulary on the optimum number of probationers as a proportion of overall office numbers within a police force. [100690]

Mr. Denham: None.

Mr. Lidington: To ask the Secretary of State for the Home Department what proportion of *(a)* officers, *(b)* constables and *(c)* police area constables were probationers in each police force in each year since 1998–99. [100730]

Mr. Denham: Her Majesty's Inspectorate of Constabulary has provided the information in the table. Police area constable is not a recognised category. The proportion of probationers has been rising as a consequence of the very substantial increase in recruitment that began in 2000–01. As a result of that increased recruitment, by 31 March 2002, police service strength had reached the record number of 129,603, on track for the Government's targets of 130,000 by March 2003 and 132,500 in 2004.

	1998–99		*1999–2000*	
	Probationers as a percentage of:			
Force	*All ranks*	*Constables*	*All ranks*	*Constables*
Avon and Somerset	6.5	8.4	5.4	6.9
Bedfordshire	7.4	9.4	6.4	8.2
Cambridgeshire	2.0	2.6	3.7	4.8
Cheshire	8.4	10.8	6.1	8.0
City of London	4.8	6.1	1.8	2.3
Cleveland	5.2	6.5	4.4	5.6
Cumbria	2.0	2.6	3.6	4.7
Derbyshire	6.2	8.2	6.7	8.7
Devon and Cornwall	7.9	10.2	4.8	6.1
Dorset	7.3	9.5	6.5	8.5
Durham	11.9	15.2	8.5	10.8
Dyfed-Powys	6.7	9.0	6.2	8.4
Essex	6.4	8.4	5.2	6.7
Gloucestershire	7.7	9.8	11.4	14.7
Greater Manchester	1.6	2.0	2.7	3.5
Gwent	6.2	8.0	8.3	10.9
Hampshire	8.2	10.5	6.5	8.4
Hertfordshire	7.4	9.6	11.7	15.1
Humberside	5.3	6.9	4.0	5.2
Kent	7.4	9.5	8.3	10.5
Lancashire	5.3	7.0	2.7	3.5
Leicestershire	9.4	11.8	7.5	9:3
Lincolnshire	3.7	4.9.	3.0	4.0
Merseyside	7.7	9.8	4.2	5.4
Metropolitan Police	10.0	12.9	7.7	10.0
Norfolk	5.1	6.6	3.5	4.5
Northamptonshire	4.9	6.2	4.2	5.4
Northumbria	11.5	14.6	7.7	9.8
North Wales	7.1	9.3	7.2	9.5
North Yorkshire	5.8	7.6	1.9	2.5
Nottinghamshire	0.0	0.0	4.3	5.4
South Wales	9.1	11.7	8.9	11.6
South Yorkshire	6.8	8.8	7.1	9.3
Staffordshire	10.1	13.2	3.0	3.9
Suffolk	10.4	13.2	1.3	1.7
Surrey	11.4	14.8	16.2	20.7
Sussex	7.9	10.4	5.6	7.4
Thames Valley	10.4	13.4	8.6	11.0
Warwickshire	9.1	11.6	6.8	8.6
West Mercia	4.2	5.4	1.4	1.8
West Midlands	12.0	14.8	9.4	11.6
West Yorkshire	3.8	4.8	1.2	1.6
Wiltshire	0.0	0.0	1.3	1.8

	2000–01		*2001–02*	
	Probationers as a percentage of:			
Force	*Alll ranks*	*Constables*	*All ranks*	*Constables*
Avon and Somerset	4.5	5.7	5.2	6.6
Bedfordshire	10.4	13.3	19.1	24.1
Cambridgeshire	11.0	14.5	15.8	20.3
Cheshire	5.8	7.6	11.7	15.1
City of London	4.1	5.5	12.8	16.6
Cleveland	8.6	10.9	13.0	6.5
Cumbria	4.5	5.8	9.8	12.6
Derbyshire	9.4	12.2	11.6	14.9
Devon and Cornwall	7.9	10.0	11.0	14.0
Dorset	10.1	13.1	12.7	16.4
Durham	7.5	9.5	10.0	12.7
Dyfed-Powys	17.9	23.7	12.6	16.4
Essex	8.4	10.8	13.3	17.0
Gloucestershire	12.0	15.3	12.0	15.3
Greater Manchester	3.2	4.1	13.0	16.3
Gwent	9.3	12.0	16.4	21.0
Hampshire	8.4	11.0	11.2	14.5
Hertfordshire	11.9	15.5	14.8	18.9
Humberside	7.3	9.3	15.4	19,5
Kent	3.6	4.5	14.4	18.2
Lancashire	7.9	10.3	11.1	14.4
Leicestershire	9.2	11.4	11.8	14.7
Lincolnshire	11.6	15.0	15.6	20.4
Merseyside	5.0	6.4	8.7	10.9
Metropolitan Police	7.9	10.3	9.1	11.8
Norfolk	8.1	10.4	12.0	15.3
Northamptonshire	7.9	9.9	13.2	16.7
Northumbria	7.9	10.0	10.9	13.8
North Wales	11.7	15.4	14.0	18.3
North Yorkshire	5.6	7.2	2.1	2.8
Nottinghamshire	7.5	9.6	0.9	1.2
South Wales	3.0	3.8	13.3	16.9
South Yorkshire	5.2	6.8	10.3	13.5
Staffordshire	3.8	4.9	7.1	9.3
Suffolk	6.4	8.2	13.6	17.1
Surrey	19.3	24.7	21.2	26.9
Sussex	9.6	12.6	13.5	17.7
Thames Valley	10.7	13.8	15.1	19.4
Warwickshire	9.2	11.6	14.9	18.7
West Mercia	4.0	5.2	10.4	13.6
West Midlands	10.3	12.8	9.5	11.7
West Yorkshire	5.4	6.9	11.0	13.9
Wiltshire	7.1	9.4	11.8	15.3

Mr. Lidington: To ask the Secretary of State for the Home Department what estimate he has made of the average annual cost of employing, training and developing a probationary police constable in the last year for which figures are available. [100731]

Mr. Denham: No central records are kept of the overall cost of employing, training and developing a police officer, which is the responsibility of the Chief Officer of each force.

However, when payment rates were agreed for new recruits to be taken on through the Crime Fighting Fund (CFF) provision was made for pay-related costs, recruitment and for the residential element of foundation training. The current CFF payment rates are set out in the table. This does not account for the full cost of training and developing a probationary constable.

CFF Payment rates 2002–03

	Pay-related costs	*Training*	*Recruitment*
	Payment per officer at £ per annum	*Payment per officer at £*	
Essex, Kent, Hertfordshire, Surrey, Thames Valley Police	28,298	[1]7,000	1,056
Bedfordshire, Hants, Sussex Police	27,208	[1]7,000	1,056
Metropolitan Police Service	32,542	[1]7,000	1,056
City of London Police	32,542	[1]7,000	1,056
All other forces	26,118	[1]7,000	1,056

[1] Paid to Centrex

Port Security

Mr. Waterson: To ask the Secretary of State for the Home Department what security measures are in place for *(a)* Sovereign harbour in Eastbourne and *(b)* Newhaven port. [100775]

Mr. Jamieson: I have been asked to reply.

Newhaven Port services ships engaged on international passenger and ro-ro freight routes. Therefore, mandatory counter terrorist security measures in accordance with the requirements of the Aviation and Maritime Security Act (AMSA) 1990, are in place at Newhaven Port.

The level of security at locations such as Sovereign harbour, Eastbourne is decided by the Harbour Authorities or Harbour Operators as appropriate and will be commensurate with their commercial imperatives.

In addition to AMSA the three border agencies, police Special Branch, HM Customs and Excise and the Immigration Service control the movement of passengers and goods through small ports. Their presence at the ports is determined by a risk assessment.

Probation Service

Simon Hughes: To ask the Secretary of State for the Home Department how many persons by grade and function were employed at the National Probation Directorate on 31 December 2002; and how many of these were consultants. [99931]

Hilary Benn: The information requested is as follows:

National probation directorate staff breakdown—Current staffing levels

Grade	*National directors office*	*Communications*	*Corporate support*	*Finance*	*Estates*	*Procurement*	*Policy*
SCS	1	—	1	1	—	—	1
GRADE 6	—	—	1(C)	1	3	—	2
GRADE 7	—	1	1	8(1C)	13(9T)	—	3
SEO	2	—	1	5	8(7T)	—	—
HEO	—	1(T)	2	2	2(1T)	—	8
EO	1	2	1	4	8(5T)	—	6(1T)
AO	—	—	—	3	2(1T)	—	5(1T)
AA	1	—	—	—	2(1T)	—	—
SPS	—	—	—	—	2(1T)	—	—
PS	—	—	—	—	—	—	3(2T)
SRO	—	—	—	—	—	—	—
RO	—	—	—	—	—	—	—
ACO	—	—	—	—	—	—	5(4S)
SPO	—	—	—	—	—	—	—
PO	—	—	—	—	—	—	—
DCI	—	—	—	—	—	—	1(1S)
DI	—	—	—	—	—	—	—
Consultants	—	—	—	4	—	1	—
Secondees	—	—	—	—	—	—	—
Total	5	4	7	28	40	1	34
Total number consultants	0	0	1	5	0	1	0
Directorate total	333	—	—	—	—	—	—
Consultant total	32	—	—	—	—	—	—

Grade	*Performance and planning*	*What works*	*Human resources*	*Diversity*	*Public protection unit*	*ITG*	*Total*
SCS	1	1	1	—	2	1	10
GRADE 6	10	4	2	1	1	3	28(1C)
GRADE 7	12	20(20S)	7	—	1	9(2T)	75(1C, 20S, 11T)
SEO	—	3(1S)	3	—	—	7(2S)	29 (3S, 7T)
HEO	1	2	3(2T)	2(1T)	3	7(2T)	33 (7T)
EO	4	4	3	2(1T)	3	15(9T)	53 (16T)
AO	—	5(3T)	2(1T)	1(T)	2	5(1T)	25(8T)
AA	—	—	—	—	1	—	4(1T)
SPS	—	1(T)	1(T)	—	—	—	4(3T)
PS	1	6(4T, 1S)	2(2T)	1(T)	1(T)	3(1T)	17(1S, 11T)
SRO	—	2	—	—	—	—	2
RO	—	—	—	—	—	—	0
ACO	—	—	—	—	3	5(1T)	13(4S, 1T)
SPO	—	1(S)	—	—	1(S)	3	5(2S)
PO	—	—	—	—	1	—	1
DCI	—	—	—	—	1(S)	—	2(2S)
DI	—	—	—	—	—	—	0
Consultants	—	—	3	—	1	21	30
Secondees	—	—	—	—	—	2	2
Total	29	49	27	7	21	81	333(32C, 32S, 65T)
Total number consultants	0	0	3	0	1	21	32
Directorate total	—	—	—	—	—	—	—
Consultant total	—	—	—	—	—	—	—

Notes:

C = Consultant

S = Secondee

T = Temporary staff

Unaccompanied Children

Tim Loughton: To ask the Secretary of State for the Home Department how many *(a)* unaccompanied children and *(b)* children unaccompanied by adults with parental responsibility arrived in the UK in each of the last five years. [100477]

Beverley Hughes: I regret that the information requested is not available. Information is not recorded (or collated centrally) on whether children who arrive in the United Kingdom are accompanied or unaccompanied.

The available information on applications from unaccompanied asylum seeking children is given in the table. Reliable information on the entry routes of unaccompanied asylum seeking children (UASC), including when UASCs first enter the United Kingdom, is not available.

Unaccompanied children[1,2,3] aged 17 or under, applying for asylum in the United Kingdom, 1998 to 2002

	Total	*Applied at port*	*Applied in country*
1998[4]	3,035	1,085	1,955
1999[4]	3,350	1,500	1,850
2000[4]	2,735	1,395	1,340
2001[4,5]	3,470	1,645	1,820
2002[5,6]	5,945	1,220	4,725

[1] Figures are rounded to the nearest five.

[2] Unaccompanied at point of arrival and not known to be joining a close relative in the United Kingdom.

[3] Figures exclude age dispute cases reported by Asylum Cases Information Database (A-CID).

[4] Figures exclude cases lodged at Local Enforcement Offices (LEO) and postal applications.

[5] Provisional figures.

[6] Figures not comparable to manual count data previous to 2002, which excluded LEO and postal applications, which are now reported by A-CID.

Information on asylum applications from unaccompanied asylum seeking children is published annually in the statistical bulletin, "Asylum Statistics United Kingdom", a copy of which is available in the Library, and from the RDS website: http://www.homeoffice.gov.uk/rds/immigration1.html

Work Permits

Mr. John Taylor: To ask the Secretary of State for the Home Department how many work permits he has authorised since 1 September 2002. [101428]

Beverley Hughes *[holding answer 7 February 2003]:* 64,681 applications for work permits have been approved in the period 1 September 2002 to 1 March 2003.

EDUCATION AND SKILLS

"The Future of Higher Education"

Mr. Boswell: To ask the Secretary of State for Education and Skills whether admission on merit to a higher education institution will discharge that institution's access obligations under the White Paper, "The Future of Higher Education". [100155]

Margaret Hodge: Universities are responsible for their own admissions policies. We believe students should be chosen on merit whatever their class and background and that those with the potential to succeed at university should be given the opportunity to do so.

Convention on the Future of Europe

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what assessment he has made of the impact on education of proposals coming forward from the Convention on the Future of Europe. [101797]

Margaret Hodge: The European Union's role in education, vocational training and youth, as set out in Articles 149 and 150 of the current Treaty establishing the European Union, is limited to supporting and supplementing member state action. The draft text of Articles of the Treaty establishing a Constitution for Europe, currently being discussed within the Convention, states that education, vocational training and youth are areas for supporting action only.

Early Education

Mr. Laws: To ask the Secretary of State for Education and Skills what proportion of three year olds in Somerset have access to a free early education place; and if he will make a statement. [99816]

Maria Eagle: The information is not available in the form requested. In January 2002, 2,390 free early years education places were taken up by three year olds in Somerset Local Education Authority area.

We have made the commitment that by April 2004, six months ahead of our original target, all three year olds whose parents want one, will have access to a free, part-time early education place.

Latest figures on three year olds in early years education providers were published by the Department in the Statistical Bulletin "Provision for Children Under Five Years of Age in England—January 2002 (08/02)" in December 2002, a copy of which is available from the Library. An electronic copy of this publication is also available on the Department's web-site (www.dfes.gov.uk/ statistics).

Education Maintenance Allowance

Mr. Barron: To ask the Secretary of State for Education and Skills what assessment he has made of the effects of the introduction of education maintenance allowance and post-16 education on neighbouring local authorities. [100598]

Margaret Hodge: Our assessment of the effects of introducing the education maintenance allowance compares participation by young people in post-16 education in pilot areas with participation by young people in control areas. We have not made an assessment of the effects of introducing EMA on neighbouring local authorities as we intend to introduce the scheme nationally from September 2004.

Mr. Barron: To ask the Secretary of State for Education and Skills what the retention rates are of pupils moving into post-16 education in *(a)* education maintenance allowance and *(b)* non-education maintenance allowance authorities. [100599]

Margaret Hodge: An independent evaluation of EMAs has been taking place since 1999. Evidence from the second year of the pilots, which was published last year, shows that EMAs have had a positive effect, increasing the number of eligible young people in full time education in year 12 in the pilot areas by 5.9 percentage points, compared to the local authority areas without EMA that we have used as controls.

Foundation Degree Courses

Mr. Gibb: To ask the Secretary of State for Education and Skills how many students have enrolled on foundation degree courses in *(a)* 2001 and *(b)* 2002; and if he will make a statement. [98502]

Margaret Hodge: Latest figures from the Higher Education Funding Council for England (HEFCE) show that there were 12,000 students enrolled on Foundation Degrees in 2002–03, compared with 4,200 in 2001–02. Figures published recently by UCAS, covering students applying for HE courses in 2003–04, show that the number of applications for Foundation Degree courses have more than doubled.

We welcome the increase in numbers. We now need to build on this as we look to make Foundation Degrees the standard two year qualification at this level.

Free School Meals

James Purnell: To ask the Secretary of State for Education and Skills how many children will be entitled to free school meals under the Government's new child tax credits from April. [101142]

Mr. Stephen Twigg: From 6 April 2003, we estimate that 1.2 million children in England will be entitled to receive free school lunches. This estimate includes around 162,000 children who will be entitled to receive free school lunches because their parents claim the new child tax credits. This figure includes 75,000 new recipients who would not have previously benefited from this entitlement.

Mr. Tony Clarke: To ask the Secretary of State for Education and Skills how many children in Northampton, South are entitled to free school meals; and what the average is in English constituencies. [100785]

Mr. Stephen Twigg: The latest information available is shown in the table:

Maintained nursery, primary and secondary schools[1]: Eligibility for free school meals January 2002

	Day pupils[2]					
	Nursery and primary schools			*Secondary schools*		
	Number on roll	*Number known to be eligible for free meals*	*Percentage known to be eligible for free meals*	*Number on roll*	*Number known to be eligible for free meals*	*Percentage known to be eligible for free meals*
Northampton, South	7,721	753	9.8	9,013	978	10.9
England	4,405,639	754,511	17.1	3,260,931	486,353	14.9

[1] Includes middle schools as deemed

[2] Excludes boarding pupils

Higher and Further Education

Mr. Howard: To ask the Secretary of State for Education and Skills how many students were in higher education in each year since 1980. [94709]

Margaret Hodge: The latest available information is given in the table.

Higher Education[1] Students in Great Britain

Year	*Postgraduate*	*Undergraduate*	*Total[2]*
1980–61	101,400	699,800	801,200
1981–82	102,600	728,900	831,500
1982–83	100,000	749,600	849,700
1983–84	103,400	767,900	871,300
1984–85	107,300	774,500	881,700
1985–86	114,200	795,100	909,300
1986–87	121,200	823,800	945,000
1987–88	125,600	842,300	968,000
1988–89	134,500	869,100	1,003,600
1989–90	145,700	920,900	1,066,700
1990–91	163,600	982,400	1,146,100
1991–92	188,900	1,079,000	1,267,900
1992–93	213,100	1,195,700	1,408,800
1993–94	236,900	1,304,400	1,541,300
1994–95	297,000	1,400,800	1,697,800
1995–96	310,800	1,476,200	1,787,000
1996–97	310,300	1,534,500	1,844,800
1997–98	321,400	1,561,200	1,882,600
1998–99	337,900	1,579,500	1,917,500
1999–2000	351,300	1,586,100	1,937,500
2000–01	363,600	1,620,800	1,984,400
2001–02[3]	371,800	1,669,100	2,040,900

[1] Census count as at December 31 in years up to 1993–94, and as at December 1 subsequent years. Includes home and overseas HE students studying both full and part time courses at HE institutions, FE institutions and the Open University.

[2] Numbers may not add as totals were calculated before rounding.

[3] Provisional.

Note:

Numbers have been rounded to the nearest hundred.

Gregory Barker: To ask the Secretary of State for Education and Skills how many students have been enrolled in *(a)* higher and *(b)* further education in each academic year since 1997–98. [96702]

Margaret Hodge: The latest information is shown in the table.

Students on higher and further education courses—England

Academic year	*Higher education*[1]	*Further education*[2]
1997–98	1,568,200	3,767,300
1998–99	1,591,400	3,662,300
1999–2000	1,610,000	3,608,100
2000–01	1,651,600	3,671,400
2001–02	[3]1,690,900	Not available[4]

[1] Census count as at 1 December. Covers all home and overseas students on postgraduate and undergraduate courses, including HE students in FE colleges and the Open University.

[2] Based on a whole year count of students. Includes FE students in HE institutions.

[3] HE figures are provisional.

[4] The whole year count of students in FE sector colleges is collected retrospectively after the end of the academic year.

Maintenance Awards

Mrs. Humble: To ask the Secretary of State for Education and Skills when Education Maintenance Awards will be introduced in *(a)* Blackpool and *(b)* Lancashire. [101492]

Margaret Hodge: The national Education Maintenance Allowance (EMA) scheme will be available from September 2004 across the whole of England.

In areas such as Blackpool which are not part of the pilot scheme, the first tranche of eligible students will be those who reach the compulsory school leaving age in the 2003–04 academic year.

East Lancashire is currently piloting a variant of EMA whereby young people are given help with transport costs. This will continue until the national scheme is introduced.

Ministerial Travel

Mr. Bercow: To ask the Secretary of State for Education and Skills if he will list the overseas trips made by himself and other members of his ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101482]

Mr. Stephen Twigg: I refer the hon. Member to the answer provided by my hon. Friend the Minister of State, Cabinet Office on 22 January 2003, *Official Report*, column 334W.

Sure Start

Mr. Laws: To ask the Secretary of State for Education and Skills what assessment he has made of the effectiveness of Sure Start schemes; if he will list by education authority those approved to date; and if he will make a statement. [99814]

Maria Eagle: A major evaluation of Sure Start began in January 2001. It will examine the impact of Sure Start on children, families and communities, both in the short, medium and long term by tracking a sample of 8,000 children and their families over time. Information on impact and effectiveness will become available over the next 12–18 months. 427 of the 524 planned Sure Start local programmes have been approved to date. In addition we are funding 50 Mini Sure Start local programmes in rural areas and areas with pockets of deprivation. Of these, 49 have been approved to date.

A list of the programs has been placed in the Library.

Mr. Laws: To ask the Secretary of State for Education and Skills how many Sure Start schemes there are in *(a)* rural and *(b)* urban areas. [99815]

Maria Eagle: Of the 524 planned Sure Start local programmes there are 15 based in identifiably rural areas and 509 located in predominantly urban areas. Of these, 427 Sure Start local programmes have had their funding approved to date.

In addition, we are funding a pilot project of 50 Mini Sure Start local programmes in rural areas and areas with pockets of deprivation. These programmes cover areas where the number of disadvantaged children living in a defined area is less than the 800 required for a full local programme and so would not be covered by the traditional Sure Start model. The Mini Sure Start local programmes are building on existing services like Neighbourhood Nurseries or other facilities delivering children's services and using Sure Start funding to deliver outreach and additional health work. Of the 50 Mini Sure Start pilots, 29 are in rural areas.

Mr. Laws: To ask the Secretary of State for Education and Skills how many Sure Start programmes have been established in Somerset; if he will list them; and if he will make a statement. [99821]

Maria Eagle: Since 1997 three Sure Start local programmes have been established in Somerset. These are Bridgwater (Sedgemoor); West Somerset (West Somerset); and Taunton Deane (Taunton Deane).

Two mini Sure Start programmes have also been established in Somerset in this time period, and are located in Glastonbury and Chard. These mini Sure Start programmes are building on Neighbourhood Nurseries and are using Sure Start funding to deliver outreach and additional health work.

Tuition Fees

Mr. Wiggin: To ask the Secretary of State for Education and Skills what reasons underlie the recent increase in university tuition fees. [100359]

Margaret Hodge: As in previous years, the maximum student contribution towards tuition fees for full-time undergraduates in England and Wales, attending courses at publicly funded institutions of higher education, has increased by £25 in order to maintain its value in real terms.

University Museums (Funding)

Mr. Bryant: To ask the Secretary of State for Education and Skills if he will make a statement on funding for university museums. [101464]

Margaret Hodge: University museums in England receive funding through higher education institutions' block grant from the Higher Education Funding Council for England (HEFCE). In addition, the Arts and Humanities Research Board (AHRB) provides funding of over £9 million a year to selected university museums and galleries. University museums also receive funds from other sources, for example from donations and as a result of providing services.

Violence/Harassment

Mr. Boswell: To ask the Secretary of State for Education and Skills what figures his Department collates on the incidence of *(a)* violence and *(b)* harassment perpetrated (i) by higher and further education staff on students and (ii) by students on higher and further education staff. [101727]

Margaret Hodge: Information is not collected by the Department on the incidence of violence and harassment by further and higher education staff on students, nor by students on staff.

Major injuries and others resulting in more than three days' absence from work as a result of physical violence are reportable to the Health and Safety Executive (HSE) under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. Between 1996 and 2001 there were 117 major injuries and 561 over three-day injuries to all teaching staff as a result of physical violence reported to HSE. These figures include teachers in all schools, further and higher education and adult and other education institutions. Information is not available on whether the assaults were carried out by pupils/students, parents or others.

Work Experience

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 24 February 2003, ref 96764, if he will list the independent evaluations of work experience placements which have taken place; and if he will make a statement. [100256]

Mr. Ivan Lewis: There have been two independent national evaluation studies on the pre-16 work experience programme, both carried out by the Institute for Employment Studies: "Pre-16 Work Experience in England and Wales" (IES Research Report, 1996), and "Pre-16 Work Experience Practice in England: An Evaluation" (IES Research Report, May 2001). These evaluations both show that placements are generally satisfactory and well-received by schools, pupils and employers. The second evaluation indicated that overall quality had improved since the first, reflecting the impact of a number of initiatives taken to enhance it, but a very small minority of placements were not of good quality and there was scope for further improvement in aspects of practice in some schools. As I indicated in previous answers to the hon. Member, we are committed to enabling all pupils at Key Stage Four to have at least two weeks of high quality work experience, and have measures in hand to promote this.

WORK AND PENSIONS

Company Pensions

Mr. Austin Mitchell: To ask the Secretary of State for Work and Pensions if he will estimate the shortfalls in company pension schemes as a result of compliance with FRS17. [100530]

Mr. McCartney: There are a number of alternative ways of evaluating the assets and liabilities of pension schemes. The FRS17 accounting standard sets out how pension assets, liabilities and costs should be reflected in company accounts. It offsets the long term liabilities of schemes against the current value of assets. The standard is the responsibility of the Accounting Standards Board which is independent of Government. Although companies are currently required to present balance sheet and performance statement information under the FRS17 standard in the notes to their accounts, mandatory full implementation of FRS17 has been deferred until 2005. FRS17 does not in itself create pension liabilities but seeks to make them clear in company balance sheets. It is therefore not appropriate to calculate an estimate of the shortfall in company pension schemes as a result of compliance with FRS17.

Minimum Income Guarantee

Mr. Flight: To ask the Secretary of State for Work and Pensions (1) what the estimated take-up of the minimum income guarantee in 2002–03 is; and if he will make a statement; [99148]

(2) what estimate he has made of the numbers of people eligible for minimum income guarantee in 2002–03. [99149]

Mr. McCartney: The latest available estimate of take-up of Minimum Income Guarantee relates to financial year 1999–2000 and is presented in the DWP report "Income Related Benefits Estimates of Take-up in 1999–2000". A copy of the publication is available in the Library. The next edition of the report containing statistics for 2000–01 will be released on 27 March 2003.

Information on the number of people eligible for Minimum Income Guarantee in 2002–03 is not available. The latest published number of recipients of Minimum Income Guarantee as at November 2002 is 1,768,000. This estimate is taken from a 5 per cent. sample of administrative data and may be subject to a small degree of sampling error.

Automated Credit Transfer

Lynne Jones: To ask the Secretary of State for Work and Pensions pursuant to his answer to the hon. Member for Northavon (Mr. Webb) of 27 January 2003, *Official Report,* column 649W, in what order he will be sending out invitation letters to recipients of each category of benefit. [95566]

Malcolm Wicks: The mailing exercise for direct payment began in October 2002 with four weekly paid Child Benefit customers and people in receipt of a War Pension. Since then we have continued with these benefits and started to issue mailings to people getting Retirement Pension. From March 2003 we plan to start to write to weekly paid Child Benefit customers.

Also from March 2003 we will start to contact customers in receipt of Jobcentre Plus benefits (Income Support, Incapacity Benefit, Industrial Injuries Scheme Benefits, Severe Disablement Allowance, Bereavement Benefit and Widows Benefit). Jobseeker's Allowance customers will be dealt with as part of their usual contact with the Department and will not receive a mailing.

In summer 2003 we plan to start writing to customers in receipt of Disability and Care benefits including Invalid Care Allowance, Disability Living Allowance and Attendance Allowance.

Benefit Payment Methods

Mr. Willetts: To ask the Secretary of State for Work and Pensions what proportion of benefit claimants he expects to be unable to receive their benefits into a bank or building society account, including a Post Office card account; what types of people he expects to fall into this category; and when the new arrangements for these people are likely to be announced. [100796]

Malcolm Wicks: Around 85 per cent. of our customers currently have access to an account suitable for Direct Payment. For those customers who wish to open a new account information on all of the options available is given in mailings being sent to benefit and pension customers.

There is now a wide range of easy to operate bank and building society accounts available. The availability of these accounts and the Post Office card account will mean that there should be only a small number of people who cannot open a suitable account. However, we have always recognised that there will be a small group of people who we cannot pay directly into an account and they will continue to be paid in the same way they are now until an alternate payment method is available. Work is in progress to develop a solution to make these payments. Once this work is complete we will announce details.

Commonwealth Pensions

Mr. David Marshall: To ask the Secretary of State for Work and Pensions if he will uprate the pensions paid to UK pensioners living in all Commonwealth countries; and if he will make a statement. [100877]

Mr. McCartney: State pension is uprated in some Commonwealth countries and certain other countries abroad where there is a legal requirement or a reciprocal social security agreement to do so.

The Commonwealth countries with which the UK has reciprocal agreements allowing state pension upratings to be paid are, Barbados, Cyprus, Jamaica, Malta and Mauritius. Pensions are not uprated in any other Commonwealth country.

The uprating of state pensions abroad is the subject of a Court of Appeal hearing set for 24 and 25 March 2003. This is an appeal against the High Court's finding that the Government is not in breach of the European Convention on Human Rights by not annually uprating the state pension in countries where there is no agreement to do so.

Departmental Helplines

Mr. Willetts: To ask the Secretary of State for Work and Pensions what targets are in place for each of the Department's telephone helplines; and what the most recent performance figures against these targets are. [91973]

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will list the targets for each of the Pension Service call centres; and what the performance against those targets has been. [98108]

Mr. McCartney: The information in the table shows the targets currently in place for each of the Department's telephone helplines and recent performance against them.

Centre	*Target*	*April to December 2002*	*Notes*
DWP Corporate			
Public Enquiry Office	To answer 65 per cent. of all calls offered to the PEO.	41 per cent.	Average performance calculated April-December 2002. No data for November 2002
Jobcentre Plus			
Jobcentre Plus Chief Executive helpline	100 per cent. of calls received in 20 seconds	100 per cent.	This is a single line service operated by one member of staff. The number of calls received and answered are recorded but the telephone system does not enable the monitoring of any callers receiving an engaged tone.
Employer Direct	1: 80 per cent. of calls answered within 20 seconds	85 per cent.	
	2: Maximum of 5 per cent. of calls abandoned after 20 seconds	3 per cent.	
Jobseeker Direct	1: 95 per cent. calls answered	98.0 per cent.	Current Jobseeker direct telephone technology is unable to monitor how quickly calls are answered
	2: 1 job submission per call	1.12	
	3: 8 job entries per service point per week	9.1	
One— Milton Keynes	1: 65 per cent. of calls answered within 25 seconds with no more than 10 per cent. abandoned	68 per cent.	
	2: 80 per cent. of call backs made within 48 hours.	66.66 per cent.	Figure supplied is calculated average as unable to supply exact figures in time available.
One—Taunton	1: 65 per cent. of calls answered within 25 seconds with no more than 10 per cent. abandoned	70.1 per cent.	
	2: 80 per cent. of call backs made within 48 hours.	Not available	

Centre	*Target*	*April to December 2002*	*Notes*
One— Cwmbran	1: 65 per cent. of calls answered within 25 seconds with no more than 10 per cent. abandoned	69.3 per cent.	
	2: 80 per cent of callbacks made within 48 hours.	70.0 per cent	
Jobcentre Plus Pathfinders	Answer 80 per cent. of calls within 30 seconds (see note)	90.5 per cent.	This measure excludes calls that abandon within the 30 seconds time to answer target time.
National Benefit Fraud Hotline	1: 99 per cent. calls answered	97.76	
	2: 6 minute call duration	6.54	
	3: 70 per cent referrals to fraud	78.45	
The Pension Service			
The Pension Service Chief Executive helpline	All calls answered within 30 seconds	100 per cent.	This is a single line service operated by one member of staff. The number of calls received and answered are recorded but the telephone system does not enable the monitoring of any callers receiving an engaged tone.
Pension Centres	Not currently in place—see note: From April 2003 these will be 1: To ensure that less than 1 per cent. of attempted calls receive an engaged tone or message and 2: To ensure that 92 per cent. of calls to Pension Centres are answered	N/A	In 2002–03 the priority has been to maintain quality of service during transition of the service into 26 regional pension centres.
International teleclaims	90 per cent. of calls answered	92.7 per cent	
Pension Direct	1: Answer 92 per cent. of calls offered to ACD	91.6 per cent.	
	2: Average time to answer of 30 seconds	50 seconds	
Retirement Pension teleclaims	1: 90 per cent. of calls answered in 30 seconds	88.16 per cent.	
	2: No more than 1 per cent of calls are blocked[1]	0.64 per cent.	
Retirement Pension Forecasting Team	90 per cent. of calls answered in 30 seconds	81.25 per cent.	
Minimum Income Guarantee	1: 90 per cent. of calls answered in 30 seconds	99.97 per cent.	
	2: 1 per cent. of calls are blocked[1]	0.34 per cent.	
Children Group			
Child Benefit Centre	90 per cent. of callers answered (this current internal target excludes the number of times customers have to re-dial.)	94.5 per cent.	90 per cent. of calls answered within 20 seconds from transfer to Inland Revenue April 2003.
Child Support Agency National Enquiry and Customer Help lines	1: 85 per cent. of calls to be answered first time	91.8 per cent.	
	2: No more than 20 per cent. of calls to be abandoned	12.1 per cent.	
Disability and Carers Service			
Benefit Enquiry Line	1: 90 per cent. of calls answered within 30 seconds	54.75 per cent.	
	2: Ineffective calls no more than 15 per cent.	30.9 per cent.	(BT announcement or engaged tone)
	3: Occupancy 80 per cent.	91.9 per cent.	This is a measure of time advisors wait to take call
	4: Utilisation 64–70 per cent.	68.9 per cent.	This measures the overall proportion of worked time that advisors handle calls.
	5: Productivity 80 per cent.	84.6 per cent.	This measures the impact of time required for breaks
Centre DLA/AA Helpline	Target: 90 per cent. of calls answered within 30 seconds	17 per cent. answered in 30 seconds	
Outsourced centres			
The Pension Service			
Winter Fuel Help Line	95 per cent. calls answered first time within 10 seconds	96.3 per cent.	
Pensions Information Line (PIL)	90 per cent. calls answered first time within 10 seconds	96 per cent.	
Pensions Charter Information	Same figure as Pensions Information Line (PIL)	See PIL above	
Inherited SERPS	1: 80 per cent. calls answered within 20 seconds	98.5 per cent.	
	2: 95 per cent. calls answered in 40 seconds	99.42 per cent.	

Centre	*Target*	*April to December 2002*	*Notes*
Pensioners Guide	90 per cent. calls answered first time within 10 seconds	87.8 per cent.	
Winter Fuel Bulk Line	90 per cent. calls answered first time within 10 seconds	90 per cent.	
Minimum Income Guarantee (leaflet order line)	85 per cent. calls answered first time within 10 seconds	71 per cent.	
Corporate and others			
Welfare Reform Order-line	90 per cent. calls answered first time within 10 seconds	97 per cent.	
Sure Start Response Line	Same as Welfare Reform Line		
Direct Payment -Customer conversion centre	95 per cent. calls answered in 15 seconds	97.53 per cent.	
Direct Payment -Information Line	95 per cent. calls answered in 15 seconds	98.7 per cent.	
Interactive Electronic Services	1: 95 per cent. of calls answered within 15 seconds	100 per cent.	Service commenced 28 October 2002. All calls have been answered within 15 seconds
	2: 100 per cent. availability of call centre	100 per cent.	This measures whether the call centre was open and that there were staff available to answer calls during contracted hours
Working Age			
National Benefit Fraud Hotline	90 per cent. calls answered first time within 10 seconds	90.6 per cent.	
New Deal	85 per cent. calls answered first time within 10 seconds	90 per cent.	
New Deal for Lone Parents	85 per cent. calls answered first time within 10 seconds	89 per cent.	
New Deal for Disabled People	90 per cent. calls answered first time within 10 seconds	100 per cent.	
Publicity Register	90 per cent. calls answered first time within 10 seconds	95 per cent.	
Child Support Reform Information Service (CSA Contact Centre)	85 per cent. calls answered first time within 10 seconds	37. 9 per cent.	This service is primarily to respond to bulk mailings to clients using dedicated agents. In this period the centre has only been required to handle low numbers of calls offered on an intermittent basis dealing mostly with third party. These are not handled by dedicated agents.

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[1] Blocked calls are those where the caller is unable to get through to the service because of a limit placed on the number of calls that can be accepted. The caller receives a network message or engaged tone.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Work and Pensions when he intends to reply to the letter to him dated 3 February from the right hon. Member for Manchester, Gorton with regard to Mr. Akbar Ali. [102184]

Mr. Andrew Smith: I wrote to my right hon. Friend on 6 March 2003.

Mr. Kaufman: To ask the Secretary of State for Work and Pensions when he intends to reply to the letter to him dated 3 February from the right hon. Member for Manchester, Gorton with regard to Ms Donna Neokli. [102189]

Mr. Andrew Smith: I wrote to my right hon. Friend on 6 March 2003.

Pension Forecasts

Mr. Webb: To ask the Secretary of State for Work and Pensions what assessment he has made of the accuracy of information on entitlement to SERPS, which is provided by his Department to individuals via pension forecasts. [99957]

Mr. McCartney: The calculation of additional pension, which includes SERPS, state second pension, graduated pension and any contracted-out deductions is based upon information held on an individual's national insurance record and information provided by the customer on form BR19 when they request a state pension forecast.

The calculation is based upon current pension legislation and has been thoroughly tested.

Mr. Webb: To ask the Secretary of State for Work and Pensions what assessment he has made of the accuracy of information provided to individuals regarding their future pension entitlement *(a)* within pensions forecasts provided on request and *(b)* within pension forecasts issued automatically. [99958]

Mr. McCartney: The calculation of all pension forecasts is based upon current pension legislation and has been thoroughly tested.

Pension forecasts on request are based upon an individual's national insurance record and also detailed information provided by the individual on form BR19 when they apply for a forecast.

Forecasts issued "automatically" will be either a combined pension forecast (CPF) or a state pension forecast issued to a specific group. A CPF is the existing benefit statement issued by the employer/pension scheme provider coupled with a state pension forecast.

From May 2003 the Government is issuing automatic state pension forecasts to the self-employed.

Automatic forecasts are based upon a set of specified criteria relating to working status and National Insurance contributions. Planned retirement will be assumed to be at state pension age.

Included in the literature accompanying an automatic forecast is an invitation to request a more detailed Individual Pension Forecast (IPF) should customers wish to provide the Department with more personal information about their likely circumstances and intentions leading up to retirement.

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will review the practice of recording nil on individual pensions forecasts, when exact levels of entitlement are not known; and if he will make a statement. [99961]

Mr. McCartney: There are two elements to a pension forecast. They cover the position at the time the forecast is issued as well as a projection of the position at state retirement age. The first element provides exact information on state pension at "today's" rates based on an individual's current national insurance record at the time the forecast is provided. No assumptions are made in calculating this element of the forecast.

The forecast of expected state pension at retirement age is based on the same record, which assumes that contributions will continue at the same level. Further information is supplied with the forecast to explain the calculation and the projection. In some instances the pension entitlement will be "nil" at the time the forecast is requested. For example, if someone asks for a state pension forecast but has less than 10 years national insurance contributions then they have not accrued enough national insurance contributions for a state pension at that time. However, taking account of current levels of contributions, and projecting that they continue at that level, may mean we can give a positive forecast at retirement age. Some women though may have elected to pay the reduced rate national insurance contribution, so they would not have an entitlement to a state pension in their own right and their forecast would remain as "nil".

The purpose of providing the calculation at "today's" rates and at retirement age is to provide information to individuals to help inform their pension planning and enable them to make informed choices with regard to their retirement income levels.

Pensioner Households

Annabelle Ewing: To ask the Secretary of State for Work and Pensions what his latest estimate is of how many pensioner households there are in *(a)* the UK and *(b)* Scotland. [102034]

Mr. McCartney: There are 5,800,000 pensioner households in the United Kingdom and 515,000 pensioner households in Scotland.

Notes:

1. Estimates are based on Census 2001 Key Statistics for local authorities in England and Wales and the General Register Office for Scotland rounded to the nearest 5,000 households.

2. A household comprises one person living alone or a group of people (not necessarily related) living at the same address with common housekeeping, that is sharing either a living room or sitting room or at least one meal a day.

3. A pensioner household is defined as either a single person over state pension age, a couple, where both partners are over state pension age, or a group of individuals who are all over state pension age.

Pensioners (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Work and Pensions what recent steps he has taken to improve the financial position of pensioners in Portsmouth; and if he will make a statement. [98347]

Mr. McCartney: Over 5,300 people in Portsmouth benefit from the Minimum Income Guarantee—a policy we introduced—and receive an average £49.83 a week. 31,600 pensioners have benefited from the above inflation increases in the State Pension. Additionally 33,800 people received a Winter Fuel Payment of up to £200. Those Portsmouth pensioners eligible for Pension Credit stand to gain around 400 a year on average.

The creation of The Pension Service provides an ideal opportunity to further encourage pensioners to take up their entitlements. Not only are our customers being encouraged to claim when they ring their pension centre but we also have a network of local service teams throughout the country actively encouraging take up.

There is a local service team of 18 staff covering the area of Portsmouth, Havant and East Hants, meeting customers in the community and actively encouraging take-up. They are developing advice and drop-in surgeries in partnership with other local organisations. For example, in partnership with Portsmouth local authority, the team provide Pension Service advisors every Monday at the Somerstown and Landport Access Points, and in partnership with JobCentre Plus they attend Robuck House Cosham on Tuesdays, Wednesdays and Thursdays.

Pension Entitlement

Mr. Goodman: To ask the Secretary of State for Work and Pensions what steps he has taken to make available information on pension entitlements to British Citizens working in other EU countries. [101079]

Mr. McCartney: There are several information products available from either DWP or Inland Revenue (IR) to British Citizens who leave the UK to work in another European Union (EU) country. These products provide appropriate information that can be either general in nature or specifically tailored to the individual.

There are two comprehensive information leaflets available. The leaflet SA29, "Your Social Security Insurance, Benefits and Health Care Rights in the European Economic Area', explains specifically about social security, including State Pensions, within the EU. Leaflet NI38, "Social Security Abroad" explains about social security for people living abroad. Both leaflets are available on the internet, from local DWP offices or from the Pension Service and IR offices in Newcastle, which deal specifically with people living abroad.

The websites of DWP, the Pension Service and IR give comprehensive information about their services. This includes information about working in another EU country and the impact on State Pension entitlement. These sites have links to each other and there is a hyperlink from the DWP website to the European Commission website for people wanting further information about the European Community Regulations on Social Security. In addition, the DWP is playing a major role in a new EU-funded project aimed at linking national social security administration websites (the COWEBS project). This project is specifically targeted at the information needs of migrant workers. It will compliment the web services already available; both by providing user friendly access to each country's website and, in the medium term, by making general information available on each site in the main European languages, in addition to the national language.

IR provide, on written request or via the internet, a comprehensive State Pension forecasting service for people who have lived or worked abroad, which tells people about their future State Pension entitlement including the effect of the EC Regulations on Social Security. IR issue approximately 9,000 State Pension forecasts a year to people who have worked or lived in the EU.

A State Pension claim pack is sent to people about four months before they reach State Pension age inviting them to claim their State Pension, including those who are recorded as living or who have lived or worked in the EU.

Mr. Gardiner: To ask the Secretary of State for Work and Pensions if he will make it his policy to use the terms 'pension income' instead of 'annuity' and 'pension savings' for funds paid into a pension plan. [101331]

Mr. McCartney: The terms 'annuity' and 'pension income' are not interchangeable. An annuity is a product that guarantees an income stream rather than being the income stream itself. Consequently, while an annuity can be a source of pension income, pension income need not be in the form of an annuity and it is important that this distinction is made clear. As far as the term 'pension savings' is concerned, the Government are generally in favour of terms like these, which are simple and understandable to individual savers and pension scheme members. The expression 'pension savings' is used in several places in the Green Paper, "Simplicity, Security and Choice: Working and Saving for Retirement" (Cm 5677), which contains proposals to make information available to individuals in the clearest possible way, to help them make decisions about working longer and saving more for retirement.

Mr. Gardiner: To ask the Secretary of State for Work and Pensions what research he has done to assess the likely impact of the end of the Inland Revenue qualifying regime on the ability of those on low incomes to save for their retirement. [101356]

Ruth Kelly: I have been asked to reply.

I refer my hon. Friend to the answer I gave him on 6 February 2003, *Official Report*, column 397W, and confirm that the Government will consider the impact of the Sandler proposals on those on low incomes.

State Pension

Matthew Taylor: To ask the Secretary of State for Work and Pensions if he will estimate the cost to the Exchequer, net of savings in means-tested benefits and of non-introduction of the pension credit and of additional income tax revenue, of an increase of £5 per week in the basic state pension together with the introduction of age additions of £5 per week at age 75–79 and £10 per week at age 80 years and over, on the basis that the age additions for those aged 75 to 79 and 80 years and over are paid in full, regardless of contribution record. [94404]

Mr. McCartney: Our priority is to target help on those current pensioners who have the lowest incomes. While it is true that older pensioners tend to be poorer on average, income inequality is far more pronounced across the whole pensioner population than between pensioners of different ages. For example, the median net income of the richest fifth of pensioner couples is around four times that of the poorest fifth.

Age additions are not the most effective way to target those pensioners with the lowest incomes. For example, just under half of all minimum income guarantee claimants are aged under 75.

From October 2003, the poorest third of pensioner households will have gained over £1,500 a year in real terms as a result of the reforms introduced by this Government.

If the maximum rate payable of the basic state pension was increased by £5 per week and weekly age additions of £5 were introduced for people aged 75–79 and £10 for people aged 80 and over in 2003–04, we estimate that the increase in public expenditure could be in the region of £0.5bn. This assumes that pension credit is not introduced and spending is re-directed into the basic state pension. It is also calculated on the generous assumption that consequent savings in other benefits and any additional tax yield are channelled back into the basic state pension.

In this scenario, many of the poorest pensioners are no better off than they would have been under pension credit because their increased basic state pension is completely offset by the reduction in their minimum income guarantee. Instead, expenditure is targeted on those further up the income distribution. In addition many pensioners with modest private pension provision would be worse off under this scenario than under pension redit.

For example, a person aged 75 is receiving a full basic state pension and has a small private pension worth £10 per week. Under these proposals, they would receive a basic state pension of £87.45, plus their private pension of £10 per week and would be topped up to £102.10 by the minimum income guarantee.

Under pension credit they would receive £77.45 from the basic state pension and would still be topped up to the guarantee of £102.10. However in addition they would also receive a savings credit of £6 per week, giving a total weekly income of £108.10. This person is over £300 per year better off under pension credit than under the suggested proposals.

Notes:

1. Estimates are in cash terms for Great Britain and are rounded to the nearest £0.5bn.

2. The estimate takes account of offsetting savings in income related benefits and additional tax yield. Income related benefit offsets are calculated using the Department for Work and Pensions Policy Simulation Model for 2003/04. Additional tax yield is calculated by the Inland Revenue based upon the Survey of Personal Incomes2000/01, projected to 2003/04.

3. Calculations assume the maximum rate payable of the Basic State Pension is increased by £5 per week and all other payments proportionately and that age additions of 5 per week are paid to all those aged 75–79 and £10 per week to those aged 80 and over.

4. For modelling purposes, the pension credit is assumed to be in place throughout2003/04. In fact, the pension credit will begin in October 2003.

5. Projections of distributional consequences for 2003/04 are subject to a variety of assumptions and should be treated with caution.

Source:

Department for Work and Pensions calculations.

Top-up Fees

Mr. Gardiner: To ask the Secretary of State for Work and Pensions pursuant to his answer of 13 February 2003, *Official Report*, column 969W, on top-up fees, whether his Department will be undertaking studies to assess the impact of the proposed introduction of university top-up fees on the pension contributions of those under 40 years of age. [101288]

Mr. McCartney: The Department's regular annual review of future research requirements is currently under way, and when it is complete, the Research Programme will be published. At this stage, we are unable to provide details of plans for specific studies. However, following publication on 17 December 2002 of the Green Paper, "Simplicity, Security and Choice: Working and Saving for Retirement" (Cm 5677), identifying and remedying gaps in our information on pension accumulation and savings behaviour is a priority for the Department.

Winter Fuel Payment

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the number of people who have to make a claim for the 2002–03 winter fuel payment before the 30 March cut-off date; and of that number how many have yet to do so. [99955]

Mr. McCartney: I refer the hon. Member to the written answer I gave him on 17 December 2002, *Official Report*, column 607W.

However, further to that answer, I would like to clarify the figures provided. They included written requests for claim forms. As at 28 February 2003, some 205,000 actual claim forms had been received.

It is up to an individual to decide whether or not to make a claim.

HEALTH

Alzheimer's Disease

Tim Loughton: To ask the Secretary of State for Health (1) if he will list general practitioners who have piloted the CANTAB-PAL test technology for detecting early onset of Alzheimer's disease; [100422]

(2) if he will publish the findings of the Technologies Advisory Group study into the CANTAB-PAL test technology for detecting early onset of Alzheimer's in November 2001; [100423]

(3) on what basis the Technologies Advisory Group in his Department declined to recommend the CANTAB-PAL test technology for detecting early onset of Alzheimer's disease for assessment by NICE; [100421]

(4) how many people are diagnosed with Alzheimer's disease in each PCT area; [100547]

(5) what tests are available through the NHS to detect early onset of Alzheimer's disease. [100420]

Jacqui Smith: Information is not available about the number of people diagnosed with Alzheimer's disease in each primary care trust area. Research shows that about 5 per cent. of the population over 65 has dementia, and Alzheimer's disease causes about 60 per cent. of cases of dementia.

A number of different tests are available to detect the early onset of Alzheimer's disease. Consideration is being given to the possibility of guidance on methods for the early diagnosis of Alzheimer's disease, including the CANTAB-PAL test, in the context of a possible National Institute for Clinical Excellence (NICE) clinical guideline on management of dementia generally. Decisions on topics to be referred to NICE are taken by Ministers on the basis of advice from the Advisory Committee for Topic Selection (previously the Technologies Advisory Group). Final decisions will be announced shortly.

Ambulance Call-outs

Dr. Fox: To ask the Secretary of State for Health how many and what percentage of ambulance call outs to people over the age of *(a)* 50 and *(b)* 65 in each of the last five years for which figures are available have been as a result of a fall. [100112]

Mr. Lammy: The information requested is not available centrally.

Area Child Protection Committees

Tim Loughton: To ask the Secretary of State for Health pursuant to his Answer of 10 February 2003, *Official Report*, column 586W, on ACPCs, which area child protection committees are complying with his guidance. [100536]

Jacqui Smith: The information requested is not held centrally.

Barking, Havering and Redbridge Hospitals

Mr. Pickles: To ask the Secretary of State for Health what discussions his Department has had with the Barking, Havering and Redbridge Hospitals NHS Trust on *(a)* improving the level of cleanliness, *(b)* ensuring syringes, needles and other equipment are kept in a hygienic state, *(c)* the safe storage of needles and syringes in paediatric areas, *(d)* the need to keep refrigerators used to store drugs locked, *(e)* the proper storage of equipment and *(f)* the quality of food provided for patients at Oldchurch Hospital; and if he will make a statement. [99402]

Mr. Hutton: Oldchurch hospital was inspected by a patient environment action team (PEAT) on 21 February 2002. Overall standards of both the environment and food were assessed as acceptable and the hospital has been awarded Amber status. A further inspection will be undertaken as part of the current PEAT assessment programme.

Additionally, all hospitals are required to meet the national cleaning standards for the National Health Service, issued in 2001. These standards are currently being revised to include equipment frequently cleaned by nursing staff such as diagnostic equipment, trolleys and drip stands.

It is the responsibility of individual trusts to ensure the safety of items such as needles, syringes and drugs and that they are stored in a safe and hygienic environment and in line with the Controls Assurance standards and related regulations. The Health and Safety at Work Act 1974 lays a duty on employers to ensure the health and safety of their staff. Under this statute NHS employers are required to carry out a risk assessment in relation to the safe storage, use and disposal of all sharps and needles. Responsibility for ensuring compliance with the legislation lies with the Health and Safety Executive.

Care Homes

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 24 February 2003, *Official Report*, column 26W, on care homes, whether the statutory instrument will be *(a)* negative and *(b)* affirmative. [100139]

Jacqui Smith: The relevant procedure for the necessary statutory instrument will be the negative procedure.

Mr. Rosindell: To ask the Secretary of State for Health what discussions he has had recently with the health authorities in the London Borough of Havering regarding residential care home provision. [99745]

Jacqui Smith: I have had no recent discussions with the health authorities in the London Borough of Havering. The council is the lead agency for commissioning residential care provision. The council will work in partnership with local primary care trusts in determining the local need for this type of care.

Consultant Rheumatologists

Mr. Laurence Robertson: To ask the Secretary of State for Health what steps he is taking to increase the number of consultant rheumatologists; and if he will make a statement. [101658]

Mr. Hutton *[holding answer 7 March 2003]:* Between 1997 and 2002, the number of consultants in rheumatology has increased by 90, or 26.5 per cent., from 340 in September 1997 to 430 in March 2002.

We are also increasing specialist registrars (SpR) numbers. For 2003–04, trusts will have scope to create up to 40 locally funded SpR training opportunities in the specialty.

Current workforce projections indicate that by September 2004, there will be around 80 additional trained specialists in rheumatology over September 2000 levels.

Correspondence

Ian Lucas: To ask the Secretary of State for Health when he will reply to the letter to him from Mr. Ken Mack of Wrexham dated 14 September 2002. [101143]

Jacqui Smith: A reply was sent to my hon. Friend on 6 March.

Foundation Hospitals

Dr. Evan Harris: To ask the Secretary of State for Health if he will place in the Library a copy of the details of the preliminary application process for foundation trusts, as sent to potential applicants for foundation status. [100845]

Mr. Hutton: Details of the preliminary application process sent to potential applicants for national health service foundation trust status have been placed in the Library.

Dr. Evan Harris: To ask the Secretary of State for Health which organisations, not currently part of the NHS, will be eligible to apply for NHS foundation trust status. [100846]

Mr. Hutton: Forthcoming legislation will set out the process for the Independent Regulator for national health service foundation trusts to consider applications for NHS foundation trust status.

Dr. Evan Harris: To ask the Secretary of State for Health in what ways foundation trusts will be freed from detailed performance management, as stated in paragraph 1.12 of 'A Guide to NHS Foundation Trusts'; and if this refers also to three star trusts without foundation status. [100849]

Mr. Hutton: The proposed arrangements for national health service foundation trusts are explained in paragraph 4.1 of 'A Guide to NHS Foundation Trusts'.

Dr. Evan Harris: To ask the Secretary of State for Health how he intends to ensure that foundation trust board of governors will represent the full range of members' interests. [100850]

Mr. Hutton: Our policy on the election of the Board of Governors is explained in paragraph 2.25 of 'A Guide to NHS Foundation Trusts'. Details will be included in forthcoming legislation.

Dr. Evan Harris: To ask the Secretary of State for Health how he intends to ensure that foundation trusts use their freedoms to give staff unlimited pay bonuses in a way which does not undermine other providers in the local health economy. [100851]

Mr. Hutton: The exercise of any of the proposed freedoms which national health service foundation trusts will enjoy will be a matter for the trust to decide, subject to the role of the Independent Regulator. Details will be set out in forthcoming legislation.

Dr. Evan Harris: To ask the Secretary of State for Health what powers a board of governors will have in relation to the management of foundation hospitals. [100847]

Mr. Hutton: Our policy on the powers and duties of the board of governors of a national health service foundation trust is explained in paragraphs 2.32 and 2.33 of 'A Guide to NHS Foundation Trusts'. Details will be included in forthcoming legislation.

Dr. Evan Harris: To ask the Secretary of State for Health if he will set out the requirements to be included in the licences of foundation hospitals. [100848]

Mr. Hutton: Our policy is explained in paragraph 3.4 of 'A Guide to NHS Foundation Trusts'. Details will be included in forthcoming legislation.

Helen Jones: To ask the Secretary of State for Health which trade unions he has met to discuss his proposals for foundation trusts; when the meetings were; and which unions have expressed support for his proposals. [101661]

Mr. Hutton: I discuss a range of issues at the regular meetings that I have with trade unions.

GPs

Mr. Francois: To ask the Secretary of State for Health how many general practitioners are expected to retire in the next 12 months in *(a)* the Southend PCT area, *(b)* the Rochford and Castle Point PCT area and *(c)* the Maldon and South Chelmsford PCT area; and if he will make a statement. [101935]

Mr. Lammy: The local primary care trusts are aware of this problem and are taking steps to improve the situation.

The information requested is shown in the tables.

Unrestricted Principles and Equivalents (UPEs)[1] *by Age Band for Castlepoint and Rochford, Maldon and South Chelmsford and Southend on Sea Primary Care Trusts: As at 31 March 2002*

Number (headcount)

Primary Care Trust	*PCT code*	*Total UPEs*	*Of which: Under 30*	*30–34*	*35–39*	*40–45*	*45–49*
England total		27,956	285	2,441	4,698	5,774	5,140
Of which:							
Castlepoint and Rochford PCT	5JP	75	0	1	8	14	14
Maldon and South Chelmsford PCT	5GL	40	0	2	3	11	8
Southend on Sea PCT	5AK	83	0	2	7	11	16

Numbers (headcount)

Primary Care Trust	*PCT code*	*50–54*	*Of which:* *55–59*	*60–64*	*65–69*	*70+*	*Of which: aged 69*
England total		4,525	3,281	1,358	454	0	56
Of which:							
Castlepoint and Rochford PCT	5JP	17	13	3	5	0	1
Maldon and South Chelmsford PCT	5GL	9	3	4	0	0	0
Southend on Sea PCT	5AK	21	15	8	3	0	0

[1] Unrestricted principles and equivalents include GMS unrestricted principles, PMS contracted GPs and PMS salaried GPS.

Source:

Department of Health General and Personal Medical Services Statistics

Unrestricted Principles and Equivalents (UPEs)[1] *Leavers by Age Band for Castlepoint and Rochford, Maldon and South Chelmsford and Southend on Sea Primary Care Trusts: October 1999/September 2000 to September 2001/March 2002*

Number (headcount)

Primary Care Trust	*PCT code*	*Total UPEs*	*Of which: Under 30*	*30–34*	*35–39*	*40–45*	*45–49*
30 September 2001–31 March 2002							
England total		687	4	71	101	81	46
Of which:							
Castlepoint and Rochford PCT	5JP	0	0	0	0	0	0
Maldon and South Chelmsford PCT	5GL	2	0	0	0	1	0
Southend on Sea PCT	5AK	0	0	0	0	0	0
30 September 2000–30 September 2001[2]							
England total		*1,313*	*11*	*124*	*178*	*137*	*93*
Of which:							
Castlepoint and Rochford PCT	5JP	3	0	0	0	0	0
Maldon and South Chelmsford PCT	5GL	—	—	—	—	—	—
Southend on Sea PCT	5AK	—	—	—	—	—	—

Unrestricted Principles and Equivalents (UPEs)[1] *Leavers by Age Band for Castlepoint and Rochford, Maldon and South Chelmsford and Southend on Sea Primary Care Trusts: October 1999/September 2000 to September 2001/March 2002*

Number (headcount)

Primary Care Trust	*PCT code*	*Total UPEs*	*Of which: Under 30*	*30–34*	*35–39*	*40–45*	*45–49*
31 October 1999–30 September 2000[2]							
England total		*1,090*	*14*	*92*	*149*	*89*	*73*
Of which:							
Castlepoint and Rochford PCT	5JP	8	0	0	1	0	0
Maldon and South Chelmsford PCT	5GL	—	—	—	—	—	—
Southend on Sea PCT	5AK	—	—	—	—	—	—

Number (headcount)

Primary Care Trust	*PCT code*	*50–54*	*55–59*	*60–64*	*65–69*	*70+*
30 September 2001–31 March 2002						
England total		88	138	95	63	0
Of which:						
Castlepoint and Rochford PCT	5JP	0	0	0	0	0
Maldon and South Chelmsford PCT	5GL	0	1	0	0	0
Southend on Sea PCT	5AK	0	0	0	0	0
30 September 2000–30 September 2001[2]						
England total		*125*	*270*	*239*	*136*	*0*
Of which:						
Castlepoint and Rochford PCT	5JP	0	1	1	1	0
Maldon and South Chelmsford PCT	5GL	—	—	—	—	—
Southend on Sea PCT	5AK	—	—	—	—	—
31 October 1999–30 September 2000[2]						
England total		*132*	*210*	*196*	*135*	*0*
Of which:						
Castlepoint and Rochford PCT	5JP	2	2	2	1	0
Maldon and South Chelmsford PCT	5GL	—	—	—	—	—
Southend on Sea PCT	5AK	—	—	—	—	—

[1] Unrestricted Principles and Equivalents include GMS Unrestricted Principles. PMS Contracted GPs and PMS Salaried GPs.

[2] Data for Maldon and South Chelmsford PCT and Southend on Sea PCT is not available for these years.

Notes:

1. Leavers are calculated by comparing successive censuses.
2. September 2001-March 2002 leavers only refers to a six month comparison and are not directly comparable with 1999–2000 and 2000–01 which are based on a 12 month comparison.

Source:

Department of Health General Personal Medical Services Statistics

Mr. Francois: To ask the Secretary of State for Health how many Spanish GPs have *(a)* signed contracts agreeing to work and *(b)* commenced work in the Southend PCT area; and if he will make a statement on recent progress in recruitment of Spanish GPs. [101934]

Mr. Hutton: 10 Spanish general practitioners have been appointed into the Southend Primary Care Trust area. Eight contracts have already been signed and a further two are in the process of being signed.

Five GPs will commence at the end of April with the further five starting three months later.

Health Services (Children)

Tim Loughton: To ask the Secretary of State for Health whether he has provided guidance to PCTs on improving *(a)* the treatment of enuresis and *(b)* paediatric continence services. [100419]

Jacqui Smith: The Department has provided grant aid to the enuresis resource and information centre, which produces guidance on paediatric continence services. Common childhood conditions, including enuresis and paediatric continence, will be considered under the forthcoming national service framework (NSF) for children, young people and maternity services.

Good Practice in Continence Services was issued by the Department in April 2000 and provides guidance to primary care trusts (PCTs) on continence services. This includes that PCTs should have specialist continence services in place, which provide patients with an individual assessment of their needs. This assessment should include the provision of continence products to any patient who needs them.

Continence also features in the NSF for older people standard two- person centred care. The milestone for achievement of integrated continence service provision is 2004, by which time it is expected that "all local health and social care systems should have established an integrated continence service".

Tim Loughton: To ask the Secretary of State for Health how many non-UK passport holding children are being looked after by Social Services. [100471]

Jacqui Smith: The information requested is not collected centrally.

Tim Loughton: To ask the Secretary of State for Health whether he has discussed with the Chancellor of the Exchequer the mental health needs of children at risk. [100494]

Jacqui Smith: No specific discussions have taken place. However, the Department has made a significant investment in child and adolescent mental health services (CAMHS) over the last three years, £105 million to 31 March 2003, and is committed to achieving radical improvements in the quality and quantity of CAMHS. Our current public service agreement target provides for an expansion of the service by at least 10 per cent, per year for the next three years, leading to a comprehensive service, able to respond to all children with mental health needs in all areas, by 2006. This development is underpinned by over £250 million of additional funding, including £140 million for local authorities. The children's national service framework will set out the standards and milestones for improvements in CAMHS services for all children, including those at risk.

Laser Eye Surgery

Chris Ruane: To ask the Secretary of State for Health what further plans he has for regulating laser eye surgery. [99329]

Mr. Lammy: From 1 April 2002, independent health care establishments that provide treatment with Class 3B lasers, except where these are used by or under the supervision of health professionals, and all independent health care establishments that provide treatment with Class 4 lasers have been regulated under the Care Standards Act 2000 by the National Care Standards Commission (NCSC).

Independent providers of all Class 4 laser treatment are required to comply with regulations made under the Act. There are also two sets of national minimum standards: core standards, which apply to all independent health care providers, and service-specific standards for each type of service provided, including laser treatment. In deciding whether an establishment has complied with regulations, the NCSC must take into account whether it meets the national minimum standards.

Midwifery

Harry Cohen: To ask the Secretary of State for Health how many students are undertaking training to become a midwife *(a)* by direct training and *(b)* post-registration at (i) diploma and (ii) degree level; what proportion of students (A) completed and (B) did not complete their studies in the last three years; which institutions offer midwifery courses; and what the sources are of the information used to answer this question. [100983]

Mr. Hutton: The number of students in training to become a midwife is shown in table 1.

Table 1: Number of students on pre and post-registration midwifery courses 2001–02 whole-time equivalents

Whole-time equivalents

	Student population
Midwifery Total	3,324
Pre-registration courses	2,274
Diploma	1,288
Degree	986
Post-registration courses	1,050
Diploma	1,050

Source:

Department of Health non-medical education and training business planning 2002–03

Attrition data for midwifery students are shown in table 2 for each of the last three complete years available. The years refer to the cohort for that year and figures include all types of course.

Table 2: Midwives training progress

Percentage

	Eligible to register[1]	*Discontinued*[2]	*Interrupted*[3]	*Active*[4]
1995–96	76.9	17.9	0.5	4.7
1996–97	73.0	21.8	1.5	3.7
1997–98	76.3	17.1	0.9	5.7

[1] Those midwives who have completed their training and are eligible to register with the English National Board and therefore join the NHS.

[2] Students who have left the course.

[3] Students whose course has been interrupted (for individual reasons) and may continue at a later date

[4] Students who are still in training.

Source:

English National Board for Nursing

The following institutions offer midwifery courses.

Anglia Polytechnic University

Bournemouth University

The University of Bradford

University of the West of England, Bristol

Canterbury Christ Church University College

University of Central England in Birmingham

University of Central Lancashire

Chester (A College of The University of Liverpool)

City University

Coventry University

De Montfort University

University of East Anglia

Edge Hill College of Higher Education (A higher education institution accredited by Lancaster University)

University of Greenwich

The University of Huddersfield

The University of Hull
Keele University
University of Leeds
Liverpool John Moores University
University of Luton
Middlesex University
University College Northampton
University of Northumbria at Newcastle
Oxford Brookes University
University of Plymouth
The University of Salford
St Martin's College, Lancaster: Ambleside: Carlisle (an Accredited College of the University of Lancaster)
University of Southampton
Staffordshire University
The University of Stirling
Suffolk College An Accredited College of The University of East Anglia
University of Surrey
University of Wales Swansea
University of Teesside
Thames Valley University
University of Wolverhampton
University College Worcester

Source:

University and College Admissions Service (UCAS)

NHS Staff

Mr. Cousins: To ask the Secretary of State for Health how many *(a)* doctors, *(b)* nurses, *(c)* professions ancillary to medicine, *(d)* nursing auxiliaries and *(e)* hospital porters, cleaners and cooks were employed in the NHS (i) in each health authority area in the North East in 1996 and (ii) in each PCT area in the North East at the most recent date for which figures are available. [100561]

Jacqui Smith *[holding answer 4 March 2003]:* The requested information has been placed in the Library.

Northwick Park Hospital

Mr. Gareth Thomas: To ask the Secretary of State for Health how many *(a)* nurses, *(b)* doctors and *(c)* physiotherapists worked at Northwick Park Hospital in each of the last five years; and if he will make a statement. [100595]

Mr. Hutton: The information requested is collected by National Health Service trust and not by individual hospital. Northwick Park Hospital was part of Northwick Park and St Marks NHS Trust until 1999, when the trust merged with Central Middlesex Hospital NHS Trust to form North WestLondon Hospitals NHS Trust.

Figures for Northwick Park & St. Marks NHS Trust for 1997 to 1998 and North West London Hospitals NHS Trust for 1999 to 2001 are shown in the tables.

Hospital and Community Health Services Medical and Dental Staff

As at 30 September each year *Numbers*

	1997	*1998*	*1999*	*2000*	*2001*
North West London Hospitals NHS trust	-	-	530	540	560
Central Middlesex Hospital NHS Trust	190	190	-	-	-
Northwick Park and St. Marks NHS Trust Trust	290	310	-	-	-

Source:

Department of Health medical and dental workforce census

HNS hospital and community health services (HCHS) qualified nursing midwifery and health visiting staff and physiotherapists within the specified organisations

As at 30 September each year *Headcount*

		1997	*1998*	*1999*	*2000*	*2001*
All staff	Qualified nursing, midwidery and health visiting staff	1,356	1,371	1,345	1,426	1,643
	Physiotherapists	80	75	74	84	86
North West London Hospital NHS Trust	Qualified nursing, midwidery and health visiting staff	-	-	1,345	1,426	1,643
	Physiotherapists	-	-	74	84	86
Central Middlesex Hospital Trust	Qualified nursing, midwifery and health visiting staff	459	462	-	-	-
	Physiotherapists	26	25	-	-	-
Northwick park and St. Marks NHS Trust	Qualified nursing, midwifery and health visiting staff	897	909	-	-	-
	Physiotherapists	54	50	-	-	-

Notes:

Figures are rounded to the nearest whole number.

Due to rounding totals may not equal the sum of component parts

- Not applicable

Central Middlesex Hospital NHS Trust merged with Northwick Park St. Marks NHS Trust in 1999 form North West London Hospitals NHS Trust

Source:

Department of Health non-medical workforce census

Prisoner Treatment (Chorley and Preston)

Mr. Hoyle: To ask the Secretary of State for Health what discussions he has had with the Home Office regarding the provision of extra resources to Lancashire Teaching Hospitals Trust in order to treat prisoners at Chorley and Preston hospitals. [99951]

Jacqui Smith: Responsibility for meeting the costs of prisoners' medical treatment in hospital lies entirely with the National Health Service. Allocations made to primary care trusts include provision for the costs of such services.

Protection of Children Act Database

Mr. Burstow: To ask the Secretary of State for Health how often the PoCA database is updated and maintained; and what checks are in place to ensure information is accurate. [100147]

Jacqui Smith: The Protection of Children Act list database is updated on a daily basis, Monday to Friday. The information on the database is supplied by referring organisations and, where possible, checked with the individuals concerned.

University College Hospital

Jeremy Corbyn: To ask the Secretary of State for Health what representations he has received from *(a)* local institutions and *(b)* members of the public concerning the conversion of University College Hospital into a Foundation Hospital; and if he will make a statement. [100527]

Mr. Hutton: No representations have been received from local institutions or members of the public concerning University College Hospital National Health Service Trust becoming a NHS foundation trust.

DEPUTY PRIME MINISTER

Fire Services

Andrew Mackinlay: To ask the Deputy Prime Minister (1) if he will initiate a national attendance standard relating to speed response and weight attack for each Fire Brigade; [99610]

(2) when the Standards of Fire Cover were last reviewed. [99634]

Mr. Raynsford: The current national standards of fire cover provide that the country should be divided into four main categories of fire risk, according to the nature of the premises, and that, in response to fires in a particular risk category area, a predetermined number of firefighting appliances will attend within a specified time. The national standards are under review. In the light of the recommendation of the Independent Review of the Fire Service, chaired by Professor Sir George Bain, that the Government should issue guidance to implement a new risk-based approach to fire cover, we are drawing up, for consultation, draft guidance on a new approach. This guidance would provide a national framework, against which fire authorities would prepare local integrated risk management plans, responding to locally identified needs.

John McDonnell: To ask the Deputy Prime Minister whether prior to the publication of the Bain report, drafts of the report were shown to *(a)* the Government, *(b)* the Fire Services National Employers and *(c)* other organisations. [99083]

Mr. Raynsford: The work of the Review was carried out independently and objectively. Draft passages were shown to some people and organisations, including government officials who had provided evidence to the review to confirm points of factual accuracy. However no-one, apart from members of the review, its secretariat and the publishers saw the full text before the report was published on 16 December 2002.

Mr. Flight: To ask the Deputy Prime Minister pursuant to his answer of 29 January 2003, *Official Report*, column 865W, on the firefighters' dispute, (1) what the total cost was to firefighter employers in *(a)* lost working days and *(b)* lost man hours of industrial action taken by firefighters in each of the last 14 months; [101179]

(2) how many firefighters went on strike on *(a)* each of the 10 days of industrial action in November 2002 and *(b)* the day of industrial action in January 2003; [101180]

(3) how many *(a)* man hours and *(b)* working days were lost to industrial action by firefighters in each of the last 14 months. [101178]

Mr. Raynsford: There are two shifts in a 24-hour period. 20 shifts were severely affected by strike action by members of the Fire Brigades Union in November 2002, six in January 2003 and four in February 2003.

Information on the exact number of man hours lost or firefighters on strike is not held centrally and could be provided only at disproportionate cost.

John McDonnell: To ask the Deputy Prime Minister whether he has consulted the Central Fire Brigades Advisory Council on the proposal to remove his functions under section 19 of the Fire Services Act 1947. [100714]

Mr. Raynsford: No. The Bain Review, which recommended repeal or amendment of section 19, invited evidence from all major stakeholders in the fire service, including those which are members of the Central Fire Brigades Advisory Council.

John McDonnell: To ask the Deputy Prime Minister what account he has taken of the Central Fire Brigades Council's Task Group report, The Fire Cover Review, drawing up the proposal to remove his functions under section 19 of the Fire Services Act 1947. [100715]

Mr. Raynsford: The work of the Task Group was taken into account by the Independent Review of the Fire Service, which recommended the urgent introduction of a risk-based approach to fire cover and the repeal of most of the provisions of section 19 of the Fire Services Act 1947.

John McDonnell: To ask the Deputy Prime Minister what procedure the Government will use if the Secretary of State's powers under section 19 of the Fire Services Act 1947 are removed, to ensure that fire service emergency cover is maintained to a level deemed satisfactory by HM Fire Service Inspectorate. [100717]

Mr. Raynsford: The repeal of section 19 will not alter the statutory responsibility that rests locally with fire authorities to provide fire services. Fire authorities will have guidance on the proposed new approach to fire cover. In addition, they have a general duty, under the Best Value provisions of the Local Government Act 1999, to secure continuous improvement in the way their functions are exercised, having regard to economy, efficiency and effectiveness; and they must consult, amongst others, representatives of persons who use are likely to use their services. The Best Value framework, which is backed up by an inspection regime, gives my right hon. Friend the Deputy Prime Minister intervention powers if an authority is failing to comply with its obligations.

High Hedges Bill

Mr. Chope: To ask the Deputy Prime Minister if he will produce *(a)* a regulatory impact assessment and *(b)* an assessment of the burden on local government in respect of the proposals in the High Hedges Bill (Lords). [102132]

Mr. McNulty: When the High Hedges (No. 2) Bill is printed, the Office of the Deputy Prime Minister will publish a full regulatory impact assessment. This includes an assessment of the burden on local government in respect of the proposals in the Bill. Copies will be placed in the Libraries of both Houses and will be available on the Office of the Deputy Prime Minister's website.

Inspection Officers (Local Authorities)

Mr. Norman: To ask the Deputy Prime Minister how many *(a)* health and safety officers, *(b)* trading standards officers, *(c)* environmental health officers, *(d)* road safety officers, *(e)* housing inspectors and *(f)* planning officers have been employed by local authorities in each year since 1997. [100157]

Mr. Leslie: The information requested is not held centrally and could be provided only at disproportionate cost. However, I understand that the Employers Organisation hold some data and I will write to the hon. Member with further details. I will place a copy of the letter in the Library of the House.

Local Authority Delegations

Mr. Pickles: To ask the Deputy Prime Minister if he will list those local authority delegations which met him or his Department's Ministers between May 2002 and January 2003; which hon. Member accompanied each such delegation; and what subjects were discussed. [98863]

Mr. Leslie: The information has been placed in the Library.

Local Government Bill

Mr. Flook: To ask the Deputy Prime Minister how many clauses were *(a)* fully, *(b)* partially and *(c)* not debated during the Committee Stage of the Local Government Bill. [101871]

Mr. Raynsford: In the course of its 14 sittings, the Standing Committee of the Local Government Bill:

(a) fully debated 106 clauses (including 15 new clauses) and two schedules;

(b) partially debated one clause; and

(c) did not debate 21 (including four new) clauses and five schedules.

Local Government Finance

Mr. Andrew Turner: To ask the Deputy Prime Minister what the Standard Spending Assessment was for each year between 1996–97 and 2002–03 and the Formula Standard Spend for 2002–03 and 2003–04 and the percentage change in each year from the previous year, for the Isle of Wight *(a)* in total and *(b)* broken down by major funding blocks; and what the aggregate external finance was for each year. [101556]

Mr. Raynsford: Over the period requested there have been many changes in the functions and funding of services to local government. To enable a like-for-like comparison between years, the Office of the Deputy Prime Minister calculates adjusted Standard Spending Assessment (SSAs) and grants. The percentage change figures have been calculated on the basis of these like-for-like comparisons.

Until the introduction of Central Support Protection Grant in 1999–2000, there was no need to calculate grant on a like-for-like basis, and for this reason grant comparisons in the years 1996–97 to 1998–99 are not available. There were no changes in funding and function between 1998–99 and 1999–2000 that needed reflecting in adjusted SSAs or grants for 1998–99 to allow a like-for-like comparison; the actual 1998–99 values have therefore been used in this case.

	Standard spending assessments/formula spending shares							*Formula Grant (ie RSG plus NNDR)*
	Education	*PSS*	*Fire*	*Highway Maintenance*	*EPCS*	*Capital*	*Total*	
Adjusted 1995–96	43.621	17.456	2.971	3.742	17.635	7.874	93.298	N/a
1996–97	45.138	17.309	3.043	3.624	17.940	7.986	95.041	69.899
Percentage change	3.5	-0.8	2.4	-3.2	1.7	1.4	1.9	N/a
Adjusted 1996–97	44.229	18.605	3.043	3.624	17.940	7.986	95.428	N/a
1997–98	46.316	18.798	3.118	3.604	17.753	7.554	97.143	70.681
Percentage change	4.7	1.0	2.5	-0.5	-1.0	-5.4	1.8	N/a
Adjusted 1997–98	47.225	19.675	3.118	3.604	18.963	6.344	98.929	N/a
1998–99	50.795	20.734	3.395	3.527	18.776	5.632	102.858	74.372
Percentage change	7.6	5.4	8.9	-2.1	-1.0	-11.2	4.0	N/a
1999–2000	53.189	21.589	3.586	3.601	19.771	6.000	107.736	77.616
Percentage change	4.7	4.1	5.6	2.1	5.3	6.5	4.7	4.4

	Standard spending assessments/formula spending shares							
	Education	*PSS*	*Fire*	*Highway Maintenance*	*EPCS*	*Capital*	*Total*	*Formula Grant (ie RSG plus NNDR)*
Adjusted 1999–2000	53.189	21.589	3.586	3.601	19.771	6.000	107.736	77.616
2000–01	57.247	23.068	3.784	3.740	20.500	6.657	114.996	83.135
Percentage change	7.6	6.9	5.5	3.9	3.7	11.0	6.7	7.1
Adjusted 2000–01	57.502	22.763	3.784	3.740	20.421	6.656	114.867	83.016
2001–02	60.928	24.124	3.968	4.026	21.532	7.721	122.299	88.412
Percentage change	6.0	6.0	4.8	7.7	5.4	16.0	6.5	6.5
Adjusted 2001–02	55.437	23.766	3.968	4.026	21.562	7.748	116.507	82.658
2002–03	59.156	25.137	4.148	4.135	22.622	8.722	123.920	88.231
Percentage change	6.7	5.8	4.6	2.7	4.9	12.6	6.4	6.7
2002–03 FSS	61.840	27.418	4.676	4.050	27.492	8.571	134.048	91.394
Comparitors 2003–04 FSSs	64.834	29.471	5.373	3.818	30.612	10.114	144.221	96.318
Percentage change	4.8	7.5	14.9	-5.7	11.3	18.0	7.6	5.4

Ordnance Survey Maps

Sir Nicholas Winterton: To ask the Deputy Prime Minister what recent guidance has been issued by his Department on the symbols and markings included on Ordnance Survey maps; what assessment he has made of the Ordnance Survey's decision to omit the traditional symbols and markings indicating *(a)* civil and parish boundaries, *(b)* national park boundaries and *(c)* churches from future editions of its maps; and if he will make a statement. [101719]

Mr. McNulty: Ordnance Survey, before making decisions about what is depicted on its maps, takes full account of the needs of its customers and other stakeholders. To this end, it consults widely before implementing any change.

Following Parliament's decision to widen public access to the English and Welsh countryside under the Countryside and Rights of Way Act (CRoW), Ordnance Survey has concluded that this access land should be shown on the 1:25 000 Explorer series, which is designed specifically for use during outdoor activities.

The way the access land is shown will be crucial in helping the Open Access initiative to be implemented successfully. Clarity will be vital in minimising any misunderstanding between users of the countryside and landowners. There is much additional information to be added to the mapping. Therefore, to avoid clutter and ensure clarity, it will be necessary to take off some existing information.

Consultation and research among users indicates that the removal of the national park, civil and parish boundaries while adding the access land, significantly improves clarity and helps avoid confusion on the ground. National Park boundaries will remain on the cover diagram of each Explorer and on the printed and data versions of the OS Landranger series. They are also freely available as part of the Get-a-Map service on the Ordnance Survey website.

Ordnance Survey has also consulted users on the proposed changes to symbols for places of worship on both Explorer and the 1:50 000 OS Landranger Map series. In this regard, the primary consideration has been the navigational importance of buildings with towers, spires, domes or minarets. These will continue to be marked with the familiar symbols. Other buildings that are places of worship will continue to appear on the maps, but without reference to their religious or cultural significance. Final decisions about the proposed changes will be made within the next few weeks and Ordnance Survey will take into account all points of view.

Planning

Mr. Paterson: To ask the Deputy Prime Minister whether all planning considerations of individual small-scale applications will be removed from local councils under his plans for regional assemblies. [101663]

Mr. McNulty: Local councils will continue to retain all existing powers of development control and none will be transferred to regional bodies now or in the future.

Poll Tax

Norman Lamb: To ask the Deputy Prime Minister how much uncollected poll tax revenue remains outstanding in the UK, broken down by local authority. [101512]

Mr. Leslie: The Office of the Deputy Prime Minister does not currently collect information on the level of community charge (or poll tax) arrears owed to English billing authorities. It is estimated that the arrears in England totalled £185 million at 1 April 2001. This estimate is based on information supplied to the Chartered Institute of Public Accountancy on its revenue collection statistics return and on information on amounts of community charge received, which is collected from billing authorities on the QRC4 return.

After discussions with local government, The Office of the Deputy Prime Minister will, however, be collecting information from English billing authorities on the level of community charge arrears as at 31 March 2003 on the QRC4 return for 2002–03.

Figures for Wales and Scotland are a matter for the Welsh Assembly Government and the Scottish Parliament respectively. The community charge never existed in Northern Ireland.

Regional Government

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will make a statement on the results of his regional government soundings exercise broken down by English region. [101906]

Mr. Raynsford: The Office of the Deputy Prime Minister asked for responses by 3 March 2003 on the level of regional interest in holding a referendum for an elected regional assembly. We are now evaluating the responses and will announce our decisions after the Regional Assemblies (Preparations) Bill has received Royal Assent.

Schools Funding

Mr. Andrew Turner: To ask the Deputy Prime Minister if he will make a statement on the interaction between changes in aggregate external finance to local authorities and passporting of schools funding; and what arrangements are in place to ensure that the latter is not undermined by the former. [102033]

Mr. Raynsford: Aggregate external finance is distributed by formula (Formula Spending Share or FSS) and is not ring-fenced. All authorities with education responsibilities receive at least 3.5 per cent. more formula grant for 2003–04 than they did for 2002–03, on a like-for-like basis. Setting budgets is a matter for local authorities. The Government encourage them to increase spending on schools by an amount equal to the increase in their education FSS. Authorities who have difficulty with this are encouraged to discuss with the Department for Education and Skills. Increases in education FSS were themselves constrained between 3.2 per cent. and 7 per cent. on a per pupil basis, by means of a formula floor and ceiling.

Social Housing Grant

Mr. Sanders: To ask the Deputy Prime Minister what impact he estimates the abolition of Local Authority Social Housing Grant will have on Torbay UA; and if he will make a statement. [100250]

Mr. McNulty: LASHG was an unfair funding mechanism that did not allocate funds to areas of greatest need, consistently under-spent nationally, and gave unfair advantage to debt-free local authorities.

As part of the measures outlined in "Sustainable Communities: building for the future", The Office of the Deputy Prime Minister has decided to abolish LASHG to allow a more strategic use of resources. The change is to take effect from 1 April 2003. I announced the transitional arrangements on 5 March 2003, *Official Report*, column 82WS.

Torbay UA has submitted information to the Government Office for the South West indicating that it has a total Local Authority Social Housing Grant (LASHG) commitment of 2,181,500 for 2003–04 and 2004–05. Full details of the transitional arrangements have yet to be finalised.

Social Landlord Properties

Jeremy Corbyn: To ask the Deputy Prime Minister how many *(a)* social and *(b)* regulated social landlord properties in each London borough were sold (i) to sitting tenants and (ii) on the open market in each of the last five years. [100273]

Mr. McNulty: Information reported by local authorities and registered social landlords is as follows:

Sales of stock by social landlords to sitting tenants and others: London 1997–98 to 2001–02*

	1997–98			*1998–99*			
	LAs to			*LAs to*			
Local authority	*Sitting tenants*	*Others*	*RSLs to sitting tenants*	*Sitting tenants*	*Others*	*RSLs to sitting tenants*	*LAs to sitting tenants*
Barking and Dagenham	433	n/a	0	393	0	0	762
Barnet	195	0	0	260	0	0	287
Bexley	183	0	0	0	0	2	0
Brent	214	n/a	3	184	n/a	1	265
Bromley	0	0	34	0	0	37	0
Camden	514	n/a	0	505	n/a	0	560
City of London	26	36	1	58	21	0	81
Croydon	164	n/a	1	156	n/a	1	181
Ealing	205	0	6	218	0	10	354
Enfield	172	0	1	163	0	0	327
Greenwich	392	0	2	373	0	0	515
Hackney	222	0	0	337	n/a	0	493
Hammersmith and Fulham	141	4	1	189	1	0	240
Haringey	262	0	0	284	0	1	442
Harrow	85	0	0	97	0	0	134
Havering	183	0	0	209	n/a	0	307
Hillingdon	231	0	3	287	0	0	266
Hounslow	192	0	14	290	0	5	335
Islington	339	0	0	393	0	0	325
Kensington and Chelsea	103	0	1	95	0	0	147
Kingston upon Thames	65	0	0	55	0	2	98
Lambeth	387	0	0	454	n/a	0	644
Lewisham	365	15	3	524	n/a	0	634
Merton	120	0	0	173	0	4	177
Newham	286	n/a	0	300	0	0	430
Redbridge	61	0	0	85	0	0	108
Richmond upon Thames	86	0	1	92	0	0	225
Southwark	344	n/a	0	439	0	0	653
Sutton	141	n/a	0	124	n/a	0	214

Sales of stock by social landlords to sitting tenants and others: London 1997–98 to 2001–02*

	1997–98			*1998–99*			
	LAs to			*LAs to*			
Local authority	*Sitting tenants*	*Others*	*RSLs to sitting tenants*	*Sitting tenants*	*Others*	*RSLs to sitting tenants*	*LAs to sitting tenants*
Tower Hamlets	465	n/a	0	641	n/a	0	815
Waltham Forest	192	0	0	190	0	0	289
Wandsworth	240	214	0	267	n/a	0	514
Westminster	164	n/a	0	270	0	0	403

	1999–2000		*2000–01*			*2001–02*		
		RSLs to			RSLs to			
Local authority	*Others*	*Sitting tenants*	*Sitting tenants*	*LAs to others*	*Sitting tenants*	*Sitting tenants*	*LAs to others*	*RSLs to sitting tenants*
Barking and Dagenham	0	0	527 (3)	n/a	0	374 (3)	n/a	0
Barnet	n/a	4	252	0	0	169	0	0
Bexley	0	74	0	0	6	0 (3)	n/a	1
Brent	0	0	156 (3)	n/a	1	159	0	0
Bromley	n/a	60	0	0	52	0 (2)	n/a	58
Camden	n/a	0	760	n/a	0	671	n/a	0
City of London	36	0	50	15	0	39	15	0
Croydon	0	0	249	0	0	259	0	0
Ealing	0	2	330	0	0	309	0	4
Enfield	0	0	216	0	0	210	0	0
Greenwich	n/a	0	518	0	2	470	0	0
Hackney	n/a	10	764	0	17	373 (3)	n/a	2
Hammersmith and Fulham	0	0	380	0	0	221	0	0
Haringey	0	0	239 (2)	n/a	0	n/a	n/a	0
Harrow	0	0	88	0	0	88	0	0
Havering	0	0	273	n/a	0	219	0	0
Hillingdon	n/a	1	231	n/a	0	163	0	1
Hounslow	0	16	283	0	4	142 (3)	n/a	1
Islington	n/a	4	n/a	n/a	0	844	0	0
Kensington and Chelsea	0	0	108	0	0	42	n/a	0
Kingston upon Thames	0	0	51	0	0	32	0	1
Lambeth	n/a	0	669 (3)	n/a	0	n/a	n/a	19
Lewisham	n/a	0	n/a	n/a	0	n/a	n/a	0
Merton	0	8	164 (3)	n/a	4	165	0	7
Newham	n/a	0	272 (2)	n/a	0	611	0	0
Redbridge	n/a	1	129	0	0	101	0	0
Richmond upon Thames	0	0	33 (2)	n/a	0	0 (2)	N/a	3
Southwark	0	0	819	0	0	943	0	0
Sutton	n/a	7	146	3	0	130	0	0
Tower Hamlets	n/a	71	1,074	0	18	1,007	2	41
Waltham Forest	0	0	244	0	0	188	1	0
Wandsworth	n/a	0	333	115	0	149 (3)	N/a	0
Westminster	0	0	449	6	1	220	2	0

* Local authorities (LAs) and Registered Social Landlords (RSLs).

Notes:

1. LA sales to sitting tenants include those under Right to Buy (RTB) and similar local schemes, plus Rent to Mortgage (RTM).
2. Other LA sales include all those to owner-occupiers under Built or Improved for Sale, but exclude transfers to RSLs and a small number of unspecified disposals.
3. Where reporting is incomplete, the bracketed figures indicate the number of quarters for which complete information was provided.
4. RSL sales to sitting tenants include RTB, RTM, Preserved RTB (in respect of ex-LA properties), Right to Acquire and Voluntary Purchase Grants.
5. Data on RSL open market stock disposals are not collected centrally at local authority level.

Sources:

1. DETR/DTLR/ODPM Housing Activity return P1B (quarterly); Housing Investment Programme returns (annual).
2. Housing Corporation Continuous Recording (CORE) returns.

Spending Formulae

Mr. Andrew Turner: To ask the Deputy Prime Minister how, in establishing formula spending share, he measured sparsity in calculating *(a)* the 'older people' element of the social services formulas, *(b)* the police formula and *(c)* the EPCS formula; and in each case (i) what proportion of the relevant aggregate FSS allocation was distributed on the basis of sparsity and (ii) if he will list the authorities which benefited from the sparsity measure in each allocation. [101548]

Mr. Raynsford: The sparsity indicator is calculated for each of the blocks as follows.

The sum of:

(i) Two multiplied by the resident population of those enumeration districts within the area of the authority at the 1991 Census with 0.5 or less residents per hectare, divided by the total resident population of the authority, calculated using information from the 1991 Census; and

(ii) The resident population of those enumeration districts within the area of the authority at the 1991 Census with more than 0.5 but less than or equal to four residents per hectare, divided by the total resident population of the authority, calculated using information from the 1991 Census.

For the 'older people' element of the social services formula 0.36 per cent. of the aggregate Formula Spending Share (FSS) allocation was distributed via the sparsity indicator; for police 0.15 per cent. was distributed via the sparsity indicator; and for the 'services provided predominantly by non-metropolitan district councils in non-metropolitan areas' element of the Environmental Protective and Cultural Services (EPCS) formula 4.22 per cent. was distributed via the sparsity indicator.

Of the Personal Social Service authorities, only Ealing, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth and Southwark did not have at least one enumeration district within their area at the 1991 Census with less than or equal to four residents per hectare; all other PSS authorities benefited from the sparsity indicator.

All police authorities have at least one enumeration district within their area at the 1991 Census with less than or equal to 4 residents per hectare, and hence all police authorities benefited.

Of the district-level EPCS authorities, only Ealing, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth and Southwark did not have at least one enumeration district within their area at the 1991 Census with less than or equal to four residents per hectare; all other district-level EPCS authorities benefited from the sparsity indicator.

Standards Board for England

Mr. Gibb: To ask the Deputy Prime Minister what plans he has to introduce a referrals unit for complaints to the Standards Board for England. [101220]

Mr. Leslie: This is an operational matter for the Standards Board. I understand that a referrals unit is already in place, with the function of assisting the Board in its consideration of allegations. Provisions in the Local Government Bill will allow the Standards Board flexibility to introduce other arrangements for the efficient handling of misconduct allegations.

Written Answers to Questions

Tuesday 11 March 2003

TRANSPORT

Motoring Costs

Norman Baker: To ask the Secretary of State for Transport if he will make a statement on the estimates that he has made of the external costs associated with private motoring, with particular reference to the environmental costs. [102477]

Mr. Jamieson: A study commissioned by my Department from the Institute for Transport Studies* at the University of Leeds made the following estimates of the marginal external social costs of car use per vehicle kilometre in Great Britain:

(a) Congestion costs: 9.0 to 10.4 pence/km

(b) Accident costs : 0.79 to 1.38 pence/km

(c) Air pollution costs: 0.18 to 0.88 pence/km

(d) Noise pollution costs: 0.01 to 0.52 pence/km

(e) Climate change costs: 0.12 to 0.47 pence/km

* 'Surface Transport Costs and Charges', Great Britain 1998, Institute for Transport Studies, University of Leeds, July 2001, page 49.

Accident Statistics

Gregory Barker: To ask the Secretary of State for Transport how many *(a)* accidents and *(b)* fatalities were recorded on the A259 between (i) Hastings and Bexhill and (ii) Bexhill and Pevensey, with particular reference to King Offa Way, Bexhill, in each year since 1997. [101392]

Mr. Jamieson: I have asked the Chief Executive of the Highways Agency, Mr. Tim Matthews, to write to the hon. Member.

Letter from Tim. Matthews to Gregory Barker, dated 11 March 2003:

I have been asked by David Jamieson to reply to your recent Parliamentary Question about how many *(a)* accidents and *(b)* fatalities were recorded on the A259 between (i) Hastings and Bexhill and (ii) Bexhill and Pevensey in each year since 1997.

The statistics for injury accidents are shown in the attached annex. If you would like further information about accident issues on these sections of the A259 the Area Manager, Mark Kumar, at our Dorking office would be pleased to help you. His telephone number is 01306 878115.

Injury accidents

	1997	*1998*	*1999*	*2000*	*2001*	*Total*
A259 between Hastings and Bexhill (B2092 to B2182 Cooden Sea Road)						
Fatal	2	0	1	0	1	4
Serious	3	5	1	3	3	15
Slight	14	21	21	11	45	112
Total	19	26	23	14	49	131
A259 between Bexhill and Pevensey (B2182 Cooden Sea Road to junction with A27) (including figures for King Offa Way)						
Fatal	0	0	0	1	1	2
Serious	1	4	5	1	2	13
Slight	8	9	6	7	16	46
Total	9	13	11	9	19	61
A259 King Offa Way (from the De La Warr Road to London Road)						
Fatal	0	0	0	0	0	0
Serious	0	0	0	1	0	1
Slight	0	8	9	6	8	31
Total	0	8	9	7	8	32

Note:

Figures for 2002 are not yet available.

Central Railway

Chris Grayling: To ask the Secretary of State for Transport if he will make a statement on the status of the Central Railway project. [101870]

Mr. Jamieson: We are considering carefully Central Railway's proposals and will respond to Central Railway in due course.

Travel Passes

Harry Cohen: To ask the Secretary of State for Transport what publicity is *(a)* being given and *(b)* planned to the change in eligibility for the travel pass for elderly people from 1 April (i) in London and (ii) elsewhere; and if he will make a statement. [101750]

Mr. Jamieson: The DTLR Press Release 2002/0069 of 27 February 2002 gave details of the contents of the Travel Concessions (Eligibility) Act 2002 directly it received Royal Assent. The DfT will issue a further Press Release within the next two weeks to again publicise that from 1 April 2003 men will become eligible for travel concessions at the same age as women.

Responsibility for local publicity to inform the public about the change in eligibility for the travel pass for elderly people lies with the local authorities or Passenger Transport Executives. The Local Government Association has alerted its members to the change and reminded them that they may wish to advertise appropriate local advance application arrangements.

Ministerial Trips

Mr. Bercow: To ask the Secretary of State for Transport if he will list the overseas trips made by himself and other members of his ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101475]

Mr. Jamieson: I refer the hon. Member to the answer given by my hon. Friend the Minister of State, Cabinet Office on 22 January 2003, *Official Report*, column 334W, in response to the hon. Member for Yeovil (Mr. Laws)

Motorways

Mr. David Laws: To ask the Secretary of State for Transport what assessment he has made of the *(a)* benefits and *(b)* costs of privatising English motorways; and if he will make a statement. [101517]

Mr. Jamieson: No detailed assessment of the costs and benefits of privatising England's motorways has been made.

In 1999 the Next Steps Review of the Highways Agency looked briefly at the possibility of privatisation as part of the 'prior options review' that re-examined the case for Agency status. These reviews are routine. The report (published in July 1999) concluded that privatisation could only be an option for the future when a number of issues had been resolved including the identification of a secure revenue stream.

Railways

Tom Brake: To ask the Secretary of State for Transport how many stations have achieved safer station status; and how many will achieve safer station status in each of the next three years. [102168]

Mr. Jamieson: There are currently 170 stations accredited under the Secure Stations Scheme. The Scheme is voluntary and the Department has not set any targets for the number of stations to be accredited under the Scheme. It is up to the Train Operating Companies to decide which of their stations to put through the Scheme's accreditation process.

Tom Brake: To ask the Secretary of State for Transport what Strategic Rail Authority resources are available for station improvements, including safety improvements, in each of the next five years. [102169]

Mr. Jamieson: The Authority's Strategic Plan, a copy of which is in the House Library, explains their current investment priorities in detail.

Mr. Norman: To ask the Secretary of State for Transport what assessment he has made of the adequacy of data collection concerning perceptions of passenger safety on the railways. [102227]

Mr. Jamieson: The Strategic Rail Authority's twice yearly "National Passenger Survey" includes questions on passengers' perceptions of safety. The survey is carried out to an approved methodology in accordance with Market Research Society codes of conduct.

Mr. Norman: To ask the Secretary of State for Transport what research he has conducted into the extent to which environmental factors, with particular reference to *(a)* litter on tracks and *(b)* graffiti in stations, influence perceptions of safety and customer satisfaction among users of the railways. [102229]

Mr. Jamieson: The National Passenger Survey measures for each train operating company the most important areas of concern for passengers. Details of the results of the surveys are contained in the Strategic Rail Authority's publication, "On Track", copies of which are in the Libraries of the House.

Tom Brake: To ask the Secretary of State for Transport who would conduct *(a)* an inquiry into a rail accident and *(b)* a criminal investigation into a criminal act on the (i) Folkestone, Dymchurch and Hythe Railway, (ii) Bluebell Railway, (iii) Didcot Railway, (iv) Heritage Railway and (v) Rail Mail under the provisions of the Railways and Transport Safety Bill. [102393]

Mr. Jamieson: The provisions of the Railways and Transport Safety Bill will create an independent Rail Accident Investigation Branch that will investigate serious railway accidents and which may investigate a non-serious railway accident or railway incident on (i)-(v) above.

An investigation into a general criminal act on (i)-(iv) above would normally be undertaken by the Home Office police, rather than the BTP. An investigation in to a general criminal act on (v) would normally be undertaken by the BTP if it took place on the national rail network.

Health and safety related criminal acts would be investigated by the Health and Safety Executive in respect of (i)-(v).

Road Improvements

Gregory Barker: To ask the Secretary of State for Transport if he will list road improvement schemes managed by the Highways Agency in *(a)* the Kent, East Sussex and West Sussex area and *(b)* England in each year since 1997, together with the cost of each scheme; and which schemes are awaiting action. [101395]

Mr. Jamieson: There are many small improvement schemes carried out each year and it is not possible to list them all here. A table listing the major road improvement schemes completed by the Highways Agency since 1997, as well as those schemes being progressed as part of the Targeted Programme of Improvements (TPI) in *(a)* the Kent, East Sussex and West Sussex area and *(b)* England, together with the cost of each scheme has been placed in the Libraries of the House.

Gregory Barker: To ask the Secretary of State for Transport how much funding was allocated to the Highways Agency for road improvement schemes in *(a)* the Kent, East Sussex and West Sussex area and *(b)* England in each year since 1997. [101394]

Mr. Jamieson: Funding for road improvement schemes is not allocated on a county by county basis. The total funding allocated for road improvement schemes in England in each year since 1997 is listed in the following table:

Year	*£ million*
1997–98	901
1998–99	7 14
1999–2000	663
2000–01	677
2001–02	837
2002–03	939

Road User Charging

Mr. Kidney: To ask the Secretary of State for Transport what work he has asked the Highways Agency to do to develop a policy for road user charging for inter-urban motorway and trunk roads since 1 July 2002. [101925]

Mr. Jamieson: None.

Mr. Rosindell: To ask the Secretary of State for Transport if he will make a statement on the objectives of road-user charging. [101973]

Mr. Jamieson: Road-user charging is one of a number of measures that a local authority can use to assist in managing congestion.

Rolling Stock

Tom Brake: To ask the Secretary of State for Transport what assessment he has made of the safety risks associated with the delay in the replacement of Mark I carriages. [102166]

Mr. Jamieson: The Health and Safety Executive's (HSE) decision to accept an exemption application from three South East train operators to run Mark 1 stock without an 'override preventing' safety modification was taken in light of the accelerated Train Protection and Warning System (TPWS) fitment programme that was agreed between the HSE and the industry. TPWS mitigates some of the risks associated with this type of rolling stock by reducing the risk of collision caused by signals passed at danger.

The Strategic Rail Authority is currently discussing the delay in replacing some Mark 1 stock with the HSE, including the safety implications.

Smoking

Chris Grayling: To ask the Secretary of State for Transport what policy his Department has adopted on smoking in the workplace. [100926]

Mr. Jamieson: The Department for Transport operates a no smoking policy except in certain specifically designated smoking rooms.

South Central Line

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what timescale the Strategic Rail Authority estimates for the power upgrade of the South Central line to accommodate the Bombardier Electrostar trains; [101197]

(2) what date of completion he estimates for the power upgrade for the South Central line. [101182]

Mr. Jamieson: Contract work to lay cables has already commenced and it is estimated that work will be completed by 2005.

Train Services (Macclesfield and Stoke)

Sir Nicholas Winterton: To ask the Secretary of State for Transport what discussions he has had with the Strategic Rail Authority on the reduction of train services to Macclesfield and Stoke as part of the Strategic Rail Authority's plans for a higher speed service between London and Manchester. [101622]

Mr. Jamieson: The Strategic Rail Authority is currently considering responses to its draft strategy to deliver the West Coast Route Modernisation project and expects to finalise the strategy shortly.

Vehicle Inspectorate

Mr. Pike: To ask the Secretary of State for Transport what changes he plans in the organisation of the Vehicle Inspectorate; what representations he has received; and if he will make a statement. [102089]

Mr. Jamieson: I refer my hon. Friend to the answer I gave on 23 July 2002, *Official Report*, columns 964–65W, and the answer given by my right hon. Friend the Minister of State on 15 October 2002, *Official Report*, columns 714–15W. From 1 April 2003 the Vehicle Inspectorate (VI) and the Traffic Area Network (TAN) will merge to form a new agency to be known as the Vehicle and Operator Services Agency (VOSA). There will be little change in the organisation of VI immediately as VI and TAN will work as two operating divisions of VOSA. There will be a progressive integration of activities and services over the following months.

West Coast Main Line

Sir Nicholas Winterton: To ask the Secretary of State for Transport if he will make a statement on the level of rail service to *(a)* Macclesfield and *(b)* Stoke-on-Trent, following (i) the upgrade of the West Coast Mainline in 2004 and (ii) the introduction of the half hourly London to Manchester service. [101741]

Mr. Jamieson: The Strategic Rail Authority is currently considering responses to its draft Strategy to deliver the West Coast Route Modernisation project and expects to finalise the Strategy shortly.

SCOTLAND

A1 (Dualling)

8. **Mr. Hepburn:** To ask the Secretary of State for Scotland what recent discussions she has had with the Scottish Executive about the dualling of the A1 from Edinburgh to Newcastle. [101102]

Mrs. McGuire: My right hon. Friend and I have regular discussions with Scottish Ministers on a variety of transport matters. There is dialogue between the Government, its agencies and the Scottish Executive on cross-border routes. I understand officials of the Highways Agency and the Scottish Executive were due to meet yesterday to discuss progress on current schemes and take forward detailed planning for future improvement works on the A1.

Common Fisheries Policy

9. **Mr. Swayne:** To ask the Secretary of State for Scotland what representations she has received on reform of the common fisheries policy; and if she will make a statement. [101103]

10. **Sir Teddy Taylor:** To ask the Secretary of State for Scotland what representations she has received on reform of the common fisheries policy; and if she will make a statement. [101104]

Mrs. Liddell:I have received direct representations on issues relating to the common fisheries policy from the Scottish Fishermen's Federation.

The European Commission adopted a Green Paper on the common fisheries policy in March 2001 and subsequently brought forward specific proposals for reforming the policy. These proposals were discussed at the Agriculture and Fisheries Council in December 2002. Her Majesty's Government welcomes the package of reforms that the Council decided to adopt.

Manufacturing Industry

11. **Sir Nicholas Winterton:** To ask the Secretary of State for Scotland what discussions she has had with the First Minister about prospects for manufacturing industry in Scotland. [101105]

Mrs. Liddell: I have regular discussions with the First Minister on a wide range of matters. Scottish Executive Ministers recently received a report from the Scottish Manufacturing Steering Group and I have undertaken to assist in securing consideration by the relevant Government Departments of recommendations in the report relating to reserved matters.

Broadband Services

12. **Chris Grayling:** To ask the Secretary of State for Scotland what steps she is taking to ensure that *(a)* rural and *(b)* urban areas in Scotland have equal access to broadband services. [101106]

Mrs. McGuire: I refer the hon. Member to the answer I gave on 4 February 2003, *Official Report*, column 131W.

Sunday Working

13. **Andrew Selous:** To ask the Secretary of State for Scotland what assessment she has made of the impact of the Sunday Working (Scotland) Bill on workers in Scotland. [101107]

Mrs. McGuire: Our Regulatory Impact Assessment, published on 7 February 2003, set out the likely impact, costs and benefits of the Sunday Working (Scotland) Bill on workers in Scotland.

Unemployment Figures

14. **Mr. Ross:** To ask the Secretary of State for Scotland if she will make a statement on the latest unemployment figures for Scotland. [101109]

Mrs. Liddell: The latest figures show that employment in Scotland is around its highest ever level. Unemployment is at its lowest level since the mid-1970s, and since 1997, youth and long-term unemployment have both fallen by almost 80 per cent. The Government's management of the economy is driving down unemployment and establishing solid foundations for achieving high and sustainable levels of growth and employment.

TREASURY

Euro

Mr. Rosindell: To ask the Chancellor of the Exchequer (1) whether the five economic tests for determining whether there is a clear and unambiguous case for UK membership of the euro will be applied separately to the economies of *(a)* overseas territories and *(b)* Guernsey; [99751]

(2) if the five economic tests for determining whether there is a clear and unambiguous case for UK membership of the EMU will be applied separately to the economy of the Bailiwick of Jersey. [100062]

Mr. Prisk: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Romford (Mr. Rosindell) of 25 February 2003, *Official Report*, column 383W, on Gibraltar, whether the Treasury's five economic tests take account of the effects of membership of the Eurozone on the UK's crown dependencies. [101928]

Ruth Kelly: Under Article 299(6)*(c)* of the EC Treaty, read together with the treaty of Accession, the Channel Islands and Isle of Man are outside the scope of the EC Treaty for the purposes of EMU.

Mr. Prisk: To ask the Chancellor of the Exchequer what assessment he has made of the compatibility of the White Paper, "Meeting the Challenge: Economic Reform in Europe" with the second economic test for entry to the euro. [101865]

Ruth Kelly: A comprehensive and rigorous assessment of the five economic tests will be completed within two years of the start of this Parliament.

As we said in "Meeting the Challenge: Economic Reform in Europe", published in February 2003, "The Government will continue to argue that employability, flexibility and stronger competition policies must be a top priority, so that EMU can be sustained success".

Lorry Charging

Mr. Laws: To ask the Chancellor of the Exchequer if he will make a statement on his policy on lorry road user charging. [101525]

John Healey: As announced in Budget 2002, the Government intend to introduce a lorry road-user charge based on distance travelled. The Government remain committed to ensuring that the UK haulage industry will not have to pay more tax as a result of introducing the charge and will also introduce offsetting tax reductions for the industry.

The Government published their first progress report in April 2002, and will shortly publish a second progress report outlining the results of work on how to implement and procure the lorry road-user charge and offsetting tax cuts.

Award Schemes

Annabelle Ewing: To ask the Chancellor of the Exchequer if he will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by the Department; what their scope was when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102063]

Ruth Kelly: The Treasury has no award schemes.

Bingo

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer (1) what plans he has to retain standard rate VAT on participation fees under the new gross profits tax system for bingo; [101755]

(2) what assessment he has made of the impact of a gross profits tax system on the opportunity for growth for licensed bingo clubs; [101756]

(3) what assessment he has made of the benefits change from bingo duty to gross profits tax will bring for *(a)* bingo players and *(b)* licensed bingo clubs; [101757]

(4) what plans he has to reduce the tax burden on licensed bingo. [101754]

John Healey: As with other tax changes, and as discussed in the Pre-Budget Report, changes to the taxation of bingo will be announced in the Budget.

Correspondence

Mr. Kaufman: To ask the Chancellor of the Exchequer, when he intends to reply to the letter to him dated 5 February from the right hon. Member for Manchester, Gorton with regard to parishioners of St. James with the Holy Innocents. [102185]

John Healey: I have already done so.

Fuel Tax

Norman Baker: To ask the Chancellor of the Exchequer what was the annual income from fuel duties in each year from 1973. [102478]

John Healey: Duty receipts for hydrocarbon oils since 1973 are shown in the table:

Oil Receipts

	£ million
1973–74	1,586
1974–75	1,550
1975–76	1,543
1976–77	2,066
1977–78	2,465
1978–79	2,467
1979–80	2,931
1980–81	3,581
1981–82	4,643
1982–83	5,239
1983–84	5,605
1984–85	6,201
1985–86	6,395
1986–87	7,507
1987–88	7,810
1988–89	8,679
1989–90	8,728
1990–91	9,628
1991–92	11,003
1992–93	11,442
1993–94	12,742
1994–95	14,253
1995–96	15,679
1996–97	17,174
1997–98	19,454
1998–99	21,553
1999–2000	22,515
2000–01	22,623
2001–02	21,916

Individual Savings Accounts

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer (1) what research he has commissioned to gauge the take-up of ISAs amongst new investors; [102123]

(2) how many investors have opened ISA accounts who did not previously hold a PEP or TESSA; and how much money has been invested in ISA accounts by investors who previously did not hold a PEP or TESSA; [102122]

(3) how many people have taken out an ISA in each year since 1998; [102114]

(4) what targets he has set regarding the uptake of ISAs in the UK. [102116]

Ruth Kelly: The table gives available estimates of the number of individuals who held ISAs in the first three years following their introduction in 1999. It is not yet possible to break down these estimates further into how many previously held either a TESSA or PEP.

Number of individuals holding ISAs

millions

1999–2000	*2000–01*	*2001–02*
8.5	12.5	14.0

The Government has no official target regarding the uptake of ISAs in the UK. However, ISAs are intended to give plenty of scope for people to begin saving, and for those who already save to save more. Since ISAs began in April 1999, over £100 billion has already been subscribed to them and within three years of their introduction an estimated 14 million individuals—some one in four adults—had an ISA. This is six million more than had either a TESSA or a PEP in 1998–99, their last and most successful year.

The Inland Revenue is currently analysing administrative data collected for compliance purposes to see if it could be used to give further detail on individual investors, including whether or not they previously held a TESSA or PEP. It is hoped that further estimates may be available later this year.

International Monetary Fund

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what discussions officials from his Department have had with representatives of the International Monetary Fund concerning *(a)* Britain's fiscal policies and *(b)* the sustainability of Britain's fiscal stance in (i) the short-term, (ii) the medium-term and (iii) the long-term. [102106]

Ruth Kelly: The IMF mission visited the UK last year for the 2002 Article IV consultation. The concluding statement was published on 9 December. The Article IV discussions covered a wide range of issues, including UK fiscal policy. The final Article IV report, summarising the discussions, was published on 3 March.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer if he will make a statement on the IMF's assessment of the medium-term widening of the fiscal deficit, as set out in the 2002 Article IV Consultation Report. [102119]

Ruth Kelly: The public finances remain strong and the Government are on track to meet their strict fiscal rules over the economic cycle. Modest levels of borrowing over the medium term reflect a sustained increase in capital investment of public services.

Manufacturing

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what recent discussions his Department has had with representatives of the Engineering Employers' Federation on *(a)* insurance cover against remote risks, *(b)* the level of manufacturing investment and *(c)* manufacturing growth rates. [102111]

John Healey: The Chancellor and other Treasury Ministers regularly meet representatives from the manufacturing sector, including the Engineering Employers Federation, and discuss a wide range of issues.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer, pursuant to his answer of 28 February 2003, *Official Report,* column 1568W, whether he intends to extend the period of allowances for investments in plant and machinery; and if he will make a statement. [101798]

John Healey: As I said my answer of 28 February, the Government keep all taxes under review and any changes to taxation will be announced in the Budget statement on 9 April 2003.

Oil and Petroleum Revenue

Dr. Cable: To ask the Chancellor of the Exchequer what has been the Government's revenue receipts on a monthly basis since January 2002 arising from *(a)* sales of petrol, *(b)* sales of the petroleum products and *(c)* North Sea oil production. [101807]

Mr. Boateng *[holding answer 7 March 2003]:* Monthly receipts data for petroleum revenue tax, hydrocarbon oils and oil royalties are shown in Tables 2.1C, 2.1D and 2.1E respectively of the National Statistics publication Financial Statistics. Table 2.1E is in the process of being corrected; the correct monthly figures for oil royalties in 2002 will be published in the March edition of Financial Statistics on 19 March 2003 and are as shown in the following table, in £ million.

	£ million
January	0
February	248
March	10
April	4
May	0
June	0
July	0
August	230
September	4
October	0
November	5
December	0

More up to date information on petroleum revenue tax and hydrocarbon oils receipts are available, respectively, on the Inland Revenue website at www.inlandrevenue.gov.uk, and on the HM Customs and Excise website www.uktradeinfo.com. Figures for North Sea corporation tax are only published on a financial year basis and are available on the Inland Revenue website. There are no published figures for VAT on petroleum products.

Overseas Trips

Mr. Bercow: To ask the Chancellor of the Exchequer if he will list the overseas trips made by himself and other members of his ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101483]

Ruth Kelly: I refer the hon. Gentleman to the answer given by the Minister of State, Cabinet Office on 22 January 2003, *Official Report,* column 334W.

Pensions

Mr. Frank Field: To ask the Chancellor of the Exchequer if he will set out the yearly taxation revenue accruing from the taxation of occupational pension fund surpluses since the tax's inception. [102493]

Ruth Kelly: Available estimates from 1987–88 to 2001–02 are contained in the table.

Taxation on refunds by funds to employers in connection with pension fund surpluses

Year	*Amount of tax (£ million)*
1987–88	34
1988–89	83
1989–90	182
1990–91	231
1991–92	161
1992–93	94
1993–94	45
1994–95	27
1995–96	16
1996–97	40
1997–98	20
1998–99	29
1999–2000	25
2000–01[1]	30
2001–02[1]	110

[1] Provisional

Mr. Frank Field: To ask the Chancellor of the Exchequer how many *(a)* civil servants and *(b)* Ministers would have had a pension entitlement in 2001–02 in excess of the limit proposed in the consultation document Simplifying the Taxation of Pensions-Increasing Choice and Flexibility for All. [102492]

Ruth Kelly: The value of a person's pension funds will depend upon accrued entitlement both in an individual's current job, and in any previous employment. This information is not held centrally for civil servants and Ministers and the information could be provided only at a disproportionate cost.

Research and Development

Mr. Spring: To ask the Chancellor of the Exchequer what proportion of Britain's GDP was spent on research and development in the last year for which figures are available; and what assessment he has made of the average proportion of GDP spent on Research and Development in *(a)* the EU, *(b)* Japan and *(c)* the United States of America. [101479]

John Healey: The most up-to-date figures taken from OECD Main Science and Technology Indicators 2002/2 for General Expenditure on Research and Development (GERD) as a percentage of GDP are as follows:

For the year 2000:

UK: 1.85 per cent.

EU: 1.88 per cent.

Japan: 2.98 per cent.

USA: 2.72 per cent.

Savings Products

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer (1) if he will make a statement about the future of saving products in the UK; [102110]

(2) what assessment he has made of the barriers to entry to the savings market for lower income households; and what steps the Government has taken to eradicate these barriers; [102121]

(3) what the Government's *(a)* short, *(b)* medium and *(c)* long-term aims are for saving in the United Kingdom, what targets he has set for his savings policy; and if he will make a statement; [102120]

(4) what steps he is taking to boost savings by individuals who do not hold a bank account; and if he will make a statement. [102113]

Ruth Kelly: Savings provide individuals with security, independence and opportunity throughout life. A number of barriers may prevent individuals, particularly those from low and moderate-income households, from making optimal saving decisions. These include factors such as lack of trust in financial services providers, complexity of products resulting in a costly system of advice and sales regulation, lack of clear financial information and the capability to process the information. The Government's saving strategy takes these factors into account and is focused on:

improving the environment for saving, with macroeconomic stability and an efficient and well regulated market in financial services; creating the right incentives for saving, assisting those on lower incomes and ensuring that taxes and benefits reward, rather than penalise, savers; empowering individuals with financial information, improved access to advice, and simpler and easier to understand savings products; and developing saving products suitable for each stage in a person's life cycle. As the scale of saving increases, proceeds from one product may be rolled into the next, helping people to progress up the savings ladder.

Progress has been made across all these fronts. For example:

a radically new regulatory regime was created by the Financial Services and Markets Act 2001 which replaced ten different regulators with a single regulator, the FSA, covering the whole financial services market.

All the high street banks now offer basic bank accounts that are free to open and run. Universal Banking Services will improve the environment for saving, with macroeconomic stability and an efficient and well regulated market in financial services; create the right incentives for saving, assisting those on lower incomes and ensure that taxes and benefits reward, rather than penalise, savers; empower individuals with financial information, improved access to advice, and simpler and easier to understand savings products; and develop saving products suitable for each stage in a person's life cycle. As the scale of saving increases, proceeds from one product may be rolled into the next, helping people to progress up the savings ladder.

Universal Banking Services, which will be operational from April 2003, will ensure that access to basic bank accounts will be available over Post Office counters.

Since their launch in 1999, Individual Savings Accounts have helped to make saving, and the benefits of saving, simple for ordinary investors to understand. Around 14 million people have an ISA. The Government is taking forward the recommendation of the Sandler review for the development of a suite of simple, low cost, risk-controlled 'stakeholder' investment products aimed at low and medium income investors and sold through a simplified sales regime.

Pilots for the Saving Gateway, an account designed to provide transparent incentives to save for low-income individuals, including those who may not own any other financial products, were launched in August 2002. Tailored financial information and education are provided alongside Saving Gateway accounts to help individuals make informed saving choices.

The Government is continuing to develop details of the Child Trust Fund, which will offer all families an account in which to save for their children, with every child receiving an endowment from the Government. The Child Trust will reinforce financial education delivered through the national curriculum and other channels.

The Government is consulting widely on the Pensions Green Paper proposals to enable those of working age to plan more effectively for a secure retirement. Related to this, the Government has set out proposals to simplify radically the taxation of pensions, which will enable people to make clearer and more confident decisions about retirement saving.

Statements on the progress of the Government's saving policies will be provided in the Budget.

Tax Revenues

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what discussions officials from his Department have had with *(a)* the Governor of the Bank of England, *(b)* members of the Monetary Policy Committee and *(c)* representatives of the Bank of England concerning their assessment of the strength of the growth of tax revenues; and what the outcome was of these discussions. [102108]

Mr. Boateng: The Chancellor and the Governor meet regularly to discuss a wide range of issues. In addition, the Treasury representative to the MPC regularly briefs MPC members on fiscal issues.

Financial Sector Green Paper

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer when his Department began work on the Green Paper, "The Financial System and Major Operational Disruption". [101699]

Ruth Kelly: The Green Paper, "The Financial System and Major Operational Disruption", marks the latest stage of one part of the on-going work that has been undertaken by my Department to help strengthen financial sector resilience since the events of 11 September 2001.

Iraq

Norman Baker: To ask the Chancellor of the Exchequer what assessment he has made of the possible implications for the British economy of involvement of the UK in a war in Iraq. [102500]

Mr. Boateng: I refer the hon. Gentleman to the answer I gave to the hon. Member for Eddisbury (Mr. O'Brien) on 24 February 2003, *Official Report*, column 216W.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Departmental Administrative Errors

Mr. Evans: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the fine imposed by the European Commission on her Department for administrative errors. [100961]

Mr. Morley: By decision 2003/102/EC of 14 February 2003 the European Commission excluded 14.84m of UK expenditure from reimbursement by the European Community, on the grounds that it was not effected in accordance with Community rules. Of this, 14m was due to shortcomings in the operation of the beef subsidy schemes, 492,000 to shortcomings in checks on carcases accepted into public storage and 55,000 to failures to comply with payment deadlines. These sums relate mainly, but not entirely, to CAP schemes administered by the Rural Payments Agency, which is an executive agency of Defra.

The livestock penalties largely relate to a lack of cross checks between bovine subsidy claims and the computerised cattle registration database in the marketing year 2000–01, coupled with an incomplete programme of on-farm inspections. The FMD outbreak was a factor in both cases. Automatic cross checks between the computerised cattle database and bovine subsidy claims have now been established.

The shortcomings in public storage relate to the acceptance for intervention storage of certain incorrectly classified carcases by Livestock and Meat Commission (LMC) inspectors in Northern Ireland in 1998. It has since been arranged that LMC inspectors liaise more closely with the Department of Agriculture and Rural Development Northern Ireland (DARDNI) inspectors. Unannounced on-the-spot controls by RPA technical inspectors have also been introduced, in agreement with DARDNI.

The remaining penalties relate to the failure [illegible] make within the regulatory deadlines some payments for maize during the marketing year 2000–01 and some payments for set-aside during the marketing year 1999–00. In England, instructions to staff have been reviewed and reinforced to stress the payment deadlines and the need for timely processing. In the current EAGGF year almost 99 per cent. of main AAPS payments were made to producers in England by the payment deadline date of 31 January 2003.

The UK Government regrets that any of its expenditure should be subject to disallowance. However, in the most recent report of the European Court of Auditors, relating to the calendar year 2001, the UK was the only member state to receive a net credit from disallowance decisions. Furthermore, this decision represents only about half of one percent of agricultural expenditure in the UK funded by the Community each year.

Animal By-products

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs what additional resources have been available to local authorities to enable them to police the disposal of animal by-products material in each of the last five years. [100814]

Mr. Morley *[holding answer 4 March 2003]*: No additional resources have been made available to local authorities to enable them to police the disposal of animal by-products.

However, we are continuing to fund additional work undertaken by local authorities as a result of the foot and mouth disease outbreak. This may, by implication, include enforcement work regarding the disposal of animal by-products e.g. disposal of carcases.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on the animal carcase *(a)* rendering and *(b)* incineration industries and the market share of companies involved within them; [101262]

(2) what recent representations and discussions she has had regarding the *(a)* rendering and *(b)* animal carcase and animal products incineration industry with (i) individuals, (ii) lobby groups, (iii) companies and (iv) other bodies. [101261]

Mr. Morley: The Department regulates outlets that deal with animal by-products, such as rendering and incineration plants. Officials are, therefore, involved in regular discussions with those industries and other interested parties, both informally and on a more formal, consultative basis.

The Department does not hold information regarding the market share of the companies involved in the animal by-product industry.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list those companies with which her Department and its agencies have signed contracts to incinerate animal carcases under the over 30 months scheme in each year since 1996. [191266]

Alun Michael: The following lists give details of the companies contracted by the Rural Payments Agency to incinerate over thirty month scheme animal carcases for each year 1996 to date.

1996

SAC Veterinary Services, Cleeve Gardens, Oakbank Road, Perth, PH1 1HF.

Gluttons (Agricultural), Tyddyn Daniel, Marchwiel, Wrexham, Clwyd.

Wessex Incineration, Roewood, West Woodlands, Nr. Frome, Somerset, BA11 5EN.

Tellams Incineration, Valley View, Woodlands, Cheriton Bishop, Exeter, Devon, EX6 6HH.

The Cambridge Pet Crematorium, A505 Main Road, Thriplow Heath, Nr Royston, Herts, SG8 7RR.

Crawley Abattoir (Sussex) Ltd., Forge Farm, Steers Lane, Tinsley Green, Crawley, West Sussex, RH10 3NP.

A. Lawton, Birch House, Birch Vale, New Mills, Stockport, Cheshire, SK12 3DH.

Harry Hawkins and Partners, Chates Farm, Cowfold, Horsham, West Sussex, RH138DU.

Tom Goddard and Sons, Camrose Incineration, Causeway Factory, Camrose, Haverfordwest, Pembs, Dyfed, SA62 6HG.

University of Bristol, Department of Pathology and Microbiology, School of Medical Sciences, University Walk, Bristol, BS8 1TD.

Companions Rest (Animal Crematorium), Pheonix House, Stoke Road, Elmstone Hardwicke, Cheltenham, Gloucester, GL51 9SY.

Incineration South West Limited, Stoneybridge, Pengover Road, Liskeard, Cornwall, PL14 3NH.

Durga Environmental Ltd., 9 Green Lane, Buxton, Derbyshire, SK17 9DP (letter of intent signed 1996, contract signed 1998).

Euromet, 54–58 High Street, Edgware, Middlesex, HA8 7EJ (letter of intent signed 1996, contract signed 1998).

Sacone Environmental Ltd., c/o The Abattoir, Montrose Road, Brechin, DD9 7PL (letter of intent signed 1997, contract signed 1998).

Bronzeoak Ltd., The Beeches, Gravelly Hill, Caterham, Surrey, CR3 6ES (letter of intent signed 1996, contract signed 1998).

Bronzeoak Thermal Processing Ltd., 5 Godstone Road, Caterham, Surrey, CR3 6ES (letter of intent signed 1996, contract signed 1998).

WRE Services Ltd, 2 The Embankment, Sovereign Street, Leeds, LS1 4BG (letter of intent signed 1996, contract signed 1998).

1998

Ottery Abattoir Ltd., Raxhayes Farm, Ottery St. Mary, Devon EX11 1PQ.

Hamilton Irvine Ltd., Murdoch Place, Oldhall West Industrial Estate, Irvine, KA11 5DG.

Cremtor, Greycote Lane, Forches Cross, Newton Abbot, Devon, TQ12 6PY.

1999

Westcot Hides Ltd., 15/23 Westerburn Street, Shettleston, Glasgow G32 9AT.

Incineration Scotland, Mosspark, Annan Road, Dumfries, DG1 4PH.

2000

C&S Murphy, Douglasbrae Knackery, Tarnash House, Tarnash, Keith, Banffshire, AB55 5PB.

Peake (GB) Ltd., Stoneybridge Park, Liskeard, Cornwall, PL14 3NQ.

Wessex Incineration, Roewood, West Woodlands, Nr. Frome, Somerset, BA11 5EN.

The Cambridge Pet Crematorium, A505 Main Road, Thriplow Heath, Nr. Royston, Herts, SG8 7RR.

F. Redfern and Sons Ltd., Haslin Abattoir, Buxton, SK17 9HT.

Tellams Incineration, Valley View, Woodlands, Cheriton Bishop, Exeter, Devon, EX6 6HH.

Tom Goddard and Sons, Camrose Incineration, Causeway Factory, Camrose, Haverfordwest, Pembs, Dyfed, SA62 6HG.

Animal Waste Services Ltd., Upper Office, Tyddyn Daniel, Marchwiel, Wrexham, LL13 0TS.

North East Incineration Services, Tarnash House, Tarnash, Keith, Banffshire, AB55 5PB.

Hamilton (Irvine) Ltd, Oldhall West Industrial Estate, Irvine, Ayrshire, KA11 5DG.

Incineration Scotland, Mosspark, Annan Road, Dumfries, DG1 4PH.

2001

Mrs. S. Williams, T/A Cremtor, Greycote Lane, Forches Cross, Newton Abbot, Devon, TQ12 6PX.

A. Lawton, Birch House, Birch Vale, New Mills, Stockport, Cheshire, SK12 3DH.

Harry Hawkins and Partners, Chates Farm, Cowfold, Horsham, West Sussex, RH13 8DU.

Mr. F. J. and Mrs. P. W. Hayman, Raxhayes Farm, Holcombe Lane, Ottery St. Mary, Devon EX11 1PQ.

Goodmans (Slaughterers) Ltd., The Bungalow, Warwick Road, Ettington, Stratford-on-Avon, Warks, CV37 7PN.

2002

Harry Hawkins and Partners, Chates Farm, Cowfold, Horsham, West Sussex, RH13 8DU.

Animal Welfare Bill

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will include the use of snares in the proposed Animal Welfare Bill. [102481]

Mr. Morley: Snares will not be dealt with under the Animal Welfare Bill. The Wildlife and Countryside Act 1981 already regulates snares.

Water Supplies (Ashford)

Mr. Damian Green: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the additional water supplies needed for the planned expansion of Ashford; and if she will make a statement. [102288]

Mr. Morley: Ashford is served by Mid Kent Water. Along with the other water supply companies, Mid Kent Water produces a water resources plan, which looks forward 25 years. The plan is updated annually by the Company, and is reviewed by the Environment Agency for consistency with the national and regional water resources strategies. The planned expansion of Ashford will be factored into this process.

Biofuels

Patrick Mercer: To ask the Secretary of State for Environment, Food and Rural Affairs what subsidies there are to encourage British farmers to produce crops capable of being transformed into biofuels. [100217]

Mr. Meacher: Transport biofuels can be produced from crops such as oilseed rape, wheat, potatoes and sugar beet. The Government are promoting the production of these biofuels through the existing 20 pence/litre cut in duty for biodiesel compared to ultra-low sulphur diesel, and the intention announced in November's pre-budget report to reduce the duty for bioethanol by 20 pence/litre compared to ultra-low sulphur petrol.

This Department has allocated £29 million under the Energy Crops Scheme for establishment grants for short rotation coppice (SRC) and miscanthus, and for SRC growers to set up producer groups. The Woodland Grant Scheme and Farm Woodland Premium Scheme provide grants to create and manage woodland, which can help in the production of wood fuel. £66 million is available to develop markets for biomass in heat, combined heat and power and power generation. A further £3.5 million has been allocated to develop the supply chain required to harvest, store, process and supply biomass to energy end-users.

Non-food crops receive support under the European Union's Arable Area Payments Scheme and can be grown on set-aside land.

BSE

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much *(a)* her Department and *(b)* the European Union has spent on (i) rendering and (ii) incineration of BSE-suspected animal carcases in each year since the over 30 months scheme began. [101264]

Mr. Morley: All costs for incineration of BSE-suspected animals have been met by the Department.

(i) Rendering of BSE-suspected animals is not permitted.

(ii) Expenditure on incineration of BSE-suspected animal carcases in each year since the start of the over thirty months scheme has been as follows:

	£ million
1996–97	2.1
1997–98	1.4
1998–99	1.5
1999–2000	1.3
2000–01	1.0
2001–02	1.3

These figures include expenditure on incineration of offspring cull animals and some other associated expenses.

Bushmeat

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs whether a disease risk analysis of the potential risk to public health posed by the illegal importation of bushmeat has been undertaken by the Food Standards Agency. [101352]

Ms Blears: I have been asked to reply.

I refer my hon. Friend to the reply given to the hon. Member for Lewes (Norman Baker) on 6 March 2003, *Official Report*, column 1205W.

Regulatory Import Assessments

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many responses were received on the consultation document "Living Places—Powers, Rights, Responsibilities", broken down by *(a)* local authority, *(b)* business, *(c)* NGO, *(d)* individual and *(e)* other sources; and if she will place a list of respondees in the Library. [101673]

Mr. Meacher: We received 248 responses to our Living Places consultation.

105 from local authorities
19 from businesses
10 from NGOs
40 from individuals
74 from other sources

We will place a list of respondees in the Library.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs whether the length of consultation provided on the consultation documents on partial regulatory impact assessments published on 17 February meets the requirements laid out in the Code of Practice on Written Consultation published by the Cabinet Office in November 2000; and if she will make a statement. [101674]

Mr. Meacher: No, the deadline we gave for comments on partial regulatory assessments was not in line with the criteria laid out in the Code of Practice on Written Consultation published by the Cabinet Office.

These partial regulatory impact assessments were produced following an analysis of early responses to the consultation document "Living Places—Powers, Rights, Responsibilities". This analysis indicated that the issues in question were of a high priority and respondents would welcome early legislation. We therefore felt it appropriate to conduct a short, targeted, consultation exercise, so that we could be ready to legislate should an appropriate legislative opportunity arise.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many responses have been received to the consultation documents on partial regulatory impact assessments published on 17 February on *(a)* fly tipping, *(b)* local environmental quality and *(c)* street furniture broken down by (i) local authority, (ii) business, (iii) NGO, (iv) individual and (v) other sources; and if she will place a list of respondees in the Library. [101675]

Mr. Meacher: We received 25 responses on fly tipping; 15 from local authorities, two from businesses, two from NGOs, 0 from individuals and six from other sources. 26 responses were received on local environmental quality; 16 from local authorities, three from businesses, 0 from both NGOs and individuals, and seven from other sources.

And lastly, we received 24 responses on street furniture; 15 from local authorities, five from businesses, 0 from both NGOs and individuals, and four from other sources.

We will place a list of respondees in the Library.

Departmental File Stores

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs how many people were employed in the departmental file stores in each year since 1997; how many have been transferred to the private sector; and if she will make a statement. [98858]

Alun Michael: Staffing levels of the Department's file stores have remained at a fairly consistent level from 1997 to 2003, employing between 15 to 17 full-time posts as the table indicates.

	Number
1997	17
1998	17
1999	17
2000	16
2001	16
2002	16
2003	15

No posts have been transferred, or are expected to transfer to the private sector.

At the end of March 2003, one of the Department's main file stores at Hayes will close. It employs seven staff. Three posts are being transferred to manage a new file store contract in Defra's main Headquarter's office, and the Department is actively seeking to re-deploy the four remaining posts on other administrative duties.

Departmental Telephone Directory

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs when the most recent internal telephone directory for the Department was published; how often it is updated; and if she will place a copy in the Library. [102032]

Alun Michael: Our internal on-line Corporate Directory was introduced as part of our greening initiative, and is updated by individual members of staff whenever their personal details change.

Although we no longer produce a paper telephone directory, details of our senior staff can be found in the following publications:

Vacher's Parliamentary Companion;
Vacher Dod's Civil Service Companion;
PMS Parliamentary Companion; and
The Civil Service Year Book.

Defra contact details can also be found on our website: www.defra.gov.uk

Drinking Water

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on the continuation of charging regimes for drinking water based on 1973 rateable values. [101693]

Mr. Morley: It is open to water companies to set unmeasured charges on the basis of rateable values, or to propose another basis, subject to the approval of the Director General of Water Services. The Government remain ready to discuss any proposals with those interested in devising a practicable alternative to rateable value as the basis for unmeasured charging. Any such scheme would need to address how to deal with transitional effects and how to ensure an acceptable outcome for different groups of customers, particularly vulnerable consumers. Household customers have the statutory right to opt for a measured charge if they prefer.

Environmental Offences

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many offences related to environmental damage and disruption have been decriminalised since 1997. [99279]

Mr. Meacher: This Department does not hold information on such offences centrally. However, following inquiries by my officials, I am not aware of any such offences being decriminalised since 1997.

Environmental Protection

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to develop a methodology to assess in regulatory impact assessments of new environmental protection measures the economic benefits of high environmental standards in order to implement the new Cabinet Office guidance Better Policy Making: A Guide to Regulatory Impact; and what category of benefits his Department will include when developing such a methodology. [100605]

Mr. Morley: In the new Cabinet Office guidance Better Policy Making: A Guide to Regulatory Impact Assessment, consideration of the potential dynamic benefits of higher environmental standards is required when assessing the benefits of proposed policy. The importance of considering these potential benefits was raised by Defra during the consultation period. The new guidance also states that quantifying these benefits is difficult, given the high level of uncertainty surrounding them in the future. For this reason the Department's approach in implementing the Cabinet Office guidance will focus on promoting good practice in policy making, giving particular emphasis to the importance of undertaking early informal consultation with stakeholders. This is entirely consistent with the new Cabinet Office guidance which gives increased emphasis to stakeholder consultation and to integrating into the policy process those who have an informed understanding of the potential economic benefits of a particular policy.

The Integrated Policy Appraisal tool, a structured format for assessing the economic, social and environmental impacts of a proposed policy, is currently being piloted in Defra. Active consideration is being given to developing this to cover in more detail the economic benefits of high environmental standards. On the assessment of environmental benefits, Defra, and a number of other Government Departments, are at the forefront of work to develop and apply new methodologies. An up-to-date assessment of this work is provided in Annex 2 of the Treasury's new

Green Book on policy appraisal and evaluation at http://www.hm-treasury.gov.uk/media//78872/Green_Book2_03.pdf

Flooding

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will place in the Library a copy of the flood risk data released by the Environment Agency to the Association of British Insurers on 29 January. [101357]

Mr. Morley: The Environment Agency has provided the initial results of an R&D project called Risk Assessment for Strategic Planning (RASP) to the Association of British Insurers under agreement for assessment purposes only at this stage. The Agency is working closely with the ABI and leading insurance companies to ensure that the best available data can be provided at the earliest opportunity to insurers and the public. The data are not sufficiently accurate to be placed in the public domain at the present time but the Agency plans to make new flood risk maps available to the public in late 2003.

Mr. Goodman: To ask the Secretary of State for Environment, Food and Rural Affairs what responsibilities *(a)* the Environment Agency, *(b)* county councils, *(c)* district councils, *(d)* unitary authorities, *(e)* the Highways Agency and *(f)* other public bodies have to (i) deal with and (ii) prevent flooding. [102403]

Mr. Morley: Flood defence is currently delivered in partnership between Defra, which has policy responsibility, and the operating authorities—the Environment Agency (EA), local authorities and Internal Drainage Boards (IDBs).

The EA is the principal flood defence operating authority with responsibility for managing flood risk from designated main rivers and the sea. The EA is also responsible for public awareness campaigns, flood forecasting and warning and for exercising a general supervision over all matters relating to flood defence. IDBs exist in areas of special drainage needs and have responsibility for ordinary watercourses in their area. Local authorities (district, borough and unitary councils) are responsible for ordinary watercourses where no IDB exists, and maritime councils also have powers to take action against coastal erosion and sea flooding. The responsibilities on the coast are set out in shoreline management plans. Local authorities also take the lead in emergency planning and managing the emergency response to flooding.

The present institutional and funding arrangements have recently been reviewed and I shall be announcing the outcomes of this review shortly.

Sewerage companies are under a statutory duty to ensure the effective drainage of their area. This is not however regarded as extending to an absolute duty to prevent sewer flooding under any circumstances, which would be technically impossible.

Other public bodies, including the Highways Agency, are responsible for minimising the effects of their activities on the run-off of water and flooding through consultation with the EA and other operating authorities.

GM Crops

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many applications she has received for the authorisation of GM crops since December 2002; and if she will make a statement on the process. [101257]

Mr. Meacher: I have received no applications for authorisation to place a GM crop on the market under Directive 2001/18 since the beginning of December. However, two applications made before that date are still under consideration. In addition the UK has been notified of 17 applications that are being processed by other member states.

Annabelle Ewing: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to license GM crops in Scotland for commercial use. [101770]

Mr. Meacher *[holding answer 7 March 2003]*: Decisions to authorise the commercial importation or cultivation of any GM crop will be taken by European Union (EU) Member States collectively, on a case-by-case basis, working with the European Commission in the context of EU Directive 2001/18. In preparing the UK's opinion the Government will consult the Devolved Administrations on all applications. We will not support consent for commercial cultivation of any GM crops to which the results of the UK's Farm Scale Evaluation trials are relevant, until the results have been assessed and a conclusion drawn that the management of the crops concerned does not pose a risk to the environment. Under the single market regime of the EU, once a GM crop has commercial approval it can be imported and, if the consent conditions permit, cultivated anywhere in the EU.

Illegal Meat Imports

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations she has received and discussions she has had regarding publicity material for international travellers through the "Don't Bring Back More Than You Bargained For" campaign to prevent illegal meat imports entering the UK. [101267]

Mr. Morley: We have received a number of representations about the "Don't Bring Back More Than You Bargained For" campaign through such means as Parliamentary Questions, Ministers Correspondence, and correspondence from individuals. Officials have had regular discussions with the National Farmers Union and the Women's Institute about our publicity campaign. Officials are also in discussion with the Central Office of Information and HM Customs about our future publicity strategy.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what health risks are associated with fish and fish products brought into the UK by international travellers through the "Don't Bring Back More Than You Bargained For" campaign. [101269]

Mr. Morley: The illegal import of live or dead fish could result in the introduction of serious fish diseases listed in Council Directive 91/67/EEC which could prejudice the high health status of farmed and wild species of fish in the UK. While such diseases have not been shown to cause illness in humans, the uncontrolled movement of fish and fish products could pose other hazards to human health.

Light Pollution

Helen Jones: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the cost of energy wasted by street lighting directed above the horizontal. [101184]

Mr. Jamieson *[holding answer 6 March 2003]:* I have been asked to reply.

My Department has no central figures of the lighting characteristics of the many types of street lighting units in use and so cannot readily estimate the energy cost of light directed above the horizontal. However, the Department does advise the use of lighting units which restrict the amount of light directed above the horizontal to reduce light pollution.

Helen Jones: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department is taking to encourage the use of downward directed lighting and to improve the visibility of the night sky. [101185]

Alun Michael: This is not matter for this Department but one for the office of my colleague the Deputy Prime Minister.

Integrated Farm Management

Mr. Ben Chapman: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on Linking Environment and Farming. [101435]

Mr. Morley: Linking Environment and Farming (LEAF) is a charitable organisation committed to the promotion of an holistic approach to viable farming and environmental enhancement through Integrated Farm Management (IFM).

Defra continues to support the valuable work undertaken by LEAF.

Mr. Ben Chapman: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the outcome of her visit to the Linking Environment and Farming project in Wirral, South. [101671]

Mr. Morley: The visit to Leverhulme Estate gave a useful insight into the value of demonstration farms and the adoption of Integrated Farm Management (IFM). These help promote the practical application of good farming principles—one of the key initiatives in the Strategy for Sustainable Farming and Food.

Nightingale Hall Farm, Lancaster

Mr. Dawson: To ask the Secretary of State for Environment, Food and Rural Affairs when she intends to determine the appeal of Fats and Proteins (UK) Ltd. under section 15 of the Environmental Protection Act 1990 issued on 5 December 1997 in respect of Nightingale Hall Farm, Lancaster in relation to *(a)* the odour boundary condition and *(b)* the likelihood of increased spillage on surrounding roads. [102317]

Mr. Meacher: A letter, setting out the decision that the Secretary of State is 'minded to' issue in this appeal case, was issued to interested parties on 16 January, inviting further representations on the proposed decision. The Department is now carefully considering all the representations received in response to the 'minded to' letter and will issue a final decision letter as soon as possible.

Nuclear Fuel Reprocessing

Mr. Carmichael: To ask the Secretary of State for Environment, Food and Rural Affairs (1) pursuant to her answer of 11 February, *Official Report,* column 664W, on nuclear fuel reprocessing, if she will list the different radioactive materials that make up *(a)* the low level waste, *(b)* the intermediate level waste and *(c)* the high level waste; [101437]

(2) pursuant to her answer of 11 February 2003, *Official Report,* column 664W, on nuclear fuel reprocessing, what radioactive materials make up *(a)* the 28,000 cubic metres low level waste, *(b)* the 14,000 cubic metres intermediate level waste and *(c)* the 480 cubic metres high level waste. [102503]

Mr. Meacher: The waste from nuclear fuel reprocessing contains a variety of radioactively contaminated material, such as:

Low level waste: stainless steel containers, steel flasks, sheet steel, paper, wood and plastic;

Intermediate level waste: plutonium contaminated plastic or metal, stainless steel fuel cladding, scrap metal or plastic, barium carbonate, graphite, insoluble fission products, ion exchange material, sand, floc from effluent treatment and sludge from ponds;

High level waste: fission products and trace actinides.

Oil Pollution

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many incidences *(a)* have been recorded and *(b)* have resulted in fines and prosecutions relating to releases of oil from refineries caused by flushing processes in each year since 1997; how much each fine was; and what the estimated cost was of clearing up such incidences. [99278]

Mr. Meacher: No incidents relating to releases of oil from refineries caused by flushing processes were recorded by the Environment Agency in either 2001 or 2002.

Information on such incidents before 2001 is not readily available although the Environment Agency is not aware of any between 1997 and 2001.

Perchloroethylene

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what incidences of *(a)* water and *(b)* air pollution resulting from businesses which use perchloroethylene in their day to day operations there have been in each year since 1997; and how many led to (i) fines and (ii) prosecutions, including the amount of fines levied. [99268]

Mr. Meacher: Environment Agency data shows that there have been 10 incidents of water and air pollution since 1997 involving perchloroethylene. The Agency's database is only accurate from 2001.

All of the recorded incidents were of a minor nature, although one did attract enforcement action of a "site warning nature". None attracted fines or legal action.

Pest Designations

Mr. Dismore: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to de-designate *(a)* starlings and *(b)* house sparrows as pests. [99617]

Mr. Morley: Under the Wildlife and Countryside Act 1981 all birds are protected. There is no legal definition of wild birds as pests. However, under Section 16 of the 1981 Act general licences are issued that allow the killing or taking of certain birds for the purposes of public health and air safety, conservation of wild birds and to prevent serious damage to crops. Both the starling and house sparrow are currently listed on some of these licences. Research conducted on behalf of my Department last year into the declines of both these species showed that control under the general licences has an insignificant effect upon their conservation status and their population numbers.

All general licences are reviewed annually and re-issued only after seeking the advice of our statutory advisor, English Nature. Officials are currently examining all the general licences, including those for killing or taking of certain birds, and will be discussing with stakeholders any relevant improvements.

Pesticides

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list pesticides whose use in the UK has been rescinded in each of the last 10 years. [101271]

Mr. Morley: All the pesticides containing the active substances listed in the table have had their use rescinded over the last 10 years within the UK.

Last product expired on:	*Active substance*
28/02/2003	parahydroxyphenylsalicylamide
22/09/2002	zineb
31/07/2002	seconal
27/06/2002	bioallethrin
27/06/2002	quintozene
20/06/2002	lindane
31/05/2002	dicofol
31/03/2002	1,2-dichloropropane
28/02/2002	fenpiclonil
28/02/2002	sodium silver thiosulphate
28/02/2002	tridemorph
31/01/2002	tecnazene
31/12/2001	carbofuran
31/12/2001	chlorfenvinphos
31/12/2001	disulfoton
31/12/2001	etrimfos
31/12/2001	propoxur
30/09/2001	methoprene
27/09/2001	disodium hydrogen phosphate
27/09/2001	p-[(diiodomethyl)sulfonyl]toluol
31/07/2001	carbaryl
31/07/2001	fenitrothion
31/07/2001	quizalofop-ethyl
01/07/2001	phorate
30/06/2001	copper hydrate
30/04/2001	heptenophos
30/04/2001	phenothrin
30/04/2001	tetramethrin
20/04/2001	ethiofencarb
20/04/2001	mephosfolan
20/04/2001	methomyl
20/04/2001	phosalone
20/04/2001	pyrazophos
20/04/2001	trichlorfon
31/12/2000	dienochlor
30/11/2000	thiometon
31/10/2000	demeton-s-methyl
30/09/2000	cresylicacid
30/09/2000	diazinon
30/09/2000	triazophos
31/07/2000	fenoxaprop-ethyl
31/07/2000	fonofos
31/07/2000	quinalphos
29/02/2000	flamprop-m-ethyl
31/01/2000	chlorbufam
31/12/1999	dodecylbenzyl trimethyl ammonium chloride
31/12/1999	propham
30/11/1999	dalapon
31/03/1999	anilazine
04/03/1999	imazethapyr
28/02/1999	tca
31/01/1999	alloxydim-sodium
11/11/1998	diphenamid
31/05/1998	tebuthiuron
28/02/1998	benzoylprop-ethyl
28/02/1998	ethephon
13/01/1998	ferbam
30/11/1997	iodofenphos
30/09/1997	fenvalerate
14/08/1997	mineral oil
12/08/1997	bromophos
31/03/1997	dimefuron
31/12/1996	trichodermaviride
30/11/1996	quassia
31/01/1996	oxydemeton-methyl
30/11/1995	hexazinone
30/09/1995	pirimiphos-ethyl
04/09/1995	epic
30/06/1995	nitrothal-isopropyl
30/06/1995	omethoate
31/05/1995	thiofanox
28/02/1995	formaldehyde
31/01/1995	sodium tetraborate
31/08/1994	phoxim
31/08/1994	vamidothion
10/08/1994	dithiocarbamate complex
28/02/1994	nabam
31/01/1994	azinphos-methyl
31/12/1993	boric acid
20/04/2001	mephosfolan
20/04/2001	methomyl
20/04/2001	phosalone
20/04/2001	pyrazophos
20/04/2001	trichlorfon
31/12/2000	dienochlor
30/11/2000	thiometon
31/10/2000	demeton-s-methyl
30/09/2000	cresylicacid
30/09/2000	diazinon
30/09/2000	triazophos
31/07/2000	fenoxaprop-ethyl
31/07/2000	fonofos

Last product expired on:	*Active substance*
31/07/2000	quinalphos
29/02/2000	flamprop-m-ethyl
31/01/2000	chlorbufam
31/12/1999	dodecylbenzyl trimethyl ammonium chloride
31/12/1999	propham
30/11/1999	dalapon
31/03/1999	anilazine
04/03/1999	imazethapyr
28/02/1999	tca
31/01/1999	alloxydim-sodium
11/11/1998	diphenamid
31/05/1998	tebuthiuron
28/02/1998	benzoylprop-ethyl
28/02/1998	ethephon
13/01/1998	ferbam
30/11/1997	iodofenphos
30/09/1997	fenvalerate
14/08/1997	mineral oil
12/08/1997	bromophos
31/03/1997	dimefuron
31/12/1996	trichodermaviride
30/11/1996	quassia
31/01/1996	oxydemeton-methyl
30/11/1995	hexazinone
30/09/1995	pirimiphos-ethyl
04/09/1995	epic
30/06/1995	nitrothal-isopropyl
30/06/1995	omethoate
31/05/1995	thiofanox
28/02/1995	formaldehyde
31/01/1995	sodium tetraborate
31/08/1994	phoxim
31/08/1994	vamidothion
10/08/1994	dithiocarbamate complex
28/02/1994	nabam
31/01/1994	azinphos-methyl
31/12/1993	boric acid
31/12/1993	potassium sorbate
31/12/1993	sodium metabisulphite
31/12/1993	sodium. propionate
30/06/1993	bioresmethrin
30/06/1993	chloroxuron
30/06/1993	chlorsulfuron
30/06/1993	fluazifop-butyl
30/06/1993	norbormide
30/06/1993	thiourea
28/02/1993	2,4,5-t
28/02/1993	2,4-des
28/02/1993	barban
28/02/1993	benzethonium chloride
28/02/1993	bitumen
28/02/1993	carbophenothion
28/02/1993	chlorthiamid
28/02/1993	cufraneb
28/02/1993	di-allate
28/02/1993	ditalimfos
28/02/1993	fenchlorphos
28/02/1993	fenoprop
28/02/1993	flamprop-methyl
28/02/1993	fluoroacetamide
28/02/1993	mevinphos
28/02/1993	oxine-copper
28/02/1993	silica
28/02/1993	sodium hydrogen carbonate
28/02/1993	thionazin
28/01/1993	drazoxolon
31/12/1992	1-naphthylacetamide
31/12/1992	alkylaryl trimethyl ammonium chloride
31/12/1992	allethrin
31/12/1992	anthraquinone
31/12/1992	chlordane
31/12/1992	ethylmercury phosphate
31/12/1992	formothion
31/12/1992	paraformaldehyde
31/12/1992	pine sawfly npv
31/12/1992	quinonamid
31/12/1992	sodium carbonate
31/12/1992	tetrachlorvinphos
31/12/1992	zineb-ethylenethiuram disulphide
01/07/1992	pentachlorophenol
31/03/1992	2-methoxymethylmercury acetate
31/03/1992	mercuric oxide
31/03/1992	mercurous chloride
31/03/1992	phenylmercury acetate

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list pesticides whose use in the EU has been rescinded in each of the last 10 years; and what their current status is in the UK. [101272]

Mr. Morley: Since 1993 there has been a European wide review programme to ensure that all active substances used in plant protection products meet modern human and environmental protection standards. To date decisions have been taken to withdraw 22 pesticides. These are listed as follows along with their status within the UK.

Active	*Year approvals rescinded*	*Current status in UK*
Acephate	2004	Not approved
Azinphos-ethyl	1996	Not approved
Benomyl	2003	Not approved
Chlozolinate	2002	Not approved
Cyhalothrin	1995	Not approved
Dinoterb	1998	Not approved
DNOC	2000	Not approved
Fentin acetate	2002	Not approved
Fentin hydroxide	2002	Not approved
Fenvalerate	1999	Not approved
Ferbam	1996	Not approved
Lindane	2002	Not approved
Metalaxyl	2004	Still approved
Monolinuron	2001	Not approved
Parathion-ethyl	2003	Not approved
Parathion-methyl	2004	Not approved
Permethrin	2003	Still approved until end 2003
Propham	1997	Not approved
Pyrazophos	2001	Not approved
Quintozene	2002	Not approved
Tecnazene	2003	Not approved
Zineb	2003	Not approved

The EU review programme will result in many substances being withdrawn for commercial as well as safety reasons. By the end of 2003, about 50 per cent. of the 850 substances currently used in agricultural pesticides throughout the EU will have been withdrawn because companies did not support them. The review of the outstanding supported compounds are due to be completed by 2008.

Plastic Bags

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment has been made of the potential role of degradable plastic bags in improving environmental protection; [99266]

(2) what steps her Department is taking to encourage industry to move towards the use of degradable plastic bags. [99245]

Mr. Meacher: Government have not yet carried out an assessment of the potential role of biodegradable plastics bags in improving environmental protection. The Environment Agency has however been asked to include a project on impacts of replacing supermarket plastic bags with biodegradable alternatives in its 2003–04 research programme.

The Government support the development of biodegradable plastics from non-fossil fuel sources. The Government Industry Forum on Non-Food Uses of Crops was set up in March 2001 to provide strategic advice to Government and industry on the development of non-food uses of crops. The Forum has examined the UK potential to produce compostable packaging materials from mainstream agricultural crops and has concluded that there is a clear opportunity for both UK agriculture and industry to develop these materials. The Forum is encouraging industry to respond to this opportunity and develop products to supply an expanding market.

Plastics Recycling

Mr. Webb: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the *(a)* costs and *(b)* benefits of plastics recycling; what plans she has to encourage plastics recycling; and if she will make a statement. [101343]

Mr. Meacher: No assessments have been made of the costs or benefit of plastics recycling.

Our highest priority is to increase recycling and composting rates for biodegradable waste (i) to meet the Landfill Directive targets and reduce the greenhouse gas emissions generated when biodegradable waste is landfilled, (ii) because biodegradable waste comprises 53 per cent. by weight of the waste fraction and (iii) because at present, the economics of plastics recycling are much more difficult.

We do, however, take plastics recycling seriously, and as local authorities have to meet increasingly demanding recycling targets, they will have to start tackling the more difficult waste streams, including plastics.

Under the 1997 Producer Responsibility Obligations (Packaging Waste) Regulations 1997 (as amended), obligated businesses which handle plastic must recover or recycle a designated amount of plastic each year. This has led to a substantial amount of plastic packaging waste being recycled and the quantity is expected to increase further, partly as a result of revisions to the European directive on packaging waste, which are currently being negotiated.

The amount of plastic packaging waste being recovered and recycled has increased significantly in recent years from 125,539 tonnes in 1998 to 269,962 tonnes in 2001. The revised directive is expected to set challenging targets which will require the provision of new infrastructure. Revenue from the Packaging Waste Recycling Notes (provided for under the UK packaging and waste regulations), which amounted to £70 million in 2001, can be used as a mechanism for directing money towards investment in the collection and recovery infrastructure and the development of end use markets for recyclate.

Radioactive Waste

Mr. Carmichael: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her answer of 11 February 2003, *Official Report*, column 664W, on nuclear fuel reprocessing, what the storage plans are for the various components of *(a)* the 28,000 cubic metres low level waste, *(b)* the 14,000 cubic metres intermediate level waste and *(c)* the 480 cubic metres high level waste. [102504]

Mr. Meacher: The low level waste will be disposed of at the Drigg facility near Sellafield. The remaining waste will be stored on the Sellafield site.

Secondments

Mr. Blunt: To ask the Secretary of State for Environment, Food and Rural Affairs how many of her Department's officials have been seconded to *(a)* Greenpeace and *(b)* other NGOs since 1 January 2002; and on what areas of policy seconded individuals have worked. [101702]

Alun Michael: None to Greenpeace and one placement to an NGO. This secondment to the Rural Stress Information Network was in place before 1 January 2002 and has been very productive.

Mr. Blunt: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* British Energy, *(b)* BNFL, *(c)* Greenpeace, *(d)* Friends of the Earth and *(e)* other (i) companies and (ii) NGOs staff have been seconded to her Department since 1 January 2002; and on what areas of policy seconded individuals have worked. [101703]

Alun Michael: No staff have been seconded to the organisations shown at *(a)* to *(d)* in the question. Under item *(e)* one person has been seconded from a company, which does not fall within the above list, and 13 staff have been seconded from NGOs. These staff have been seconded to the Departments Science, Environment, Land Use and Rural Affairs, Directorates and the Rural Delivery Service.

Smoking

Chris Grayling: To ask the Secretary of State for Environment, Food and Rural Affairs what policy her Department has adopted on smoking in the workplace. [100937]

Alun Michael: Smoking is not permitted anywhere on Defra premises other than in designated smoking room that are suitably equipped and ventilated. On premises where this is not feasible a total ban on smoking has been introduced.

The Policy was revised in January 2003 to place further emphasis on fire risk hazards and to discourage smoking in official vehicles.

Information and a video on loan are available to staff who wish to give up smoking.

Sustainable Development

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what plans her Department has to conduct research on the relationship between production and consumption with reference to the delivery of sustainable development. [101672]

Mr. Meacher: The agenda for sustainable consumption and production (SCP) agreed at WSSD last year is a very ambitious one, in terms of the scope of the issues to be addressed, the range of actors involved, and the range and inter-dependence of the measures that could be considered. The Government have been actively building up the knowledge base to support this agenda: in particular, substantial research and analysis has been carried out over the last three years as inputs to the Cabinet Office Strategy Unit reports on resource productivity ("Making More With Less") and waste ("Waste Not, Want Not") and the Energy White Paper published last month. The Government now plan to draw some of the main threads together in a strategy document on Sustainable Consumption and Production, to be published in the summer. My Department is co-ordinating this work, which will itself feed into the review of the UK Sustainable Development Strategy and its associated sustainable development indicators, to be completed in 2005.

We will be considering what further research the Government may need to commission as part of this evolving work on a longer-term strategy. In addition, organisations outside central Government are also looking at issues connected with the SCP agenda and we shall be making full use of such material where we can.

Water Services

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of households pay for water supplies based on the 1973 rateable value of the property, broken down by supplier area. [101692]

Mr. Morley: The following is the information for households in England.

Percentage of households charged for water supplies based on the rateable value of a property, 2002–03 (estimates by Ofwat based on provisional and forecast data provided by each company)

	Percentage
Water and sewerage companies	
Anglian	49.5
Northumbrian:	
Northumbrian	92.1
Essex and Suffolk	68.9
Severn Trent	78.1
South West	62.8
Southern	76.0
Thames	80.9
United Utilities	86.5
Wessex	69.6
Yorkshire:	
Yorkshire	75.2
York	92.4
Water only companies	
Bournemouth and W. Hampshire	75.3
Bristol	79.1
Cambridge	47.9
Cholderton	89.1
Dee Valley	72.1
Folkestone and Dover	64.4
Mid Kent	71.0
Portsmouth	96.7
South East	72.2
South Staffordshire	86.8
Sutton and East Surrey	81.9
Tendring Hundred	46.3
Three Valleys:	
Three Valleys	80.7
North Surrey	81.2

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how much water was estimated to be lost from water pipes broken down by *(a)* company supply pipes and *(b)* piping between the water company connection point and the householder's tap in (i) 1997 and (ii) 2002. [101681]

Mr. Morley: Water company leakage data is published annually by the Director General of Water Services in the 'Security of supply, leakage and the efficient use of water' reports, copies of which are available in the Library of the House. The reported leakage figures for companies' pipes and customers' supply pipes for 1996–97 and 2001–02 (in litres/property/day) were as follows:

	Company pipes		*Customer supply pipes*	
	1997	*2002*	*1997*	*2002*
Water and sewerage companies				
Anglian	79.4	82.1	75.8	36.5
Dwr Cymru	216.4	162.0	67.8	24.8
Northumbrian North	120.3	99.8	53.2	42.2
Northumbrian South	72.6	57.1	43.0	39.5
Severn Trent	103.1	69.3	48.7	35.4
South West	141.7	90.8	45.9	24.9
Southern	79.6	68.8	36.8	23.1
Thames	231.6	186.4	88.9	63.7
United Utilities	174.8	117.0	43.5	28.6
Wessex	204.4	111.8	50.2	37.3
Yorkshire	164.0	109.5	49.9	31.9
Water only companies				
Bournemouth and W. Hants	110.4	83.9	46.8	36.3
Bristol	98.3	89.9	41.6	23.1
Cambridge	102.5	89.9	36.7	31.1
Dee Valley	75.2	61.3	41.2	36.8
Folkestone and Dover	115.0	83.2	49.6	33.7
Mid Kent	124.8	81.4	41.5	38.4
Portsmouth	59.1	74.0	49.0	29.3
South East	119.4	92.8	56.6	34.7
South Staffordshire	122.7	88.8	47.5	42.4
Sutton and East Surrey	60.8	54.9	42.8	36.1
Tendring Hundred	60.5	63.9	33.0	10.2
Three Valleys	117.1	82.5	55.8	46.4

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to ensure that leakage levels in piping between the water company connection point and the householder's tap are reduced. [101682]

Mr. Morley: Following the Water Summit in 1997, Ofwat has set water companies annual leakage targets. This mechanism has achieved a significant reduction in leakage, both on the distribution network and customers' supply pipes. The Government also asked water companies to make a further commitment to reduce leakage in customers' supply pipes. As a result, all companies offer some degree of free or subsidised repair and replacement for domestic customers' supply pipes. This activity is undertaken as part of water companies' statutory duty to promote the efficient use of water by their customers. Ofwat has a responsibility to enforce this duty, and annually reviews water companies' policies and activities in this area.

Details regarding water company activity on water efficiency, the number of supply pipes replaced and repaired annually, and the supply pipe policies can be found in the Ofwat report 'Security of supply, leakage and the efficient use of water 2001–02', a copy of which is in the Library of the House.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent studies *(a)* have been conducted and *(b)* are planned to establish the extent of leaking pipes in (i) the public water supply and (ii) domestic and business properties. [101683]

Mr. Morley: Since the Water Summit in 1997, Ofwat has set water companies annual leakage reduction targets, which cover the distribution network and customers' supply pipes. Companies submit details each year on progress with their leakage control activities, including information on supply pipe leakage. Water company leakage data is published annually by the Director General of Water Services in the 'Security of supply, leakage and the efficient use of water' reports, copies of which are available in the Library of the House.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs which water companies *(a)* have and *(b)* have not accepted responsibility for a free leak repair service for domestic supply pipes. [101685]

Mr. Morley: All water companies offer some degree of free repair for domestic customers' supply pipes. The exact nature of the repair policy and any restrictions to that policy are dependent on the water company and its operating conditions, although many companies also offer free or subsidised supply pipe replacement. Further details of the supply pipe policy for each water company are provided in Appendix 5 of the Ofwat report 'Security of supply, leakage and the efficient use of water 2001–02', a copy of which is in the Library of the House.

PRIVY COUNCIL

Ministerial Representation

30. **Andrew Mackinlay:** To ask the President of the Council what plans he has to propose allowing the appearance in the House of Ministers that are not Members of the House *(a)* to answer questions and *(b)* to pilot legislation for which they are responsible. [101899]

Mr. Robin Cook: I have no such plans and I have not previously been invited to bring forward such plans.

Privy Council

31. **Mr. Gordon Prentice:** To ask the President of the Council what reforms to the *(a)* working methods and *(b)* system of appointment of the Privy Council have been (i) initiated and (ii) carried through since 1997. [101900]

Mr. Robin Cook: Appointments to the Privy Council are made by Her Majesty on the recommendation of the Prime Minister. There has been no fundamental change to that practice since 1997.

Private Members' Bills

32. **John Mann:** To ask the President of the Council if he will bring forward proposals to the Select Committee on Modernisation of the House of Commons to move private Members' Bills to Tuesday and Wednesday evenings. [101901]

Mr. Robin Cook: The Procedure Committee is currently conducting an inquiry, which includes procedures for Private Members' Bills and the time for debate on them. I look forward to their report.

House of Lords Reform

33. **Mrs. Anne Campbell:** To ask the President of the Council what representations he has received arising from the recent votes on the reform of the House of Lords. [101902]

Mr. Robin Cook: I have received several letters from hon. and right hon. Members on behalf of their constituents, and a number more* from members of the public. In addition, my hon. Friend the Member for Hemel Hempstead (Mr. McWalter) asked me about reform during last week's Business Statement. I said then that I had no plans to bring the issue back to this House until a fresh consensus has emerged.

* 115 since October 2002.

34. **Mr. Heath:** To ask the President of the Council if he will make a statement on progress towards House of Lords reform. [101903]

Mr. Robin Cook: Following the votes in both Houses last month, the Joint Committee is now considering options for the way forward. I understand they are to meet again on 25 March 2003. It will be for the Joint Committee to decide what, and when, they wish to report to both Houses. As I told the House on 6 March 2003, *Official Report*, column 969, I think that it would be premature to bring the matter back to the House until there is at least the makings of a majority in this Chamber for a particular way of reform.

Lord Chancellor (Pension Arrangements)

35. **Gregory Barker:** To ask the President of the Council when the Lord Chancellor's pension arrangements were last reviewed. [101904]

Mr. Robin Cook: The Review Body on Top Salaries reviewed the Lord Chancellor's pension arrangements in 1988; section 3 of the Ministerial and other Pensions and Salaries Act 1991 formalised the salary lead over the

Lord Chief Justice, which went through both Houses with all party agreement; and under the Ministerial and other Pensions and Salaries Order 1996, the Lord Chancellor's salary is automatically set at £2,500 more than the salary of the Lord Chief Justice.

Mr. Willetts: To ask the President of the Council what the value is of the national pension funds that would be required to pay the Lord Chancellor's pension calculated on the basis of *(a)* the salary resulting from the recommendations of the report No. 54 of the Senior Salaries Review Body and *(b)* the reduced salary which the Lord Chancellor has indicated that he would accept. [97799]

Mr. Robin Cook *[holding answer 13 February 2003]:* The notional value of the Lord Chancellor's pension package (including dependants' benefits) which in fact is payable from the Consolidated Fund is estimated at around £2 million based on his current salary of £180,045. All other things being the same, this figure will vary on a pro-rata basis with his salary.

Mr. Willetts: To ask the President of the Council whether the Lord Chancellor's pension will be based on the full salary he has been awarded from 1 April. [97800]

Mr. Robin Cook *[holding answer 13 February 2003]:* The SSRB has been asked to look at the remuneration of the office of Lord Chancellor and make recommendations. Pending the outcome of this review, the Lord Chancellor's pension will be based on his salary at the time he leaves office.

Sitting Hours

36. **Mr. Ben Chapman:** To ask the President of the Council if he will make a statement on the sitting hours of the House. [101905]

Mr. Robin Cook: In October last year, a majority of Members voted to alter the sitting hours so that the House sat from 11.30 am on Tuesday and Wednesday.

I know that some Members are not comfortable with the change. I accept that adaptation will take time. It is for that reason that the Standing Orders were changed for the rest of this Parliament. This allows a sufficient period for colleagues to make a considered judgment on the effect of the changes. Members will then have the opportunity to decide whether they wish to revert to late-night sittings.

To review the changes after only a few months of the experiment would risk giving the public the impression that the most important decision-making body in the country could not take a clear decision even about its own working practices.

Peers (Convictions)

Mr. Gordon Prentice: To ask the President of the Council what discussions he has had with the Lord Chancellor concerning the appropriateness of peers convicted of an offence resulting in imprisonment *(a)* retaining their title and *(b)* retaining their membership of the House of Lords; and if he will make a statement. [101814]

Mr. Robin Cook: The Government made it clear in its November 2001 White Paper "The House of Lords: completing the reform" (Cm 5291) that it wished to consider the question of disqualification for membership of the House of Lords. Bringing the rules into line with those for the House of Commons, under which MPs convicted of an offence and sentenced to a term of imprisonment exceeding 12 months lose their seats, was one of the options proposed. Such a change would require primary legislation, as would any change to deprive a convicted peer of his or her title.

Public Funding

Tony Wright: To ask the President of the Council how much public funding the Conservative Party has received since 1997. [101953]

Mr. Robin Cook: Since 1997, the Conservative Party has received the following under the arrangements for financial assistance to opposition parties:

Year	*£*
1997–98	986,763
1998–99	1,112,886
1999–2000	3,377,670
2000–01	3,465,132
2001–02	3,439,066
2002–03	3,459,537
Total	15,841,054

FOREIGN AND COMMONWEALTH AFFAIRS

Accountancy Services

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what the total cost to his Department was for accountancy services in 2002. [101567]

Mr. Rammell: The total cost to the Foreign and Commonwealth Office for accountancy services in 2002 was £1,796,000.

British Indian Ocean Territories

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the dates on which agreements have been reached with the United States authorities regarding the requirements for the construction of facilities on the British Indian Ocean Territories; and how many separate agreements have been made concerning *(a)* development of specific areas and *(b)* technical requirements. [100885]

Mr. Mike O'Brien: The agreements that have been concluded with the US authorities relating to the construction of facilities in the British Indian Ocean Territory, including agreements concerning development of specific areas and technical requirements, are the following:

(a) The Exchange of Notes of 30 December 1966 (Cmnd. 3231);

(b) The Exchange of Notes of 24 October 1972 (Cmnd. 5160);

(c) The Exchange of Notes of 25 February 1976 (Cmnd. 6413)

In addition, at various times the UK and US Governments have recorded their understanding regarding the application of the above agreements.

In 2001, certain infrastructure upgrades to the existing US Navy Support Facility on Diego Garcia and its designation as a Bomber Forward Operating Location were agreed. Further infrastructure upgrades were also agreed in 2002.

Convention on the Future of Europe

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the UK Government tabled proposals to repatriate powers to the UK from the EU in the Convention on the Future of Europe. [102264]

Mr. MacShane: The UK Government have not tabled any proposals in the Convention to return powers from the EU to the UK. We are content with the existing division of powers. We have however tabled proposals to strengthen the subsidiarity and proportionality principles to ensure that the EU only acts where it adds value to national action.

Defence Adviser (Harare)

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the functions of the Office of the Defence Adviser in the British High Commission in Harare. [102385]

Mr. Mike O'Brien: The main role of our Defence Adviser in Harare is to provide military advice to our High Commission, to maintain liaison with the Zimbabwe Defence Force and report on their military activities and capabilities. He also has a regional role, covering Botswana, Malawi and Mozambique, in addition to Zimbabwe. Our Defence Adviser's duties in Zimbabwe are circumscribed by the UK embargo on Zimbabwe, imposed in May 2000.

Defence Attachés/Defence Advisers

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what the difference in roles is between a Defence Attaché and a Defence Adviser in UK embassies and diplomatic missions overseas. [102383]

Mr. Mike O'Brien: Defence Attachés serve at embassies and Defence Advisers serve at High Commissions. Their role is the same.

Military Advisers as also attached to the Permanent Representatives to the UK Mission to the UN in New York and to the UK Delegation to the OSCE in Vienna.

Diego Garcia

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what the financial arrangements are for the use of Diego Garcia by the United States; and what payments have been received in each year since 1997. [100893]

Mr. Mike O'Brien: The United States makes no payments to the UK in respect of the US defence facility in Diego Garcia. All costs incurred are borne by the United States.

European Union

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the EU enlargement negotiations on *(a)* the size of regional funds and *(b)* the role of (i) member states and (ii) the Commission in their distribution. [102261]

Mr. MacShane: At the Copenhagen European Council in December 2002, the UK along with other EU member states finalised the terms of accession with 10 new members. This included an allocation of €25.5 billion (£17.4 billion) for structural and cohesion funds (SCF) in the new member states between 2004–06, distributed to the 10 countries in line with existing rules. These will be administered by regional authorities, Central Governments and the Commission on the basis of the current SCF regulations.

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs when the enlargement negotiation in the EU on the *(a)* size and *(b)* method of distribution of EU regional funds will be concluded. [102263]

Mr. MacShane: Enlargement negotiations with 10 countries were concluded at the Copenhagen European Council in December 2002.

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs what negotiations are in progress on the regional funds of the EU. [102262]

Mr. MacShane: EU negotiations on the future of the Structural and Cohesion Funds after 2006 are unlikely to commence until the European Commission has issued its proposals. Those proposals are expected to issue in November 2003.

Iraq

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether it is his policy that the arms embargo upon Iraq should continue in the event of a post-Saddam Hussein administration; and if he will make a statement. [101216]

Mr. Mike O'Brien: The present arms embargo on Iraq was imposed by the United Nations Security Council under resolution 661(1990). We would support the lifting of this embargo as and when circumstances warrant.

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the *(a)* US and *(b)* Turkish Governments on the presence of Turkish troops in northern Iraq; and if he will make a statement. [101410]

Mr. MacShane: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has been in frequent contact with the US Government on issues related to Iraq; from time to time discussions have included this topic. The Foreign Secretary last met Turkish Foreign Minister Yakis at Copenhagen on 13 December. They did not discuss Iraq.

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether British Government representatives were invited to the recent meeting in northern Iraq between the US special envoy and Kurdish and Iraqi opposition groups. [101411]

Mr. Mike O'Brien: The conference was organised by the Iraqi opposition as a follow-up to the conference held in London in December last year. We were invited to attend but, for logistical reasons, decided not to send a representative. However, UK officials continue to maintain contacts with a wide range of Iraqi opposition groups.

Mr. Keetch: To ask the Secretary of State for Foreign and Commonwealth Affairs whether it is the policy of his Government to support a UN administration in Iraq following any change of regime in that country. [101598]

Mr. Mike O'Brien: We would support a UN-authorised transitional civilian administration, if there were a change of regime in Iraq. We would want this to be followed by a new broad-based, effective and representative Iraqi Government.

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UK's relations with European countries with regard to Iraq. [101646]

Mr. Mike O'Brien: My right hon. Friend the Prime Minister and I have had frequent discussion on Iraq with European counterparts in multilateral format, most recently at the meeting of the European Union's General Affairs and External Relations Council on 24 February 2003 and the special European Council on 17 February 2003. The position of the European Union is set out in the statement of the European Council on 17 February 2003, a copy of which has been placed in the Library of the House.

Israel

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what discussions he has had with *(a)* the Israeli authorities and *(b)* the United Nations regarding the construction of the concrete separation wall in the West Bank; [101202]

(2) what representations he has made to *(a)* the Israeli authorities and *(b)* the United Nations on the concrete separation wall deviating from the 1967 green line border. [101201]

Mr. Mike O'Brien: Our Embassy in Tel Aviv has raised with the Government of Israel our concerns about the location and likely impact of the "security fence". We deplore the seizure of Palestinian land, the isolation of Palestinian villages, and the creation of a further physical obstacle to the two-State solution. While we fully understand Israel's need to take steps, within the law, to protect itself from terrorist attack, lasting security can only be achieved through a negotiated peace. We have also discussed the security fence with UN representatives.

A final settlement must provide for a viable Palestinian State to exist alongside Israel, both within secure and recognised borders. We look forward to the Quartet publishing its road map, which will set out a phased programme leading to a final settlement within three years, soon. In implementing the road map, all parties must also refrain from actions which obstruct the search for peace.

Military Equipment (Overseas Sales)

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the role of UK embassies and diplomatic missions overseas in promoting sales of British military equipment. [102384]

Mr. Mike O'Brien: Some of our embassies and diplomatic missions have defence sections who help in promoting the acquisition of British defence equipment, and this is supplemented in a small number of missions by defence sales representatives. Heads of mission and their deputies may give support to this work as appropriate.

Mr. Peter Longworth

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs when Mr. Peter Longworth left his post as British High Commissioner in Harare. [102386]

Mr. Mike O'Brien: Mr. Peter Longworth left his post as British High Commissioner in Harare on 30 June 2001.

Regional Assistance

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the proportion of regional assistance determined by *(a)* the EU and *(b)* the UK Government. [102260]

Mr. MacShane: Current arrangements for EU regional assistance through the Structural and Cohesion Funds apply from 2000 to 2006. As my right hon. Friend the Secretary of State for Trade and Industry announced to the House on Thursday 6 March, *Official Report*, column 86WS, the Government have launched a consultation on the future of European Union Structural Funds after 2006.

The Government have put forward the EU Framework for Devolved Regional Policy as their preferred approach. This would focus EU regional assistance on the poorest member states of the EU; richer member states such as the UK would finance their regional policy domestically, and we would increase UK Government spending to ensure that the UK nations and regions did not lose out financially as a result of reform.

Sinn Fein-IRA

David Burnside: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on investigations and legal proceedings against members of Sinn Fein and the Provisional IRA for activities related to FARC in Colombia since 1998. [101944]

Mr. MacShane: It would not be appropriate to comment on an on-going investigation or legal proceedings, including those against non-British nationals.

United Nations

Mr. Frank Cook: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcomes of the UN Convention on Conventional Weapons Meeting of States Parties in December 2002, with particular reference to the issue of explosive remnants of war. [101293]

Mr. Mike O'Brien: The States Parties to the 1980 Convention on Certain Conventional Weapons agreed at their meeting in December 2002 to negotiate an instrument to reduce the humanitarian risks posed by Explosive Remnants of War. The UK played an active role in efforts to secure this decision at this meeting and the preparatory work carried out by the Group of Governmental Experts throughout the preceding year. The UK will continue to participate in this group as negotiations progress, and we hope States Parties will be able to reach agreement on the text of an instrument by the end of 2003. We also look forward to continued discussions on the parallel issue of Mines Other than Anti-Personnel Mines, as also mandated by the December 2002 meeting of States Parties.

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the extant resolutions of the United Nations, indicating the measures taken by Her Majesty's Government to secure compliance with each one. [101407]

Mr. Rammell: The resolutions of the Security Council and General Assembly are listed on the UN website (www.un.org). The very large number of resolutions (e.g. 300 from the General Assembly in 2002 alone) makes it impracticable to comment in detail on the follow up to each without incurring disproportionate cost. Nonetheless the Government seek to ensure compliance with all UN Security Council resolutions.

MINISTER FOR WOMEN

Private Clubs (Sex Discrimination)

Mr. David Stewart: To ask the Minister for Women what recent research she has *(a)* commissioned and *(b)* evaluated which assesses discriminatory treatment experienced by women at private members' clubs open to both men and women. [102259]

Ms Hewitt: There has been no formal assessment of discriminatory treatment experienced by women members of mixed sex private clubs.

We have consulted interested parties. For example, the Club and Institute Union (CIU), which represents over two million club members, and to which the vast majority of "working men's clubs" belong, reports that of their 2,680 clubs, some 60 per cent. still deny their female members full rights.

TRADE AND INDUSTRY

Accounting and Audit Failures

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will appoint inspectors to investigate the accounting and audit failures at *(a)* My Travel, *(b)* RBG Resources and *(c)* Slug and Lettuce. [100744]

Miss Melanie Johnson: If my hon. Friend will send me any evidence in support of his requests to appoint inspectors to My Travel Group Plc and SFI Group Plc and its subsidiary, the Slug and Lettuce Group Ltd., I will consider it.

The Serious Fraud Office announced in May 2002 that it is investigating RBG Resources plc. This Department would not normally duplicate those inquiries.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will initiate an investigation into accounting failures at Amey. [100754]

Miss Melanie Johnson: If my hon. Friend will send me any evidence in support of his request to appoint inspectors, I will consider it.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will appoint inspectors to investigate accounting irregularities acknowledged by Cable and Wireless. [100954]

Miss Melanie Johnson: If my hon. Friend will send me any evidence in support of his request to appoint inspectors, I will consider it.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry when DTI inspectors were appointed to investigate the affairs of Queens Moat Houses; when the report was published; what the report cost; and what regulatory action was taken against the auditors. [100829]

Miss Melanie Johnson: Inspectors were appointed to investigate the affairs of Queens Moat Houses plc (QMH) under section 432(2) of the Companies Act 1985 on 12 November 1993. The inspectors submitted a report to my right hon. Friend the Secretary of State under section 177 of the Financial Services Act 1986 on 30 September 1997. Such reports are not published and are subject to severe disclosure restrictions. Following submission of the section 177 report, on 12 June 1998, the Accountants' Joint Disciplinary Scheme (JDS) announced an investigation. Following JDS tribunals, three former QMH directors have been excluded from the ICAEW:

Maurice Hard, a former partner in QMH's former auditors, Bird Luckin and a non-executive director of QMH

David Hersey, former finance director

Allan Porter, former deputy finance director.

The JDS has announced that tribunals as regards Bird Luckin, and a partner in Bird Luckin, Alan Radford FCA are to be convened. Martin Marcus, former deputy chairman of QMH, has appealed against the JDS tribunal decision as regards him.

Additionally, proceedings have been brought on behalf of my right hon. Friend the Secretary of State under section 8 of the Company Directors Disqualification Act 1986. These have resulted in disqualification orders of 8 and 7 years respectively being made in July 2000 against David Hersey and Allan Porter and an undertaking not to act as a director for a period of 10 years being given by Martin Marcus in December 2001. Defended disqualification proceedings against John Bairstow, the former chairman of QMH, continue.

It is expected that the inspectors will submit their final report to my right hon. Friend the Secretary of State in the near future. The cost of the investigation to 1 December 2002 was £7.3 million.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will appoint inspectors to investigate the accounting errors at RBG Resources. [100955]

Miss Melanie Johnson: If my hon. Friend will send me any evidence in support of his requests to appoint inspectors to My Travel Group Plc and SFI Group Plc and its subsidiary, the Slug and Lettuce Group Limited, I will consider it.

The Serious Fraud Office announced in May 2002 that it is investigating RBG Resources Plc. This Department would not normally duplicate those enquiries.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry when DTI inspectors were appointed to investigate the affairs of Resort Hotels; when the report was published; what the report cost; and what regulatory action was taken against auditors. [100981]

Miss Melanie Johnson: There has been no appointment of inspectors under the Companies Act and therefore no publishable report.

Further to the answer given by my right hon. Friend the Member for Makerfield (Mr. McCartney) to my hon. Friend's question on 8 July 1997, *Official Report*, column 414, where he referred to the inquiry by the Institute of Chartered Accountants in England and Wales, I can confirm that following an investigation by the Accountants' Joint Disciplinary Scheme ("JDS") and subsequent JDS Tribunals, in January 2001, Mr. Roland Peter Lewis FCA, former Finance Director of Resort Hotels plc ("Resort"), was severely reprimanded and fined £15,000 and in February 2001, the former auditors of Resort, Coopers and Lybrand, were fined £100,000 and a former Coopers and Lybrand partner, Alun Thomas FCA, was fined £5,000 and severely reprimanded.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will appoint inspectors to investigate the accounting failures at Swiss Life. [100831]

Miss Melanie Johnson: If my hon. Friend will send me any evidence in support of his requests to appoint inspectors, I will consider it.

Export Credit Guarantees

Mr. Cousins: To ask the Secretary of State for Trade and Industry how many inquiries have been carried out each year since 1995 to check whether export credit guarantees cover has not been offered on commissions. [95681]

Ms Hewitt: It is not clear what form of inquiry my hon. Friend refers. If he cares to write to me with details I will consider the points he raises.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry when her Department's inspectors were appointed to investigate the affairs of Polly Peck; when the report was published; what the report cost; and what regulatory action was taken against auditors. [100982]

Miss Melanie Johnson: My right hon. Friend the Secretary of State did not appoint inspectors to investigate the affairs of Polly Peck.

Ministerial Transport

Mr. Bercow: To ask the Secretary of State for Trade and Industry what her estimate is of the cost of *(a)* ministerial cars and drivers and *(b)* taxis for her Department in 2002. [101848]

Ms Hewitt: The information is as follows.

(a) The estimated cost to the Department for ministerial cars and drivers for the financial year 2002–03 is £387,000.

(b) The Department have devolved to local management the authorisation of travel claims for its staff, subject to checking procedures. It does not record details of the cost of taxis used by staff in the Department. To obtain data on this to produce a meaningful estimate of the information requested would entail disproportionate cost.

Private Clubs (Sex Discrimination)

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what plans she has to end the exemption for private clubs in the Sex Discrimination Act 1975. [102258]

Ms Hewitt: I welcome the Sex Discrimination in Private Clubs Bill introduced by my hon. Friend the Member for Gloucester (Mr. Dhanda) on 4 February 2003, which seeks to extend the scope of the Sex Discrimination Act 1975 to cover mixed-sex clubs of 25 members or more. We welcomed a similar Bill introduced in the other place in the last session by Lord Faulkner of Worcester.

There can be no justification for treating women as second-class citizens in private clubs. Such practices are out of date and contrary to this Government's principles of opportunity for all.

While I can make no commitment on parliamentary time, this is a matter which we will keep under review.

EDUCATION AND SKILLS

Formula Spending Share

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what steps he took, in establishing formula spending share, to ensure that compensation for sparsity in the education formula did not benefit urban authorities with a large number of small primary schools; what proportion of the aggregate national education FSS allocation was distributed on the basis of sparsity; and if he will list the authorities which benefited from the education sparsity factor. [101547]

Mr. Miliband: The issue of sparsity was addressed in three papers to the Education Formula Strategy Group. Sparsely populated authorities face higher costs as they have higher proportions of small schools than non-sparse authorities. The education formula uses sparsity as the funding factor, rather than the actual number of small schools so that authorities are compensated for the need they have, rather than the way they choose to organise their provision. Therefore urban authorities with a large number of small primary schools will not benefit from this factor. 1.8 per cent. (£440 million) of Education Formula Spending for 2003–04 was distributed on the basis of sparsity. The authorities that benefit are listed in order of decreasing sparsity:

Isles of Scilly
Herefordshire
North Yorkshire
Rutland
Shropshire
Lincolnshire
Devon
Wiltshire
Cumbria
Norfolk
East Riding of Yorkshire
Cornwall
Northumberland
Somerset
Cambridgeshire
Dorset
Suffolk
North Lincolnshire
Oxfordshire
Gloucestershire
West Berkshire
Isle of Wight Council
Warwickshire
Bedfordshire
Northamptonshire
Buckinghamshire
East Sussex
Derbyshire
Leicestershire
Durham
Doncaster
Cheshire
Staffordshire
Hampshire
Essex
Worcestershire
Nottinghamshire
North Somerset
Kent
South Gloucestershire
West Sussex
Lancashire
Windsor and Maidenhead
The Wrekin
Darlington
Milton Keynes
Bath and North East Somerset
Peterborough
Wokingham
Redcar and Cleveland
Calderdale
Hertfordshire
North East Lincolnshire
Kirklees
Surrey
Swindon
York
Solihull
Rotherham
Stockton-on-Tees
Medway
Knowsley
Barnsley
Hartlepool
Thurrock
Blackburn
Leeds
Bradford
Oldham
Wakefield
Bracknell Forest
St. Helens
Sheffield
Gateshead
City of London
Halton
Warrington
Bromley

Faith Schools

Mr. Brady: To ask the Secretary of State for Education and Skills if he will list the proposals for new faith schools that have been published since September 2001 and approved by School Organisation Committees, broken down by *(a)* the faith, *(b)* the status of the proposed school, *(c)* the amount of public funds committed to the project by central Government, *(d)* the amount of public funds committed to the project by local government and *(e)* the proposed opening date. [101061]

Mr. Miliband: The table lists the proposals for new faith schools that have been published since September 2001 and approved by School Organisation Committees.

Capital costs shown are the most recent estimates, but final decisions on the level of public funding will be determined when detailed plans have been received or are agreed by the Department's architects.

LEA	*School name (if known)*	*Faith*	*Category*	*Governor costs—eligible for 90 per cent. grant (£000)*	*LEA capital costs (£000)*	*Proposed opening date*
Dorset	St. Mary the Virgin CE Primary	C of E	VA	2,093	68	1 September 2003
Kent	Name not known (primary school)	C of E/ Methodist	VA	2,000	Nil	1 September 2004
Leicester City	Name not known (primary school)	C of E	VA	2,305	Nil	1 September 2004
Swindon	Name not known (primary school)	C of E	VA	1,347	234	1 September 2004
Wandsworth	Name not known (primary school)	Muslim	VA	5,400	Nil	1 September 2004
Doncaster	Rossington CE High School	C of E	VA	Nil	Nil	1 September 2002
Dorset*	Name not known (primary school)	C of E	VA	Nil	Nil	1 September 2003
Essex	New Model Special School	C of E	VA	Nil	Nil	1 September 2003
Northants	Name not known (secondary school)	C of E	VA	Nil	Nil	1 September 2004
Warrington	Sankey Valley St. James CE Primary	C of E	VA	Nil	Nil	1 September 2002
Warrington	Sir Thomas Boteler CE High	C of E	VA	Nil	Nil	1 September 2002
Wiltshire	Wyvern College	C of E	VA	Nil	Nil	1 January 2003
Windsor and Maidenhead	Churchmead CE VA School	C of E	VA	Nil	Nil	1 September 2002

* The proposals for the new Church of England school in Dorset were approved conditionally ie subject to the acquisition of some land and also the necessary planning permission being obtained.

Ministerial Visits

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will list visits to higher education institutions by Ministers in his Department that have taken place since 22 January. [100154]

Mr. Charles Clarke: I have visited the Institute of Education, the University of East Anglia and Wolverhampton University.

My hon. Friend the Minister of State for Lifelong Learning, Further and Higher Education has visited Bristol University, Cambridge University, the University of East London and Gloucester University.

My hon. Friend the Under-Secretary of State for Schools has visited Birmingham University.

In addition all Ministers have held a range of meetings with Vice-Chancellors, Student Unions and others.

Modern Languages

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 26 February 2003, *Official Report*, columns 588–89W, whether modern languages are defined as a *(a)* generic and *(b)* specialist learning skill in an English-style baccalaureate; and which continental baccalaureate systems do not include modern languages as a generic skill. [101273]

Mr. Miliband: Modern foreign languages are generally included as a requirement in European baccalaureate type qualifications. In the context of an English-style baccalaureate, we explain in our policy document 14–19: "opportunity and excellence" that we have asked a Working Group chaired by Mike Tomlinson to take forward work on possible longer-term 14–19 developments including a unified framework of qualifications for this age group. It would be premature at this stage to be developing specific baccalaureate models before the group has reported. The group has been asked to issue an interim report within a year and to finalise its work within 18 months.

Post-16 Education

Jeff Ennis: To ask the Secretary of State for Education and Skills what the post-16 staying on rate was for *(a)* Doncaster and *(b)* Barnsley in (i) 1992, (ii) 1997 and (iii) 2002. [101696]

Mr. Miliband: The percentage of 16-year-olds participating in full-time education for Barnsley LEA and Doncaster LEA in 1992, 1997 and 2000, the latest year for which figures are available, is set out as follows.

Percentage of 16-year-olds participating in full-time education[1]

	1992	*1997*	*2000*
Barnsley LEA	54	52	56
Doncaster LEA	59	58	63

[1] Includes participation in schools, sixth form colleges and further education colleges.

Participation rates by LEA for 16 and 17-year-olds are published in an annual statistical bulletin, 'Participation in Education and Training by 16 and 17 Year Olds in Each Local Area in England'.

Pupil Expenditure

Chris Ruane: To ask the Secretary of State for Education and Skills how much was spent by each local education authority per *(a)* primary and *(b)* secondary pupil in descending order in the latest year for which figures are available. [101247]

Mr. Miliband: The information requested is contained in tables, copies of which have been placed in the Libraries.

Ms Buck: To ask the Secretary of State for Education and Skills what the expenditure per child in *(a)* primary and *(b)* secondary schools in (i) Westminster and (ii) Kensington and Chelsea was in (A) 1997–98 and (B) 2001–02. [100071]

Mr. Miliband: The information requested is contained in the following table.

	Nursery/Primary	Secondary
1997–98		
Kensington and Chelsea	2,920	3,810
Westminster	2,810	3,440
2001–02 (provisional)		
Kensington and Chelsea	3,470	4,360
Westminster	4,060	4,620

Notes:

1. The figures consist of Net Institutional Expenditure (NIE) per pupil in nursery/primary and secondary schools and does not include central costs.

2. Cash figures are adjusted to 2001–02 levels using December 2002 GDP deflators.

3. The figures are rounded to the nearest 10.

4. The expenditure data in 1997–98 is drawn from the annual 'RO1' spending returns which local authorities submitted to the Department of Environment, Transport and the Regions. 2001–02 data is taken from Local Education Authorities' section 52 outturn statements submitted to the DfES. The pupil data are drawn from the DfES Annual Schools' Census.

Sex Education

Mr. Rosindell: To ask the Secretary of State for Education and Skills what options are available to parents of children attending schools which teach forms of sexual education that they deem inappropriate for their children to be exposed to on moral or religious grounds. [101969]

Mr. Miliband: Parents should be consulted by their child's school about its sex and relationship education (SRE) policy and informed about what is taught in SRE lessons. Policies should be culturally appropriate and inclusive of all children. Consulting pupils and their families will help establish what is appropriate and acceptable to them. Where schools work within the SRE guidelines that the Department published in July 2000, and consult effectively, parents should be reassured about the content of lessons.

Parents do have the right to withdraw their child from some, or all, SRE lessons, but not statutory science lessons. Parents who are considering such a step should talk it through with their child and then with either the headteacher or another senior teacher at the school. The schools should provide information about the lessons being missed and ideas for other sources of support for the parent to fulfil the task of educating their child.

Sixth Form Funding

Mr. Brady: To ask the Secretary of State for Education and Skills if he will list schools with sixth forms for which the provisional funding for their sixth form for the next financial year would be lower than that for the current year, giving the *(a)* cash value and *(b)* percentage of the reduction in each case. [102153]

Mr. Miliband *[holding answer 10 March 2003]:* The Learning and Skills Council has now announced finalised sixth form allocations for the 2003–04 academic year. These will be used by local education authorities in calculating schools' budget shares for the financial year 2003–04. The allocations are primarily the responsibility of the LSC and John Harwood, the Chief Executive, will write to the hon. Member and a copy of his letter will be placed in the House of Commons Library.

Specialist Schools

Mr. Chaytor: To ask the Secretary of State for Education and Skills how many schools with a specialist designation there were in each of the last five years; and what percentage of specialist schools have chosen to exercise the option to select by aptitude. [101038]

Mr. Miliband *[holding answer 10 March 2003]:* The number of schools in the Specialist Schools Programme in September for the last five years is as follows:

	Number
1998	327
1999	403
2000	536
2001	685
2002	992

Our figures suggest that less than 6 per cent. of schools that were specialist in summer 2002 (685 schools) used aptitude as part of their admission arrangements.

INTERNATIONAL DEVELOPMENT

Accountancy Services

Mr. Bercow: To ask the Secretary of State for International Development what the total cost to her Department was for accountancy services in 2002. [101859]

Clare Short: In 2002 DFID spent £940,000 on accountancy services for the development programme and £75,000 on support to our accounts department. These figures do not take into account lower value contracts, details of which are not held centrally.

Afghanistan

John Barrett: To ask the Secretary of State for International Development what assessment she has made of the United Nations Statement of 20 February regarding the potential for terrorist acitivity in Southern Afghanistan in the event of military action in Iraq; and what impact the statement will have on her Department's humanitarian programme in Afghanistan. [100920]

Clare Short: DFID's support for humanitarian (emergency) activities is channelled through UN Agencies and NGOs. We will continue to monitor the security situation, and needs, in conjunction with the Afghan Transitional Authority and the UN.

DFID has recently received reports of an improvement in the security situation in the South. The Afghan National Army and the national police force are now much more visible in Kandahar. All the NGOs (with the exception of Oxfam) that had left Kandahar due to security concerns have now returned as security has improved.

International Organisation for Migration

Dr. Tonge: To ask the Secretary of State for International Development what discussions her Department has had with the UN regarding the funding of a visit by the International Organisation for Migration to Liberia. [101712]

Clare Short: We funded the visit of a four-person IOM team to Liberia in October 2002, to conduct an Internally Displaced Persons (IDP) assessment survey. The visit was to evaluate the numbers, vulnerability and socio-economic profiles of the IDP population; to assess the cost of potential future programmes of assistance; and to participate in a UN co-ordinated IDP registration exercise, launched in collaboration with the Liberian authorities.

Subject to agreement on detailed objectives, we have agreed in principle to fund a return visit, in part to carry out some preliminary work on identifying urgent caseloads of IDPs who can be returned to their homes, and the costs of such an exercise.

Dr. Tonge: To ask the Secretary of State for International Development what recent assessment her Department has made of the security issue in UNHCR transit centres and surrounding villages in Grand Gedeh County, Liberia. [101718]

Clare Short: The recent eruption of fighting, apparently between Liberian opposition groups and Liberian armed forces, around Toe Town in Grand Gedeh County, has seriously affected the UNHCR transit centres in Toe Town itself and in Zwedru. There are reports that the Liberian opposition groups involved are operating from within Cote d'Ivoire.

UNHCR has reported that, following an attack on Toe town on 28 February, local residents and an estimated 2,500 Ivorian refugees and third country nationals fled towards Zwedru. UNHCR has established a transit centre at Zwedru. A skeleton staff of UNHCR, WFP and NGO staff are running the centre. On 4 March, following rumours that the town would be attacked, many people left Zwedru. As a precautionary measure, a month's food rations were issued to all refugees and third country nationals staying in the centre.

The security situation in Grand Gedeh County remains unstable and uncertain. This is due to the combined effects of fighting in Liberia and Cote d'Ivoire. We are strongly supporting efforts by the international community to press for an end to conflict in both countries.

Iraq

Miss McIntosh: To ask the Secretary of State for International Development if she will make a statement on aid to be made available to Iraq for the forthcoming year. [101647]

Clare Short: Our ongoing programme of humanitarian support in Iraq, is expected to disburse around £6 million in the forthcoming financial year. I have also recently committed an additional £10 million from the current financial year to assist UN agencies and NGOs with contingency planning. My Department maintains a contingency reserve of £88 million, which I would draw on in the event of any worsening humanitarian crisis in Iraq.

Llew Smith: To ask the Secretary of State for International Development what assessment she has made of the impact on Iraqi civilians, in terms of *(a)* hunger and *(b)* disease, of military hostilities against Iraq. [101652]

Clare Short: The vulnerability of the Iraqi people to humanitarian crisis should not be underestimated. People's private coping strategies have been worn away by years of misrule. 60 per cent. of the population are totally dependent for food on the UN Oil For Food Programme which is likely to be disrupted in the event of military action. A majority live in urban areas, with a dependence on electrically-powered water and sanitation systems which might also be disrupted, leading to a number of potential health problems. My Department is in regular discussion with the Ministry of Defence, the UN, partner Governments and other humanitarian actors about minimising the humanitarian risks of any conflict to the Iraqi people, and responding to any crises which might arise.

Llew Smith: To ask the Secretary of State for International Development what assessment she has made of the *(a)* cost and *(b)* logistics of aid operations established to replace the oil for food programme for Iraq. [101654]

Clare Short: Current annual expenditures under the UN oil for food programme run at around $10 billion, the largest elements of which are the food allocation ($3 billion) and basic service delivery supplies (health, education, water and sanitation, and electricity—$2 billion). In the event of military action, we will work with others to minimise disruption to the programme and re-establish it as quickly as possible. During any period in which the programme was not able to function, the responsibility to provide immediate humanitarian relief would fall to those best placed to help, and my Department has been working with the Ministry of Defence and other partners on how best this might be done. The potential scale of this task, for a population of whom 60 per cent. are dependent on the programme, is enormous. The costs involved would obviously vary depending on the length of any disruption, but the ability of the international community to meet them will be greatly enhanced if a lead role for the UN is put in place for the relief and reconstruction of Iraq following any conflict.

Liberia

Dr. Tonge: To ask the Secretary of State for International Development what discussions her Department has had with the UN regarding the rights of third country nationals to receive UNHCR care in the transit centres of Grand Gedeh County, Liberia. [101716]

Clare Short: Although UNHCR is providing shelter and food for many of the estimated 12,000 third country nationals in Liberia, most of whom are from Burkina Faso and Mali, it is not part of its mandate to do so. They are unable to return to their countries of origin because of the closure of the Guinean border by the Guinean authorities. UNHCR has agreed with IOM that they will take over responsibility for third country nationals. We have recently funded a visit to Liberia by IOM to look into the situation of IDPs. We are discussing with them possible funding for a second mission to include an assessment of the situation of third country nationals and the preparation of a plan for their return to their countries of origin, to be used in part to persuade the Guinean authorities to allow them transit through Guinea.

Dr. Tonge: To ask the Secretary of State for International Development what discussions her Department has had with the UN regarding the food scarcity affecting *(a)* third party nationals, *(b)* Russian refugees and *(c)* Liberian returnees in UNHCR transit centres in Grand Gedeh County, Liberia. [101717]

Clare Short: Due to the serious deterioration of the security situation in Grand Gedeh County, and the movement of people in response to attacks or fear of attacks, distribution of food rations has been difficult. UNHCR has issued one month's rations to refugees and third country nationals in Zwedru transit camp. Those who are not in reach of the transit centre are almost certainly very short of adequate supplies of food. Third country nationals are prevented from leaving Liberia through Guinea to return to their countries of origin by the closure of the Guinean border by the Guinean authorities. We are keeping closely in touch with UNHCR and IOM on efforts to address this issue.

UNHCR does not know of any Russian refugees in the area.

Dr. Tonge: To ask the Secretary of State for International Development what discussions her Department has had with the International Organisation for Migration regarding the provision of care to third country nationals in the event of military intervention in Iraq. [101714]

Clare Short: My Department has held several discussions in recent weeks with the International Organisation for Migration (IOM) at their Headquarters in Geneva and with regional representatives in Jordan, Cyprus, Kuwait and Egypt. These discussions have focused on IOM's planning for possible outflows of third country nationals from Iraq. They are preparing for a wide range of scenarios. In the event of movements of large numbers of people, IOM is likely to be the lead agency responsible for the support and transfer of up to 70,000 third country nationals from border areas or from neighbouring countries to their countries of origin, and would assist UNHCR with the movement of asylum seekers from border areas to designated camps. The largest group of third country nationals in Iraq are Egyptians, many of whom might be expected to try to leave the country through Jordan in the event of military action.

Overseas Trips

Mr. Bercow: To ask the Secretary of State for International Development if she will list each of the overseas trips made by herself and other members of her ministerial team in 2002; and what the *(a)* purpose and *(b)* cost of each trip was. [101842]

Clare Short: I refer the hon. Member to the answer given to the hon. Member for Yeovil (Mr. Laws) on 22 January 2003, *Official Report*, column 334W, by my hon. Friend the Minister of State, Cabinet Office.

Pre-natal Scanning

Mr. Paul Marsden: To ask the Secretary of State for International Development (1) if she will list those *(a)* countries and *(b)* organisations her Department financially supports for the provision of (i) ultrasound and (ii) other pre-natal scanning technology; and how much is given to each such country and organisation; [101497]

(2) what financial support her Department gives for the provision of *(a)* ultrasound and *(b)* other pre-natal scanning technology. [101496]

Clare Short: DFID does not support any projects or programmes with the specific objective of providing pre-natal scanning technology to health facilities. At country level, DFID supports maternal health services through safe motherhood programmes, and as a part of wider health sector development. While in some circumstances improving the quality of maternal health care may include the provision of pre-natal scanning, use of such advanced technologies in most of the DFID focus countries would not be the most appropriate use of scarce resources, and therefore would not be provided.

My Department also funds other organisations involved in maternal health care, including the International Planned Parenthood Association (IPPF) and the United Nations Family Planning Association (UNFPA). These organisations, when appropriate, provide equipment for pre-natal scanning to the ante-natal care facilities they support in order to better diagnose and manage complications of pregnancy. Because the funding they receive from DFID is in the form of a core contribution, it is not possible to identify how much (if any) is channelled into provision of scanning equipment.

Sudan

Mr. Roy: To ask the Secretary of State for International Development what discussions she has had with the Governments of *(a)* Uganda, *(b)* Kenya and *(c)* Ethiopia in relation to the refugee situation on their borders with Sudan. [101589]

Clare Short: Following an inter-agency Internally Displaced Persons (IDP) mission in November 2002, supported by the Humanitarian Aid Commission and Sudan Relief and Rehabilitation Authority, a Displaced Persons Task Force under the auspices of the UN Office for the Coordination of Humanitarian Affairs (OCHA), with representatives from UNDP, UNICEF, IOM and others, has been established. UNHCR are also participating. We continue to look for and support sustainable solutions for effective reintegration of the millions of displaced people across the region. An enduring peace, and subsequent stability, is the key determinant in this regard.

In terms of specific discussions that we have had with regards to the refugee situation on the borders with Sudan, we have:

(a) on Uganda kept in close touch with humanitarian agencies, including UNHCR, as over the past year the activities of the rebel group the Lords Resistance Army (LRA) has caused increasing insecurity in parts of northern Uganda, affecting both the refugees and host population. In co-operation with the Government of Uganda UNHCR has an innovative self reliance strategy in place in Uganda, under which refugees have been provided with access to land and local services;

(b) We have had no recent discussions with the Government of Kenya concerning the refugee situation on their border with Sudan;

(c) We have not had any direct contact with the Ethiopian Government on this issue, but continue to monitor the situation through contact with NGO partners.

West Africa

Dr. Tonge: To ask the Secretary of State for International Development what discussions her Department has had with the governments of *(a)* France, *(b)* Mali, *(c)* Burkina Faso, *(d)* Togo and *(e)* Senegal regarding their nationals trapped in refugee camps on the border of Liberia and the Ivory Coast. [101713]

Clare Short: My Department has not had any direct discussions with the governments of France, Mali, Burkina Faso, Togo and Senegal about third country nationals trapped in refugee camps on the Cote d'Ivoire and Liberian border. Over the past two years we have contributed about £2.6 million to UNHCR for assistance to refugees in the region, as well as £1 million in humanitarian assistance specifically for work in Cote d'Ivoire. The latter includes assistance to internally displaced people and refugees of many nationalities who have been affected by the conflict in both government and rebel controlled areas. We are continuing to monitor the humanitarian situation and are working closely with others in the international community to help bring about a swift and peaceful resolution to the conflict.

CULTURE, MEDIA AND SPORT

Accountancy Services

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport what the total cost to her Department was for accountancy services in 2002. [101855]

Dr. Howells: The cost to the Department for Culture, Media and Sport of external accountancy services in the financial year 2001–02 was £218,051.

Advertising Expenditure (Scotland)

Pete Wishart: To ask the Secretary of State for Culture, Media and Sport how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102326]

Dr. Howells: No expenditure has been committed by the Department in any of these areas since 1999 either in Scotland or elsewhere in the UK.

Award Schemes

Annabelle Ewing: To ask the Secretary of State for Culture, Media and Sport if she will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by the Department; what their scope was; when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102057]

Dr. Howells: The Department is represented on the awards panel which confirms and finalises the result of each application for the Artsmark award, which is awarded by the Arts Council of England. Artsmark is a national arts award for schools in England. It is a symbol of recognition for schools making a strong commitment to the full range of the arts—art and design, music, dance and drama. There is one round of awards per year.

Round three results will be announced at the end of May. Schools will be notified first, then results will be announced to the public.

The Beacon Council scheme is promoted largely by the Office of the Deputy Prime Minister, However the Department is involved in criteria setting and bid analysis when the theme of the award relates to the Department's areas.

The Beacon Council themes in which the Department has been involved are; 2001–02—Regeneration through Culture, Sport and Tourism and 2002–03—Libraries as a community resource.

BBC

Mr. Gibb: To ask the Secretary of State for Culture, Media and Sport what plans she has to extend National Audit Office scrutiny to the BBC. [101212]

Dr. Howells: The National Audit Office (NAO) already has access to the BBC to examine the value for money of the administration of the television licensing system and the BBC World Service. As indicated in the Government's response of 6 March 2003 to the Public Accounts Committee report "Collecting the Television Licence Fee", the coming review of the BBC's Charter provides the context in which to consider the case for extending NAO access to the BBC. As part of that review the Government will decide what should be the future role of the C&AG in relation to the Corporation.

British Library

Mr. Laws: To ask the Secretary of State for Culture, Media and Sport what the income receipts of the British Library were in each year from 1990–91 to 2003–04 (planned), excluding grant in aid; and if she will make a statement. [99843]

Dr. Howells: The total income of the British Library, less any grant in aid received, but including all trading income, investment income, donations and sponsorship is shown in the table for the period 1990–91 to 2003–04. The figures for 2002–03 and 2003–04 are based on budgets and business plans.

Financial year	*Non GIA income (£000)*
1990–91	24,311
1991–92	29,532
1992–93	27,105
1993–94	30,498
1994–95	32,722
1995–96	35,753
1996–97	32,459
1997–98	35,025
1998–99	40,009
1999–2000	33,867
2000–01	*27,997
2001–02	32,283
2002–03	31,041
2003–04	31,263

* The figure for 2000–01 shows a dip in relation to the medium term trend. We are advised by the British Library that this is largely attributable to a change in accounting which resulted in payments for services used at the beginning of 2000–01 being attributed to1999–2000.

Community Fund/New Opportunities Fund

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what plans she has to consult with the voluntary sector concerning the proposed merger of the Community Fund and the New Opportunities Fund; whether the consultation period on the merger will be 12 weeks in accordance with the compact; and if she will make a statement. [101949]

Mr. Caborn: The business case for a merger between the Community Fund and the New Opportunities Fund is strong, but we shall consult further with the voluntary sector and other interested parties before determining the nature of the new body. Proposals emerging from these discussions will be included in a White Paper later this year, which would provide a 12-week consultation period, in accordance with the compact.

English Heritage

Mr. Edward Davey: To ask the Secretary of State for Culture, Media and Sport how many properties have been compulsorily purchased by English Heritage in each year since 1999. [101826]

Dr. Howells: English Heritage has not compulsory purchased any properties since 1999. It served a compulsory purchase order in that year, in respect of a property in the City of Westminster, but the owner commenced repair work and the order was put in abeyance. English Heritage has not served a compulsory purchase order since then.

Free Television Licences

Mr. Ronnie Campbell: To ask the Secretary of State for Culture, Media and Sport if she will estimate the annual cost of providing free television licences for retired people over the ages of *(a)* 70 years and *(b)* 65 years. [101811]

Dr. Howells: The estimated cost of providing free television licences for every household with a member aged 70 years or over is £200 million a year, while providing free television licences for every household with a member aged 65 years or over would cost an estimated £410 million a year. These costs are additional to the provision of free television licences for people aged 75 and over.

Hyde Park

Dr. Tonge: To ask the Secretary of State for Culture, Media and Sport what costs were incurred in the clearing and restoration of Hyde Park following the Queen's Jubilee Celebrations. [99944]

Dr. Howells: The cost of cleaning up amounted to £6,000 and the cost of reinstatement was £5,000 (both figures exclusive of VAT).

Dr. Tonge: To ask the Secretary of State for Culture, Media and Sport what costs were incurred in the clearing and restoration of Hyde Park following the Stop the War rally on 15 February. [99942]

Dr. Howells: The cost of cleaning up after the demonstration amounted to £10,000 and the cost of reinstatement is estimated at £140,000 (both figures exclusive of VAT).

Listed Buildings

Mr. Tony Clarke: To ask the Secretary of State for Culture, Media and Sport how many *(a)* Grade I and *(b)* Grade II listed buildings there are in (i) Northamptonshire and (ii) the Borough of Northampton; and what public funds, with particular reference to Lottery funds, have been spent on them in each of the last five years for which figures are available. [100804]

Dr. Howells: There are 191 Grade I, 356 Grade II* and 5,833 Grade II listed buildings in Northamptonshire, and 14 Grade I, 23 Grade II* and 390 Grade II listed buildings in the Borough of Northampton. English Heritage funding made available over the past five years is listed as follows:

	Amount in £
Financial year	
1997–98	212,399
1998–99	51,817
1999–2000	104,896
2000–01	68,236
2001–02	19,826
Year	
1997	212,399
1998	49,175
1999	45,792
2000	123,536
2001	25,272

The information on Lottery funding is not immediately available. It is being put together now. I shall write to my hon. Friend as soon as it is available.

Overseas Trips

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport if she will list each of the overseas trips made by herself and other members of her ministerial team in 2002; and what the *(a)* purpose and *(b)* cost of each trip was. [101846]

Dr. Howells: I refer the hon. Member to the answer given by my hon. Friend the Minister of State, Cabinet Office to the hon. Member for Yeovil (Mr. Laws) on 22 January 2003, *Official Report*, column 334W.

Tourism

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what plans she has to promote *(a)* tourist attractions and *(b)* resorts outside London. [101421]

Dr. Howells: The British Tourist Authority has a target in its Funding Agreement with my Department to promote a regional spread of overseas visitors to the UK. The Department also contributes funding (£250,000 in 2002–03) to the Greater London Authority to help support its statutory duty of promoting London as a Gateway to the rest of the UK.

As part of the Government's tourism reform programme the new national tourism organisation will be launched on 1 April 2003 with a remit that will include domestic marketing. Also, the Regional Development Agencies in England will from 1 April play a stronger part in the strategic leadership of tourism, and this will help stimulate awareness of the importance of maintaining high quality amenities and services across the country, including traditional resorts. Local Authorities, working with tourist attractions, also play an important role in attracting visitors.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what plans she has to increase the numbers of visitors to the UK from *(a)* EU countries and *(b)* non-EU countries. [101422]

Dr. Howells: The British Tourism Authority (BTA) is responsible for promoting Britain overseas. It has offices around the world which undertake a full range of promotional activities in 27 countries, including EU and non-EU countries. Its activities include advertising, marketing, direct mail, new media, travel trade liaison, press and public relations work, to increase the number of visitors to Britain.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what the total Government expenditure on the promotion of tourism in the UK to visitors from overseas was in 2002. [101423]

Dr. Howells: In 2002–03, the total amount of funding for tourism promotion overseas was £57.4 million. DCMS allocated the British Tourist Authority £35.5 million in baseline grant in aid for the promotion of Britain overseas as a tourist destination. An additional £20 million was allocated to help tourism to recover from the impact of foot and mouth disease and 11 September. A further £1.9 million was allocated to the Greater London Authority for the promotion of the capital as a tourist destination and as a gateway to the rest of the UK.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what targets are identified under the current grant in aid funding agreement with the English Tourism Council. [101424]

Dr. Howells: Funding agreement targets agreed between the Department for Culture, Media and Sport and the English Tourism Council (ETC) are included in the ETC's recent annual report, which was laid before Parliament and is available in the Libraries of both Houses.

DEFENCE

Anti-personnel Mines

Norman Lamb: To ask the Secretary of State for Defence how many anti-personnel mines belonging to other countries are stored on UK territory, broken down by country of storage; and which countries these weapons belong to. [102362]

Mr. Ingram: There are no anti-personnel mines belonging to other countries stored on United Kingdom territory.

Armed Forces Deployment (Gulf)

Mr. Rosindell: To ask the Secretary of State for Defence how many British armed forces personnel are deployed to the Gulf region. [101964]

Mr. Ingram: I refer the hon. Member to the statements my right hon. Friend the Secretary of State for Defence has made in the House where he has detailed the composition and deployments of United Kingdom forces from all three Services to the Middle East region, presenting a significant and credible threat of force in support of UNSCR 1441 and the disarmament of Iraq.

We currently envisage the total deployment of around 45,000 servicemen and women. The majority of the UK's total force package has now successfully deployed to theatre, making a significant contribution to the flexible and balanced range of coalition capabilities.

Dol Dol Primary School

Mr. McNamara: To ask the Secretary of State for Defence what steps were taken to *(a)* address and *(b)* redress complaints of Masai women following the meeting on 19 October 1983 between representatives of the women with the officer commanding troops involved in reconstruction of the Dol Dol primary school in Kenya; how many incidents are alleged to have been committed by members of Her Majesty's armed forces; how many admissions of responsibility or apology have been sent; how many disciplinary actions have been taken against serving soldiers; and how many have been dismissed from the Army. [101819]

Mr. Ingram: A document relating to the meeting purportedly held on 19 October 1983 has recently been disclosed to the Department and is currently under consideration. However, no formal claims or legal proceedings have been served on the Ministry of Defence in respect of alleged assaults on Masai women in Kenya by British soldiers.

EU Military Capabilities

Mr. Rosindell: To ask the Secretary of State for Defence what discussions he has had with his US counterpart regarding the European Union plans for undertaking the NATO operation in Bosnia-Herzegovina. [101959]

Mr. Ingram: My right hon. Friend the Secretary of State for Defence has had no discussions with his United States counterpart regarding the European Union plans for undertaking the NATO operation in Bosnia-Herzegovina.

Mr. Rosindell: To ask the Secretary of State for Defence (1) what recent discussions he has had with European defence ministers about measures to improve EU military capabilities; [101962]

(2) when he last discussed progress on the ESDP with the *(a)* French, *(b)* German and *(c)* Belgian defence ministers. [101961]

Mr. Hoon: I last discussed progress on ESDP *(a)* with my French counterpart at the Le Touquet summit on 4 February 2003, *(b)* with my German counterpart in Berlin on 5 November 2002, and *(c)* with my Belgian counterpart on 19 November 2002. I discussed European military capability improvements with other EU Defence Ministers at our informal meeting on 4–5 October 2002, and at the General Affairs and External Relations Council (GAERC) on 19 November 2002. The subject was also discussed in the three bilateral meetings mentioned earlier, as well as meetings with my Italian and Greek counterparts on 21 January and 3 March 2003 respectively. We are working on remedying key European defence capability shortfalls under the European Capabilities Action Plan established last year.

Fylingdales

Norman Baker: To ask the Secretary of State for Defence how many *(a)* US, *(b)* RAF, *(c)* MOD and *(d)* Ministry of Defence Police Agency personnel are deployed at RAF Fylingdales. [101688]

Mr. Ingram: There are: 76 RAF personnel, 43 MOD civilian personnel, 189 UK contractors, one USAF personnel, and 10 US contractors employed at RAF Fylingdales. I am withholding the information relating to the Ministry of Defence Police deployed at RAF Fylingdales in accordance with Exemption 1 (Defence, security and international relations) of the Codes of Practice on Access to Government Information as it could compromise the security of the Station.

Iraq

Llew Smith: To ask the Secretary of State for Defence what investigations have been established in his Department into the role played by Royal Ordnance in providing military equipment and explosives to Iraq. [101651]

Mr. Ingram: Information on inquiries into the export of Defence Equipment and Dual-Use Goods to Iraq is contained in the Report of that same name by Sir Richard Scott that was published on 15 February 1996.

Dr. Fox: To ask the Secretary of State for Defence (1) how many *(a)* medical and *(b)* nursing reservists he expects to be called up in the event of conflict in Iraq; and from which clinical specialities these will be drawn; [102380]

(2) whether medical and nursing reservists will be rotated in the event of conflict in Iraq. [102427]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

La Spezia

Dr. Julian Lewis: To ask the Secretary of State for Defence what discussions he has had with *(a)* his Italian counterpart and *(b)* NATO officials about the security implications for British warships at La Spezia resulting from the presence of personnel attached to impounded Iraqi corvettes. [98413]

Mr. Ingram: My right hon. Friend the Secretary of State has not had discussions with either his Italian counterpart or NATO officials on this matter. There are currently no British warships based in La Spezia or indeed scheduled to visit the port and consequently on that basis there are currently no perceived security implications.

NATO

Mr. Rosindell: To ask the Secretary of State for Defence what discussions he has had with his NATO counterparts about giving the alliance a greater role in Afghanistan. [101963]

Mr. Ingram: My right hon. Friend the Secretary of State and his officials have on several occasions discussed possible roles for NATO in Afghanistan with NATO colleagues. We fully support the decision by Germany and the Netherlands to benefit from NATO assistance in their leadership of ISAF III.

Mr. Rosindell: To ask the Secretary of State for Defence what plans there are for the European Union to undertake the NATO operation in Bosnia-Herzegovina. [101965]

Mr. Hoon: The European Council indicated the European Union's willingness to lead a military operation in Bosnia following SFOR, when it met at Copenhagen on 12–13 December last year. Initial consultation has commenced with NATO, and other international players, with a view to the EU potentially assuming responsibility for the stabilisation role in Bosnia next year.

Political Memorabilia/Emblems

Mr. McNamara: To ask the Secretary of State for Defence what rules govern *(a)* the display of political memorabilia and emblems and *(b)* the wearing of sectarian emblems and apparel inside army barracks in Northern Ireland; at what level responsibility rests for removing inappropriate displays; and how many personnel have been disciplined for offences arising from such displays since April 1998. [101154]

Mr. Ingram: The Army has clear guidelines on Equal Opportunities Policy and Complaints which are laid out in Army General Administrative Instructions. These are reinforced in Northern Ireland by Northern Ireland Standing Operations Procedures (NISOP) including a section on Equal Opportunities and Diversity with an annex on Northern Ireland Sectarian Harassment

Policy and Guidelines which covers areas such as flags and emblems. The implementation of these policies rests with the appropriate Commander of a Battalion, unit or station. A copy of this NISOP was placed in the Library of the House of Commons in April 2000. Since 1998 the Army Board has considered administrative action against one officer and awarded an administrative sanction against him.

Royal Navy Vessels

Mr. Bacon: To ask the Secretary of State for Defence (1) how many invitations to tender have been made to Farrow System Ltd. in relation to the cleaning of *(a)* Royal Navy vessels and *(b)* glass-fibre reinforced materials in Royal Navy vessels since completing work on HMS Quorn and on the orlop deck of HMS Victory; [101625]

(2) how much has been spent on surface cleaning of *(a)* Royal Navy vessels and *(b)* glass-fibre reinforced materials in Royal Navy vessels since 2nd February 2000; [101624]

(3) if he will make a statement on the application of public procurement procedures in inviting tenders for the surface cleaning of glass-fibre reinforced materials in Royal Navy vessels. [101623]

Mr. Ingram: Cleaning of Royal Navy Vessels and glass-fibre reinforced materials in Royal Navy vessels is undertaken as part of larger packages of work carried out during a vessel's regular maintenance and refit period, known as Upkeep Periods, undertaken by one of the three dockyards at Devonport, Portsmouth and Rosyth. The Ministry of Defence would not, therefore, have issued invitations to tender for cleaning direct to Farrow Systems.

Upkeep Periods involve a whole range of work activity and to identify how much has been spent on the specific task of surface cleaning would involve disproportionate cost.

Invitations to tender for Upkeep Periods follow public procurement procedures; any work subcontracted out would be subject to the procurement procedures laid down by the company undertaking the Upkeep Period.

US Bases

Norman Baker: To ask the Secretary of State for Defence (1) when the US formally asked permission from the UK Government to deploy B-52 bombers to British bases for anticipated operations in Iraq; if he will list the bases involved; and when the UK Government gave their consent; [101686]

(2) how many US B-52s have been authorised to deploy to RAF Fairford; for how long; with which types of ordnance US B-52s will be armed while deployed at RAF Fairford; and whether these will include the Joint Direct Attack Munition. [101687]

Mr. Hoon: I told the House on 3 March 2003, *Official Report*, column 566, that I had agreed a United States request to deploy fourteen B-52 bombers to RAF Fairford. No time scale has been placed upon their deployment there. The Government have also agreed to a request to base B-52s at Diego Garcia.

I am withholding details of the discussions and timings of decisions on the deployment of USAF B-52 aircraft to British bases and their ordnance in accordance with Exemption 1 (Defence, security and international relations) of the Code of Practice on Access to Government Information.

WORK AND PENSIONS

Personal Injury Claims

Mr. Stephen O'Brien: To ask the Secretary of State for Work and Pensions what plans he has to reduce the share of costs borne by public funds for claimants bringing personal injury cases against their employers. [101705]

Mr. Nicholas Brown: There are no plans at present.

Smoking

Mrs. Ann Cryer: To ask the Secretary of State for Work and Pensions what plans there are to review legislation on worker safety dealing with the effects of passive smoking. [98506]

Mr. Wood: To ask the Secretary of State for Work and Pensions what plans he has to meet employers to formulate a policy to ban smoking at the workplace. [98481]

Mr. Nicholas Brown: My right hon. Friend the Secretary of State has no such plans.

Employers have a duty under the Health and Safety at Work etc Act 1974 to protect the health, safety and welfare of their employees. This duty includes any risks arising from passive smoking. The Health and Safety Executive has published free guidance that gives advice to employers on introducing effective smoking policies in the workplace.

Accountancy Services

Mr. Bercow: To ask the Secretary of State for Work and Pensions what the total cost to his Department was for accountancy services in 2002. [101560]

Mr. McCartney: The information is not available in the form requested and could be obtained only at disproportionate cost.

Asbestos

Mr. Heald: To ask the Secretary of State for Work and Pensions what guidance the Health and Safety Executive gives on the handling of asbestos products; what tests have been carried out for the purposes of the guidance to establish the fibre levels released by such products; who carried out the tests; and on what dates. [98682]

Mr. Nicholas Brown *[holding answer 25 February 2003]:* The Health and Safety Executive has given guidance in six publications on the handling of asbestos products. They are the two Approved Codes of Practice, Work with asbestos insulation, asbestos coating and asbestos insulating board and Work with asbestos, which does not normally require a licence, and four guidance documents—Introduction to Asbestos Essentials,

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Asbestos Essentials Task Manual, Controlled Asbestos Stripping Techniques and Working with Asbestos Cement.

The Health and Safety Laboratory studied the fibre levels released from the main types of asbestos-containing materials by various maintenance activities in 1998. They also reviewed existing literature from the United Kingdom and United States. The results of the study and review are in Annexe I of the Regulatory Impact Assessment on the amendments to the Control of Asbestos at Work Regulations.

A copy of the guidance and the regulatory impact assessment are available in the Library.

Mr. Heald: To ask the Secretary of State for Work and Pensions what *(a)* instructions and *(b)* guidance is given to health and safety inspectors on the action they should take if they discover that asbestos removal contractors have acted improperly in determining that work should be undertaken to remove asbestos; and if he will make a statement. [98685]

Mr. Nicholas Brown *[holding answer 25 February 2003]:* HSE inspectors promote HSE's policy, which is that asbestos in good condition should be left in place and managed and that asbestos in poor condition, or which is likely to be damaged or disturbed, should be repaired, sealed, enclosed or removed.

If HSE are notified of "improper" removal, their prime concern is whether the contractor has put someone at risk as a result of working with asbestos and their investigation would concentrate on this aspect of the complaint. Although there are no specific instructions or guidance to inspectors about the action to take where it has been alleged that a contractor or other third party has acted fraudulently, HSE staff may give guidance to the complainant on the appropriate authorities (for example Trading Standards or the Police) to pursue the issue.

Benefit Fraud

Mr. David Stewart: To ask the Secretary of State for Work and Pensions what estimate he has made of the level of fraud in *(a)* 2002–03, *(b)* 2003–04 and *(c)* 2004–05 in (i) income support, (ii) housing benefit, (iii) disability living allowance, (iv) the CSA, (v) national insurance, (vi) contractor fraud, (vii) jobseekers allowance and (viii) IC. [102257]

Malcolm Wicks: We do not make estimates of future levels of fraud. Currently we have only ongoing measurement of the level of fraud and error in Income Support, Jobseeker's Allowance and Housing Benefit and we have set firm targets for the reduction of these in the future.

Employers' Liability Insurance

Mr. Flook: To ask the Secretary of State for Work and Pensions when his Department will report on the investigation it has been making into the rise in employer liability insurance. [100697]

Mr. Nicholas Brown *[holding answer 4 March 2003]:* I refer the hon. Member to the written ministerial statement I gave on 12 December 2002, *Official Report*, columns 23–24WS, which said that the review will report to Ministers in the spring.

Mr. Wyatt: To ask the Secretary of State for Work and Pensions when the review of the Employers' Liability Compulsory Insurance scheme will be published. [100243]

Mr. Nicholas Brown *[holding answer 3 March 2003]:* I refer the hon. Member to the written ministerial statement I gave on 12 December 2002, *Official Report*, columns 23–24W, which said that the review will report to Ministers in the spring.

Mr. Dismore: To ask the Secretary of State for Work and Pensions if he will make a statement on the progress of his review of employers' liability insurance. [99612]

Mr. Nicholas Brown: I refer my hon. Friend to the written ministerial statement I gave on 12 December 2002, *Official Report*, columns 23–24W. Contributions to the review are now being considered and the review will report to Ministers in the spring.

Mr. Gardiner: To ask the Secretary of State for Work and Pensions whether his Department's review of employers' liability insurance will assess whether the health and safety assessments carried out as part of the Department of Trade and Industry's Quality Mark scheme could be extended to other sectors. [101349]

Mr. Nicholas Brown: I refer my hon. Friend to the written ministerial statement I gave on 12 December 2002, *Official Report*, columns 23–24W. Contributions to the review are now being considered and the review will report to Ministers in the spring.

Employment Statistics

Mr. Laws: To ask the Secretary of State for Work and Pensions what proportion of people over the age of *(a)* 70, *(b)* 65, *(c)* 60, *(d)* 55 and *(e)* 50 years were in employment in (i) 2001–02, (ii) 1997–98, (iii) 1990–91 and (iv) 1980–81; and if he will make a statement. [99835]

Mr. Nicholas Brown: We are vigorously promoting the benefits of age diversity and the recruitment, training and retention of older workers to employers through our Age Positive campaign. The campaign focuses on raising employers' awareness of the business case for an age diverse workforce and encourages them to use the Code of Practice on Age Diversity in Employment to inform their employment policies.

Our recent Green Paper "Simplicity, security and choice: Working and saving for retirement" published on 17 December 2002 sets out our proposals for encouraging the adoption of flexible approaches to retirement, giving people the choice to stay in work longer.

The information requested on employment rates is in the table.

Estimated employment rates

Percentage

	50 and over	*55 and over*	*60 and over*	*65 and over*	*70 and over*
1981	35.6	26.9	15.4	6.2	3.5
1991	31.5	22.6	12.6	5.1	2.8
1998	33.5	22.3	12.1	5.1	2.5
2002	36.0	25.5	13.3	5.3	2.5

Notes:

1. The LFS is a sample survey and as such estimates are subject to sampling error.
2. The LFS does not cover individuals in certain communal establishments, including residential or nursing care facilities.
3. Estimates are not consistent with census 2001 interim adjustments.

Source:

Labour Force Survey (LFS), spring of each year

Household Poverty

Mr. Laws: To ask the Secretary of State for Work and Pensions what his estimate is of the proportion of *(a)* children and *(b)* pensioners living in households in the bottom two deciles of income distribution. [97349]

Malcolm Wicks: Information on the proportion of children and pensioners in the bottom fifth of the income distribution can be found in the publication 'Households Below Average Income 1994–95 to 2000–01', a copy of which is available in the Library.

Independent Medical Examiners

Sandra Osborne: To ask the Secretary of State for Work and Pensions what incentive system there is for the independent medical examiners contracted by SchlumbergerSema in respect of the personal capability assessment for incapacity benefit; and if he will make a statement. [102124]

Mr. Nicholas Brown: Sessional doctors contracted by SchlumbergerSema to carry out medical assessments in respect of benefit claims are paid on a fee per assessment basis. Safeguards are in place to ensure that appropriate quality standards are maintained.

Decisions on entitlement to benefit are made by Departmental decision makers, and there is no link between doctors' remuneration and the outcome of a claim.

Industrial Action

Mr. Bercow: To ask the Secretary of State for Work and Pensions how many working days were lost owing to industrial action by staff in *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in 2002. [101509]

Mr. McCartney: The information on the number of staff days lost owing to industrial action for the Department for Work and Pensions, is set out in the following table for the period 1 January 2002 to 31 December 2002.

Department	*Agency/Body*	*Staff days lost*
Department for Work and Pensions	Jobcentre Plus	[1]97,058
—	The Pension Service	38
—	Corporate Centre	Nil
—	Child Support Agency	14
—	Debt Management	2
—	The Appeals Service	Nil
Non Departmental Public Bodies	Pensions Ombudsman, Disability Living Allowance Advisory Board, Independent Case Review Service for Social Fund, Occupational Pensions Regulatory Authority, Pensions Provision Group, Office of the Social Security and Child Support Commissioners and Pensions Compensation Board	Nil
Total		97,112

[1] All but 814 days relates to a single dispute. Two disputes in total.

Pensions

Mr. Laurence Robertson: To ask the Secretary of State for Work and Pensions whether pensioners will be able to have their pension paid into a *(a)* bank current account, *(b)* basic bank account and *(c)* post office card account weekly after April. [100292]

Malcolm Wicks: The change will be phased in over a two-year period. Pensioners will be contacted when it is their turn to change. If they are currently paid weekly they will automatically continue to be paid at this frequency after April.

Mr. Gardiner: To ask the Secretary of State for Work and Pensions what action his Department has taken to increase consumer awareness that many insurance companies deduct commission from their pension savings as a fee for financial advice. [101361]

Mr. McCartney: As part of the Government's Pension Education publicity campaign, we make it clear through the appropriate guides, for example, the guide 'Personal pensions—Your guide' that people might pay for financial advice through fees or commission which is deducted from their pension contributions. People are advised to ask for details of fees or commission. The Department publicises the guides, and they can also be accessed through The Pension Service website www.thepensionservice.gov.uk.

The Government are committed to providing people with the information they need to make informed choices about saving for retirement. The proposals set out in the recently published Green Paper 'Simplicity, security and choice: Working and saving for retirement' (Cm 5677) are intended to reinforce that.

Permanent Staff

Mr. Laws: To ask the Secretary of State for Work and Pensions how many permanent staff worked for his Department and its agencies in each year from 1996–97 to 2003–04 (planned); what the reasons are underlying changes in staff numbers; and if he will make a statement. [97348]

Mr. McCartney: Information on the number of permanent staff working for the Department for Work and Pensions is in the table.

Figures for the Department for Work and Pensions are shown for 30 June 2001 when the Department was formed and 31 March 2002. There was a planned and managed increase in staffing levels in certain parts of the Department in 2001–02. Staffing was increased because of the modernisation agenda, in particular relating to the introduction of Child Support Reforms and the establishment of The Pension Service.

The information for the years March 1996 to March 2001 show the figures for permanent staff in the Department of Social Security and the Employment Service.

Profiles for staffing levels for 2003–04 are still being developed.

	Department for Work and Pensions
30 June 2001	126,069
31 March 2002	133,553

	Department of Social Security	*Employment Service*	*Total*
31 March 1996	94,932	41,156	136,088
31 March 1997	98,917	34,174	133,091
31 March 1998	94,886	33,528	128,414
31 March 1999	97,056	35,430	132,486
31 March 2000	91,173	35,299	126,472
31 March 2001	89,774	36,930	126,704

Notes:

Figures are consistent with Cabinet Office definitions other than the inclusion of staff on paid maternity leave.

The figures are based on headcount (staff in post) and are point in time at the dates shown

Departmental Telephone Helplines

Mr. Lazarowicz: To ask the Secretary of State for Work and Pensions how many telephone helplines are sponsored by his Department; and which of these helplines are charged at *(a)* national rate, *(b)* premium rate and *(c)* local rate. [95713]

Mr. McCartney: DWP sponsors 60 telephone helplines. Of these: *(a)* seven are charged at national rate, *(b)* none charged at premium rate *(c)* 46 charged at local rate and *(d)* a further seven numbers are free phone numbers.

Winter Fuel Payments

Mr. Webb: To ask the Secretary of State for Work and Pensions (1) if he will estimate the number of 2002–03 winter fuel payments that have been delayed because of departmental computer problems; and of that number, how many have yet to be issued; [99731]

(2) what corrective action he is taking to resolve the departmental computer problems that have delayed 2002–03 winter fuel payments; and if he will make a statement. [99732]

Mr. McCartney: Over 11.1 million winter fuel payments have been made so far for this winter, and the vast majority of these were paid automatically before Christmas. There will of course be circumstances where, because of a variety of reasons, payment cannot be made without further inquiries. We seek to resolve these as soon as we can.

However, some customers reported not receiving a payment for this winter. This was promptly investigated and it was found that, because of a system fault, some further 936 people should have been considered for an automatic payment. All of these people who were entitled to a payment for this year have now been paid. We are taking steps to ensure that this does not happen for the next winter.

NORTHERN IRELAND

Arts of Irish and Ulster-Scots Project

Mr. Dodds: To ask the Secretary of State for Northern Ireland whether any members of the Board of the Arts Council of Northern Ireland are on the Steering Group for the Council's research project on The Arts of Irish and Ulster-Scots. [101917]

Angela Smith: Dr. Maurna Crozier is the only member of the Board of the Arts Council of Northern Ireland who is also a member of the Steering Group.

Dr. Crozier was nominated to the Steering Group by the Department of Culture, Arts and Leisure.

Blue Card Holders

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many blue card holders there are in each Northern Ireland constituency. [102035]

Mr. Browne: The information requested is not available in the format requested and could be provided only at disproportionate cost.

Compulsory Purchase Orders

Lembit Öpik: To ask the Secretary of State for Northern Ireland what appeals procedures *(a)* exist and *(b)* are planned for residents of Northern Ireland whose property is subject to a compulsory purchase order; and if he will make a statement. [101569]

Mr. Pearson: Compensation is claimed by affected parties and generally settled in negotiation with the Valuation and Lands Agency acting on behalf of the acquiring authority. If a party is not content with the level of compensation offered, there is a right to refer the matter to the Lands Tribunal for Northern Ireland for a determination.

There is no intention to alter this right of appeal to the Lands Tribunal.

Disability Discrimination Act

Mr. McGrady: To ask the Secretary of State for Northern Ireland what additional resources will be made available to the Equality Commission to enable it to fulfil its duties in respect of the changes in disability discrimination legislation planned over the next three years. [101009]

Jane Kennedy: The consultation process on proposals for legislation that will enhance the educational opportunities of children and young people in Northern Ireland with special educational needs and disabilities has recently been completed. Consideration is currently being given to the content of such legislation, in light of the outcome of the consultation. Where the legislation provides for additional responsibilities for the Equality Commission, consideration will be given to the resources necessary to enable the Commission to fulfil these responsibilities.

Mr. McGrady: To ask the Secretary of State for Northern Ireland when the outcome of the consultation on proposals for a special educational needs and disability Bill will be published; and when the legislation will be enacted. [101005]

Jane Kennedy: The consultation process on proposals for legislation that will enhance the educational opportunities of children and young people in Northern Ireland with special educational needs and disabilities has recently been completed. Consideration is currently being given to the content of such legislation, in the light of responses. The outcome of consultations will not be published, but it is expected that draft legislation will be issued before the summer and this will be the subject of further consultation. It is intended to introduce an Order in Council at Westminster or a Bill to the Northern Ireland Assembly towards the end of 2003, with a view to beginning implementation of the legislation in September 2004.

Hydro-pools

Mr. Beggs: To ask the Secretary of State for Northern Ireland which special schools in Northern Ireland have a hydro-pool; and if his Office will contribute funds towards the provision of a hydro-pool at each new special school to be built in Northern Ireland. [99350]

Jane Kennedy: Special schools in Northern Ireland, which currently have a hydrotherapy pool are:

BELB	Fleming Fulton, Belfast
NEELB	Beechgrove, Ballymena
	Sandelford, Coleraine
SEELB	Knockevin, Downpatrick
	Parkview, Lisburn
SELB	Lisanally, Armagh
WELB	Elmbrook, Enniskillen
	Foyleview, Londonderry

There are a number of criteria that must be met before the Department of Education can contribute funds towards the provision of a hydrotherapy pool. If the criteria are met then it is departmental policy to provide hydrotherapy pools where appropriate, subject to the recurrent costs being met by the Education and Library Board.

Independent Financial Advisers

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many claims were made by independent financial advisers in Northern Ireland on their professional indemnity insurance in each of the last five years; and how much money was paid out as a result of claims made by independent financial advisers in Northern Ireland on their professional indemnity insurance in each of the last five years. [99325]

Mr. Pearson: The information requested by the hon. Lady is not collated by Government Departments in Northern Ireland, the Financial Services Authority, which regulates Independent Financial Advisers, HM Treasury or the Association of British Insurers and could not be obtained without entailing disproportionate costs.

Industrial Investment

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will make a statement on the effect the current downturn in the stock market is having on industrial investment in Northern Ireland. [100428]

Mr. Pearson: Adverse global economic conditions have impacted unfavourably on stock markets, Foreign Direct Investment, trade and confidence worldwide and adversely affected industrial investment both nationally and in Northern Ireland. Recent surveys indicate a negative outlook for investment intentions in buildings and plant and machinery in the short term, with more companies planning to decrease rather than increase investment. Despite current uncertainties the Northern Ireland economy has been forecast to grow by between 2.5 per cent. and 3.5 per cent. in 2003 and manufacturing productivity has continued to rise.

Newtownards Library

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland whether a new library for Newtownards will be provided as part of the recently announced investment in local infrastructure. [102020]

Angela Smith: The Strategic Investment Programme includes a sum of £20 million for library projects and other information resources identified for potential procurement through public-private partnerships.

The provision of a new library for Newtownards will be one of a number of projects which will be considered by the Department under this programme.

Nurses

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what steps the Government is taking to encourage nurses to enter the neurosurgical branch of medicine; and what *(a)* immediate and *(b)* long term steps the Government are taking to overcome shortages of neurosurgical nurses. [102036]

Mr. Browne: The recruitment of staff is a matter for individual Health and Social Services Trusts taking into account factors such as service needs and available resources. The Royal Group of Hospitals Trust has confirmed that three newly qualified local nurses were recruited in October/November 2002 and they have just completed a three month supervised consolidation period. They are now established members of the neurosurgical nursing team in the neurosurgical ward. A further eight nurses were recruited from overseas in January 2003 and require a period of supervised practice before they can register with the Nursing and Midwifery Council. The Trust anticipates that these nurses will join the nursing team on the neurosurgical ward in May/June 2003. This will facilitate the opening of further beds.

The regional Neurosurgical Unit based in the Royal Group of Hospitals have introduced several initiatives to encourage nurses to work in neurosurgery. These include working closely with Queen's University Belfast to increase the number of student nurses who have the opportunity to experience neurosurgical nursing. In addition the University of Ulster and staff in the Neurosurgical Unit have developed specialist nursing programmes. Nurses are encouraged and supported to attend these courses where they will gain the underpinning knowledge and skills required to work in such a specialised area.

Organ Retention

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action has been taken against the pathologist at Altnagelvin Hospital who retained 59 organs without permission; and what investigation he has conducted into whether pecuniary gain was made from this organ retention. [102014]

Mr. Browne: The pathologist concerned was subject to the internal disciplinary procedures of Altnagelvin Health and Social Services Trust. The trust has confirmed that there was no pecuniary gain arising from this organ retention.

Parliamentary Questions

Andrew Mackinlay: To ask the Secretary of State for Northern Ireland when he will reply to questions *(a)* 90132, *(b)* 90131 and *(c)* 90130; and what the reason is for the delay in answering. [102491]

Jane Kennedy: The three questions to which my hon. Friend refers were issued to the House on 31 January 2003. Although they were not printed on that date in the *Official Report*, they appeared on 7 March at columns 1248W, 9247W and 9247–48W respectively.

Police Firearms Training

Andrew Mackinlay: To ask the Secretary of State for Northern Ireland pursuant to the reply by the hon. Member for Liverpool, Wavertree (Jane Kennedy) on 25 February 2003, *Official Report*, columns 225–26W, how many of those constables who received firearms training in May and July 2002 were *(a)* recruits and *(b)* members of the force with more than one year's service; and if he will make a statement. [102494]

Jane Kennedy: All of those constables who received firearms training in May and July 2002 were recruits. None of those who were trained were members of the force with more than one year's service.

Post Mortems

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland which hospitals in Northern Ireland continue the practice of hospital post mortems. [102015]

Mr. Browne: Hospital post mortems are currently carried out in the Royal Group of Hospitals, Ulster Hospital, Antrim Area Hospital and Altnagelvin Hospital. Normally hospital post mortems are also carried out in Craigavon Area Hospital, however the facilities are temporarily closed for upgrading.

Royal Victoria Hospital

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when the Royal Victoria Hospital Mortuary Log Book came into existence. [102013]

Mr. Browne: The Royal Victoria Hospital mortuary register started with effect from 4 February 1961.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many *(a)* coroners there were and *(b)* hospital post mortems took place at the Royal Victoria Hospital in each of the last three decades. [102017]

Mr. Browne: Information in the form requested is not readily available and could be obtained only at disproportionate cost.

Teachers' Salaries

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many *(a)* primary schools and *(b)* secondary schools he estimates will receive (i) more and (ii) less funding under the new common funding formula. [100975]

Jane Kennedy: The intention is to introduce the common formula in the calculation of school budgets for 2004–05.

It is not possible at this stage to assess the impact of the common formula with any degree of precision as the size of the Aggregated School Budget (ASB) for 2004–05 has not yet been determined and final decisions about the make-up of the formula have still to be made.

Mr. Trimble: To ask the Secretary of State for Northern Ireland what recent discussions he has had with representatives of *(a)* primary and *(b)* secondary schools with regard to changes to the common funding formula, with particular reference to threshold funds. [100976]

Jane Kennedy: The main forum for discussion about the Common Funding Formula is the LMS Steering Group. The membership of the Group includes representatives of the managers of all grant-aided schools in Northern Ireland. The last meeting was held in September 2002, when the Department's proposals for the handling of threshold payments were discussed.

In addition to discussion at this formal forum, the Department also engages with representatives of schools and teachers through meetings such as Standing Conferences, and by responding positively to requests for meetings with representative associations such as the Secondary Heads Association and the Primary Principals Association.

Tissue Act

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what changes are proposed to the Tissue Act 1961; and whether the Act is planned to be repealed. [102019]

Mr. Browne: The Department of Health, in conjunction with the Welsh Assembly Government, is currently working on a draft Human Organs and Tissue Bill to replace the Human Tissue Act 1961 in England and Wales. We are following developments closely to determine the best legislative solution for replacing the Human Tissue Act (NI) 1962.

CABINET OFFICE

Laptop Computers

Dr. Cable: To ask the Minister for the Cabinet Office how many laptop computers were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1995; how many were (i) lost and (ii) stolen; what their cost was; and if he will make a statement. [97506]

Mr. Alexander: The number of laptops provided centrally on behalf of the Department in 2000, 2001 and 2002 are 222, 540 and 629 respectively. However, some laptops have been procured by business units, and no information on the total numbers in use was collected centrally.

The Cabinet Office Ministerial Group currently have a pool of three laptops for the use of Ministers, special advisers and officials within the group.

There were two laptops reported stolen in 1998 and another one in 2001.

HOME DEPARTMENT

Criminal Records Checks

Mr. Burns: To ask the Secretary of State for the Home Department (1) when he expects the Criminal Records Bureau to clear the backlog of criminal record checks for residential and nursing home care staff; and if he will make a statement; [100944]

(2) according to the most recent figures available, what the average length of time has been for prospective residential and nursing home care staff to have their criminal records checked by the CRB; [100943]

(3) how many prospective staff awaiting employment in residential and nursing homes have yet to have their criminal records checked by the Criminal Records Bureau. [100945]

Hilary Benn *[holding answer 5 March 2003]*: I am unable to provide data to the hon. Member on specific waiting times for job types because there are no IT procedures at present to extract this data from the Criminal Records Bureau (CRB) database.

This functionality is expected to be available during subsequent system releases. There are no figures available on the actual number of prospective employees in residential and nursing homes who are yet to apply for Disclosure.

However, I can confirm that the backlog of all applications is falling steadily and now equates to less than two weeks' output. Backlog, defined as the number of applications outstanding across all sectors, over three weeks old, (the published CRB service standard), is 51,857. This compares with 115,483 in October 2002, and 62,687 in the last week in January 2003. I cannot state precisely when the backlog will be entirely eradicated. I can confirm that the average turnaround time for correctly completed applications is currently five weeks across all sectors. Applications are dealt with in date order and no professions are prioritised above others.

Family Visit Appeals

Lynne Jones: To ask the Secretary of State for the Home Department when he will publish the report of the interdepartmental review of family visit appeals. [101404]

Beverley Hughes: I refer my hon. Friend to the reply I gave on 29 January 2003, *Official Report*, column 915W.

We intend to publish the report as soon as possible.

Pre-sentence Reports

Mr. Drew: To ask the Secretary of State for the Home Department (1) what steps he intends to take to speed up the provision of pre-sentence reports by the probation service; [101175]

(2) what plans he has to speed up the provision of pre-sentence reports; and what the average time has been in the last 12 months for the provision of pre-sentence reports, broken down by magistrate court. [101166]

Hilary Benn: Chief Officers of Probation are responsible for the provision of probation services in their area, including the provision of pre-sentence reports to the courts. To assist performance in this area, the National Probation Directorate (NPD) has issued guidance to areas on effectively prioritising workloads and developing local protocols with courts. The NPD has also formulated a revised agreement with the Crown Prosecution Service and the Police for the provision of necessary advance information to the Probation Service to help with the timely production of pre-sentence reports for the courts. The NPD will continue to monitor performance of probation areas on the provision of pre-sentence reports and to consider ways to improve performance.

Information is not available centrally on average times for probation officers to submit reports to individual magistrates' courts. National Standards for the Supervision of Offenders in the Community 2000 (revised 2002), which apply to the National Probation Service for England and Wales, require pre-sentence reports to be prepared within 15 working days of request by the court. The National Probation Service currently has a target to produce 90 per cent. of pre-sentence reports within 15 days. The latest figures, which relate to magistrates' courts, show that for all probation areas in 2001–02, 79 per cent. of reports were provided within the 15-day target.

Speeding

Mr. Drew: To ask the Secretary of State for the Home Department what plans he has to issue guidelines on consistency relating to speeding penalties. [101169]

Hilary Benn: The Magistrates' Association already produces sentencing guidelines for their members, which cover many of the main offences dealt with by magistrates, including speeding. The Criminal Justice Bill contains provision for the establishment of a Sentencing Guidelines Council. The Council will be responsible for setting guidelines for the full range of criminal offences and will be established as soon as possible after the enabling legislation is enacted. It is too early to say at this point how soon the Council will turn its attention to the offence of speeding, and road traffic offences generally.

Work Permits

Peter Bottomley: To ask the Secretary of State for the Home Department how many people in the last year have been covered by applications for work permits under the Intra-Company Transfer Scheme; how many ICT applications have been granted; how many were examined in detail and checked; and how many were rejected and why. [101503]

Beverley Hughes: In 2002 Work Permits (UK) made decisions on 26,373 applications for work permits under the arrangements for intra-company transferees (ICTs). Of these 26,005 were approved and 368 were refused. 110 applications were refused on grounds of insufficient skills and experience, 21 on the grounds that no genuine vacancy existed, 78 on grounds of inadequate salary and 159 for other reasons.

All applications for work permits for ICTs are checked against the criteria of the work permit arrangements, which require that the company making the application is a UK-based employer with a direct link by common ownership with the overseas company; that both the post and the worker meet the skills, qualifications and experience requirements of the work permit arrangements; that the worker is an established employee with essential company knowledge and at least six months experience of working for the company; and that the pay and conditions of employment are equal to those that would be offered to a resident worker doing similar work.

Work Permits (UK) may, if it has doubts about an application, request further evidence that these requirements are met.

Peter Bottomley: To ask the Secretary of State for the Home Department how many non-EU nationals are working in the UK under the Intra-Company Transfer Scheme; and how many of them are working in information technology. [101504]

Beverley Hughes: Since 1 January 1999, 88,820 work permits, including extensions to previously issued permits, have been approved under the Intra Company Transfer (ICT) category of the work permit arrangements, of which 33,951 have been issued in respect of workers in the IT industry. However, it is not possible to provide data as to the length of time for which these permits have been issued or the proportion of permit holders that have subsequently left the United Kingdom.

Young Offenders

Tim Loughton: To ask the Secretary of State for the Home Department how many young people *(a)* are being *(b)* have been held in young offender institutions in each of the last five years. [95990]

Hilary Benn: The data requested is given in the table.

Young people—institutions

	June 1998	*June 1999*	*June 2000*	*June 2001*	*June 2002*
Young offender institutions	5,614	5,170	5,251	5,340	5,518
Juvenile institutions[1]	1,661	1,641	1,847	2,768	2,991
Total young people in all Prison Service establishments[2]	11,550	11,293	11,231	11,054	11,610

[1] There were no female juvenile institutions prior to 2002.

[2] Young people are those under the age of 21. Those under the age of 18 are classified as juveniles, and those aged 18–20 are classified as young offenders.

Asylum Seekers

Simon Hughes: To ask the Secretary of State for the Home Department how many local drop-in centres for asylum seekers there were in each of the last five years; and who provided the service. [102464]

Beverley Hughes: The information is not available in the precise format requested. As part of the new support arrangements which came into force on 3 April 2000 the National Asylum Support Service (NASS) has provided grant funding to six voluntary sector organisations to provide a network of one stop services for asylum seekers. The organisations are the Refugee Council; Refugee Action; Refugee Arrivals Project; Migrant Helpline; Welsh Refugee Council and Scottish Refugee Council. Between them they run 28 one stop services across the United Kingdom. We have no central record of other drop in centres which are not funded by NASS.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department how many asylum seekers are residing in Coventry; and how many have been placed in Coventry in the last three months. [101665]

Beverley Hughes: The information is not available in the form requested.

Information on the location of asylum seekers in the UK is currently linked to the support the asylum seeker receives. Asylum seekers in the UK either receive support from the National Asylum Support Service (NASS), local authorities or the Department for Work and Pensions (DWP), or are supporting themselves.

As at the end of December 2002, NASS was supporting 1,595 asylum seekers (including dependants) in accommodation in Coventry. A further 190 asylum seekers (including dependants) were receiving subsistence only support from NASS and were staying in Coventry.[1]

From grant claims sent to the Home Office by local authorities, as at the end of December 2002, there were 35 single asylum seekers and 20 asylum seeker families being supported by local authorities in Coventry.

The number of asylum seekers dispersed by NASS to Coventry over the past three months is not available.

Statistics on the number of asylum seekers supported by NASS in each local authority are available on the Home Office's Immigration and Asylum Statistics website: http://www.homeoffice.gov.uk/rds/immigration1.html

[1] All figures have been rounded to the nearest five.

Aviation Security

John McDonnell: To ask the Secretary of State for the Home Department what consideration he has given to the impact upon the Metropolitan Police Service of the potential use of hand-held surface to air missiles on aviation security. [100719]

Mr. Blunkett: Action has been taken to secure the critical ground around airports and full consideration is being given to the impact on the Police Service of this threat.

This is a sensitive issue, on which it is naturally important to avoid providing information which could be of assistance to terrorists.

Cannabis

Mr. Evans: To ask the Secretary of State for the Home Department what estimate he has made of *(a)* the amount of cannabis supplied and *(b)* the number of cannabis users in (i) the Ribble Valley and Fulwood, (ii) Lancashire, (iii) the North West of England, (iv) Wales and (v) England in each of the last six years. [100962]

Mr. Bob Ainsworth: No estimates are currently available on the amount of cannabis supplied for the areas identified.

The British Crime Survey is able to provide estimates of the proportion of cannabis users in an area (aged between 16 and 59 years old). However, this information is available only at the regional or country level.

Last year use of cannabis (16 to 59 year olds)

	1996	*1998*	*2000*	*2001–02*
North West	8.7	9.8	12.4	11.9
England	9.7	10.4	10.6	10.7
Wales	6.0	8.0	8.2	7.0
England and Wales	9.5	10.3	10.5	10.6

There was a statistically significant increase in last year use of cannabis in the North West between the 1996 and 2000 British Crime Survey. Similarly, there was a significant increase in last year use of cannabis in England between the 1996 and 2000 British Crime Survey. From the 1996 British Crime Survey to date, there has been no significant change in the proportion of people in Wales having used cannabis in the last year.

The 1998 British Crime Survey estimates that the proportion of 16 to 59 year olds using cannabis in the last year in the North West was statistically higher than in England (9.8 per cent. and 10.4 per cent. respectively). In all other years, there is no significant difference in the proportion of users.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department (1) when he will reply to the letter to him dated 19 December 2002 from the right hon. Member for Manchester, Gorton with regard to Mr. Amir Chaudhry; [100689]

(2) when he intends to reply to the letter to him dated 19 December from the right hon. Member for Manchester, Gorton with regard to Mr. Amir Chaudhry. [102188]

Mr. Blunkett: A reply regarding this case was sent to my right hon. Friend's office on 11 March 2003.

Criminal Justice Bill

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department whether a trial judge sitting alone under clauses 38 and 40 of the Criminal Justice Bill will consider evidence of allegations relating to jury tampering in the absence of the defendant. [102081]

Hilary Benn *[holding answer 10 March 2003]*: Evidence of allegations relating to jury tampering will be considered inter partes in accordance with standard practice. If, however, information relating to jury tampering is imparted to a judge on an ex parte public interest immunity application, it will be dealt with in accordance with current public interest immunity procedures.

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department whether a successful application by the prosecution under clauses 38 and 40 of the Criminal Justice Bill will apply to all defendants tried on the same indictment. [102083]

Hilary Benn *[holding answer 10 March 2003]*: A successful application by the prosecution under clause 38, or a decision by a judge to discharge the jury and continue the trial sitting alone, or order a new trial without a jury under clause 40, would apply to all defendants tried on the same indictment. This would happen in all cases, subject to a successful application for severance of the indictment, which would be determined at the discretion of the judge.

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department how many complex or lengthy trials, as defined by clause 37 of the Criminal Justice Bill, were tried by jury trial in *(a)* 1999, *(b)* 2000 and *(c)* 2001; and how many were not serious fraud trials in each case. [102084]

Hilary Benn *[holding answer 10 March 2003]*: The Criminal Justice Bill makes provision, in clause 37, for the prosecution to apply for certain long or complex trials to be conducted without a jury. The circumstances under which a trial can be conducted without a jury under clause 37 are likely to apply to a range of offences. It is therefore not possible to supply the statistics requested. However, the Government do not expect there to be more than 15 to 20 such trials each year.

Mr. Marshall-Andrews: To ask the Secretary of State for the Home Department whether a trial judge sitting alone under clause 37 of the Criminal Justice Bill will conduct applications relating to Public Interest Immunity in chambers in the absence of the defendant. [102082]

Hilary Benn *[holding answer 10 March 2003]*: Applications for non-jury trials under clause 37 made on the basis of information imparted to the judge on an ex parte public interest immunity application will be made in accordance with current Public Interest Immunity procedures.

Departmental Expenditure

Mr. Laws: To ask the Secretary of State for the Home Department what his estimate is of real spending by his Department in each year from 1980–81 to 2005–06 (planned) at 2000–01 prices; and if he will make a statement. [99882]

Mr. Blunkett: The available information is set out in the following table.

Figures for spending before 1985–86 could be obtained only at disproportionate cost.

£000

Financial year	*Expenditure*[1]
1985–86	4,958,000
1986–87	5,285,000
1987–88	5,565,849
1988–89	5,534,148
1989–90	5,869,193
1990–91	6,466,092
1991–92	6,946,235
1992–93	7,036,640
1993–94	7,036,242
1994–95	7,225,539
1995–96	7,280,656
1996–97	7,117,909
1997–98	7,221,273
1998–99	8,434,889
1999–2000	8,443,276
2000–01	9,345,305
2001–02	9,997,180
2002–03	11,331,924
2003–04	11,663,355
2004–05	11,622,541
2005–06	12,022,156

[1] At 2000–01 prices

The major reasons for the increases in expenditure since 1997–98 include:

Increased police numbers and increased funding in support services for the police, in particular the development of science and technology support.

Funding new services including: Youth Justice Board, Crime Reduction Programme, Electronic Monitoring, Criminal Justice Information Technology, Victim Support

and the Vulnerable and Intimidated Witnesses and the Home Office's contribution to the departmental cross cutting Criminal Justice System fund.

Transfer of asylum support and associated responsibilities from other Government Departments and the increase in asylum numbers in recent years.

Additional funding for improving conditions in prisons and development of programmes to reduce re-offending as well as the increase in the prison population.

Drug Offences

Mr. Cox: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women have been convicted of drug offences by courts covering the Greater London area in each of the last three years. [100601]

Mr. Bob Ainsworth: The number of men and women convicted of drug offences by courts in Greater London for the last available three years is shown in the table.

Number of persons convicted of drug offences in the Greater London area, by gender, 1998–2000

	1998	*1999*	*2000*
Males	10,435	10,346	9,389
Females	739	799	648

Source:

RDS, Drug and Alcohol Research

Government Buildings (Security Review)

Mr. Stephen O'Brien: To ask the Secretary of State for the Home Department when the most recent review of the security at government buildings in London was undertaken; and what steps have been taken as a result of these reviews. [102115]

Mr. Blunkett: The security of all government buildings is kept under constant review. For reasons of security it would not be appropriate to comment on the range of security measures that are in place.

Illegal Drugs

Matthew Taylor: To ask the Secretary of State for the Home Department what his estimate is of the total cost of spending related to illegal drugs by government departments, broken down by *(a)* department and *(b)* drug; and if he will make a statement. [101765]

Mr. Bob Ainsworth: Information on resources is not available in the form requested. The planned pro-active expenditure, broken down between the four aims of the Drug Strategy, for this year and the next three years, is as follows:

£ million

	2002–03	*2003–04*	*2004–05*	*2005–06*
Protecting young people	102	149	155	163
Reducing supply	376	380	380	380
Safeguarding communities*	110	212	297	367
Drug treatment**	438	503	512	573
Total	1,026	1,244	1,344	1,483

* Includes expenditure strengthening delivery

** Includes mainstream spending, prison treatment and pooled budgets

Immigration and Nationality Directorate

Mr. Simon: To ask the Secretary of State for the Home Department what the reasons are for the closure of the Birmingham Public Enquiry Office of the Immigration and Nationality Directorate; and when it is expected to reopen. [101660]

Beverley Hughes: The Birmingham Public Enquiry Office is closed for essential refurbishment purposes. As soon as the completion date is known the re-opening date and details of the services and facilities, which the refurbished office will provide, will be published.

Justice and Home Affairs Council

Mr. Hood: To ask the Secretary of State for the Home Department what the outcome was of the Justice and Home Affairs Council held in Brussels on 27 to 28 February; what the Government's stance was on the issues discussed, including its voting record; and if she will make a statement. [101359]

Mr. Bob Ainsworth: My noble Friend (Lord Filkin) represented the United Kingdom at the Justice and Home Affairs (JHA) Council in Brussels on 27–28 February.

The A points were approved as in document PTS A 8 (6756/03) (a copy has been placed in the Library) with the exception of point 3.

The Council discussed the draft Council Decision on minimum standards for the qualification and status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection. Member states remained divided on whether refugees and beneficiaries of subsidiary protection should receive equal treatment on family unity (Article 21), access to employment (Article 24), social welfare (Article 26) and health care (Article 27). The Presidency reminded member states of the undertaking made at the Seville European Council to adopt the text by June.

The Council reached a general approach on the draft Council Directive on the right to family reunification subject to consideration of the European Parliament's opinion and one parliamentary scrutiny reserve. The UK has not opted in to the adoption of this measure.

The Commission set out its ideas for strengthening of the procedures for passport control at the Schengen entry points, designed to tighten existing controls on the entry of third-country nationals at Schengen borders. Two member states presented a joint paper on the future use of biometrics in visas and residence permits. Lord Filkin stressed the importance of work in this area being carried out in line with existing international standards. He also invited the Commission to examine ways of using Eurodac data to assist in identifying those who overstayed in the Schengen area.

The Commission gave a short presentation of the forthcoming feasibility study on improving sea-borders control, proposing the creation of three maritime zones covering the Western, Central and Eastern Mediterranean.

This was followed by an orientation debate concerning the effectiveness of financial resources available at Community level for dealing with migration issues. Lord Filkin called for appropriate budget and burden sharing mechanisms and urged the Commission to produce its report on burden sharing before June. One member state called for an increase in the Community budget to support JHA-related work on burden sharing, whilst two others argued for re-structuring of the European Refugee Fund to allow money to be used for repatriation measures.

During the open debate on fighting organised crime in the Western Balkans the Presidency underlined its commitment to action in the Balkans and the need for concrete follow-up to the London Conference on organised crime in South East Europe. The Presidency also reiterated the view that responsibility for change rested with Governments in the region. Lord Filkin focused on the need to move from rhetoric to action, to implement the commitments made at the London Conference and to develop appropriate mechanisms to monitor progress. He also underlined that countries in the region must co-operate fully with the International Criminal Tribunal for the former Yugoslavia. Other member states highlighted the importance of reinforcing the rule of law, the creation of stable institutions and of increased police co-operation in response to the trafficking of drugs and people through the Balkans.

The Council suspended negotiations with the US on the draft Agreements between the EU and USA on Judicial Co-operation in Criminal Matters and on Extradition which remained subject to a reservation by one member state. The Presidency undertook to prepare documents for member states' use for the purpose of consulting their national parliaments on the proposed Agreements.

The Council discussed the outstanding issues on the draft Framework Decision on combating racism and xenophobia. There was agreement that the scope of offences in Article 1 should not include acts directed against a group of persons defined by reference to their "belief". However a recital was proposed explaining that the use of the word "religion" could include persons "defined by reference to their religious convictions or belief".

Member states remained divided on the scope of criminal liability in Article 8. Four delegations favoured the inclusion of a provision obliging member states to derogate from dual criminality for mutual legal assistance in relation to offences of racism and xenophobia if they applied the stricter test for criminal liability. The UK and five other member states opposed. Lord Filkin reiterated the need to strike a balance between effective measures on racism and xenophobia and freedom of speech; he noted that improvements to judicial co-operation arrangements should be pursued through mutual recognition initiatives.

The Council discussed a list of offences for which cross-border fines would be enforced in the absence of dual criminality in the draft Framework Decision on the application of the principle of mutual recognition to financial penalties. A majority of delegations, including the UK, were content to use the list adopted for the European Arrest Warrant, adding road traffic offences and six other types of conduct. However, one member state said that the European Arrest Warrant list was unsuitable for this instrument and three others had reservations on the inclusion of specific offences.

The Council reached a general approach on the draft Framework Decision on attacks against information systems subject to consideration of the Recitals, the European Parliament's opinion and parliamentary scrutiny reserves from five member states.

Under Any Other Business, the Commission gave a progress report on the implementation of the Afghan Return Programme. Voluntary returns were due to commence on 1 April 2003. Over lunch, the Commission reported on negotiations with Switzerland for its participation in Schengen arrangements. There was also a discussion of current counter-terrorism arrangements, including the role of Europol.

Lili Lin

Harry Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the proposed deportation of Lili Lin, Home Office reference number L1053356. [101322]

Beverley Hughes: Ms Lin was due to be removed from the United Kingdom on 6 March 2003, under administrative powers contained in the Immigration and Asylum Act 1999. She was not being deported. Ms Lin has since submitted a further application to remain in the United Kingdom. She will not be removed while this application is under consideration.

Ministerial Travel

Mr. Burns: To ask the Secretary of State for the Home Department how many times since 2001 he has taken flights within his departmental duties in the UK; how many of these were *(a)* charter flights, *(b)* first or club class and *(c)* by helicopter; and who accompanied him on each trip. [95385]

Mr. Blunkett: I have taken eight flights within the UK while undertaking my departmental duties since 2001. With the exception of one standard, scheduled flight, all of these were RAF flights. All travel is undertaken fully in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are available in the Library.

In addition to my protection officers, I am normally accompanied by a private secretary and/or a special adviser.

Misuse of Drugs Act

Lynne Jones: To ask the Secretary of State for the Home Department pursuant to his answer of 11 February 2003, *Official Report*, column 717W, on the Misuse of Drugs Act 1971, when the Government expect to publish a summary of the responses to the consultation on draft guidelines. [100671]

Mr. Bob Ainsworth: We have received a very large number of diverse comments in response to our consultation about the amended section 8. We are currently analysing the comments to the consultation exercise. A summary of these will be published once a decision on section 8 has been made.

Nurses

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his answer of 5 February 2003, *Official Report*, column 317W, on the overseas nurse advice line, when the decision to continue funding the helpline was made; what meetings were held; and if he will list the organisations which were consulted. [100152]

Mr. Hutton: I have been asked to reply.

The decision to continue funding the overseas nurses advice line was made in February 2003.

Meetings are held on a quarterly basis by the International Nurses Working Group, set up to identify the problems faced by overseas nurses.

Representatives from the Royal College of Nursing, UNISON, Nursing and Midwifery Council, Work Permits (UK), Independent Healthcare Association, Registered Nursing Home Association, Department of Trade and Industry, Philippines Embassy and Philippines Nursing UK attend the International Nurses Working Group meetings.

Overseas Trips

Mr. Bercow: To ask the Secretary of State for the Home Department if he will list the overseas trips made by himself and other members of his ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101476]

Mr. Blunkett: I refer the hon. Member to the answer provided by my hon. Friend the Member for Paisley, South (Mr. Alexander) on 22 January 2003, *Official Report*, column 334W.

Parliamentary Questions

Peter Bradley: To ask the Secretary of State for the Home Department pursuant to the answer by the hon. Member for Stretford and Urmston (Beverley Hughes), on the Angel Group, ref. 99702, if he will identify the nature of the contract to which the answer refers. [102488]

Beverley Hughes: The Angel Group has a contract with the National Asylum Support Service (NASS) to provide accommodation for asylum seekers who would otherwise be destitute and have no way of providing for their own accommodation.

PFI Prisons

Matthew Taylor: To ask the Secretary of State for the Home Department how many prisoners were in *(a)* PFI and *(b)* non-PFI funded prisons at the latest date for which information is available. [101761]

Hilary Benn: On 5 March 2003, 6,683 prisoners were held in prisons managed by the private sector. This figure includes Doncaster and Wolds prisons, which are managed by the private sector but which were built under traditional procurement methods. On the same date, 65,732 prisoners were held in prisons managed by the public sector, making a total prison population of 72,415.

Police Dogs/Horses

Norman Baker: To ask the Secretary of State for the Home Department how many *(a)* dogs and *(b)* horses are employed by each police force, broken down by species. [100370]

Mr. Denham: The Association of Chief Police Officers has provided the following information:

Number of police dogs in each force area by breed

Constabularies	*German Shepherd*	*Labrador*	*Border Collie*	*Retriever*	*German Pointer*	*Springer Spaniel*	*Cocker Spaniel*
Avon and Somerset	45	—	—	—	—	14	—
Bedfordshire	15	3	—	—	—	8	1
Cambridgeshire	18	8	—	—	—	—	—
Cheshire	23	1	—	—	—	11	2
City of London	6	5	—	1	—	13	2
Cleveland	18	2	—	—	—	10	—
Cumbria	18	4	—	—	—	3	1
Derbyshire	21	1	—	—	—	8	—
Devon and Cornwall	42	3	2	—	1	14	—
Dorset	18	1	—	—	1	5	1
Durham	25	4	—	—	—	9	—
Dyfed Powys	16	4	1	2	1	5	—
Essex	42	—	—	—	—	13	—
Gloucestershire	16	2	1	1	—	4	1
Greater Manchester	135	11	2	—	—	18	—
Gwent	15	4	—	—	—	7	—
Hampshire	32	4	1	—	—	9	1
Hertfordshire	23	1	—	—	1	7	—
Humberside	27	6	—	—	—	5	—
Isle of Man	3	1	—	—	—	1	—
Kent	35	5	—	—	1	12	—7
Lancashire	41	10	—	1	2	21	—
Leicestershire	21	5	—	2	—	5	—
Lincolnshire	20	—	—	—	—	9	—
Merseyside	40	3	—	—	—	19	1
Metropolitan	193	12	—	—	—	27	7
Norfolk	18	5	—	—	—	3	—
Northamptonshire	11	5	1	—	—	3	—
Northumbria	62	3	—	—	—	19	—
North Wales	10	—	—	—	—	4	—
North Yorkshire	20	4	1	—	—	9	—
Nottinghamshire	24	—	1	—	—	12	—
South Wales	44	5	—	—	1	13	—
South Yorkshire	51	47	1	—	—	9	—
Staffordshire	20	—	—	—	—	6	—
Suffolk	14	—	—	—	—	7	1

Number of police dogs in each force area by breed

Constabularies	*German Shepherd*	*Labrador*	*Border Collie*	*Retriever*	*German Pointer*	*Springer Spaniel*	*Cocker Spaniel*
Surrey	28	6	1	—	—	11	—
Sussex	33	7	1	—	—	21	—
Thames Valley	33	—	2	—	—	16	1
Warwickshire	12	2	—	—	—	4	—
West Mercia	42	3	1	—	—	13	—
West Midlands	69	3	—	—	—	24	—
West Yorkshire	51	—	5	—	—	24	1
Wiltshire	12	—	—	—	—	8	—

Constabularies	*Cross Breeds*	*Weimaraner*	*Malinois*	*Rottweiler*	*Bloodhound*	*Working Sheepdog*	*Totals*
Avon and Somerset	—	1	—	—	—	—	60
Bedfordshire	—	—	—	1	—	—	28
Cambridgeshire	—	—	—	—	—	—	26
Cheshire	—	—	—	—	—	—	37
City of London	—	—	—	—	—	—	27
Cleveland	—	—	—	—	—	—	30
Cumbria	2	—	—	—	—	—	28
Derbyshire	1	—	—	—	—	—	31
Devon and Cornwall	—	—	—	—	1	—	63
Dorset	—	—	—	1	—	—	27
Durham	—	—	—	—	—	—	38
Dyfed Powys	—	—	1	—	1	—	31
Essex	—	—	—	—	—	—	55
Gloucestershire	—	—	—	—	—	—	25
Greater Manchester	—	—	1	—	—	—	167
Gwent	—	—	—	—	—	—	26
Hampshire	—	—	1	—	—	—	48
Hertfordshire	—	—	—	—	—	1	33
Humberside	—	—	—	—	—	—	38
Isle of Man	—	—	—	—	—	—	5
Kent	1	—	2	—	—	—	56
Lancashire	—	—	—	2	—	—	77
Leicestershire	—	—	—	—	—	—	33
Lincolnshire	—	—	—	1	—	—	30
Merseyside	—	—	—	—	—	—	63
Metropolitan	—	—	—	—	—	—	239
Norfolk	1	—	—	—	—	—	27
Northamptonshire	—	—	—	1	—	—	21
Northumbria	—	—	—	—	—	—	84
North Wales	—	—	—	—	—	—	14
North Yorkshire	—	—	—	—	—	—	34
Nottinghamshire	—	—	—	—	—	—	37
South Wales	—	—	—	—	—	—	63
South Yorkshire	—	—	—	—	—	—	108
Staffordshire	—	—	—	—	—	—	26
Suffolk	—	—	—	—	—	—	22
Surrey	—	—	—	1	—	—	47
Sussex	—	—	—	1	—	—	63
Thames Valley	—	—	—	—	—	—	52
Warwickshire	—	—	—	—	—	—	18
West Mercia	—	—	1	—	—	—	60
West Midlands	2	—	—	4	—	—	102
West Yorkshire	—	—	1	—	—	—	82
Wiltshire	1	—	—	—	—	—	21

Number of police horses by force area

Constabularies	*Horses*
Avon and Somerset	10
City of London	6
Cleveland	9
Greater Manchester	41
Humberside	8
Lancashire	20
Merseyside	24

Number of police horses by force area

Constabularies	*Horses*
Metropolitan	120
Northumbria	9
Nottinghamshire	10
South Wales	8
South Yorkshire	16
Thames Valley	8
West Yorkshire	22

Prisoner Transfers

Mr. Hoyle: To ask the Secretary of State for the Home Department what role the Audit Commission plays in *(a)* auditing custody suites and *(b)* monitoring the cost of transfer of prisoners between custody cells and Court. [100387]

Hilary Benn: The task of transferring prisoners between custody cells and the courts is carried out by private contractors on behalf of the Home Office, which pays the costs. The Audit Commission would only become involved in monitoring these costs and in the auditing of custody suites if specific concerns were discovered by the Commission's auditors during the annual risk-based planning process for each individual police authority.

Prisons

Mr. Gibb: To ask the Secretary of State for the Home Department (1) what estimate he has made of the total operational capacity of prisons in England and Wales by 2006, based on current trends; [101211]

(2) what extra capacity the new prisons at Ashford and Peterborough will provide the Prison Service by 2006; and if he will make a statement; [101210]

(3) if he will make a statement on the Prison Service's Operation Container initiative. [101217]

Hilary Benn: Operation Container was the name given to the arrangements by which Prison Service prisoners were held in police cells in the early 1990s. Operation Container is no longer in force and the Prison Service now operates the holding of Prison Service prisoners in police cells under the name Operation Safeguard. Operation Safeguard was last activated between 12 July and 20 December 2002 and at present no Prison Service prisoners are held in police cells.

The two new prisons at Ashford and Peterborough will together provide 1,290 places by 2004–05. It is planned that the prison at Ashford will accommodate 450 females and the prison at Peterborough is planned to have 840 places in total: of these, 480 will be for males and 360 for females.

Current projections for the Prison Service anticipate a total useable operational capacity of 77,500 by 2006. This is an average figure, which is used for the purpose of planning the Prison Service estate. The Prison Service continues to investigate options for providing further increases in capacity over the coming years, as part of the Government's prison modernisation strategy. This is based on a combination of expanding capacity in existing prisons that we want to keep in the long term, and a programme to build new concept large multi-functional prisons.

The work of the Correctional Services Review is looking at what measures can be taken in the short term to reduce the prison population. We are committed to managing any rise in prison population through the provision of additional capacity and reform to the Criminal Justice system.

Mr. Streeter: To ask the Secretary of State for the Home Department what assessment he has made of the performance of Premier Custodial Group Limited in its provision of private prisons. [101433]

Hilary Benn *[holding answer 10 March 2003]:* The management of Ashfield young offender institution was handed back from the Prison Service to Premier Prison Services Ltd. on 14 October 2002. Since then the performance of the establishment has been unsatisfactory and a rectification notice has been issued requiring Premier to rectify failures to comply with contractual requirements. Premier's programme of rectification is currently being audited.

The performance of Premier at its other three establishments Doncaster prison and young offender institution, Dovegate and Lowdham Grange prisons has been generally satisfactory.

Mr. Streeter: To ask the Secretary of State for the Home Department what assessment he has made of the *(a)* quality and *(b)* standards of performance of (i) private sector and (ii) public sector prisons. [101434]

Hilary Benn *[holding answer 10 March 2003]:* Private sector prisons are subject to the same assessments of their performance as that of public sector. These assessments include the following: inspections by Her Majesty's Chief Inspector of Prisons; annual reports by the Independent Monitoring Boards (formerly Board of Visitors) of each prison; and regular audits made by the Prison Service on each prison in terms of compliance with Prison Service performance Targets and Standards.

The Prison Service is looking to further develop its existing performance management framework as part of a performance improvement programme that will build on the success of Performance Testing. Consultations are underway and an announcement will be made shortly.

Probation Services

Mr. Drew: To ask the Secretary of State for the Home Department what assessment he has made of the impact of including property portfolios within the annual budget formula for probation services. [101173]

Hilary Benn: Property has, in fact, been removed from the annual resource allocation formula, and new standard charging arrangements introduced to ensure that increased investment creates a better and more equitable standard of probation property across England and Wales.

Recidivism

Mr. Gibb: To ask the Secretary of State for the Home Department what assessment he has made of the trend in recidivism over the last decade. [101222]

Hilary Benn: Two-year 'un-adjusted' reconviction rates for prisoners discharged from custody are available for 1987 to 1998. These were 57 per cent. in 1987, 55 per cent. in 1988, 53 per cent. in 1989, 52 per cent. in 1990, 53 per cent. in 1991, 51 per cent. in 1992, 53 per cent. in 1993, 56 per cent. in 1994, 58 per cent. in 1995, 57 per cent. in 1996, 58 per cent. in 1997 and 59 per cent. in 1998. These rates are published in 'Prison Statistics—England and Wales 2001'.

The change in rates over the years will mainly be explained by changes in the underlying demographic and criminological characteristics of the offenders sentenced to custody over this period of time. These include gender, age when sentenced, number of previous convictions, type of offence and other factors. Due to this and other reasons custodial and community penalty reconviction rates should not be directly compared.

Reconviction rates for offenders discharged from custody have also been published according to the requirements of the Governments Public Service Agreement (PSA) 10 target. These are adjusted to take out convictions for offences committed prior to discharge, giving a reconviction rate of 55.3 per cent. for the first quarter of 1999. The equivalent figures for the first quarter of 1997 and 1998 are 56.8 per cent. and 55.7 per cent. respectively.

Neither set of rates indicates trends in rates over time, as they make no allowance for changes in the characteristics and criminal histories of offenders given custodial sentences. To do this a predicted rate is used. Comparisons between the actual and predicted reconviction rates for 1999 show that the actual rate was 3.3 percentage points lower than predicted relative to the 1997 baseline.

Reconviction rates for more recent periods are not yet available.

Terrorism

Mr. Dismore: To ask the Secretary of State for the Home Department of those arrested for alleged terrorist offences since 11 September 2001, how many *(a)* have been charged with offences under anti-terrorism legislation, *(b)* were not charged but were handed over to immigration officials for alleged breach of rules; and how many of those not charged but handed over to immigration officials (i) have been deported and (ii) await deportation (A) in custody and (B) at liberty; how many have been detained without charge under anti-terrorism legislation; and if he will make a statement. [99620]

Mr. Blunkett: 335 people have been arrested in total since 11 September 2001 of whom 53 have been charged and 42 have been released into Immigration Service custody. Fifteen people have been detained under the Anti-Terrorism Crime and Security Act 2001 of whom two have left the country. Figures on deportation are published quarterly.

Wakefield Prison

Mr. Beith: To ask the Secretary of State for the Home Department how many prisoners at Wakefield Prison have had their status reduced from enhanced to standard in the last 12 months; and how many prisoners are in each category. [101379]

Hilary Benn *[holding answer 6 March 2003]:* There have been 116 prisoners reduced from enhanced to standard level of the Incentives and Earned Privileges (IEP) scheme at Wakefield prison in the past 12 months. The number of prisoners on each level is currently: Basic 11; Standard 357; and Enhanced 202.

There have been significantly higher numbers of prisoners downgraded from Enhanced to Standard IEP level across the prison estate this year. This is because of changes to the way in which incentive level reviews are now carried out. Under the revised procedures, prisoners who refuse to comply with their sentence plan and therefore to attend offending behaviour programmes, do not now progress as quickly towards enhanced status. In the case of Wakefield, prisoners not complying with their sentence would not gain as many points, under the local arrangements, towards progression to enhanced status. This has also resulted in larger numbers of this type of prisoner been downgraded from enhanced to standard.

Work Permits

Mr. Letwin: To ask the Secretary of State for the Home Department how many in-country work permits were approved in 2002; and what proportion were granted to those previously holding a work permit. [101078]

Beverley Hughes: There were 40,888 in-country work permits issued in 2002, and a further 24,506 authorised extensions to previously issued work permits. Applications can be made in respect of overseas workers already in the UK where there has been a change of employment or a technical change of work. The Immigration Rules also make provision for students who have obtained a degree whilst studying in the UK, and postgraduate doctors, nurses and dentists who have remained in the UK after becoming qualified, to "switch" to work permit status.

The right hon. Member may have been misled into thinking that work permits can be issued to asylum seekers. Asylum seekers cannot apply for work permits, and are not in the categories of those allowed to "switch" into work permit status.

PRIME MINISTER

Forward Strategy Unit

Norman Lamb: To ask the Prime Minister if he will make a statement on the activities of Lord Birt as a member of the Forward Strategy Unit over the last 12 months; on how many occasions Lord Birt has travelled by public transport in the last 12 months as part of his work with the Forward Strategy Unit; and how much Lord Birt has claimed in expenses as a result of his appointment to the Forward Strategy Unit. [102382]

The Prime Minister: Lord Birt is my unpaid strategy adviser. He is not a member of the Strategy Unit, but works alongside the Strategy Unit on a range of issues. The nature of Lord Birt's work is to provide private internal advice to me and other Cabinet Ministers. This advice is not disclosed under Exemption 2 of the Code of Practice on Access to Government Information.

Lord Birt works primarily in London and my understanding is that he regularly uses public transport. He has not claimed any expenses in the last 12 months.

Iraq

Norman Baker: To ask the Prime Minister what steps the Government has taken *(a)* to minimise environmental damage and *(b)* to restore environmental damage caused in the event of a war in Iraq. [102498]

The Prime Minister: No decision to launch military action against Iraq has been taken.

Johnson Press

Mr. Whittingdale: To ask the Prime Minister on (1) what occasions members of his Office have *(a)* met and *(b)* spoken to (i) Mr. Roger Parry, Chairman and (ii) Mr. Tim Bowdler, Chief Executive of Johnston Press, in connection with the *Hartlepool Mail* in the last 12 months; [102490]

(2) on what occasions he has *(a)* met and *(b)* spoken to (i) Mr. Roger Parry, Chairman and (ii) Mr. Tim Bowdler, Chief Executive of Johnston Press in the last 12 months. [102489]

Peter Bottomley: To ask the Prime Minister when he last had discussions with Mr. Roger Parry of Johnson Press. [102540]

The Prime Minister: Ministers and Government officials have meetings with a wide range of organisations and individuals. As with previous Administrations it is not the Government's practice to provide details of all such meetings, under exemptions 2 and 7 of the Code of Practice on Access to Government Information.

Kyoto Protocol

Norman Baker: To ask the Prime Minister when he last discussed the Kyoto Protocol with President Bush; and if he will make a statement. [102499]

The Prime Minister: I have regular discussions with President Bush on a wide range of international issues including energy policy and climate change. The Government welcomes the US's recognition that climate change is a serious problem and the fact that it is taking domestic action.

The UK is fully committed to the Kyoto Protocol, with its binding targets and timetables, which is designed to deliver absolute global emissions reductions. The UK will work with other governments to develop the technologies needed to reduce global emissions further in the longer term.

Lords-Lieutenant

Harry Cohen: To ask the Prime Minister what requirements there are for Lord Lieutenants to declare political affiliation. [101886]

The Prime Minister: Lord Lieutenants are aware that their role is essentially non-political. As Her Majesty's representatives Lord Lieutenants should stand apart from politics in their respective counties or areas and should not, therefore, take part in local political activities or hold office in local political party organisations. Lord Lieutenants are also advised that participation in national political activity may carry some potential risk for their impartiality at county or area level.

Security Council (Veto)

Norman Baker: To ask the Prime Minister if he will make a statement on his policy relating to judging a veto in the UN Security Council as unreasonable. [102496]

The Prime Minister: I refer the hon. Member to the answer I gave the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) at Prime Minister's questions on 26 February 2003, *Official Report*, columns 250–51.

LORD CHANCELLOR'S DEPARTMENT

Departmental Press Officers

22. **Simon Hughes:** To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* full and *(b)* part time press officers were employed by her Department in April 1997; and how many are employed now. [101891]

Ms Rosie Winterton: I refer the hon. Member to the answer that I gave on 24 February 2003, *Official Report*, column 20W. In relation to *(a)* the Lord Chancellor's Department employed three full-time press officers in 1997 and now employs 10.

With regard to *(b)*, the Lord Chancellor's Department has not employed any part time press officers.

Legal Aid

23. **Mr. Cameron:** To ask the Parliamentary Secretary, Lord Chancellor's Department how much was spent in legal aid on funding asylum *(a)* hearings, *(b)* appeals and *(c)* judicial reviews in the last two years; and if she will make a statement. [101892]

Ms Rosie Winterton: The Legal Service Commission's computer systems do not record expenditure according to the stage a case has reached; nor is it possible to identify asylum expenditure separately from the more general category of immigration matters. However, for the last two completed financial years, expenditure on immigration and asylum was £81 million in 2000–01 and £130 million in 2001–02, We estimate that at least 90 per cent. of that expenditure related to asylum matters.

Legal Services (Consumer Choice)

25. **Gareth Thomas:** To ask the Parliamentary Secretary, Lord Chancellor's Department, what progress has been made in increasing consumer choice in legal services. [101894]

Ms Rosie Winterton: In April 1998, the Institute of Legal Executives joined the Bar Council and the Law Society as an authorised body in its own right and as a fully fledged part of the legal profession. In November 1999, the Chartered Institute of Patent Agents was similarly designated. These developments represent a small, but important, increase in the number of people qualified to appear before the courts, widening the availability of legal services to the public. Reform of the law relating to conditional fees agreements has also allowed innovative products to be developed, which have increased the funding options available to individuals with winnable cases.

The Government remain keen to remove restrictive practices not in the public interest. The removal of such practices could provide an incentive for lawyers, or other providers, to introduce innovative, high quality and affordable services to the public. In most cases, open and competitive markets are the best way to ensure that consumers get the best possible service, while continuing to protect consumers and ensuring probity. The Government have consulted on matters that fall to it following on from the Office of Fair Trading's report on competition in professions. We are currently considering the responses to that consultation.

Magistrates Courts

26. **Mr. Paice:** To ask the Parliamentary Secretary, Lord Chancellor's Department what plans the Department has to open new Magistrates courts in Cambridgeshire. [101895]

Yvette Cooper: There are no plans to open any new Magistrates courts in Cambridgeshire. Cambridgeshire Magistrates Courts Committee (MCC) will continue to operate from the five Magistrates courts based at Peterborough, Cambridge, Wisbech, Huntingdon and Ely. The MCC in providing an effective and efficient service to all court users has responsibility to explore opportunities for the provision of replacement buildings if necessary.

Mr. Hoyle: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* adults and *(b)* juveniles were tried at Chorley Magistrates Court in each of the last three years. [100839]

Yvette Cooper: The total number of adult and youth cases dealt with by Lancashire MCC in Chorley South Ribble and Ormskirk Magistrates Courts as whole is as follows:

Adult	*2000–01*	*2001–02*	[1]*2002–03*
Indictable	2,394	1,942	1,848
Breaches	453	295	392
Summary Non Motoring	5,289	5,027	3,217
Motoring	4,316	4,261	5,278
Youth	825	719	685

[1] Projected

The MCC has not allocated separation figures for Chorley.

Mr. Hoyle: To ask the Parliamentary Secretary, Lord Chancellor's Department what criteria are used when determining the *(a)* closure and *(b)* retention of magistrates courts; and what the process and timescale is. [100836]

Yvette Cooper: Under section 56(1) of Justice of the Peace Act 1997 (JPA), decisions to close or retain magistrates courts are made by locally based Magistrates Courts Committees (MCCs) after consultation with the local paying authority. The paying authority concerned is notified in writing of any determination to close and has the right of appeal to the Lord Chancellor within one month of the written notification, section 56(3) JPA 1997. Opportunities for representation are given to all concerned parties and the appeal is concluded when the Lord Chancellor is satisfied that this has happened and then makes his decision. His decision is final and binding on both parties. There is no pre-determined timescale.

Mr. Drew: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress is being made with those Magistrates courts that are working with computer network technologies. [101168]

Yvette Cooper: Under the Libra Project, a common national infrastructure and Office Automation has now been delivered to over 90 per cent. of Magistrates courts staff. There are four MCCs remaining in the rollout programme and these will be completed by spring 2003. A total of 9,116 workstations have been deployed, giving access to 10,701 users.

Criminal Damages

Mr. Blizzard: To ask the Parliamentary Secretary, Lord Chancellor's Department in how many cases during the last five years a criminal has succeeded in obtaining damages in court against his victim. [101830]

Yvette Cooper: This information is not held centrally and could be provided only at a disproportionate cost to the Department.

Lay Magistrates

Mr. Ben Chapman: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Lord Chancellor will announce the national strategy for the recruitment of lay magistrates. [100464]

Yvette Cooper: My noble Friend the Lord Chancellor has recently approved the final draft of the National Strategy for the Recruitment of Lay Magistrates and hopes to announce its launch as soon as the financial provisions are in place, which is expected to be next month (April 2003).

The key aims of the strategy are to recruit and retain magistrates from a diverse spectrum of the population, to raise the profile of the magistracy and dispel misconceptions about its make up and entry requirements.

Libra System

Mr. Drew: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress is being made with the installation of the Libra system; and what recent discussions he has had with Fujitsu. [101167]

Yvette Cooper: The Libra infrastructure and office automation has now been delivered to over 90 per cent. of magistrates courts staff. Development of the Libra national case-management software application is under way. Deployment of the application is expected to begin in 2004 and will be completed in 2005.

A revised contract with Fujitsu Services was signed on 23 July 2002. Under this contract Fujitsu Services will provide the infrastructure and office automation services to MCCs until 31 March 2007. Discussions on a supplier/client basis take place continually within the contract.

Mental Capacity Bill

Dr. Ladyman: To ask the Parliamentary Secretary, Lord Chancellor's Department when she intends to produce a draft Mental Capacity Bill; and if she will make a statement. [101893]

Ms Rosie Winterton: I am pleased to say that we have already begun preparing a draft Mental Incapacity Bill for publication when all the necessary work is complete. This will be based upon our Policy Statement 'Making Decisions'. I regard this as an extremely positive and important step forward in the area of mental incapacity.

DEPUTY PRIME MINISTER

Dreamland Scenic Railway

Mr. Gale: To ask the Deputy Prime Minister if his Department regards the Dreamland scenic railway, Margate, as a fixed object for the purposes of listed building content. [102429]

Mr. McNulty: It is for the local planning authority in the first instance to determine whether works require listed building consent in any particular case. Any definitive interpretation of the statutes would be for the Courts.

Building Development (Flood Risk)

Mr. Gardiner: To ask the Deputy Prime Minister if he will make it a requirement that when local authorities draw up section 106 agreements with developers *(a)* consideration is given to any increased flooding risks caused by the developments and *(b)* developers should be obliged to meet the financial burdens caused by this flooding risk. [101341]

Mr. McNulty: Planning policy guidance note (PPG) 25 "Development and flood risk" already advises that Section 106 agreements, entered into before permission is granted, may be an appropriate means of ensuring that the provision and future maintenance of any necessary flood defence or flood alleviation works required because of a development are fully funded by the developer as part of the development. It also advises that similar arrangements may be needed in respect of the maintenance and renewal of culverts or of sustainable drainage systems.

The primary responsibility for dealing with flooding issues lies with the landowner under common law. In particular, individual property owners are responsible for managing the drainage of their land to prevent nuisance to neighbouring property. Where a person's actions, such as acts of development of land, cause flooding that would not have occurred otherwise then that person may be liable in negligence for damages caused. However, proving the causal link may not be straightforward and that is a matter for the courts to determine. It is, therefore, very much in the interests of developers to ensure that the sites they build on are not vulnerable to flooding and do not add to flood risk at other properties.

Electoral Register

Vernon Coaker: To ask the Deputy Prime Minister when the final day is for additions to the electoral register with respect to the 1 May 2003 election. [102316]

Mr. Leslie: The final day for electors to apply to be added to the electoral register for the local council elections on 1 May 2003 election is 11 March 2003, except in a small number of cases where electoral pilot schemes, including alterations to the final registration date, are proposed. Arrangements in these cases are being published locally.

Green Belt (Kent)

Dr. Stoate: To ask the Deputy Prime Minister what measures he is taking to maintain greenbelt land in Kent Thames-side. [101955]

Mr. McNulty: "Sustainable Communities: Building for the Future" indicates that the Government's target is to maintain or increase the current area of land designated as Green Belt in local plans in each region. It also states the Government's intention to use Green Belt and other countryside protection tools to maintain the openness of the countryside around areas of growth, such as in the Thames Gateway.

Homelessness

Jeremy Corbyn: To ask the Deputy Prime Minister what his Department's latest estimate is of the number of homeless people without regular shelter for each night; and how many there were in each of the last five years for each London borough; and if he will make a statement. [100269]

Mrs. Roche: Specific information on the number of homeless people without regular shelter is not held centrally. However, in terms of people sleeping rough, as of June 2002, local authority statistics show that nationally, around 596 people are sleeping rough on any one night. This represents a reduction of 68 per cent. since 1998 when it was estimated that in England, 1,850 people were sleeping rough on any one night.

The table sets out data on rough sleeping for all London boroughs over the last five years.

Table 1

	1998	*1999*	*2000*	*2001*	*2002*
Barking and Dagenham	0	0	0	0	0
Barnet	2	2	2	0	0
Bexley	0	0	0	0	0
Brent	29	19	16	7	4
Bromley	1	1	1	0	0
Camden	59	66	54	38	28
City of London	41	36	40	30	41

Table 1

	1998	*1999*	*2000*	*2001*	*2002*
Croydon	25	25	25	7	6
Ealing	24	18	14	7	4
Enfield	—	14	7	0	0
Greenwich	11	21	5	0	3
Hackney	6	7	8	0	11
Hammersmith and Fulham	11	16	13	3	4
Haringey	8	6	2	2	8
Harrow	0	0	0	0	0
Havering	—	5	0	0	0
Hillingdon	—	0	8	0	0
Hounslow	20	—	11	8	3
Islington	13	14	12	0	2
Kensington and Chelsea	23	28	14	15	6
Kingston upon Thames	0	3	3	3	0
Lambeth	20	46	47	23	12
Lewisham	—	2	6	3	1
Merton	—	0	0	1	0
Newham	11	0	0	8	0
Redbridge	—	0	5	5	5
Richmond upon Thames	12	16	10	5	6
Southwark	31	26	7	13	2
Sutton	—	0	0	0	0
Tower Hamlets	31	10	6	9	2
Waltham Forest	6	20	3	1	4
Wandsworth	—	0	0	0	0
Westminster	237	234	227	169	169
Total	621	635	5476	357	321

This data is taken from returns of the Housing Investment Programme (HIP) that are submitted annually in June by all local authorities. The figures represent the results of street counts or where counts have not taken place an estimation of the extent of the rough sleeping problem has been recorded.

The following table represents the number of households accommodated under the homelessness legislation in temporary accommodation, including homeless at home, in London over the last five years at the end of September each year.

Table 2: Households in temporary accommodation at 30 September P1E data as reported by London boroughs

		1998		*1999*		*2000*	
LA code	*LA name*	*Total*	*Of which: Homeless at home*	*Total*	*Of which: Homeless at home*	*Total*	*Of which: Homeless at home*
Z5060	Barking and Dagenham	235	0	291	0	284	0
N5090	Barnet	1,176	292	1,663	513	n/r	n/r
D5120	Bexley	153	0	180	0	218	0
T5150	Brent	3,342	349	3,447	154	3,634	139
G5180	Bromley	n/r	n/r	535	168	571	190
X5210	Camden	2,000	236	2,225	304	2,014	286
K5030	City of London	59	0	72	0	55	1
L5240	Croydon	1,492	0	2,246	0	2,799	0
A5270	Baling	863	0	1,161	0	1,939	341
Q5300	Enfield	n/r	n/r	1,949	0	2,311	0
E5330	Greenwich	844	590	914	670	857	560
U5360	Hackney	n/r	n/r	1,484	60	n/r	n/r
H5390	Hammersmith and Fulham	757	7	995	42	1,237	103
Y5420	Haringey	3,131	742	3,549	640	4,353	831
M5450	Harrow	1,087	88	1,507	263	1,820	314
B5480	Havering	n/r	n/r	n/r	n/r	n/r	n/r
R5510	Hillingdon	1,464	165	1,742	205	1,677	85
F5540	Hounslow	977	501	948	318	1,012	304
V5570	Islington	797	0	1,084	0	1,324	0
K5600	Kensington and Chelsea	n/r	n/r	821	0	802	0
Z5630	Kingston upon Thames	n/r	n/r	584	22	544	31
N5660	Lambeth	1,167	31	1,428	158	1,679	206
C5690	Lewisham	834	296	1,076	467	1,428	413
T5720	Merton	70	0	96	3	87	4
G5750	Newham	1,957	323	2,123	322	2,836	424
W5780	Redbridge	597	0	723	0	1,184	0
L5810	Richmond upon Thames	535	145	626	106	557	100
A5840	Southwark	964	517	1,220	629	1,348	715
P5870	Sutton	331	0	375	n/r	586	60

Table 2: Households in temporary accommodation at 30 September P1E data as reported by London boroughs

		1998		1999		2000	
LA code	*LA name*	*Total*	*Of which: Homeless at home*	*Total*	*Of which: Homeless at home*	*Total*	*Of which: Homeless at home*
E5900	Tower Hamlets	1,012	250	1,356	227	1,598	211
U5930	Waltham Forest	816	162	950	187	892	106
H5960	Wandsworth	n/r	n/r	466	10	912	0
X5990	Westminster	2,191	377	2,505	346	2,457	245

		2001		2002	
LA code	*LA name*	*Total*	*Of which: Homeless at home*	*Total*	*Of which: Homeless at home*
Z5060	Barking and Dagenham	398	1	667	0
N5090	Barnet	n/r	n/r	2,502	392
D5120	Bexley	234	55	246	38
T5150	Brent	3,719	153	3,647	137
G5180	Bromley	626	258	742	295
X5210	Camden	1,945	214	2,140	250
K5030	City of London	45	0	37	0
L5240	Croydon	2,967	0	3,259	0
A5270	Baling	2,275	353	2,216	327
Q5300	Enfield	2,323	0	2,593	0
E5330	Greenwich	807	531	1,070	723
U5360	Hackney	1,895	142	2,321	160
H5390	Hammersmith and Fulham	1,454	132	1,756	144
Y5420	Haringey	4,587	751	n/r	n/r
M5450	Harrow	1,638	77	1,647	45
B5480	Havering	n/r	N/r	290	0
R5510	Hillingdon	1,942	125	2,091	165
F5540	Hounslow	1,124	305	1,351	299
V5570	Islington	1,516	0	1,301	0
K5600	Kensington and Chelsea	1,120	0	971	2
Z5630	Kingston upon Thames	646	20	732	15
N5660	Lambeth	1,834	358	2,303	417
C5690	Lewisham	1,334	355	1,814	625
T5720	Merton	188	4	174	5
G5750	Newham	3,714	560	4,449	991
W5780	Redbridge	1,376	0	1,510	0
L5810	Richmond upon Thames	n/r	N/r	526	25
A5840	Southwark	907	212	1,261	492
P5870	Sutton	519	94	527	99
E5900	Tower Hamlets	1,866	32	2,366	14
U5930	Waltham Forest	759	126	1,044	100
H5960	Wandsworth	1,043	0	1,355	35
X5990	Westminster	2,720	325	3,042	388

n/r—Refers to P1E data not received from local authority

Mr. Jim Cunningham: To ask the Deputy Prime Minister if he will make a statement on the extra support recently given to homeless families. [101668]

Mrs. Roche: The March 2002 report, "More than a roof", set out the Government's approach to tackling and preventing homelessness. Specific measures included investment of £125 million in 2002–03 to support local authorities and the voluntary sector to support new approaches to preventing homelessness. Further support of £70 million is available in 2003–04. These resources will help to support the Government's commitment that by March 2004 no homeless family with children will have to live in bed and breakfast accommodation, except in an emergency, but for no longer than six weeks.

Other measures include:

the Homelessness Act 2002, which requires local authorities to undertake a review and put a strategy in place by July 2003 to ensure that support and accommodation is available within their districts for homeless people, and those at risk of homelessness;

we are investing £6 million in 2002–03 and £11 million in 2003–04 on a special initiative to make 500 homes available for homeless families with children living in Bed & Breakfast (B&B) hotels in London;

new advice to housing authorities on arrangements to ensure that all babies and children placed in temporary accommodation receive their health and developmental tests;

proposals to consult on legislation and statutory guidance to prohibit the use of bed and breakfast accommodation for families with children, to raise standards in all forms of temporary accommodation, ensure that homeless households in temporary accommodation have access to health, education and social services;

making up to £8.9 capital investment available from the Homelessness Directorate to help domestic violence survivors at risk of homelessness. Capital investment will normally be supported by the relevant local authority's Supporting People and Homelessness Strategies. This is backed up by a £2 million initiative in partnership with Comic Relief to help families in danger at home and at risk of homelessness because of violent partners.

Mr. Jim Cunningham: To ask the Deputy Prime Minister how many homeless families were placed in bed and breakfast accommodation in *(a)* 2001, *(b)* 2002 and *(c)* 2003 to date. [101669]

Mrs. Roche: Information collected relates to homeless households in temporary accommodation, including bed and breakfast, at the end of each quarter.

Homeless households in B&B accommodation
(inc. shared facility annexes)

England

	31 March	*30 June*	*30 September*	*31 December*
2001	10,830	11,340	12,290	12,110
2002	11,800	12,420	13,300	[1]—

Note:
Not yet available

Since March 2002 the Office of the Deputy Prime Minister has additionally collected information on families with children. It is estimated that at the end of each quarter of 2002 some 6,700 households in Bed & Breakfast were families with children and/or expectant mothers.

Results for the fourth quarter 2002 will be published on the 13 March 2003.

Housing (Stoke-on-Trent)

Mr. Stevenson: To ask the Deputy Prime Minister what resources for housing investment have been allocated to Stoke-on-Trent in each year since 1990–91. [101908]

Mr. McNulty: The information requested, is in the table:

	£ million
1990–91	14.8
1991–92	12.5
1992–93	12.1
1993–94	11.9
1994–95	7.7
1995–96	7.3
1996–97	6.9
1997–98	5.5
1998–99	7.4
1999–2000	8.2
2000–01	12.1
2001–02	16.5
2002–03	16.7
2003–04	16.3

The figures cover housing annual capital guidelines (which include an element to be financed from authorities' capital receipts); the major repairs allowance; support for disabled facilities grants; the Capital Receipts Initiative; and ring-fenced support for a number of housing schemes, e.g. Cash Incentive Schemes. Estate Action scheme funding is excluded. The reduction in 2003–04 mainly reflects a change in the local government capital finance system, which means the allocations no longer include an element assumed to be financed from authorities capital receipts.

Key Worker Housing

Alistair Burt: To ask the Deputy Prime Minister how much of the money to be made available for key worker housing will be available for housing further education lecturers. [101050]

Mr. McNulty: Funding is being provided through the Starter Home Initiative, and the Challenge Fund in 2003–04, for key worker housing. The priority groups for assistance are teachers in the statutory sector, police, nurses and other essential health workers.

From 2004–05 funding for the provision of key worker housing for rent and home ownership will be integrated into the Housing Corporation's main affordable housing programme. Funding will be allocated for this in the light of advice from Regional Housing Boards. The Housing Corporation expects to invite bids for key worker housing schemes at the same time as bids for other affordable housing schemes, around September 2003.

Park Homes

Mrs. Browning: To ask the Deputy Prime Minister what action has been taken by the Government subsequent to the Government Response to the Recommendations of the Park Homes Working Party in November 2001; and if he will make a statement. [82518]

Mr. McNulty: The report on the Economics of the Park Homes Industry was published in October 2002, following the Working Party's recommendation that independent research be conducted to provide a comprehensive examination of the economics of the industry, and to consider options for change to the payment system. I am meeting the All Party Parliamentary Group for the Welfare of Park Home Owners on 4 December 2002.

A sub-group of the Park Homes Working Party is reconvening a week later to discuss a number of other outstanding issues.

Parliamentary Questions

Mrs. Browning: To ask the Deputy Prime Minister when he will answer question No. 82518, tabled by the hon. Member for Tiverton and Honiton on 19 November 2002. [102426]

Mr. McNulty: The parliamentary question the hon. Member refers to was answered on 25 November 2002. However, it did not appear in the *Official Report* for this date. The Office of the Deputy Prime Minister has contacted the Official Reporter and arranged for the answer to appear in the bound and electronic volumes of *Hansard*. I attach a copy of the answer for the Member's information. The Office of the Deputy Prime Minister liaises regularly with the Official Reporter to ensure that all parliamentary questions are answered accurately and on time.

Public Housing

Norman Baker: To ask the Deputy Prime Minister what funds, in each of the last five years, have been provided to local authorities to make provision for replacement or repair of *(a)* leaking piping and *(b)* lead piping within public sector housing. [101680]

Mr. McNulty: The resources provided to local authorities to help fund work on repairing, renovating or improving council housing are not linked to specific items of expenditure.

Telecommunications Masts

Mr. Steen: To ask the Deputy Prime Minister on how many occasions Articles *(a)* 4(1) and *(b)* 4(2) of the Permitted Development Order have been invoked by local authorities in Devon in each of the last three years in relation to telecommunications masts and telecommunications towers; and how many were approved by the Secretary of State to protect an interest of acknowledged importance. [102037]

Mr. McNulty: The Office of the Deputy Prime Minister knows of no Article 4 Directions issued by Devon local authorities on these types of development over the last three years. None have been sent to my right hon. Friend the Deputy Prime Minister for confirmation.

Mr. Steen: To ask the Deputy Prime Minister if he will discuss with Network Rail the location of the telecommunications mast planned to be erected in front of a historic monument in Totnes. [102038]

Mr. McNulty: Railway undertakers have permitted development rights for development on their operational land, required in connection with the movement of traffic by rail. If, however, the local planning authority believe that such development should not take place without specific planning permission, it is open to them to apply to my right hon. Friend the Deputy Prime Minister for approval of a direction under Article 4 of the General Permitted Development Order.

Travellers

Ms Drown: To ask the Deputy Prime Minister what plans the Government has to include proposals for *(a)* increasing provision of official traveller sites and *(b)* a system of charging fees for site usage of traveller sites in the Housing Bill. [101813]

Mr. McNulty: The information is as follows:

(a) In formulating their development plans local planning authorities are encouraged to discuss Gypsies' accommodation needs with the Gypsies themselves, and with their representative bodies and support groups, with a view to identifying suitable locations for Gypsy sites in plans wherever possible.

In addition, since 2001–02, we have provided a £17 million Gypsy Site Refurbishment Grant over three years. The Grant is aimed at refurbishing and extending the existing network of local authority Gypsy sites.

(b) The Office of the Deputy Prime Minister does not have plans to introduce a system of charging fees for site usage. At present, this is the responsibility of local authorities.

Urban Areas

Mr. Andrew Turner: To ask the Deputy Prime Minister what the 1991 Census definition was of urban areas; and what proportion of *(a)* the land area and *(b)* the population falls within such areas in each local authority. [101649]

Mr. McNulty: The data requested for England and Wales has been placed in the Library of the House.

The basis of the 1991 definition of urban area (developed by the then Department of Environment (DoE) and the Welsh Office), is land use that is irreversibly urban in nature and extends for 20 hectares or more with a minimum population of 1000. Separate urban areas of land are linked if less than 50 metres apart.

Further information is available at www.statistics.gov.uk/geography/urban_rural.asp

HEALTH

Animal By-products

Mr. Weir: To ask the Secretary of State for Health what representations he has received in support of a requirement to stain low risk animal by-products prior to disposal. [100813]

Ms Blears *[holding answer 4 March 2003]:* I am advised on matters of food safety by the Food Standards Agency (FSA).

In response to a public consultation on FSA proposals to require the staining or sterilisation of 'high risk' poultry by-products, carried out between December 2001 and January 2002, a number of representations were received from enforcement organisations and consumer groups in support of compulsory staining or sterilisation of 'low risk' animal by-products. At the same time representations were also received from businesses and industry organisations that were opposed to the compulsory staining or sterilisation of 'low risk' by-products.

Following this consultation, the FSA Board reviewed the arguments for and against the staining or sterilisation of 'low risk' animal by-products. The Board concluded that 'low risk' animal by-products should remain outside the requirements for staining/sterilisation, as this would be disproportionate, and that little public health benefit would be achieved.

More recently, the FSA has received further representations from two local authorities in support of a requirement to stain 'low risk' animal by-products.

Genetically Modified Food

Joan Ruddock: To ask the Secretary of State for Health how much the Food Standards Agency are spending on the GM public debate. [100863]

Ms Blears: I refer my hon. Friend to the response I gave my hon. Friend, the Member for Nottingham, South (Alan Simpson) on 9 December 2002, *Official Report*, column 146W.

Accident and Emergency Admissions

Mr. Burns: To ask the Secretary of State for Health how many NHS patients were admitted to wards from accident and emergency departments within *(a)* one hour, *(b)* two hours, *(c)* three hours, *(d)* four hours and *(e)* more than four hours after being seen by a doctor or consultant in each of the last 12 months for which figures are available. [97824]

Mr. Lammy: The Department collects data waiting times in accident and emergency post decision to admit.

The numbers of patients waiting two hours, between two and four hours and over four hours in the last four quarters are shown in the table.

	Patients placed in bed in a ward		*Patients not placed in bed in a ward within 4 hours of a decision to admit*
	within 2 hours of a decision to admit	*within 2 to 4 hours of a decision to admit*	
Quarter 2, 2002–03	388,247	120,915	56,581
Quarter 1, 2002–03	394,040	115,250	54,546
Quarter 4, 2001–02	394,456	113,492	73,370
Quarter 3, 2001–02	396,016	111,493	65,757

Accountancy Services

Mr. Bercow: To ask the Secretary of State for Health what the total cost to his Department was for accountancy services in 2002. [101558]

Mr. Lammy: The Department's accounting system does not collect information in the form requested. However, during 2002 the Department paid £4,860,616.31 to the four largest accountancy firms.

Acute Hospital Trust Budgets

Chris Grayling: To ask the Secretary of State for Health how many acute hospital trusts are in discussions with his Department about how to deal with projected overspends or budget deficits for the current financial year. [100142]

Mr. Hutton: In line with the Government's policy of shifting the balance of power, discussions about individual health organisations' financial positions are undertaken locally with relevant commissioners and if required the relevant strategic health authority.

Alcohol-related Illness

Tim Loughton: To ask the Secretary of State for Health how much the NHS has spent on alcohol rehabilitation services in each of the past three years; what form these services take; and how these services will be funded and expanded to take account of the removal of exemptions in the Mental Health Act 1983. [100821]

Ms Blears *[holding answer 4 March 2003]:* Funding for alcohol treatment services is spent via the general budgets of primary care trusts and local social service departments, which is consistent with provision being determined following a local consideration of need. This method of funding means that it is not possible to give details of the amount spent on the prevention and treatment of alcohol misuse. However, latest estimates indicate that £95 million per year is spent on alcohol treatment in England on a variety of types of treatment, and that most of this funding is provided by the Government. This estimate does not cover the cost of psychiatric in-patient treatment, which may be the first destination for people who need compulsory treatment.

It is absolutely not our intention significantly to increase the numbers of people who are subject to compulsion by virtue of mental disorder. The definition of mental disorder in the draft Bill, coupled with the strict conditions that must be met before compulsory powers can be used, will ensure that only people for whom compulsory treatment is necessary can receive it. There should therefore be no need to make substantial provision for additional alcohol rehabilitation services.

Tim Loughton: To ask the Secretary of State for Health what recent discussions he has had with the Chancellor of the Exchequer regarding the cost to the British economy of alcohol-related illnesses and deaths. [101067]

Ms Blears: The national alcohol harm reduction strategy is currently being developed by the Cabinet Office Strategy Unit, and will include an analysis of the costs that alcohol misuse incurs for the English economy. My right hon. Friend the Secretary of State for Health has therefore had no recent discussions with my right hon. Friend the Chancellor of the Exchequer which touched on the cost to the British economy from alcohol related deaths and illnesses.

Asylum Seekers

Mr. Burns: To ask the Secretary of State for Health (1) how many asylum seekers have used the NHS in Greater London in the last 12 months; and what the equivalent figures were in May 1997; [101300]

(2) how many asylum seekers have, in the last 12 months, seen an NHS consultant; and how many had in May 1997. [101302]

Ms Blears: A patient's immigration status is not routinely recorded by health care staff. Therefore it is not possible to quantify the use of national health service services by persons applying for asylum.

Biological Attacks

Mrs. Calton: To ask the Secretary of State for Health what stocks of antibiotics have been made available for the treatment of infected populations in the event of a biological attack. [99352]

Mr. Hutton: The Department has stockpiled enough oral antibiotics to treat various bacterial infections including anthrax, plague and tularaemia. This stockpile exists in addition to national health service stocks in hospitals and pharmacies.

A proportion of the stock is packed into "pods", to allow rapid distribution in an emergency. These pods are held at secure sites across the country to allow rapid delivery to any location within the country.

Breast Screening

Mr. Jim Cunningham: To ask the Secretary of State for Health if he will make a statement on the trend in the number of women accepting their invitations for breast screening; and what action his Department is taking to encourage women to attend. [101187]

Ms Blears *[holding answer 10 March 2003]*: Coverage and uptake of the national health service breast screening programme in England for the last five years for which figures are available is shown in the table.

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Coverage (women aged 50 to 64)	66.4	67.7	69.3	70.2	69.8
Uptake (women aged 50 to 64)	75.4	76.2	75.6	75.3	75.6

Notes:

1. The coverage of the screening programme is the proportion of women resident who have had a test result at least once in the previous three years.

2. The uptake of the screening programme is the proportion of women invited for screening for whom a screening test is recorded.

Source:

Statistical Bulletin—Breast Screening Programme, England

Women invited to participate in the NHS breast screening programme need to understand the potential benefits and harm in doing so to be able to make an informed choice about whether or not they wish to participate. That is why we developed and launched new informed choice information leaflets in 2001, which are sent out with every invitation for breast screening.

The NHS Cancer Plan stated that all primary care trusts should review their screening coverage rates and draw up plans to improve accessibility of screening for women in socially excluded and minority ethnic groups.

Cancelled Operations

Mr. Burns: To ask the Secretary of State for Health (1) how many cancelled operations in Greater London were carried out within *(a)* 4 weeks, *(b)* 8 weeks, *(c)* 12 weeks, *(d)* 16 weeks and *(e)* over 16 weeks of their original cancellation; [101304]

(2) how many operations in Greater London were *(a)* cancelled and *(b)* cancelled less than two days before the due date in each of the last 12 months. [101318]

Mr. Hutton: Quarterly data are collected on the number of operations cancelled by the hospital for non-clinical reasons at the last minute (for example on the day patients are due to arrive or after arrival in hospital or on the day of their operation), the number of operations cancelled by the hospital for non-clinical reasons on the day of surgery and the number of patients who have not been treated within 28 days of a cancellation on the day of surgery

Cancelled operations data at England level and by national health service trust and strategic health authority level are available in the Library and on the Department's website at: www.doh.gov.uk/hospitalactivitv/data.htm.

Since 1 April 2002, the NHS Plan cancelled operations guarantee has been in place, which states that: if a patient's operation is cancelled by the hospital on the day of surgery for non-clinical reasons, the hospital will have to offer another binding date within a maximum of the next 28 days or fund the patient's treatment at the time and hospital of the patients choice.

Care Homes

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 24 February 2003, *Official Report*, column 26W, on care homes, if he will place in the Library an anonymised copy of the letter he sent to care homes who failed to pass on the free nursing care payment to residents. [99781]

Jacqui Smith: No. Further to my response to the hon. Member on 15 October 2002, *Official Report*, column 810W, that correspondence related specifically to the commercial or contractual activities of care homes.

Cataract Patients

Dr. Fox: To ask the Secretary of State for Health what assessment he has made of the London pilot scheme extending patient choice to cataract patients. [97315]

Mr. Hutton: Initial survey work has been undertaken internally within the pilot scheme to obtain feedback from patients who have already received treatment under the cataract choice scheme in London. The feedback from this research has helped inform the ongoing design of the London scheme for other specialties and the planned national roll out across England.

Patients themselves when being offered choice are making an individual assessment of the relative attractiveness of the scheme to them. So far for cataracts, of the 2,247 patients offered the choice of earlier treatment, 1,685 have accepted. This means that there has been a very high take up rate, 75 per cent., of those patients who already had been waiting for treatment.

Contraception

Jim Dobbin: To ask the Secretary of State for Health which local area health authorities in England and Wales have authorised pharmacies to provide the morning-after pill free of charge under Patient Group Directives to *(a)* women over the age of 16 and *(b)* girls under the age of 16; and when authorisation was (i) given and (ii) withdrawn in each case. [99410]

Ms Blears: The information requested is not collected centrally. The decision whether to involve pharmacists in the provision of emergency contraception under patient group directions is for the relevant primary care trusts.

Jim Dobbin: To ask the Secretary of State for Health how many locations not covered by the KT31 form have been authorised to distribute the morning-after pill in each local area health authority to *(a)* girls over the age of 16 and *(b)* girls under the age of 16 in each of the last five years. [99411]

Ms Blears: The information requested is not collected centrally. The decision about local provision of emergency contraception under patient group directions is for the relevant primary care trusts.

Court of Appeal Judgment

Mr. Olner: To ask the Secretary of State for Health what effect he estimates the Court of Appeal judgment of 29 January that a body has no legal personality will have on the NHS. [99756]

Mr. Lammy: The judgment was concerned with whom proceedings should be initiated against in the case of an insurance claim against the estate of a person who has died. It does not concern the status of the dead body, and, as such, has no implications for the national health service.

Dead Bodies

Mr. Olner: To ask the Secretary of State for Health (1) if he will require hospital trusts to set in place procedures to ensure that funeral staff are aware of infection that may be present in a dead body; [99758]

(2) what action he will take to ensure that funeral staff are properly advised of risk of infection arising from the removal of an infected body from hospital premises. [99757]

Ms Blears: Trusts should already be aware of "Safe working and the prevention of infection in the mortuary and post-mortem room", produced by the Health and Safety Commission's Health Services Advisory Committee* published this year. This guidance focuses on preventing and controlling infection risks in mortuary and post-mortem room practice in accordance with duties under health and safety law. It also covers arrangements for undertakers and ambulance staff based on departmental advice that undertakers need to know if a body is or may be infectious and it provides a specimen infection control notification sheet.

The Department has had contact with funeral directors' professional associations on this issue previously and will keep them informed as appropriate of any new guidance from our advisory committees.

* ISBN: 0 7176 2293 2, 2003.

Delayed Discharges

Mr. Burns: To ask the Secretary of State for Health how many beds in Greater London were occupied by delayed discharge patients *(a)* at the latest available date and *(b)* in each of the last four quarters. [101315]

Mr. Hutton: The information requested is shown in the table.

Total number of patients occupying acute beds whose transfer has been delayed in London Directorate of Health and Social Care

	Number
2001–02	
Q3	1,108
Q4	919
2002–03	
Q1	855
Q2	808
Q3 (Latest)	795

Dr. Evan Harris: To ask the Secretary of State for Health how many *(a)* cancelled operations and *(b)* delayed discharges there were in each NHS trust in England on the latest date for which figures are available. [98850]

Mr. Hutton: Quarterly data are collected on the number of operations cancelled by the hospital for non-clinical reasons (i) at the last minute (i.e. on the day patients are due to arrive or after arrival in hospital or on the day of their operation) and (ii) on the day of surgery. Data are available in the Library and on the Department's website at www.doh.gov.uk/hospitalactivity/data requests.htm.

Data on delayed discharges are collected on a quarterly and annual basis by survey. The information is at primary care trust level and the latest data for Quarter 3 2002–03 is available in the Library.

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 13 February 2003, *Official Report*, column 949W, on delayed discharges, what changes were made to the Community Care (Delayed Discharges etc.) Bill following the responses received from the consultation. [99525]

Jacqui Smith: No changes were made to the Community Care (Delayed Discharges etc.) Bill as a result of the consultation responses. This is because the Bill was not drafted until after the consultation period, taking the responses into account.

Dentistry

Mr. Burns: To ask the Secretary of State for Health how many *(a)* practising dentists and *(b)* dentist practices there are in Greater London; and how many there were in May 1997. [101306]

Mr. Hutton: 3,130 general dental service (GDS) dentists were practising dentistry in 1,478 practices in the London national health service region at 30 June 2002. This compares to 2,884 GDS dentists practising in 1,458 practices at 30 June 1997. 470 and 230 dentists were working in the hospital dental service (HDS) and community dental service (CDS) in the London NHS region at 30 September 2002, this compares with 450 and 240 dentists respectively at 30 September 1997. Also 43 dentists were working in the personal dental service (PDS) in the London NHS region at 30 September 2002 who were not also working in the GDS. The PDS began in October 1998. Information on the number of practices for those dental services is not available. Most of the dental services are provided on community or hospital trust premises.

The number of GDS dentists includes principals on a strategic health authority list, their assistants and vocational dental practitioners in the GDS in England. The figures for the number of GDS dentists are on a headcount basis rather than a whole time equivalent basis and therefore take no account of part-time working.

GDS dentists provide NHS dental services in "high street" practices and carry out the majority of NHS dental treatment in the United Kingdom. The proportion of NHS or private dental treatment that a GDS dentist provides is solely at the discretion of the dentist. GDS dentists are required to provide a full range of NHS treatment to maintain the oral health of the patients that are registered with them for capitation (children) or continuing care (adults).

Patients wishing to register with a GDS dentist can obtain details of dentists accepting new patients in their area by contacting NHS Direct.

Mr. Burns: To ask the Secretary of State for Health how many NHS dentist vacancies there are in Greater London; and how many there were in May 1997. [101303]

Mr. Hutton: General dental practitioners (GDPs) working in the national health service general dental services are self employed. They are free to choose and vary the location of their practice and their level of commitment to GDS dentistry.

It is therefore not possible to quantify the number of vacancies.

The number of GDPs continues to increase. There were 3,130 general dental service practitioners working in the London NHS region at 30 June 2002, of which 2,758 were principal dentists. This compares to 2,884 and 2,676 respectively in June 1997.

Mr. Burns: To ask the Secretary of State for Health what proportion of *(a)* adults and *(b)* children living in the Greater London area (i) are and (ii) were in May 1997 registered with an NHS dentist. [101308]

Mr. Hutton: The available information is for the general dental service (GDS) in the London national health service region.

On 31 May 2002 37.9 per cent. of adults and 50.3 per cent. of children were registered with a GDS dentist in the London NHS region. The registration rates for 31 May 1997 for adults and children were 49.1 per cent. and 51.1 per cent. respectively.

Registrations now lapse if patients do not return to their dentists within 15 months. Registration rates will exclude patients who haven't been to their GDS dentist within the past 15 months and patients who receive dental treatment from other NHS dental services.

The registration rates for 31 May 2002 and 31 May 1997 cannot be compared because of changes in the registration period which affected the registration numbers from November 1997. Registration figures do not include patients attending dental access centres and patients who are not registered.

Patients seeking dental treatment or wishing to register with a GDS dentist can obtain details of dentists accepting new patients in their area by contacting NHS Direct.

Mr. Letwin: To ask the Secretary of State for Health what steps he will take to ensure provision of NHS dentistry in Sherbourne. [101618]

Ms Blears *[holding answer 7 March 2003]:* The Government are committed to providing national health service dentistry for all who need and seek it. We recognise, however, that there are some areas of the country, including parts of Dorset, where it is difficult to find a NHS dentist.

I am advised that North Dorset Primary Care Trust (PCT) and South West Dorset PCT have recently formed the West Dorset dental planning group, which held its first meeting in February. The planning group includes general dental practitioners and also represents community dentistry and is looking at cost-effective ways to support local NHS dentists and increase general access to NHS dental provision within the Dorset area.

Osborne House, a new NHS dental practice in Yeovil, was opened in October 2002 and has recently registered 8,300 individuals within an overall capacity of 10,000. Some individuals living in the Sherborne area wishing to access NHS dental provision have been advised to register with Osborne House, which lies approximately six miles from Sherborne. Individuals within the Sherborne area who approach the Dorset Dental Helpline for routine dental treatment are currently also referred to general dental practitioners in Dorchester or Blandford Forum.

In the forthcoming Health and Social Care Bill, the Government proposes to legislate for far-reaching reform of NHS dental services. It is proposed that each PCT be given a duty to provide or secure the provision of primary dental services in its area to the extent that it considers reasonable to do so and be given the financial resources to do this. This will give PCTs the flexibility to address access issues in their area. Dentists who contract with a PCT will have a secure income in return for making a longer-term commitment to the NHS.

Departmental Performance Report

Dr. Evan Harris: To ask the Secretary of State for Health pursuant to his answer of 27 January, *Official Report,* column 672W, on the Departmental Performance Report, when the Chief Executive's report will be reviewed; and when his Department will publish its service delivery agreements. [99011]

Mr. Lammy: The Department's Autumn Performance Report has been published and can be found on the Department's website at: http://www.doh.gov.uk/nhsreport/autumn2002perfreport.pdf. Copies have also been placed in the Library.

The Department has set out its approach to delivery in a key publication, 'Improvement, Expansion and Reform: The next three years Planning and Priorities Framework 2003–06', which can be found on the departmental website at: http://www.doh.gov.uk/

planning2003–2006/index.htm. This document fulfils the service delivery agreement requirements and is also available via Her Majesty's Treasury website.

Diabetes

Tim Loughton: To ask the Secretary of State for Health how many diabetic patients with heart disease were given stents in percutaneous coronary intervention in the last five years. [102142]

Ms Blears: No information is held on numbers of patients suffering from diabetes who have been given stents during percutaneous coronary angioplasty.

Food Labelling

Chris Grayling: To ask the Secretary of State for Health how much money has been allocated for developing the identity and materials for the five-a-day logo for use on food packaging and in related campaigns. [96887]

Ms Blears: The total cost of developing the identity and materials for the five-a-day logo on food packaging and related campaigns is £125,000.

Food Standards Agency

Mr. Norman: To ask the Secretary of State for Health how many *(a)* staff and *(b)* inspection staff have been employed by the Food Standards Agency in each year since 1997. [99765]

Ms Blears: The Food Standards Agency (FSA) was established in April 2000 on a United Kingdom-wide basis. It employed 594 staff at 31 March 2001 and 657 at 31 March 2002. The FSA's audit and veterinary meat hygiene adviser team of 11 staff carries out audit visits and reports on the performance of the meat hygiene service (MHS). The MHS employs 1,300 meat hygiene inspectors and meat technicians.

Free NHS Treatment

Mr. Burns: To ask the Secretary of State for Health what checks GPs have to carry out on their patients during registration with the GP practice, in order to discover whether they qualify for free NHS treatment. [101245]

Mr. Hutton: Patients register with a general practitioner for general medical services by completing a GMS1 form. This asks for a name and address, previous address for the purposes of tracing previous medical records and whether the patient is from abroad. For personal medical services pilot providers, patients apply by making a signed application or presenting a medical card.

Mr. Burns: To ask the Secretary of State for Health (1) if he will make a statement on the calculations that have been made of the cost to the NHS in *(a)* London and *(b)* England of treating patients who are not eligible for NHS services; [101301]

(2) how much money, in each of the last five years, has been paid to the NHS by people using the NHS who did not qualify for free NHS treatment and services. [101305]

Mr. Hutton: The national health service is first and foremost for the benefit of people who live in the United Kingdom. A person who is not ordinarily resident in the UK, but who requires NHS hospital treatment is subject to the provisions of the National Health Service (Charges to Overseas Visitors) Regulations 1989, as amended (in 1991 (SI No: 438), 1994 (SI No: 1535), 2000 (SI No: 602), 2000 (SI No: 909)).

These regulations place a duty on NHS trusts to establish the residential status of all patients. Where a NHS trust identifies a person who is not ordinarily resident in the UK and is not otherwise exempt from charge then the regulations provide for the making and recovery of a charge by the trust for most types of hospital treatment.

General Practitioners

Mr. Burns: To ask the Secretary of State for Health what the latest average waiting time is for a GP appointment in Great London; and what the average waiting time for a GP appointment was in May 1997. [101252]

Mr. Hutton *[holding answer 6 March 2003]:* The information requested is not collected or held centrally by the Department.

Mr. Burns: To ask the Secretary of State for Health how many GP practices in Greater London have closed their books to new registrations; and what percentage of GP practices in Greater London these represent. [101317]

Mr. Hutton: The information on closed lists is not held centrally.

Mr. Burns: To ask the Secretary of State for Health how many GP vacancies there are in Greater London; and how many there were in May 1997. [101307]

Mr. Hutton: The latest available information held centrally on general practitioner vacancies in London is for the 12 month period ending 28 February 2002. 280 unprincipled equivalent GP vacancies were reported in this period by health authorities within the Directorate of Health and Social Care London area.

We did not carry out a GP vacancy survey prior to 2000.

Health Protection Agency

Mr. Cousins: To ask the Secretary of State for Health whether the Health Protection Agency will, from 1 April, be able to call for special investigations on outbreaks of infection. [100394]

Ms Blears: We intend to establish the Health Protection Agency as a special health authority from 1 April 2003. Its functions will be specified in the Order which establishes it.

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 6 February 2003, *Official Report*, column 443W, on the Health Protection Agency, when the board of the agency will be appointed; and how long it will take for staff to be identified as at risk of redundancy. [101138]

Ms Blears: Subject to legislation it is intended that the non-executive members of the Board of the Health Protection Agency will be appointed on 1 April 2003. As indicated in the earlier answer, any staff at risk of redundancy cannot be identified until after the Board has agreed an organisational structure. The timetable will be for the Board to establish.

Hospital Building Maintenance

Tim Loughton: To ask the Secretary of State for Health how much funding to NHS trusts has been allocated this year for *(a)* essential repairs to hospital buildings and *(b)* ensuring that fire and safety regulations are met. [100508]

Mr. Hutton: National health service trusts and primary care trusts (PCTs) receive operational capital to maintain the asset base of the organisation. NHS trusts and PCTs decide how to spend their operational capital on the competing priorities they have for investment. [illegible] priorities will include fire and health and safety compliance work and other capital investment, such as the replacement of equipment.

£767 million was allocated as operational capital in 2002–03. The recently announced three-year capital allocations provide £844 million for operational capital in 2003–04, £928 million for 2004–05 and £1,021 million for 2005–06.

In addition, a proportion of both the strategic health authorities' strategic capital and the investment secured through the private finance initiative will go towards meeting fire and health and safety compliance.

Iraq

Dr. Fox: To ask the Secretary of State for Health which hospitals are designated to accept potential casualties from any conflict in Iraq. [102381]

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on the number of beds in national health service hospitals which are being prepared in anticipation of casualties from hostilities in the Gulf; and what proposals he has to fund them. [100412]

Mr. Hutton: There are no plans to ask hospitals to set aside specific beds in anticipation of any conflict in Iraq. We plan to operate a rotation of airports across the UK to which casualties will be returned and, as a result, make use of beds from a wider range of hospitals.

Dr. Fox: To ask the Secretary of State for Health what estimate he has made of the impact on the NHS of the use of medical and nursing reservists in the event of conflict in Iraq. [102428]

Mr. Hutton: Medical reservists are being called out from a number of national health service organisations across the country. The NHS bodies concerned are developing plans to deal with the loss of staff, and we are working closely with the Ministry of Defence to ensure that the effects of call outs are kept to a minimum.

Meat Imports

Mr. Todd: To ask the Secretary of State for Health how many instances there have been since January 2003 of the detection of nitrofuran in poultry meat imported from Brazil; and what steps have been taken to respond to these. [101572]

Ms Blears: Since January 2003, nitrofuran residues have been detected in three consignments of poultry meat imported from Brazil. In each case the consignment was destroyed.

Milk Tokens

David Burnside: To ask the Secretary of State for Health what assessment he has made of the likely impact on children's health of the proposal to remove the daily one pint milk token for low income families with children under five. [102430]

Ms Blears: The proposals for the reform of the Welfare Food Scheme are underpinned by the evidence of the scientific review undertaken by the Panel on Child and Maternal Nutrition of the Committee on the Medical Aspects of Food and Nutrition Policy (COMA) in 1999. The review concluded that the scheme does not meet the wider nutritional needs of pregnant women, mothers and young children due to its reliance solely upon milk provisions.

The reform proposals, which were published for consultation in October 2002, involve broadening the range of foods under the scheme to include fruit, vegetables, and cereal-based foods, in addition to milk.

Mixed-sex Wards

Tim Loughton: To ask the Secretary of State for Health which hospital trusts in England operate mixed-sex wards. [92537]

Mr. Hutton: I refer the hon. Member to the statement I made on 14 January 2003, *Official Report*, column 24WS.

We have no plans to publish the names of trusts which have or have not met the standards for mixed-sex accommodation set in January 1997.

MRI Scanners (Animals)

Mr. Gordon Prentice: To ask the Secretary of State for Health whether he has issued guidelines on the use of MRI scanners on animals; and if he will make a statement. [101208]

Ms Blears: The Department has not issued specific guidelines on the use of national health service Magnetic Resonance Imaging (MRI) scanners on animals, but the local rules of any MRI unit would ensure that scanning of animals did not contravene either health and safety or infection control policies.

The Medical Devices Agency publication, "Guidelines for Magnetic Resonance Equipment in Clinical Use (Dec-02)", is available to all NHS hospitals and these guidelines cover important aspects of MRI equipment in clinical use, with specific reference to safety.

Scanning of animals is very rarely undertaken in most NHS hospitals, but when it does occur, it usually takes place outside of routine working hours so that patient lists are not in any way disrupted.

Multiple Clinical Symptoms

Mr. Drew: To ask the Secretary of State for Health what help is available to diagnose and prevent people suffering from multiple clinical symptoms. [97044]

Ms Blears: General medical practitioners are the first point of contact for most people seeking help with symptoms of ill health, regardless of their number or cause. Decisions about treatment or onward referral are then taken in the light of an individualised assessment of needs, the evidence for effective treatment, the wishes of the patient and the resources available.

National Programme for IT

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on the recommendations and conclusions of the report commissioned by the Department of Health to assess the capacity of the supplier market in relation to the National Programme for IT. [102080]

Ms Blears *[holding answer 10 March 2003]:* I refer the hon. Member to the response I gave him on Thursday 6 March, *Official Report*, columns 1213–14W.

NHS Consultants

Ian Lucas: To ask the Secretary of State for Health what recent discussions he has had with the National Assembly for Wales' Secretary for Health concerning NHS consultants' contracts in Wales. [101425]

Mr. Hutton: Following the announcement of the British Medical Association referendum on 31 October 2002, no direct discussions have taken place between my right hon. Friend, the Secretary of State and the Minister for Health and Social Services in the National Assembly for Wales.

However, officials from the four United Kingdom Health Departments have continued to keep in contact to ensure that developments in each country take place within a consistent framework based on the original objectives of contract reform, namely to provide better rewards for consultants who give most to the National Health Service and to support service reform.

Ian Lucas: To ask the Secretary of State for Health what recent discussions he has had with the BMA concerning NHS consultants' contracts in Wales. [101426]

Mr. Hutton: My right hon. Friend, the Secretary of State has had no discussions with the British Medical Association concerning consultants' contracts in Wales. This is a matter for the National Assembly for Wales.

NHS Finance

Tim Loughton: To ask the Secretary of State for Health what the budget overspend was in each year since 1997 in each NHS trust in England. [96096]

Mr. Hutton: The information requested has been placed in the Library.

NHS Fraud

Mr. Burns: To ask the Secretary of State for Health what recent estimates he has made of the level of fraud in the NHS. [102135]

Mr. Hutton: The National Health Service Counter Fraud Service (NHS CFS) has an ongoing programme of risk measurement exercises designed to reveal levels of losses and, through repeated exercises, reduction in such losses. Phase one of these exercises concentrated on patient fraud. The following table detail the results.

Phase two of the programme will focus on contractor fraud within the NHS. As the measurement programme extends, it will enable NHS CFS to accurately assess the totality of NHS fraud.

Pharmaceutical patient fraud

	£ million
Year data selected	*Fraud losses*
1998–99	117
1999–2000	69
Dental patient fraud	
1999–2000	40.3
2000–01	30
Optical Patient Fraud	
1999–2000	13.25
2001–02	10.17

Total patient fraud losses have reduced from approximately £170 million to £109.17 million per year, a reduction of 36 per cent., since the creation of NHS CFS in 1998.

NHS Funding

Mr. Burstow: To ask the Secretary of State for Health on what basis his Department requires each NHS trust to submit a year-end cash balance that equates to the opening balance when the trust was established. [100708]

Mr. Hutton *[holding answer 5 March 2003]:* Section 9(1) of the NHS and Community Care Act 1990, as amended by section 15 of the 1999 Health Act, requires each national health service trust to be set up with originating capital. This must be an amount that represents the excess of the value of the assets transferred to the trust over the value of the liabilities transferred. Originating capital takes the form of public dividend capital.

Under section 9(7) of the NHS and Community Care Act 1990, the Secretary of State may, with the consent of Her Majesty's Treasury, determine the terms on which public dividend capital is issued. In accordance with a Determination made on 16 November 1999, the Secretary of State may require payments from the NHS trust in discharge of part (but not all) of its initial public dividend capital and in respect of all of its additional public dividend capital.

In practice, capital repayments of public dividend capital are required, where appropriate, to reduce excess end of year cash balances to an acceptable level. Repayment is generally required where an end of year cash balance is forecast to exceed 0.3 per cent. of turnover. There is no specific requirement to reduce cash balances to the level when the trust was established.

Dr. Murrison: To ask the Secretary of State for Health what plans he has to *(a)* earmark, *(b)* hypothecate and *(c)* ring-fence funding for NHS Trusts. [97395]

Mr. Hutton: Revenue allocations to primary care trusts (PCTs) for 2003–04 to 2005–06 were announced on 11 December 2002. None of the growth money has been identified for specific purposes. PCTs will be able to use these extra resources to deliver on both national and local priorities.

National health service trusts receive the bulk of their revenue funding from commissioning by primary care trusts. The remainder is linked to contracts for medical staff education services and for research and development.

Smoking

Chris Grayling: To ask the Secretary of State for Health how many NHS hospitals operate a no smoking policy; and what steps the Government are taking to reduce smoking on all NHS sites. [100946]

Ms Blears: No data is held centrally on this issue but many national health service trusts have already banned smoking in their hospitals and hospital grounds and the Government have set milestones for implementing smoking policies across the NHS as part of the national service framework on coronary heart disease.

The Government are currently considering measures they can take to obtain a clear and up-to-date picture of the current situation across the NHS and to assist in determining what further action should be taken.

Any decisions on further action will need to be taken against the background that the purchase and smoking of cigarettes is not illegal in this country.

Chris Grayling: To ask the Secretary of State for Health what policy his Department has adopted on smoking in the workplace. [100938]

Ms Blears: The Department recently reviewed its internal policy on smoking in the workplace. With effect from 1 April 2003, smoking will not be allowed anywhere within buildings which the Department manages.

NHS Interpreters

Mr. Burns: To ask the Secretary of State for Health how many interpreters are used by the NHS to assist staff working with patients. [102039]

Mr. Hutton: Data on the number of interpreters used by the National Health Service to assist staff working with patients is collected as part of the broader clerical and administrative function, which includes several other staff groups. As a result, it is not possible to identify the number of interpreters separately.

Orthopaedic Operations

Tim Loughton: To ask the Secretary of State for Health further to his answer of 26 February 2003, *Official Report*, column 639W, what type of orthopaedic operations were carried out on NHS patients in Germany and France. [100778]

Mr. Hutton: 153 orthopaedic patients were referred to France and Germany as part of the overseas treatment pilot project. Of these, 131 were major joint procedures, 17 were intermediate day cases, and five were hands and feet procedures.

Overseas Trips

Mr. Bercow: To ask the Secretary of State for Health if he will list the overseas trips made by himself and other members of his ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101488]

Mr. Lammy: I refer the hon. Member to the response that was given by my hon. Friend, the Minister of State, Cabinet Office (Mr. Alexander), on 2 January 2003, *Official Report*, column 334W.

Pharmacists

Mr. Jim Cunningham: To ask the Secretary of State for Health what steps are being taken to increase the number of people becoming qualified and taking up pharmacist roles. [101667]

Mr. Hutton: There were 258 or 15 per cent. more undergraduate students starting pharmacy training in 2001 than there were in 1997. Furthermore, new schools of pharmacy will provide additional graduates from 2007 onwards.

Between September 1997 and 2001, there has been an increase of 2,140 or 26 per cent. in the number of qualified pharmacists employed in the national health service. As at 30 September 2001 there were 10,630 qualified pharmacists employed in the NHS.

The Government are looking to achieve an increase in staff numbers across all scientific, therapeutic and technical staff groups, including hospital pharmacists. Delivering the NHS Plan published in April 2002 set out the Government's latest forecast for growth. By 2008, we expect the NHS to have net increase over the September 2001 staff census of at least 30,000 therapists and scientists. This includes pharmacists. This will include increasing the number of preregistration pharmacy training places in NHS hospitals. Over 550 were planned for 2002–03—at least 60 per cent. more than were available 10 years ago.

The Department of Health published a Pharmacy Workforce and Training Working Group Report in 1997. It outlined the actions necessary for the NHS to increase training places, to review skill mix and working practices, to reduce demand, and to improve the recruitment and retention of pharmacy staff. Many local initiatives have been taken as a result. Following this up, the Department has taken a number of actions to help improve the recruitment and retention of hospital pharmacy staff. These include the publication of the Improving Working Lives for Pharmacy document in July 2001, extension of NHS Careers to pharmacy staff, the development of a hospital pharmacists1 recruitment advertisement and targeted higher than average pay rises.

Community pharmacy employers have also taken action. Some pharmacy multiples have taken pro-active steps to increase staffing, eg recruiting pharmacists from abroad and by moving staff around.

Mr. Jim Cunningham: To ask the Secretary of State for Health how many qualified pharmacy staff there are in *(a)* Coventry, *(b)* the West Midlands and *(c)* the UK. [101666]

Mr. Lammy: The information is in the table. Figures for the United Kingdom are not available, so data for England have been used.

NHS Hospital and Community Health Services (HCHS): Qualified scientific therapeutic and technical staff within the pharmacy area of work in the Coventry Health Authority area, West Midlands regional office area and England as at 30 September 2001

	Whole-time equivalents	*Headcount*
England	9,372	10,633
of which:		
West Midlands	850	993
of which:		
Coventry HA	61	66

Notes:

Figures are rounded to the nearest whole number

Source:

Department of Health non-medical workforce census

Primary Care Trusts

Mr. Burns: To ask the Secretary of State for Health what proportion of and how many PCG chief executives continued their employment after 31 October 2002 as a chief executive of a PCT. [101946]

Mr. Hutton: Information on the proportion of and how many primary care group chief executives continued their employment after 31 October 2002 as a chief executive of a primary care trust is not available centrally.

Dr. Fox: To ask the Secretary of State for Health how many staff are employed within each primary care trust *(a)* within a general practice covered by that PCT and *(b)* without a general practice covered by that PCT. [100109]

Mr. Hutton: The information on general practitioners and staff employed in general practices, by current primary care trust (PCT) area at September 2001 has been placed in the Library.

The information shows staff directly employed by every PCT that was in place at September 2001. These include community health staff such as district nurses and health visitors. All PCTs with a nil return were set up after that date.

Private Health Schemes

Sue Doughty: To ask the Secretary of State for Health pursuant to his answer of 29 January 2003, *Official Report*, column 901W, on private health schemes, whether his Department places restrictions on national health service bodies offering private patient services. [100093]

Mr. Hutton: By law, national health service trusts and primary care trusts may offer private patient services only to the extent that doing so does not to any significant extent interfere with the performance by the trust of its functions or of its obligations under NHS contracts.

Public Service Agreements

Dr. Fox: To ask the Secretary of State for Health how many public service agreements the Department *(a)* has met and *(b)* is on course to meet in the autumn. [100676]

Mr. Lammy: The Department has recently published a supplement to its December 2002 chief executive's report to the national health service.

This report provides information on autumn performance with meeting public service agreement targets and includes details of those targets that have been met or are on course to be met.

Dr. Fox: To ask the Secretary of State for Health whether the Department has published an autumn performance report to show progress against the Department's PSA targets; and what reports it plans to publish before spring to show progress against PSA targets. [100677]

Mr. Lammy: The Department has recently published a supplement to its December 2002 chief executive's report to the national health service. This provides a fuller account of autumn performance against the Department's public service agreement targets.

The Department also plans to publish its 2003 departmental report in late April to show progress against its PSA targets.

Supplier Payments

Mr. Oaten: To ask the Secretary of State for Health what guidance he has issued to trusts and PCTs on deadlines for paying suppliers. [100694]

Mr. Hutton *[holding answer 4 March 2003]:* National Health Service trusts and primary care trusts are required to comply with the Confederation of British Industry's better payment practice code target of paying 95 per cent., of undisputed invoices within contract terms or 30 days where no terms have been agreed.

Untoward Incidents (Health Trusts)

Tim Loughton: To ask the Secretary of State for Health how many serious untoward incidents were recorded in each hospital trust last year. [100550]

Mr. Hutton: The Department does not collect this information from individual trusts.

The Government have established the National Patient Safety Agency to improve the safety of national health service patient care by promoting an open and fair culture and by introducing a national reporting and learning system for adverse events. The system will be rolled out across the NHS from summer 2003. This will, in time, enable us to understand the true nature and extent of medical errors in the NHS and take action to prevent them being repeated. The reporting system will be anonymous and confidential in order to encourage local reporting and thereby enable the NHS to learn as much as possible to make systems safer. It will not therefore identify the number of incidents occurring in an individual hospital.

Waiting Times

Mr. Burns: To ask the Secretary of State for Health how many people in Greater London have been waiting more than 13 weeks to see a consultant. [101310]

Mr. Hutton: I refer the hon. Member to the response I gave him on Friday 7 March, *Official Report*, column 1271W.

Mr. Burns: To ask the Secretary of State for Health how many people in Greater London have been waiting *(a)* up to six months, *(b)* 6–12 months, *(c)* 12–15 months and *(d)* 15 or more months for hospital treatment in each of the last 12 months. [101311]

Mr. Hutton: I refer the hon. Member to the response I gave him on 5 March 2003, *Official Report*, columns 1123–24W.

Mr. Burns: To ask the Secretary of State for Health what the latest average waiting time for in-patient treatment is *(a)* in Greater London and *(b)* in England; and what the figures were in May 1997. [101312]

Mr. Hutton: The information requested is shown in the table.

Estimated average in-patient waiting time, all specialties

	Median wait (months)	
Commissioner based	*March 1997*	*December 2002*
London	3.49	2.92
England	3.05	2.88

Mr. Laurence Robertson: To ask the Secretary of State for Health what the average waiting time for orthopaedic surgery is *(a)* in England and *(b)* in Gloucestershire; what steps he is taking to reduce these times; and if he will make a statement. [101657]

Mr. Hutton *[holding answer 7 March 2003]:* The information requested is shown in the table.

Trauma and orthopaedics—average waiting time for inpatient admission at 31 December 2002

	Average waiting time (months)
Provider-based	
England	*3.92*
Gloucestershire Hospitals NHS Trust	3.21
Commissioner-based	
England	*3.92*
Cheltenham and Tewkesbury PCT	3.10
West Gloucestershire PCT	2.69
Cotswold and Vale PCT	2.88
South Gloucestershire PCT	4.74

Source:

DH Central returns KH07 and QF01

One of the greatest performance challenges of the National Health Service is to improve the speed at which patients can gain access to orthopaedic services. We are addressing long waits for orthopaedics through the NHS Modernisation Agency's Action On Orthopaedic programme. The programme aims to significantly improve this access to care by working with local health communities, developing and sharing good practice.

The Gloucester Hospitals Orthopaedic Departments are one of 37 trusts in the NHS Modernisation Agency's Programme, "Clinical Priorities—First And Fast", within which trusts are redesigning their systems so that all clinically urgent cases are admitted within six weeks and all others are admitted ahead of the Governments target. The programme has just started and is intended to run until next spring.

Written Answers to Questions

Wednesday 12 March 2003

WALES

Accountancy Services

Mr. Bercow: To ask the Secretary of State for Wales what the total cost to his Department was for accountancy services in 2002. [101563]

Peter Hain: The National Assembly for Wales's in-house staff provide accountancy services to the Wales Office. A notional charge is made for [illegible] services. In the financial year 2001–02, the amounts were [illegible]6,266 for financial services and £7,897 for the internal audit service.

Departmental Phone Directory

Mr. Andrew Turner: To ask the Secretary of State for Wales when the most recent internal phone directory for the Department was published; how often it is updated; and if he will place a copy in the Library. [101785]

Peter Hain: The Wales Office internal phone directory is maintained electronically and revised when a member of staff arrives or leaves.

It is an internal document, but key numbers are available publicly through publications such as the Civil Service Year Book or Vacher's Parliamentary Companion.

External Consultants

Mr. Bercow: To ask the Secretary of State for Wales what the total cost to his Department was of the use of external consultants in 2002. [90510]

Peter Hain: In the 2002 calendar year my Department spent some £38,000 on external consultants. It also made use of property management consultants under a contract held by the National Assembly for Wales.

Mr. Laws: To ask the Secretary of State for Wales how much *(a)* his Department and *(b)* each agency and non-departmental public body spent on external consultancy in each year from 1995–96 to 2002–03 (planned); and if he will make a statement. [92246]

Peter Hain: The information is as follows:

(a) The Wales Office was established on 1 July 1999. Spending on external consultancy since then has been:

	£
1999–2000[1]	0
2000–01	16,300
2001–02	31,100
2002–03	10,800

[1] Period covered is 1 July 1999 to 31 March 2000

It also made use of property management consultants under a contract held by the National Assembly for Wales.

(b) My Department has no agencies or non-departmental public bodies.

Parish Councils

Mr. Stephen O'Brien: To ask the Secretary of State for Wales how many parish councillors have stood aside following the introduction of the Parish Council Code of Conduct. [102138]

Peter Hain: There are no Parish Councils in Wales. Community Councils are a matter for the National Assembly for Wales.

CABINET OFFICE

Departmental Staff

Mr. Laws: To ask the Minister for the Cabinet Office how many people work in the Delivery Unit; what its purpose is; what its estimated cost is for *(a)* 2002–03 and *(b)* 2003–04; and if he will make a statement. [99883]

Mr. Alexander: With the Treasury, the Delivery Unit aims to improve public services by working with Departments to help them meet their PSA targets, consistently with fiscal rules.

At 3 February 2003, the Delivery Unit had 34 full-time equivalent staff. Its estimated expenditure for 2002–03 is £3.3 million. The budget for 2003–04 has yet to be agreed.

Mr. Laws: To ask the Minister for the Cabinet Office what the *(a)* cost and *(b)* staffing were of the (i) Corporate Communication Team, (ii) Strategic Communication and Planning Team, (iii) Corporate Services Group, (iv) Government Information and Communication Service and (v) Media Monitoring Unit in the last 12 months; and if he will make a statement. [99897]

Mr. Alexander: Corporate Communication team and Strategic Communication and Planning team are part of the Communication Group within the Cabinet Office. As at 3 February 2003, there were 16 staff working in the Corporate Communication team and four working in the Strategic Communication and Planning team. These figures are rounded to full time equivalents. For the Corporate Communication team the 2002–03 estimated expenditure is £0.6 million. The Strategic Communication and Planning team does not have its own budget and its costs cannot be easily identified from other parts of Communication Group.

As at 3 February 2003, there were 291 staff working in Corporate Services Group. The estimated expenditure for 2002–03 is £8 million. There are 23 staff, rounded to full time equivalents, working in the Government Information and Communication Service (excluding the Media and Monitoring Unit), with estimated expenditure costs of £4.1 million. This £4.1 million includes two budgets for this year only—the Golden Jubilee with a forecast expenditure of £1.4 million and the Coalition Information Centre budget of £0.3 million, which was transferred to purchase IT equipment. The Media Monitoring Unit is part of the Government Information and Communication Service and there are 14 staff working in that unit. The Media Monitoring Unit is funded by subscriptions to recover its costs.

Mr. Laws: To ask the Minister for the Cabinet Office how many people work in *(a)* the Regulatory Impact Unit, *(b)* the Office of Public Services Reform and *(c)* the Charter Mark and Beacon Unit; what the cost of each was in (i) 2001–02, (ii) 2002–03 and (iii) 2003–04 (planned); and if he will make a statement. [99979]

Mr. Alexander: There are 62 staff working within the Regulatory Impact Unit. The cost to run this unit during 2001–02 was £2.5 million and for 2002–03 the estimated expenditure is £2.9 million.

The Office of Public Services Reform and the Charter Mark and Beacon Unit merged on 1 September 2002. The following figures reflect the units before the merger.

There are 28 staff working in the Office of Public Services Reform. The cost to run this unit during 2001–02 was £1.9 million and for 2002–03 the estimated expenditure is £2.8 million.

There are 15 people working in the Charter Mark and Beacon Unit. Costs for 2001–02 totalled £3.1 million. For 2002–03 the estimated expenditure is £2.3 million.

All staffing figures are as at 3 February 2003 and rounded to full time equivalents. Budgets for 2003–04 have yet to be set.

TRANSPORT

Accountancy Services

Mr. Bercow: To ask the Secretary of State for Transport what the total cost to his Department was for accountancy services in 2002. [101559]

Mr. Jamieson: The information requested is not held centrally and could be provided only at disproportionate cost.

Administration Costs

Mr. Laws: To ask the Secretary of State for Transport if he will estimate the central departmental administration costs of his Department in each year from 1990–91 to 2005–06 (planned); and if he will make a statement. [101519]

Mr. Jamieson: Information on central administration costs between 1990–91 and 2003–04 is set out in the relevant running/administration costs tables of the annual departmental reports for the Department of Transport, the Department of Environment, Transport and the Regions, and the Department of Transport, Local Government and the Regions, although not on a comparable basis across the entire period. Updated information for the Department for Transport, with plans to 2005–06, will be published in the 2003 departmental report in the spring.

Advertising (Scotland)

Pete Wishart: To ask the Secretary of State for Transport how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102333]

Mr. Jamieson: This information can be provided only at disproportionate cost.

Blue Badge Scheme

Ms Walley: To ask the Secretary of State for Transport when he expects to amend regulations extending the issue of the Blue Badge to include children under the age of two where medical needs are paramount. [101835]

Mr. Jamieson: Following a review of the Blue Badge Scheme, I announced in the House on 18 December 2002 that the Government would be taking forward a number of recommendations, including one to extend the eligibility criteria to children under the age of two whose medical needs require the transport of bulky medical equipment.

This change, along with some of the other recommendations, will require amendment to the Scheme through secondary legislation. I will be taking steps to implement this and other recommendations at the earliest opportunity.

Climate Change

Mr. Don Foster: To ask the Secretary of State for Transport (1) what assessment his Department has made of the reports on climate change published by *(a)* the Engineering and Physical Sciences Research Council and *(b)* the UK Climate Impacts Programme on the transport sector; [102197]

(2) what studies his Department has carried out into the effect of climate change on railway infrastructure; [102195]

(3) if he will make a statement on the likely impact of future climate change upon the transport sector; [102194]

(4) if he will place copies of reports published from research funded by his Department on the effects of climate change on *(a)* railways, *(b)* roads, *(c)* aviation and *(d)* other transport in the Library. [102196]

Mr. Jamieson: I welcome the report and joint research initiative, "Building Knowledge for a Changing Climate", launched this month by the Engineering and Physical Sciences Research Council and the UK Climate Impacts Programme, and the active role of the Highways Agency in supporting the initiative. I shall be interested in the results.

My Department will be undertaking work this year, involving stakeholders, to advance our understanding of the potential implications of climate change for transport policy and operations. A report on this work and the results of any research in this area commissioned by the Department will be published.

Driver and Vehicle Licensing Agency

Mr. Laws: To ask the Secretary of State for Transport what his estimate is of the *(a)* gross and *(b)* net costs of the Driver and Vehicle Licensing Agency for each year from 1990–91 to 2005–06; and if he will make a statement. [101520]

Mr. Jamieson: The information requested is available from 1991–92 and is as follows:

Published Business Accounts

£000

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*
(a) Gross costs	187,010	190,402	187,129	186,140	190,439	203,856
(b) Costs net of income	101,969	108,078	102,302	101,026	99,676	100,672

£000

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
(a) Gross costs	195,733	212,226	231,012	249,192	292,473
(b) Costs net of income	85,057	(715)	13,760	5,470	10,388

Allocated Funds Provisional

£000

	2002–03	*2003–04*	*2004–05*	*2005–06*
(a) Gross costs	368,795	285,952	284,742	284,507
(b) Cost net of income	109,831	88,150	87,250	87,250

The figures reflect provisional funds allocated to DVLA for 2002–03 to 2005–06 from the Department of Transport's spending review settlements and other agreed changes. Income includes revenue from sale of registration marks and other income paid over to the Exchequer as Consolidated Fund Extra Receipts but excludes Vehicle Excise Duty collected by DVLA.

DVLA's annual report shows unit cost efficiency gains in core activities averaging 3.4 per cent. a year. Transaction volumes have grown by an average of some 3 per cent. a year. From 1998 the Agency's core operations were extended by a number of major policy changes and business delivery improvements like photocard driving licences and graduated vehicle excise duty, which resulted in significant cost increases.

In addition, 1998–99 saw the introduction of a fee for vehicle first registrations and an increase in demand for personalised registration marks.

Mr. Laws: To ask the Secretary of State for Transport what reasons underlie the increase in staffing of the Driver Vehicle Licensing Agency between 1998–99 and 2002–03; and if he will make a statement. [101521]

Mr. Jamieson: The number of staff employed by the Driver and Vehicle Licensing Agency at the end of 2002–03 is forecast to be 5,835 full time equivalent posts, which is 1,427 higher than at the end of 1998–99. The main reasons for the increase are:

(a) major new initiatives such as the Statutory Off-Road Notification scheme for unlicensed vehicles, photocard driving licences and Graduated Vehicle Excise Duty (577 posts);

(b) other projects such as the implementation of the mandatory vehicle registration document scheme and to support London congestion charging; to safeguard delivery of the core business such as improving the accuracy of the database and the new strategic partnership to support DVLA's substantial change programme of service delivery improvements (550 posts);

(c) increased workload involving initiatives to improve customer service delivery such as the introduction of extended hours in the Agency's call centre and growth in business volumes (23 per cent. higher than in 1998–99). The full impact on staffing levels from workload growth has been offset by more efficient working practices and the increase in electronic business (300 posts).

London Underground

Mr. Whittingdale: To ask the Secretary of State for Transport when he expects service to be restored on the Central Line of London Underground; and if he will make a statement. [101613]

Mr. Jamieson *[holding answer 7 March 2003]:* London Underground (LU) are currently implementing a programme of work to modify all trains in the Central Line fleet. LU is working with the independent Health and Safety Executive to implement a robust and safe solution. Services will be phased back in as soon as possible, starting with a shuttle service on the eastern end of the line. This will be followed by a limited service on the western end of the line. Finally, when LU has modified enough trains, a full service will resume.

Tom Brake: To ask the Secretary of State for Transport if he will list the *(a)* track, *(b)* signalling and *(c)* rolling stock failures which have occurred on each of the London Underground lines in each of the last six years. [102171]

Mr. Jamieson: These are operational matters for London Underground who have provided the information set out in the tables relating to delays of at least two minutes resulting from problems with the relevant type of asset.

The number of delays is primarily a consequence of problems with ageing and life-expired assets following decades of under investment in the underground. This emphasises the urgent need for the major investment and maintenance, some £16 billion over the next 15 years, which our tube modernisation plans will deliver.

(a) London Underground—Number of delays (of at least two minutes) by line caused by track problems in each of the last six years

Line	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Bakerloo	193	201	176	168	171	210
Central	203	92	65	50	62	133
District	74	51	69	83	179	190
East London	—	—	—	—	10	26
Jubilee	45	38	77	146	126	103
Circle and Hammersmith & City	75	61	57	62	98	166
Metropolitan	105	73	83	82	136	136
Northern	141	165	109	105	208	143
Piccadilly	92	110	109	135	165	144
Victoria	54	80	66	66	56	56
Waterloo & City	—	—	—	—	5	5

Note:

1. East London included with Jubilee to 1999–2000
2. Waterloo & City included with Central to 1999–2000

(b) London Underground—Number of delays (of at least two minutes) by line caused by signalling problems in each of the last six years

Line	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Bakerloo Central	264	292	249	355	248	357
Central	644	880	308	335	490	582
District	303	269	278	394	525	632
East London	—	—	—	—	46	68
Jubilee	79	110	197	338	398	415
Circle and Hammersmith & City	129	131	125	238	407	396
Metropolitan	209	266	194	290	522	613
Northern	298	323	216	317	358	388
Piccadilly	261	241	213	202	326	289
Victoria	115	166	149	131	186	314
Waterloo & City	—	—	—	—	16	27

Note:

1. East London included with Jubilee to 1999–2000.
2. Waterloo & City included with Central to 1999–2000.

(c) London Underground—Number of delays (of at least two minutes) by line caused by rolling stock problems in each of the last six years

Line	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Bakerloo	1,075	1,144	1,237	879	968	1,113
Central	2,605	2,423	2,165	2,304	2,864	2,957
District	1,160	1,082	995	981	834	1,149
East London	—	—	—	—	106	147
Jubilee	922	1,239	2,376	1,722	1,603	1,427
Circle and Hammersmith & City	1,167	2,170	1,380	1,568	1,463	2,055
Metropolitan	1,363	1,238	1,065	1,047	1,247	1,034
Northern	3,505	4,229	5,942	3,727	1,674	1,518
Piccadilly	2,228	3,115	3,886	2,934	2,609	3,070
Victoria	757	994	821	920	1,053	1,022
Waterloo & City	—	—	—	—	27	36

Note:

1. East London included with Jubilee to 1999–2000.
2. Waterloo & City included with Central to 1999–2000.

Motor Vehicles

Mr. Laws: To ask the Secretary of State for Transport what his latest estimate is of *(a)* the total of all motoring taxation each year in the UK, *(b)* the annual cost of all roads related spending, *(c)* the total social costs of pollution from vehicle emissions in each year, *(d)* the total social costs of congestion on the roads each year and *(e)* the total social costs of climate change effects of motor vehicles each year; and if he will make a statement. [101522]

Mr. Jamieson: My Department's latest estimates as published in Transport Statistics Great Britain 2002 are:

(a) Motoring taxation: £27,645 million for Great Britain in 2000–01

(b) Road related spending: £4,042 million for England in 2000–01

No estimates of total social costs of vehicle emissions, congestion and climate change are available. The answer to the following question (question 1527 02/03) provides estimates of the marginal costs of these impacts.

Motoring taxation includes Vehicle Excise Duty (VED) and Value Added Tax (VAT).

Motorways

Mr. Laws: To ask the Secretary of State for Transport what assessment he has made of the costs of *(a)* congestion and *(b)* pollution relating to traffic on English motorways; and if he will make a statement. [101516]

Mr. Jamieson: My Department commissioned a study from the Institute for Transport Studies* at the University of Leeds. That study made the following estimates of congestion and pollution on motorways in Great Britain:

(a) Congestion costs: 12.8 pence per vehicle km

(b) Pollution costs: 0.35 to 1.83 pence per vehicle km

* Surface Transport Costs and Charges, Great Britain 1998, Institute for Transport Studies, University of Leeds July 2001.

Mr. Laws: To ask the Secretary of State for Transport what assessment he has made of the benefits of introducing congestion charging on motorways; and if he will make a statement. [101530]

Mr. Jamieson: No general assessment has been made.

Belfast International Airport

Andrew Mackinlay: To ask the Secretary of State for Transport pursuant to the reply by the hon. Member for Liverpool, Wavertree (Jane Kennedy) on 25 February 2003, *Official Report*, column 567W, on what occasions since 1994 Checkpoint 11 at Belfast International airport has been subject to a Department for Transport Cargo Inspection; and if he will make a statement. [102495]

Mr. Jamieson *[holding answer 11 March 2003]*: Checkpoint 11 is not subject to inspection by Department for Transport aviation security inspectors, as its presence is not a requirement under the National Aviation Security Programme. However, the cargo facility accessed via Checkpoint 11 is due to be visited by DfT inspectors shortly

Publicity Campaigns

Mr. Laws: To ask the Secretary of State for Transport if he will list each publicity campaign of his Department and its predecessors over the period 1997–98 to 2002–03 that cost over £500,000, giving the cost in each case; and if he will make a statement. [101518]

Mr. Jamieson: The details of each advertising campaign for my department and its predecessors over the period 1997–98 to 2002–03 that cost over £500,000 are as follows:

1. Road safety campaign to promote safer road use behaviour, for example: not drinking and driving, speed reduction, child pedestrian and in car safety, fatigue and motorcycling. Advertising expenditure in each year was:

	£ million
1997–98	4.48
1998–99	4.63
1999–2000	5.18
2000–01	7.80
2001–02	9.85
2002–03	10

[1] estimated outcome

2. In addition to road safety, three further campaigns were run by the Department of Environment, Transport and the Regions.

(i) "Are You Doing Your Bit" campaign to promote awareness of actions which individuals could take to protect the local/global environment. Advertising began in March 1998 and continued until June 2001 when responsibility for the campaign transferred to DEFRA. Total advertising expenditure was £12.85 million.

(ii) Mayor and Assembly for London campaign to inform people about the voting process; explain responsibilities and encourage people to vote. It ran from February to May 2000. Advertising expenditure was £2.3 million. Prior to this campaign, £563k was committed over two years to raise awareness of the London Referendum and the consequences for the electorate.

(iii) A Foot and Mouth public information campaign aimed at publicising simple rules to be followed when visiting the countryside during the FMD outbreak and giving sources of further information.

It ran in March and April 2001. Advertising expenditure was £12 million.

3. The Department for Transport, Local Government and the Regions, also ran two further campaigns:

(i) Fire Kills—promoting fire safety messages, which in 2001–02 focused on smoke alarms and smoking materials. For details of expenditure on fire safety campaigns in 2001–02 and previous years I refer the hon. Member to the reply from my hon. Friend the Member for Shipley (Mr. Leslie) to the hon. Member for Brentwood and Ongar (Mr. Pickles) on 28 November 2002, *Official Report*, column 380W.

(ii) The Rough Sleepers Unit "Change a life" campaign encouraged the general public to volunteer their time, donate goods or give money to charities helping homeless people. It ran from November 2000 to January 2002 inclusive. Advertising expenditure was £500,000. Responsibility for fire safety and homelessness now rest with the Office of the Deputy Prime Minister.

RailMail

Tom Brake: To ask the Secretary of State for Transport what assessment he has made of the impact of the closure of RailMail on vehicle movements in London. [102420]

Mr. Jamieson: The Royal Mail Board has decided to review the future of the MailRail system for operational and commercial reasons. The company envisages only a handful of extra vehicles will be needed after MailRail is taken out of service, as a high proportion of the mail carried will be transported on existing vehicle routes.

Royal Mail is continually striving to reduce the impact of its vehicular traffic in London by contributing to reductions in congestion and CO_2 emissions. The company has already seen a dramatic reduction in the number of miles and journeys undertaken by Royal Mail vehicles in the capital. For example, the switch of sorting NW postcode mail to Greenford from the London North Mail Centre, in Almeida Street, N1, cut the maximum journey time from 45 to just 25 minutes.

Railway Property (Birds)

Mr. Don Foster: To ask the Secretary of State for Transport what recent changes there have been or are planned to *(a)* legislation and *(b)* directions and guidance to the railway industry and local authorities, relating to the presence of birds on railway property. [99773]

Mr. Morley: I have been asked to reply.

All wild birds are protected by the Wildlife and Countryside Act 1981, which implements the EC Wild Birds Directive. Licences can be issued under section 16 of the Act to derogate from this protection for specific reasons, such as public health and safety. There have not been any changes to the remit of this derogation power.

The Department does not issue directions or guidance to the railway industry or local authorities relating to the presence of wild birds on railway properties. However, where railway companies or local authorities propose to remove trees or scrub from railway properties, my Department would advise that such work is undertaken outside of the breeding and rearing season.

London Underground

Tom Brake: To ask the Secretary of State for Transport how many *(a)* train, *(b)* track and *(c)* signalling maintenance staff have left the employment of LUL in each year since 1997; and what the total number of each was in each year since 1997. [102394]

Mr. Jamieson: Detailed staff issues of this nature are a matter for London Underground management.

Railways

Mr. Laws: To ask the Secretary of State for Transport what percentage of the budget of his Department and its predecessors has been spent on railways in each year from 1983–84 to 2005–06 (planned); and if he will make a statement. [101531]

Mr. Jamieson: The percentage of the total Departmental Expenditure Limit spent, or planned to be spent, on railways in each year from 1998–99 to 2005–06 is shown in the table. (Figures for earlier years are not comparable, owing to the introduction of Resource Accounting and Budgeting.)

	Percentage
1998–99	28.7
1999–2000	22.3
2000–01	20.7
2001–02	28.2
2002–03	30.3
2003–04	35.2
2004–05	33.9
2005–06	36.8

Airport Development

Bob Spink: To ask the Secretary of State for Transport pursuant to his answer of 3 March 2003, *Official Report*, column 795W, on airport development, what rate of return was assessed in section 14.4 of the SERAS Stage Two Appraisal Findings report for each of the Cliffe options; and how far the assessed rates of return for the Cliffe options fell below the target rate of return, measured as a percentage of the target rate. [102299]

Mr. Jamieson: The financial appraisal undertaken in the SERAS study indicates that, using airport charges current at the time the analysis was undertaken, the Internal Rate of Return generated by the four runway Cliffe option was some 7 per cent. against a target rate of return of 12.5 per cent.

The principal results of the financial appraisal of different airport options are presented in the SERAS Stage Two Appraisal Findings report (section 14.4). Chapter seven of the SERAS Financial Modelling and Analysis report sets out the detailed results of the financial analysis. Both reports are available in the House Libraries.

Bob Spink: To ask the Secretary of State for Transport if he will set out the ranking of assessed rates of return for the development options listed in section 14.4 of the SERAS Stage Two Appraisal Findings report. [102300]

Mr. Jamieson: The Internal Rate of Return (IRR) of different airport options is presented in Table 14.11 of the SERAS Stage Two Appraisal Findings report. The financial analysis applied airport charges current at the time the analysis was undertaken. Table 14.11 also gives some indication of the sensitivity of IRRs to other sources of additional revenue.

Chapter seven of the SERAS Financial Modelling and Analysis report sets out the detailed results of the financial analysis and is available in the House Libraries.

Terrorism

Mr. Don Foster: To ask the Secretary of State for Transport what steps his Department is taking to put in place measures to counter the risk from terrorist attack to transport infrastructure other than airports. [102192]

Mr. Jamieson: I refer the hon. Member to my answer of 24 February 2003, given to the hon. Member for the Vale of York (Miss McIntosh), *Official Report*, columns 284–85W.

Trust Ports

Mr. Chope: To ask the Secretary of State for Transport pursuant to his answer of 5 March 2003, ref: 100703, why there was no reference included in the notes to the Accounts. [102090]

Mr. Jamieson: I refer the hon. Member to my answer of 5 March 2002, *Official Report*, columns 1035–36W.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Abandoned Vehicles

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many abandoned cars each local authority in England and Wales stated they had removed in their submissions to the most recent municipal waste survey. [99225]

Alun Michael: The latest information on numbers of abandoned vehicles removed and destroyed is listed on 27 November 2002, *Official Report*, column 271W. Results from the 2001–02 survey are not yet available.

Animal Welfare

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list animal species protected by domestic legislation which her Department plans to lift; and for what reasons such legislation is being reviewed. [101259]

Mr. Morley: All wild birds, certain animals and certain plants are protected by the Wildlife and Countryside Act 1981.

Schedules 5 & 8 (list of protected animals and plants respectively) are statutorily reviewed every five years. My Department has received the views of the JNCC and has consulted internally on their advice. A full public consultation will take place this year. JNCC have not recommended the removal of any species.

I announced on 3 March that the Government have concluded that the protection afforded by domestic legislation to the ruddy duck should be removed. This is in line with our Rural White Paper commitment to review the provisions of Part 1 of the Wildlife and Countryside Act 1981, with a view to rationalising the identification and protection of rare and endangered species.

Birds

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to *(a)* encourage a reversal in the decline of the number of wet birds, *(b)* ensure refuges for wintering birds, *(c)* safeguard resting places for migrating birds travelling north and south and *(d)* reverse the decline in rare water plants; and if she will make a statement. [101874]

Mr. Morley *[holding answer 10 March 2003]:* The information is as follows:

(a) Analysis of Wetland Bird Survey count data for 32 wetland bird species by the British Trust for Ornithology shows that for all 32 species, population trends had either increased or stabilised for the five winters to 1999–2000. Therefore, in the non-breeding season at least, these birds are not suffering decline in Great Britain. This is evidence of the effectiveness of the UK network of 243 Special Protection Areas (SPA) classified under the EC Wild Birds Directive; the UK series of 144 Ramsar sites; and the many Sites of Special Scientific Interest (SSSI) notified under the Wildlife and Countryside Act 1981, for their wetland bird interests.

(b) and *(c)* A high proportion, in some cases all, of the national and international populations of wintering and migrating wetland birds utilise the protected sites of the UK SPA network. In winter it holds an average of over 2,186,000 non-breeding waterbirds. The habitat protection provided for these birds is a major contribution to their international conservation. Many of the same sites are additionally designated as Ramsar sites and all (on land in England and the great majority elsewhere) are notified as SSSIs.

(d) The principal form of protection for rare plants is through the designation of their habitat—either as Special Areas of Conservation under the Habitats Directive, as Ramsar sites, or as SSSI. The Government Biodiversity Action Plan has identified a number of water plants for priority action. A programme of active management for these species and those listed in the 1992 Directive is being funded, mainly through English Nature's Species Recovery Programmes. Results for some species, such as floating water plantain, are very encouraging.

Cleeve Farm

Diana Organ: To ask the Secretary of State for Environment, Food and Rural Affairs which farm premises sent carcases for disposal to Cleeve Farm, Westbury on Severn, Gloucestershire in the last five years. [96230]

Mr. Morley: Cleeve Farm, Westbury-on-Severn, was used as a pyre site to dispose of stock slaughtered at Cleeve Farm itself and also carcases from eight other holdings in the locality. These surrounding farm premises cannot be named for reasons of confidentiality.

Cetaceans

Mr. Sanders: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has made to the European Union on the Wildlife and Habitats Directive in relation to cetacean bycatch; and if she will make a statement. [101285]

Mr. Morley: The UK has lost no opportunity in drawing to the Commission's attention our wish to see EU action on cetacean bycatch. I have raised this repeatedly with Commissioner Fischler, stressing in particular the need for a cetacean bycatch observer programme. Article 12(4) of the Habitats Directive (Council Directive 92/43/EEC) requires member states to monitor the incidental capture of certain species, including cetaceans.

We raised the matter again, in the Council of Ministers in January, and direct with Franz Fischler in February, pressing for urgent action to widen coverage off the South West coast where a number of other member states' vessels fish. I was pleased that the Commission included a commitment to take action in this area in papers produced as part of the recent reform of the Common Fisheries Policy. I am looking for positive action on this in response to our recent approaches.

Compulsory Purchase

Mr. Edward Davey: To ask the Secretary of State for Environment, Food and Rural Affairs how many properties have been compulsorily purchased by *(a)* the Environment Agency, *(b)* the Countryside Agency, *(c)* English Nature and *(d)* the Broads Authority in each year since 1999. [101829]

Alun Michael: The Environment Agency compulsorily purchased 10 properties in 1999 and six properties in 2000. No properties were compulsorily purchased in 2001, 2002 and 2003 to date.

There have been no compulsory purchases by the Countryside Agency, English Nature or the Broads Authority since 1999.

Conservation Group

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs which members of her Department participate in the Inter-Departmental Consultative Group on Conservation; and when they last attended a meeting of this group. [101355]

Mr. Morley: There is no formally constituted group with this title but officials of all the relevant Government Departments are in very regular contact on a wide range of conservation issues.

Disability Discrimination Act (Village Halls)

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the implications of the introduction of the Disability Discrimination Act 1995 on village halls with specific reference to the legal requirement placed by the Act upon trustees, cases in which halls may have to close because of non-compliance with the Act, what funding available to meet the requirements of the Act; and the mechanism for access to funds to help meet the Act's requirements. [102436]

Alun Michael: I have been engaging in discussion with representatives of the Village Halls Association, other stakeholders, and national and local funding bodies, about a range of issues concerning the financing of village halls and other rural community meeting-places, including the implications of the Disability Discrimination Act and of the Licensing Bill currently before Parliament.

Under the Disability Discrimination Act 1995, those service providers who provide services to the public have since 1999 been required to make reasonable adjustments to allow disabled people to access their services. From 1 October 2004 they will also be required to make reasonable adjustments to the physical features of their premises that would otherwise make access impossible or unreasonably difficult for disabled customers.

Those managing village halls or running activities there are subject to the Act in the same way as other service providers; but the test of reasonableness takes account of the provider's financial resources, and there should be no question of village halls being forced to close. However, it is very much in the public interest that activities taking place in village halls should be accessible to disabled people living in rural communities.

Lead responsibility for funding renovation of village halls lies with the local community, with help from local authorities, national funding agencies, and charitable sources. No earmarked funds are available to help meet any costs resulting from the Disability Discrimination Act. However, very substantial public funds are available to help village halls: around £17 million last year from the Community Fund, and a similar amount in total from other sources.

A draft Government position paper on the funding and regulation of village halls was produced by my Department for a meeting last week of the stakeholder group I mentioned above: once this has been revised I will place a copy in the Library.

Drinking Water

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of domestic customers she estimates have relied on lead pipes for connections to company supplies of drinking water in each year since 1992. [101676]

Mr. Morley: Year on year data of the numbers of lead pipe connections supplying drinking water are not available. In 1996, water companies in England and Wales estimated that some 35 per cent. of all connections had lead service pipes.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what studies *(a)* have been conducted and *(b)* are planned to establish the extent of lead contamination in drinking water in (i) hard and (ii) soft water areas. [101678]

Mr. Morley: It is well known that soft waters from upland areas are more likely than hard waters to dissolve lead from pipes. All water supplies must comply at consumers' taps with the regulatory standard for lead and water companies must apply additional treatment to plumbosolvent water to ensure compliance.

The Drinking Water Regulations require water companies to carry out regular monitoring to ensure that all drinking water supplies, whether hard or soft, comply with the regulatory standards. 99.37 per cent. of samples taken in 2001 met the current standard for lead in England and Wales. The Drinking Water Inspectorate has issued guidance to water companies on optimising treatment to reduce plumbosolvency, which takes into account the different characteristics of hard and soft waters.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will take steps to assist householders, particularly those on a low income, who wish *(a)* to test their domestic drinking water systems to ensure that they are free from lead contamination and *(b)* to replace or repair domestic drinking water systems contaminated by lead solder. [101679]

Mr. Morley: Water companies will normally test water supplies, free of charge, if consumers are concerned that lead pipes might be contaminating their drinking water.

In properties built before 1970, the main reasons for lead in drinking water are lead connections to the mains and the internal plumbing.

The use of lead based solders for domestic hot and cold water systems has been banned since 1987. It is very rare for lead solder on drinking water pipes to be the sole reason for a breach of drinking water quality standards.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the adequacy and effectiveness of the monitoring by local authorities of drinking water originating from private suppliers. [101694]

Mr. Morley: The Drinking Water Inspectorate carries out occasional audits of local authorities' arrangements for implementing the Private Water Supplies Regulations. 10 local authorities in England and Wales were audited in 1992 and 24 in 1993. A survey of laboratories used by local authorities for the analysis of private water supplies was carried out in 1995, and 18 were audited. Two local authorities in England and Wales were audited in 2000. These audits have shown that, in general, the local authorities were implementing the requirements of the regulations.

We are liaising with local authorities through their organisations about revised arrangements for monitoring private water supplies.

Fisheries

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her answer of 25 February 2003, *Official Report*, column 456W, on fishermen, whether she intends to grant socio-economic aid to fishermen under the terms agreed in the December Council allowing fishermen to diversify into businesses outside the marine industry while continuing to fish on a part-time basis provided such diversification means a reduction in fishing effort. [101923]

Mr. Morley: We have no plans to do so. Fishermen wishing to diversify their activities are encouraged to contact the Small Business Service and Learning and Skills Councils for advice on support.

Grants

Mr. McLoughlin: To ask the Secretary of State for Environment, Food and Rural Affairs what the administrative costs were for *(a)* Food and Farming grants, *(b)* EU Fisheries grants, *(c)* Land Use and Rural Affairs grants and *(d)* Environment grants in the last financial year for which figures are available. [101494]

Alun Michael: The information requested could be provided only at disproportionate cost.

Private Water Suppliers

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of households are supplied by private water suppliers. [101695]

Mr. Morley: Local authorities are responsible for monitoring and, if necessary, enforcing standards of private water supplies in their areas. Each authority is required to keep a register of private supplies. Some 50,000 private water supplies have been registered in England and Wales, of which about 30,000 serve single dwellings. The best available evidence indicates that nearly 1 per cent. of the population in England Wales is supplied by private water supply.

Radioactive Waste

Llew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer of 26 February 2003, *Official Report*, column 551W, on radioactive waste, for what reasons an estimate of future radioactive waste arising from reprocessing is not available; and if she will take steps to obtain the data from BNFL. [102086]

Mr. Meacher: The previous question asked for an estimate of the volume of waste that will arise over the next 10 years from the reprocessing of British Energy-owned spent nuclear fuel at Sellafield. My answer to this question gave estimates for the volume of low, intermediate and high level waste that would arise if all fuel from British Energy's advanced gas-cooled reactors is reprocessed. It also said that, at present, there are contracts for the reprocessing of about 65 per cent. of British Energy's spent fuel. I understand that decisions have not been taken about how much, if any, of the remaining 35 per cent. of the spent fuel will be reprocessed.

Water Pipes

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to ensure that lead pipes carrying water into domestic properties are replaced. [101677]

Mr. Morley: Drinking water must meet a regulatory standard for lead in the water supplied at consumers' taps. Water companies must treat plumbosolvent water where there is a risk that public water supplies might not comply with this standard.

We are required to take all appropriate measures to reduce as much as possible the concentration of lead in drinking water supplies in order to meet the standards for lead set by the European Drinking Water Directive. We are encouraged by the results of water companies' treatment programmes to reduce plumbosolvency. It is likely that these will reduce significantly the need to replace lead pipes to the benefit of all customers.

The need for water companies to replace lead pipes, mainly to meet the final lead standard that comes into force in 2013, is being considered as part of the next periodic review of water companies' prices. The customer's supply pipe remains the responsibility of the customer.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of drinking water is carried through *(a)* blue asbestos pipes and *(b)* lead pipes. [101684]

Mr. Morley: About 10 per cent. of drinking water is carried through white asbestos cement mains. There may be traces of blue asbestos in some white asbestos cement pipes. Water companies estimated in 1996 that about 35 per cent. of drinking water may be carried through lead connections between company mains and customers' supply pipes.

While use of new asbestos cement pipes is prohibited, this is because of health risks associated with inhalation when cutting and working with the dry material. However, the World Health Organisation considers that a health-based guideline value for asbestos in drinking water is unnecessary.

TRADE AND INDUSTRY

Nuclear Proliferation

Llew Smith: To ask the Secretary of State for Trade and Industry what resources she has made available to the *(a)* Office of Civil Nuclear Security, *(b)* International Atomic Energy Agency and *(c)* Euratom Safeguards Directorate in respect of combating nuclear proliferation in the last year for which figures are available. [101990]

Nigel Griffiths: The Office of Civil Nuclear Security (OCNS), which regulates security in the UK civil nuclear industry in order to protect against threats of terrorism and nuclear proliferation, has an operating budget of £1.9 million for the financial year 2002–03.

DTI has paid the UK's assessed contribution to the Regular Budget of the International Atomic Energy Agency (IAEA) for 2003 of £8.02 million. Many, but not all, of the IAEA's activities funded from the Regular Budget are directly related to non-proliferation.

The IAEA also benefits from the UK Support Programme to IAEA safeguards. In the financial year 2001–02, expenditure on this programme totalled £722,000. In addition, £80,000 was also provided to support IAEA travel and subsistence costs associated with this programme e.g. to enable IAEA staff to attend training courses in the UK. In addition, from time to time the UK makes voluntary contributions to the IAEA in support of non-proliferation, safety and security and other activities carried out by the Agency.

The European Communities budget adopted for 2002 includes total payments in respect of European Commission spending on the operational aspects of its application of Euratom safeguards (e.g. inspection and training activities, the purchase, installation and maintenance of safeguards equipment, and laboratories for the analysis of safeguards samples) of 17.6 million Euros. The UK share of these commitments was 19.36 per cent., amounting to slightly less than £2.1 million.

Arms Trade

Mr. Gardiner: To ask the Secretary of State for Trade and Industry if she will establish a registration system for all UK passport holders and UK residents involved in the brokering of deals for the sale of military and security equipment. [101339]

Alan Johnson: The Government propose to register information on all those applying for licences, both for exports and for arms trafficking and brokering activities. This database will be used for licensing and enforcement purposes on an international basis.

Mr. Swire: To ask the Secretary of State for Trade and Industry how many people the UK arms trade employs *(a)* nationally and *(b)* in the south-west. [102341]

Alan Johnson: The Ministry of Defence's Defence Analytical Services Agency is responsible for the production of UK defence statistics. The latest employment data (for 2001) are published in Table 1.11 of United Kingdom Defence Statistics 2002, a copy of which is available in the Libraries of the House. Data at a regional level are not available however.

Mr. Swire: To ask the Secretary of State for Trade and Industry what the arms trade was worth to United Kingdom public companies in terms of exports in 2002. [102344]

Alan Johnson: The Ministry of Defence's Defence Analytical Services Agency is responsible for the production of UK defence statistics. The latest full exports data (for 2001) are published in Table 1.12 of United Kingdom Defence Statistics 2002, a copy of which is available in the Libraries of the House.

Mr. Swire: To ask the Secretary of State for Trade and Industry how much of the South West GDP the arms trade accounted for in 2002. [102346]

Alan Johnson: The Ministry of Defence's Defence Analytical Services Agency is responsible for the production of UK defence statistics. The latest full data (for 2001) are published in United Kingdom Defence Statistics 2002, a copy of which is available in the Libraries of the House. Data on GDP are not, however, available at a regional level

Broadband

Mr. Charles Kennedy: To ask the Secretary of State for Trade and Industry whether the quality of a broadband connection established using a satellite deteriorates during adverse weather conditions; and if she will make a statement. [101988]

Ms Hewitt: Satellite services, like all other radio services, suffer degradation under adverse weather conditions, and this impairment is more pronounced at the higher frequencies often used by satellite services to provide services direct to and from businesses and homes.

When planning their satellite system, service providers take steps to overcome the effect that normally expected variations in weather conditions may have through careful system design and the use of appropriately sized satellite dishes. Taken together these measures provide a "protection margin" against the effect of weather variations.

Extreme or unusual weather conditions will still affect even the best designed radio systems, terrestrial or satellite, and impairment or even temporary failure is unavoidable. Fortunately these events tend to happen rarely and are usually very short lived.

Civil Servants

Mr. Laws: To ask the Secretary of State for Trade and Industry how many civil servants have been employed by *(a)* her Department and *(b)* each of its agencies and non-departmental bodies in each year from 1994–95 to 2002–03; and if she will make a statement. [92397]

Ms Hewitt: Full-time equivalent numbers of staff in all civil service Departments and agencies is released twice-yearly by press notice. The latest data, for April 2002, were published on 31 October 2002. Data for April of each year from 1995 to 2001 appear in the latest edition of the annual publication "Civil Service Statistics". Data for pervious years are contained in previous editions of the publication. Copies of the press notices and annual publication are available from the Libraries of the House.

Comparisons over time are made difficult because of changes in the make up of the Departments and agencies comprising the civil service. Not only do new organisations appear and old ones disappear, but staff changes may reflect the transfer of work between Departments and agencies.

With the exception of those staff employed by the Health and Safety Commission and Executive, and the Advisory, Conciliation and Arbitration Service, the staff employed by Executive, non-departmental public bodies (NDPBs) are not civil servants. Advisory NDPBs are generally supported by civil servants from their sponsor Departments, and do not employ their own staff.

My Department publishes annually information on public bodies, including NDPBs. This includes details on the number of staff employed by the public body. Copies of "Public Bodies 2001", and equivalent publication for previous years, are available in the Libraries of the House. "Public Bodies 2002" will be published shortly.

Credit Cards

Mr. Letwin: To ask the Secretary of State for Trade and Industry what plans she has to ensure that FSA rules prevent credit card companies from *(a)* setting minimum payments below the interest charge, *(b)* failing to show the APR clearly on statements and *(c)* implying that an interest-bearing period is interest-free. [101614]

Miss Melanie Johnson *[holding answer 7 March 2003]:* The provision of information on credit card statements is regulated by the Consumer Credit Act 1974, and in particular by the Consumer (Running-Account Credit Information) Regulations 1983 (SI No. 1570/83). These require statements provided for running-account credit agreements, such as credit cards, to contain the following information:

any opening balance on the account;

the date of any movement on the account;

the amount of any payment on the account;

the amount of any drawing on the account; and

the amount of any interest or other charges on the account.

Where a statement shows that interest has been applied to the account, it must contain either sufficient information for the customer to be able to check the calculation of that interest; details of the rate of interest that has been applied; or a statement indicating that the rate of interest applied will be provided upon request.

The form and content of consumer credit advertising is governed by the Consumer Credit (Advertisements) Regulations 1989 (SI 1989/1125). These are enforced by the Office of Fair Trading, and I understand that the OFT has investigated a number of credit providers who have advertised interest-bearing agreements as being interest-free.

The practice of some credit card providers of reducing the minimum required monthly repayment is one that I highlighted in my response in January this year to the Second Report of the Governments' Task Force on Tackling Overindebtedness. I stated then that I was worried about the effects that this practice can have on consumers, and in particular that it can only lead to an escalation of the total amount owed and the time required to repay it. I stated that the Government would therefore be considering how consumers might be given better information about the effects of a low minimum payment.

To that end, and as part of the review of the Consumer Credit Act that I launched in July 2001, I shall be publishing a consultation document on the simplification of the credit advertising regulations in the summer. As well as inviting comments on minimum payments, this will also look at how consumers can get better information in general about credit cards that will enable them to compare offers from different providers. In advance of this consultation, the DTI is in regular discussion with the credit industry and consumer bodies on the scope for a common format for the provision of key information, including details of interest-free periods and the calculation and advertising of APRs.

Departmental Staff

Mr. Cousins: To ask the Secretary of State for Trade and Industry what the distribution of her Department's whole-time equivalent staff was, including the staff in agencies and other bodies reporting to her, in each Government office region and nation of the UK *(a)* in 1996 and *(b)* at the most recent available period. [90468]

Ms Hewitt: The numbers of staff in each Department (including its agencies) are shown in tables, copies of which have been placed in the Libraries of the House. The figures show the data at 1 April each year, and are based on the full-time equivalent figures for the number of permanent staff in each Department, rounded to the nearest 10. Data are shown by Government Office Region, with columns giving the total number of staff in England and the UK.

Fireworks

Dr. Cable: To ask the Secretary of State for Trade and Industry when she plans to bring in regulations to control the supply and use of fireworks in accordance with the powers laid down within the Fireworks Bill; and what plans she has to ensure that local environmental health officers have the necessary powers, funding and guidance to enforce regulations introduced in accordance with the Fireworks Bill. [101011]

Miss Melanie Johnson: Regulations to control the supply and use of fireworks depend upon the Fireworks Bill passing into law. Also any such regulation would be subject to consultation. The needs of local authorities, including environmental health officers, in enforcing regulations would have to be taken into account.

Dr. Cable: To ask the Secretary of State for Trade and Industry what guidance will be given to environmental health officers in order for them to assess whether distress, as set out in clause 2 of the Fireworks Bill, has occurred. [101012]

Miss Melanie Johnson: This matter will be considered in the drafting of regulations should the Fireworks Bill be passed into law.

Dr. Cable: To ask the Secretary of State for Trade and Industry what age limit she plans to set to prohibit the sale of fireworks to young persons; and what plans she has to limit the supply, purchase, possession and use of fireworks to certain *(a)* times of the year and *(b)* times of the day. [101013]

Miss Melanie Johnson: Any changes in age restriction and other limitations on fireworks would be subject to Regulation made under the Fireworks Bill should it pass into law. There would need to be consultation on any such proposals.

National Minimum Wage

Mr. Hoban: To ask the Secretary of State for Trade and Industry how many enforcement orders have been issued in respect of fair estimate agreements since the introduction of the National Minimum Wage Regulations; and what assessment she has made of the number of fair estimate agreements entered into in that period. [101254]

Alan Johnson *[holding answer 6 March 2003]:* Since the Inland Revenue have kept details of homeworking cases centrally with its Virtual Homeworking Team (set up in October 2001) there have been two cases where an enforcement notice has been issued where a fair estimate agreement was in place. The Revenue believe it is unlikely that other cases might have occurred prior to that.

The number of fair estimate agreements which individuals have entered into is not known, but anecdotal evidence indicates the take up is low. This is one of the reasons why we are consulting on making changes to these arrangements.

Public Bodies (Arthur Andersen)

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry which public bodies sponsored by the Department are headed by former partners from Arthur Andersen. [100743]

Ms Hewitt: The East of England Development Agency is headed by Vincent Watts, a former partner of Andersen Consulting.

Recycling

Mr. Kidney: To ask the Secretary of State for Trade and Industry what proportion of the technology to be used in the projects in receipt of the bio-energy grants announced in January 2003 will be UK-sourced. [99371]

Mr. Wilson: We do not keep information on the proportion of project technology in grant applications that is sourced in the UK. We are however keen to promote the capabilities of the UK supply chain in all renewable technologies, and have created the business support team Renewables UK for this purpose.

Tour Operators

Mr. Roy: To ask the Secretary of State for Trade and Industry what discussions she has had with scheduled tour operators in relation to seating and pricing arrangements on aircraft over the last 12 months. [101599]

Miss Melanie Johnson: I have had no specific discussions with tour operators over the seating and pricing arrangements on aircrafts over the last 12 months. My officials have raised this matter with the Federation of Tour Operators and ABTA. Tour operators who belong to these organisations do always try to seat families and couples close together, and where possible in adjacent seats, whether or not these have been pre-booked. If a tour operator offers and charges for a service which guarantees the seating arrangements, then this is a commercial matter for that operator.

The Civil Aviation Authority are responsible for UK airline safety regulations and they have issued guidelines to airlines on the allocation of seats to family groups. I understand that the CAA has not had any specific discussions with airlines on this issue, although there is continued dialogue between airlines and their assigned CAA inspector regarding all aspects of operational safety and this matter will have been discussed as and when necessary.

DEFENCE

Medical Reservists

Dr. Fox: To ask the Secretary of State for Defence how many medical reservists there are in the United Kingdom, broken down by speciality. [99086]

Dr. Moonie: The numbers of medical reservists in the Volunteer Reserve Forces broken down by specialty, as at 20 February 2003, are provided as follows: Information in respect of ex-Regular medical personnel with a reserve liability is not held centrally and could be obtained only at disproportionate cost.

Consultants	*Volunteer reservists*
Anaesthetics	55
General Medicine	19
Paediatrics	4
Genito-Urinary Medicine	1
Neurology	2
General Surgery	29
Obstetrics and Gynaecology	13
Urology	6
Orthopaedic Surgery	18
Burns and Plastic Surgery	5
Accident and Emergency	11
Psychiatry	8
Ophthalmic Surgery	2
Oral and Maxillofacial Surgery	11
Ear, Nose and Throat	4
Rheumatology and Rehabilitation	1
Radiology	6
Pathology	9
Occupational Medicine	1
Public Health Medicine	3
General Medical Practitioners/General Duties Medical Officers (including specialists undergoing consultant training)	301
Nurses	
General Nursing Duties	886
Operating Theatre	88
Accident & Emergency	108
Orthopaedic	32
Intensive Care	107
Burns & Plastic Surgery	14
Ophthalmic	6

Consultants	Volunteer reservists
Genito-Urinary Medicine	4
Gynaecology	4
Neurology	8
Registered Mental Nurse	102
Midwifery	3
Paediatrics	3
Special Care Baby Unit	2
Nurse Tutor	3
Allied Health Professionals	
Physiotherapist	72
Environmental Health Officer	31
Environmental Health Technician	7
Laboratory Technician	53
Pharmacist	27
Pharmacy Technician	7
Radiographer	32
Operating Department Practitioner	56
Paramedics	6
Medical Support Officers	113
Combat Medical Technicians/Medical Assistants	1,676
Dental Personnel	
General Dental Practitioners	38
Dental Technicians	3
Dental Support Specialists	18
Dental Hygienists	2

Mr. Jenkin: To ask the Secretary of State for Defence how many medical reservists were found to be unfit for military service in the last period for which figures are available. [91516]

Dr. Moonie *[holding answer 20 January 2003]:* As at 1 January 2003, 28 medical Reservists in the Territorial Army and, as at 28 February 2003,14 medical Reservists in the Royal Auxiliary Royal Air Force were medically unfit to deploy on military operations. The Royal Navy does not hold central records on the medical fitness of medical Volunteer Reservists and none of the Services holds central records on the medical fitness of medical ex-Regular Reservists. The medical fitness of these Reservists is only established on mobilisation when they are required to report to their mobilisation centre following receipt of their call-out notice.

Motor Neurone Disease

Mr. Hancock: To ask the Secretary of State for Defence what research he has commissioned on the prevalence of motor neurone disease among Gulf War veterans. [101915]

Dr. Moonie: Motor neurone disease (MND) is a rare disease and the Ministry of Defence has not specifically commissioned scientific research into the prevalence of it among United Kingdom veterans of the 1990–91 Gulf Conflict. However, through the independent Medical Research Council (MRC), the Ministry of Defence has funded a controlled study of neuromuscular symptoms experienced by United Kingdom Servicemen. Some findings were published by the researchers in a paper entitled: "Neurophysiologic analysis of neuromuscular symptoms in UK Gulf war veterans" in the journal *Neurology* on 26 November 2002. The researchers reported that they had found no neurophysiologic evidence for a specific neuromuscular disorder that could be linked to previous deployment to the Gulf. At the Ministry of Defence's request, the MRC will shortly provide advice on appropriate areas for future research in the field of Gulf veterans illnesses. The MRC's advice will be published. The MRC is aware of the suggestion that United States Gulf veterans are at greater risk of developing MND than those who did not deploy but the underlying research has not yet been published in the scientific literature. The Ministry of Defence's future Gulf veterans' illnesses research programme will be firmly based on the MRC's recommendations.

Accountancy Services

Mr. Bercow: To ask the Secretary of State for Defence what the total cost to his Department was for accountancy services in 2002. [101561]

Mr. Ingram: Ministry of Defence expenditure on external assistance (EA), of which accountancy services are a part, is contained in the MOD's annual return of expenditure on external assistance. Copies have been placed in the Library of the House, covering the period 1996–97 to 2000–01 and include expenditure categorised by top level budget holder and trading funds. However, expenditure on accountancy services is not recorded as a specific category of EA and could be provided only at disproportionate cost.

The return for 2001–02 will be published shortly and figures for 2002–03 will be published once the current financial year has ended.

B-52 Bombers

Llew Smith: To ask the Secretary of State for Defence what benefits to United Kingdom national defence will accrue from the granting of permission to the United States of landing rights for United States Air Force B-52 bombers. [101993]

Mr. Hoon: As I told the House on the 3 March 2003, *Official Report*, column 566, I agreed to the United States Air Force deployment at RAF Fairford as part of our continuing contingency preparations for possible military action in Iraq. The Government have made clear on many occasions the threat posed to the United Kingdom by Iraq's continued possession, in contravention of successive UN Security Council Resolutions, of weapons of mass destruction.

Forces' Medical Services

Mr. Keetch: To ask the Secretary of State for Defence what shortfalls obtain against the establishment targets for field hospitals for *(a)* medical officers and *(b)* support staff; and if he will make a statement. [97770]

Dr. Moonie: When not deployed on operations regular field hospitals exist with a basic unit establishment of 105 personnel. This enables the unit to function on an administrative and training basis only. For shortfalls against the peacetime establishment, I refer the hon. Member to the answer I gave on 22 January 2003, *Official Report*, column 326W to the hon. Member for North Essex (Mr. Jenkin).

When the decision is taken to deploy a field hospital on operations it is then moved onto a war fighting establishment by augmenting staff from the Regular Army and Reserve Forces, as appropriate. A decision on the exact level of establishment required is operation specific, and is dependent on the intended role of the unit, and the number of beds it is expected to provide. As such, there is no standard or target.

Field Hospitals are therefore deployed, in terms of both medical officers and support staff, at full strength.

Industrial Action

Mr. Bercow: To ask the Secretary of State for Defence how many working days were lost owing to industrial action by staff in *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in 2002. [101510]

Dr. Moonie: One working day was lost as a result of strike action in the Ministry of Defence in 2002. This occurred in April and was action taken by members of the Public and Commercial Services Union and Prospect. On the same day members of Amicus and the Transport and General Workers Union took strike action for 3.5 hours.

Any other industrial action short of a strike is not recorded in terms of days lost.

The MOD is committed to working in partnership with its trade unions and makes every effort to avert industrial action of any kind.

Landmines Act (Prosecutions)

Dr. Tonge: To ask the Secretary of State for Defence how many British servicemen have been prosecuted under the Landmines Act 1998. [102246]

Mr. Ingram: None.

Medical Care

Mr. Viggers: To ask the Secretary of State for Defence how much has been spent on private medical care for members of Her Majesty's forces in each of the last five years. [80793]

Dr. Moonie: Expenditure on the referral of Service personnel to private healthcare providers in each of the last five years is shown in the table:

£ million

Financial year	*Cost*
1998–99	0.12
1999–2000	0.17
2000–01	0.77
2001–02	4.10
2002–03[1]	2.18

[1] As at November 2002

Notes:

The referrals were made to a number of private healthcare providers, under both contractual and ad hoc arrangements.

A small number of referrals to private healthcare providers were made by the Army Training and Recruitment Agency in 2000, but no financial information regarding these referrals is available.

Some £3K of the expenditure recorded in 2000–01 relates to referrals made by the RAF to local healthcare providers in 2000–01 and 2001–02, but expenditure cannot be separated for each financial year.

Middle East (Health Advice)

Dr. Murrison: To ask the Secretary of State for Defence pursuant to the answer of 10 February 2003, *Official Report*, column 511W, on Middle East (Health Advice), what record is kept of health promotion advice given to individuals deploying to the Gulf. [99983]

Dr. Moonie: Health promotion advice is given to service personnel as part of routine pre-deployment briefings. No central record is required for such briefings, although local records may be kept for administrative purposes.

Ministerial Meetings

Mr. Rosindell: To ask the Secretary of State for Defence what recent meetings he has had with Defence Ministers from *(a)* Poland, *(b)* the Czech Republic, *(c)* Hungary, *(d)* Bulgaria, *(e)* Romania and *(f)* the Slovak Republic. [101960]

Mr. Hoon: I met the Defence Ministers of Hungary and Poland in the margins of the NATO Informal Ministerial Meeting in Warsaw in September 2002. I met my Czech and Slovak counterparts for bilateral discussions in the margins of the NATO Prague Summit (21–23 November 2002). My most recent bilateral meeting with my Bulgarian counterpart was in June 2002 in Bulgaria. I met the Romanian Defence Minister on 23 January 2003 in London.

Northern Ireland

Mr. Dodds: To ask the Secretary of State for Defence how many soldiers are based in Northern Ireland; and from what regiments. [102315]

Mr. Ingram: The number of Army personnel, under the command of the General Officer Commanding Northern Ireland (GOC NI), and stationed in Northern Ireland on 18 February 2003 is 12,566.

The GOC NI also h[illegible]nder his command troops who are based in Great B[illegible] but who can be called to the Province as and when required.

Apart from 25 Engineer Regiment, the Northern Ireland Combat Service Support Regiment, 15 Signal Regiment, six Regiment Royal Military Police, five Regiment Army Air Corp and the three Home Service battalions of the Royal Irish Regiment, which are permanently based in Northern Ireland, the following resident battalions are currently based there on accompanied tours of roughly two years:

1st Battalion Coldstream Guards

1st Battalion The Devonshire and Dorset Regiment

1st Battalion The Prince of Wales's Own Royal Regiment of Yorkshire

1st Battalion The Green Howards (Alexandra, Princess of Wales's Own

Yorkshire Regiment)

1st Battalion The Argyll and Sutherland Highlanders (Princess Louise's)

QinetiQ

Llew Smith: To ask the Secretary of State for Defence if he will place in the Library a copy of the new long-term partnering agreement concluded with QinetiQ announced on 3 March 2003, *Official Report*, columns 77–78WS. [101992]

Dr. Moonie: No. At present, it would not be appropriate to place a copy of the long-term partnering agreement in the Library of the House, because it remains commercially sensitive. I am therefore withholding this information under Exemption 13 of the Code of Practice on Access to Government Information.

RAF Pilot Training

Miss McIntosh: To ask the Secretary of State for Defence when he last visited the Vale of York to discuss training of RAF pilots; and if he will make a statement. [101644]

Dr. Moonie: My right hon. Friend the Secretary of State for Defence visited Royal Air Force (RAF) Linton-on-Ouse in the Vale of York on 6 March, when he attended the annual dinner of the Yorkshire Universities Air Squadron. I understand that he discussed a variety of subjects with those present.

Servicemen (Salary Abatement)

Mr. Sayeed: To ask the Secretary of State for Defence whether an abatement was made to the salary of servicemen in each of the armed forces between 1973 and 1975; and if he will make a statement. [102079]

Dr. Moonie *[holding answer 10 March 2003]*: No abatement was applied to the annual recommendations submitted to the Prime Minister by the Armed Forces Pay Review Body between 1973 and 1975, although the review body would have been obliged to observe the constraints imposed by the statutory controls on pay increases, in force between November 1972 and July 1974, as well as the subsequent guidelines of the Social Contract.

While not an abatement to service pay, in formulating its recommendations the review body would have applied an adjustment, where appropriate, to the comparator salaries used as the basis for officers' and warrant officers' pay during this period to take account of the relative benefits of the armed forces pension scheme. No similar adjustment was required to be made at that time in respect of comparator salaries for other ranks because most service personnel at this level did not complete the necessary 22 years' service then required to qualify for a pension.

Smoking

Chris Grayling: To ask the Secretary of State for Defence what policy his Department has adopted on smoking in the workplace. [100949]

Dr. Moonie: The Ministry of Defence's aim, in line with wider Government policy, is to create a non-smoking working environment in so far as it reflects the wishes of staff. This requires surveys to be undertaken and the wishes of staff to be established, unless smoking is prohibited, for operational reasons, in specific areas. Detailed guidance on this policy is promulgated in the Department's Health and Safety Handbook Joint Service Publication 375, a copy of which has been placed in the Library of the House.

The policy is under constant review to reflect current Health and Safety Commission/Executive guidance.

Sudan

Mr. Roy: To ask the Secretary of State for Defence how many UK service personnel are stationed in Sudan. [101600]

Mr. Ingram: One.

Territorial Army

Mr. Wyatt: To ask the Secretary of State for Defence how many Non-Regular Permanent Staff over 60 are employed in the TA; and in which districts. [102206]

Dr. Moonie: The number of Non-Regular Permanent Staff (NRPS) aged over 60 employed in the TA in each of the districts or divisions, as at 1 January 2003, is shown in the table:

District/division	*Number of NRPS*
HQ 2 Div	20
HQ 4 Div	10
HQ 5 Div	5
HQ London District	—[1]
HQ Northern Ireland	—[1]
Total	40[2]

[1] Denotes fewer than five

[2] Figures are rounded to the nearest five and totals may not therefore always equal the sum of the constituent parts

Vaccine Schedule (Gulf Deployment)

Dr. Gibson: To ask the Secretary of State for Defence what validation was obtained for studies of vaccines in humans that are now being administered to troops sent to the Gulf. [95929]

Dr. Moonie: Service personnel are routinely offered a range of vaccinations to protect against disease. Service personnel deploying to the Gulf region are also offered vaccination against anthrax. All these vaccines are licensed products. The Medicines Control Agency's licensing process requires the licence applicant to conduct studies into the efficacy and safety of their product.

Vaccination against smallpox is being offered to a cohort of specialist NEC personnel and certain medical personnel some of whom are deploying to the Gulf region. The smallpox vaccine is not currently licensed, but is being used on the basis of expert medical advice.

Written Questions

Mr. Burstow: To ask the Secretary of State for Defence how many named day written questions were tabled to the Department between 15 October 2002 and 24 February 2003; how many that received a holding answer were given a substantive answer *(a)* within three days, *(b)* within seven days, *(c)* within 14 days, *(d)* within 28 days and *(e)* over 28 days later; and what procedures the Department has in place to monitor performance on answering (i) parliamentary questions and (ii) ministerial letters. [99435]

Dr. Moonie: 444 named day written questions were tabled to the Ministry of Defence between 15 October 2002 and 24 February 2003. Of this number, 153 questions received a holding reply and one remains outstanding. The information could be broken down into the timescales requested only at disproportionate cost.

Parliamentary questions tabled to the Ministry of Defence are recorded on a database and progress of all parliamentary questions is monitored closely.

The Cabinet Office, on an annual basis, publishes a report to Parliament on performance of departments in replying to ministerial correspondence. The Report for 2001 was published on Friday 24 May 2002, *Official Report*, column 674W. The Report for 2002 will be published in due course.

SOLICITOR-GENERAL

Animal Welfare

Norman Baker: To ask the Solicitor-General how many people in the United Kingdom are banned from keeping animals for life. [100356]

Mr. Morley: I have been asked to reply.

These figures are not recorded.

Provocation

Caroline Flint: To ask the Solicitor-General what plans she has to propose amendments to the law on provocation; and if she will make a statement. [102043]

The Solicitor-General: Two questions have arisen for consideration in recent months: first, whether the law as interpreted by the courts is sound, which includes the question of how the law operates in practice; and/or whether a review of the sentencing guidelines is needed.

The Home Secretary and the Law Officers with the assistance of the Director of Public Prosecutions are currently considering whether there are grounds for a review of the law of provocation and/or a reference to the Sentencing Advisory Panel. I refer to my answer to my hon. Friend the Member for Slough (Fiona Mactaggart) on 28 February 2003 for more details of the work being carried out by the Law Officers and the DPP.

In December 2002 the Court of Appeal reviewed the sentences imposed on two defendants convicted for the manslaughter of their partners by reason of provocation. The Law Officers referred the sentences to the Court of Appeal on the grounds that they appeared to be unduly lenient and that the existing sentencing guidelines did not appear to reflect adequately the seriousness of the offence. Among the other observations in its judgment, in declining to increase the sentences imposed on these defendants the Court of Appeal held that it could not consider whether new guidelines were justified in this difficult area without advice from the Sentencing Advisory Panel.

Ultimately the responsibility for the criminal law and for making references to the Sentencing Advisory Panel falls to the Home Secretary.

TREASURY

Child Care Tax Credit

Mr. Boswell: To ask the Chancellor of the Exchequer how many current recipients of childcare tax credit he estimates will lose out from April on account of the rate that such credit will operate for a minimum period of four weeks. [98673]

Dawn Primarolo: When it is introduced in April, the working tax credit will include a child care element which provides more flexible support for the costs of eligible child care.

In response to concerns raised by parents paying child care costs weekly, who may have short increases of child care costs during the school holidays, we are bringing forward regulations making a minor change to the system to allow parents to take account of changes in costs lasting less than four weeks. This will allow parents with fluctuating costs to have their tax credit based on their average child care costs, including any short-term fluctuations. The Inland Revenue will issue clear guidance for parents and child care providers on how the system will work from April.

Debt Relief

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer (1) what discussions officials from his Department have had with representatives of other developed countries regarding the provision of additional relief for Heavily Indebted Poor Countries at the completion point of their relief initiatives; [102008]

(2) what discussions officials from his Department have had with representatives of *(a)* other developed countries, *(b)* the World bank, *(c)* the IMF and *(d)* the Ethiopian Government regarding (i) restructuring and (ii) suspending Ethiopia's debt repayments; [102007]

(3) what plans he has to *(a)* organise, *(b)* host and *(c)* campaign for a major debate on debt relief involving representatives of countries from the developed and developing countries, the IMF and the World bank. [102006]

John Healey: The UK takes a strong lead in the international debate on debt relief. The issue is discussed at most major international meetings, including the Annual meetings of the International Monetary Fund (IMF) and the World bank, which are attended by representatives from all member countries, including developing countries. The UK will use the forthcoming spring meetings of the IMF and World bank to push for increased efforts on debt relief.

The staffs of the IMF and World bank have prepared a paper on the options for Heavily Indebted Poor Countries to obtain technical assistance to facilitate the resolution of disputes, including those with commercial creditors. The UK will press for a full discussion of this issue at the spring meetings.

The UK also believes that where countries have to contend with external shocks, such as sharp falls in the price of key export commodities, we must form a broad consensus on the need for topping-up at completion point to ensure a lasting exit from unsustainable debt. We will work with our international partners to develop more realistic and generous rules for its provision, including agreement that the calculation of topping-up should exclude voluntary bilateral provision of additional 100 per cent. relief, to ensure that this functions as truly additional relief.

The UK has also been leading the debate on how to raise additional finance for development, including debt relief. The Chancellor and the Secretary of State for International Development have proposed an International Finance Facility (IFF) that will double the amount of development assistance in the years to 2015 from US$50 billion to $100 billion. This money will be disbursed mainly in the form of grants, including debt relief. This proposal is being worked up through the G7 and other forums in the run up to the G8 heads of state summit in June.

Officials meet regularly with their counterparts in other developed countries, and in a variety of international organizations, to discuss a wide range of issues.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer if he will list the heavily indebted poor countries which have had full debt relief from the UK. [102009]

John Healey: The UK always goes further than is required under the enhanced Heavily Indebted Poor Countries initiative (HIPC) and provides 100 per cent. debt relief. Under the HIPC initiative a country receives interim debt relief on payments due when it reaches Decision Point and subsequently the debt is irrevocably cancelled at Completion Point. To reach Decision Point and demonstrate their commitment to poverty reduction, a country must prepare an Interim Poverty Reduction Strategy Paper (PRSP), to get to Completion Point they need to develop a full PRSP, and usually make progress in implementing it for one year.

Of the 42 countries classified as HIPCs four are currently expected to have a sustainable burden of debt after traditional debt relief. Of the remaining 38 countries, 26 have now reached Decision Point with US$62 billion in debt relief committed compared with the $100 billion total. Six of these countries have reached Completion Point and have had the totality of their debts owed to the UK irrevocably cancelled. For the 20 countries still at Decision Point the UK provides 100 per cent. relief on debt service payments, and stands ready to irrevocably cancel their stock of debt at Completion Point. Out of 12 countries yet to reach Decision Point, eight are currently affected by conflict and this makes their progress in the HIPC initiative difficult. For these countries yet to reach Decision Point the UK holds in trust any debt service payments made until they can be returned to fund poverty reduction. The UK is the only creditor to operate this policy and has called on others to follow its lead.

The HIPCs that have reached completion point are: Bolivia, Burkina Faso, Mauritania, Mozambique, Tanzania and Uganda

The HIPCs that have reached decision point are: Benin, Cameroon, Chad, Ethiopia, The Republic of the Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, Madagascar, Malawi, Mali, Nicaragua, Niger, Rwanda, São Tomé et Príncipe, Senegal, Sierra Leone, and Zambia.

The HIPCs yet to reach completion point are: Burma*, Burundi*, Central African Republic*, Comoros, Democratic Republic of Congo*, Republic of the Congo*, Côte D'Ivoire, Lao PDR, Liberia*, Somalia*, Sudan* and Togo.

* Conflict-affected countries.

Inland Revenue

Mr. Hancock: To ask the Chancellor of the Exchequer how many tax return forms were submitted with inaccuracies in 2001–02; what the cost of follow-up work on inaccurate returns was; and if he will make a statement. [102510]

Dawn Primarolo: The Revenue does not have this information.

Iraq

Llew Smith: To ask the Chancellor of the Exchequer how much money has been *(a)* set aside for military activities in respect of Iraq and *(b)* spent to support (i) peacemaking, (ii) peacekeeping, (iii) non proliferation and (iv) disarmament inspections carried out by the United Nations in 2002–03. [102071]

Mr. Boateng: The Chancellor has allocated a contingency reserve of £1.75 billion to meet our international defence responsibilities in this respect.

National Insurance

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what research he has commissioned into a recalculation of National Insurance contributions. [102000]

Dawn Primarolo: Each year the Government Actuary's Department are required by legislation to estimate the likely effects on the National Insurance Fund of changes to benefit rates and contribution rates.

Organisation for Economic Co-operation and Development

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what assessment HM Treasury has made of the future expansion in membership of the Organisation for Economic Co-operation and Development; and if he will make a statement. [102002]

John Healey: Since its foundation in 1960 10 countries have joined the Organisation for Economic Co-operation and Development's original membership of 20. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs is responsible for the Government's institutional relationship with the OECD. Treasury officials will be working with the FCO to assess the impact of possible enlargement of the OECD. There is no automatic process through which countries can become eligible to join the OECD, but the UK's view is that the OECD should establish a coherent strategy encompassing potential enlargement, requests for observership status, and its approach to non-members though Outreach programmes. The strategy should ensure that the OECD enhances its ability to perform its core tasks.

Public Documents (Foreign Languages)

Mr. Rosindell: To ask the Chancellor of the Exchequer what estimate he has made of the cost of providing public documents issued by his Department in languages other than English. [101986]

John Healey: The Treasury does not have a specific budget for producing Treasury publications in languages other than English.

The documents most regularly produced in languages other than English are the Budget and pre-Budget report leaflets, which are also made available in Welsh. Documents are very occasionally produced in other European languages, such as the pamphlets associated with the paper "Realising Europe's Potential: Economic Reform in Europe" (February 2002), which were produced in French, Spanish and Italian.

Tax Credits

Mr. Prisk: To ask the Chancellor of the Exchequer what estimates his Department has made of the costs of the provision of *(a)* public and *(b)* hon. Member helplines following the introduction of the new tax credit. [102417]

Dawn Primarolo: The full costs incurred in the current year (2002–03) on the provision of helplines for new tax credits, including setting up, live running and staff costs, are estimated at £53 million. There are no separate figures for the hon. Member helpline, but these will be minimal in the context of the overall costs.

Hugh Bayley: To ask the Chancellor of the Exchequer how many families in the City of York council area have been helped by each of the tax credits since they were introduced. [102647]

Dawn Primarolo: The number of recipients of WFTC and Disabled Person's Tax Credit in each local authority and each constituency are shown in "Working Families' and Disabled Person's Tax Credit Statistics: Geographical Analyses" for each quarter. Copies are on the Inland Revenue website, www.inlandrevenue.gov.uk. Information about the numbers eligible for the Children's Tax Credit is not available by local authority, but it is estimated that about 400,000 families in Yorkshire and The Humber will benefit from it.

Tax Evasion

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what estimates he has made of the total amount of tax evaded in each year since 1997. [102003]

Dawn Primarolo: There is no reliable measure of the total tax and other duties lost to evasion. In his report, published in March 2000, Lord Grabiner QC commented on the scale of the hidden economy and said:

> "By its nature, the size of the informal economy is hard to measure. Most estimates are based on analysing high-level economic aggregates, such as labour market statistics or income and expenditure surveys, and calculate the result as a percentage of GDP. However there is research which suggests that these estimates tend to be exaggerated.
>
> It would be impractical to arrive at a precise and meaningful figure as to the scale of the problem without a considerable investment of time and resources."

VAT (Welfare Services)

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what estimate he has made of the impact of the introduction of VAT exemptions for welfare services provided by state-regulated private welfare agencies on *(a)* the costs, *(b)* the revenue and *(c)* the profitability of such agencies. [102126]

John Healey: As a result of these changes, the 60,000 sick, elderly or disabled people who pay for home care services could see a reduction in costs of up to 13 per cent. No specific estimate has been made for the impact on state-regulated private welfare agencies. The impact of the changes on their revenue and profitability will depend upon the price charged for their services. In setting their prices, agencies will take a range of commercial factors into account, of which the exemption for welfare services is only one.

Voluntary Sector

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer when he will publish the Government's future plans for the voluntary sector. [102011]

Mr. Boateng: Following the publication of the "Next Steps on Volunteering and Giving in the UK" discussion document in December, we are now consulting a wide range of stakeholders in the voluntary sector and beyond on the Corporate Challenge to develop a package to encourage businesses to support their communities; and on the Gap Year Pilots to encourage young people to volunteer. The results will be publicised in due course. In addition, a consultation document on futurebuilders will be published soon and will be available in the House Library.

Young People

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what percentage of 16 to 18-year-olds were not in education, training or employment in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and *(f)* 2002 in (i) Coventry and (ii) the UK. [101188]

Ruth Kelly *[holding answer 10 March 2003]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from L Cook to Jim Cunningham, dated 12 March 2003:

As National Statistician, I have been asked to reply to your Parliamentary Question about 16 to 18 year olds who are not in education, training or employment. (101188)

The attached tables give the information requested for the United Kingdom and West Midlands Metropolitan County, for the three month period ending November of each year from 1997 to 2002. These estimates are from the Labour Force Survey (LFS) and are subject to sampling variability from year to year. They are not seasonally adjusted. The LFS sample size is too small to give reliable estimates for Coventry Local Authority District.

Table 1: Percentage of 16 to 18 year olds who are not in education, training or employment[1]*; United Kingdom; 1997 to 2002*

September to November	*Per cent. not seasonally adjusted*
1997	10.8
1998	11.5
1999	11.4
2000	11.3
2001	12.0
2002	12.8

[1] People aged 16–18 who are not in education, training or work as a percentage of all aged 16–18.

Note:

These Labour Force Survey (LFS) estimates have not yet been adjusted to take account of the Census 2001 results.

Source:

ONS Labour Force Survey

Table 2: Percentage of 16 to 18 year olds who are not in education, training or employment[1]*; West Midlands Metropolitan County; 1997 to 2002*

September to November	*Per cent. not seasonally adjusted*
1997	16.7
1998	13.6
1999	14.6
2000	16.0
2001	11.7
2002	16.1

[1] People aged 16–18 who are not in education, training or work as a percentage of all aged 16–18.

Note:

These Labour Force Survey (LFS) estimates have not yet been adjusted to take account of the Census 2001 results.

Source :

ONS Labour Force Survey

FOREIGN AND COMMONWEALTH AFFAIRS

Deported Resistants

Mr. Viggers: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Government has to be represented at the official opening of the European Centre for Deported Resistants scheduled for April 2005 in Natzweiler-Struhof, France. [102141]

Mr. MacShane: The Government will decide on attendance nearer the time of the opening.

Libya

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what recent assessment his Department has made of *(a)* the freedom of speech, *(b)* the freedom of the press, *(c)* the freedom of association and *(d)* the freedom of religion in Libya; [101793]

(2) what recent assessment his Department has made of human rights violations by *(a)* the Libyan Government and *(b)* the Libyan Security forces; [101791]

(3) what recent assessment his Department has made of levels of political violence and repression by the Libyan Government; [101795]

(4) what recent assessment his Department has made of the use of forced labour by the Libyan Government; [101794]

(5) what recent assessment his Department has made of discrimination against tribal groups in Libya; [101792]

(6) what action his Department is taking to raise the issue of Libya's record on human rights at the United Nations. [101796]

Mr. Mike O'Brien: Diplomatic links with Libya were re-established in July 1999, and since then, our embassy has been active in developing links with various human rights organisations in the country. However, access for international human rights NGOs to visit has been rare, and it is difficult to obtain detailed information on the various human rights issues raised by the hon. Member. There have been some positive signs: in September 2002, the Libyan Government announced the release of all political prisoners other than those it has linked to al-Qaeda; in January 2003, they commuted the death sentence on three Ghanaians and one Nigerian; and earlier this year, the Qadhafi Foundation for Charitable Associations launched an anti-torture campaign. We are also encouraged by Colonel Qadhafi's reference, in a speech on 31 August 2002, to the need to discuss abolition of the political "People's" courts. However, we remain concerned about the overall human rights situation in Libya and encourage the Libyans to show they are committed to improving their record during their high-profile chairmanship of the forthcoming Commission on Human Rights (CHR). In the meantime, we are discussing with EU partners whether to make reference to Libya at this year's CHR.

Alenia Marconi Radar System

Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations the UK Government had with other EU member states prior to granting an export control licence for the sale of the Alenia Marconi Systems radar system to the Government of Sudan; and which EU member state the UK Government had to notify subsequent to the application for an export control licence being approved. [96645]

Mr. Rammell *[holding answer 10 February 2003]*: The Government do not normally comment on specific licences, nor on discussions with other EU member states. All export licence applications for Sudan are assessed against the EU consolidated criteria, announced to Parliament on 26 October 2002.

Angola

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the Baroness Amos had with the Government of Angola regarding *(a)* illegal diamond trafficking, *(b)* mine removal programmes, *(c)* the peace process in that country and *(d)* humanitarian aid to that country during her recent visit to Africa; and if she will make a statement. [101801]

Mr. Rammell: My noble Friend Baroness Amos has made two recent visits to Angola. In her first visit, she discussed a wide range of political, economic and humanitarian issues, including mine removal, the peace process and development programmes. She has also discussed regional and international issues with the Government of Angola.

Arab-Israel Conflict

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the conclusions of the Palestinian reform conference in London on 14 January; what his latest assessment is of the Bush peace plan; what assessment he has made of the proposals put forward by the Israeli Prime Minister for a resolution of the conflict; and if he will make a statement. [101824]

Mr. Mike O'Brien: The London meeting on 14 January had a positive impact on Palestinian reform and nation-building efforts. In particular, it advanced work on constitutional reform and the appointment of a Prime Minister. Quartet representatives meeting in London between 18 and 20 February recorded their appreciation of its value in paving the way for the early implementation of the roadmap, the internationally-accepted means of realising President Bush's vision of a peace settlement. We look forward to the early publication of that roadmap now that a new Israeli Government is in place.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* the US Administration, *(b)* the EU, *(c)* the UN and *(d)* Arab countries regarding the proposals put forward by the Israeli Prime Minister for a resolution of the Arab-Israel conflict; and if he will make a statement. [101825]

Mr. Mike O'Brien: The policies of both parties to the Israeli-Palestinian dispute are the subject of constant discussion between the UK and other interested third parties, including the US, UN and EU, as Quartet members, and the Arab Three—Egypt, Jordan and Saudi Arabia. As we have made clear, we look to the new Israeli Government to signal without delay its acceptance of the Quartet roadmap in its present form.

Award Schemes

Annabelle Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by the Department; what their scope was; when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102054]

Mr. Rammell: The Foreign and Commonwealth Office promoted no award schemes in 2001. In 2002, the FCO organised a competition with a prize worth £1,250 for the best essay that addressed an international economic issue likely to pose major challenges for policy-makers over the next five years.

To be eligible, participants had to be undertaking a first or postgraduate degree at a UK university in straight economics or with a substantial economics component. Employees of the FCO and their relatives were not eligible to apply. Essays had to be between 5,000 and 7,000 words. The essay must not have been previously published. It was a condition of applying that the authors grant the FCO the right to publish the prize-winning essays. Entries had to be typed and accompanied by an application form signed by the entrant's course tutor or research supervisor.

Results were sent out in April 2002. Non-winning entrants were notified at the same time.

Bangladesh

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Bangladeshi Government about the new law in Bangladesh that provides immunity to members of the armed forces in cases where civilians have been killed; and if he will make a statement. [101347]

Mr. Mike O'Brien: Our high commission in Dhaka and their EU colleagues have discussed mistreatment of detainees held under Operation Clean Heart with the Bangladesh authorities and specifically raised concerns over the draft Indemnity Ordinance. The Joint Indemnity Bill was passed by Parliament on 23 February. It included an amendment allowing security forces to take internal action, including by court marshal, to punish wrongdoers. We look to the Bangladesh Government to ensure perpetrators of human rights abuses are brought to justice.

Commercial Matters (Overseas Guidance)

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what guidance his Department provides to officials in UK embassies and diplomatic missions overseas with regard to the arrangement and conduct of *(a)* meetings and *(b)* telephone discussions concerning commercial matters. [102387]

Mr. Rammell *[holding answer 11 March 2003]*: No specific guidance has been issued regarding the arrangement or conduct of meetings or telephone discussions concerning commercial matters. General guidance to staff in British Trade International, including staff in overseas posts, emphasises the need to ensure that information provided by business contacts is handled carefully and that information received from or about a British business should not be disclosed, without the latter's permission, to other firms or organisations.

Convention on the Future of Europe

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will seek to incorporate the UK's opt-out from the euro in the draft document from the Convention on the Future of Europe. [101655]

Mr. MacShane: The Government have made clear that they will only recommend UK membership of the single currency if it is in the national economic interest and the economic benefits are clear and unambiguous. A comprehensive and rigorous assessment of the five economic tests will be made by June of this year. If, on the basis of the assessment, the Government take a decision to recommend joining, it will be put to a vote in Parliament and then to a referendum of the British people. Government, Parliament and the people must all agree. Unless and until they do, the Government will not agree to any Treaty that removed the UK's opt-out from EMU.

Departmental Telephone Directory

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs when the most recent internal telephone directory for the Department was published; how often it is updated; and if he will place a copy in the Library. [102031]

Mr. Rammell: The Foreign and Commonwealth Office produces an unclassified internal telephone directory, which includes the main contact points and is updated every six months. I am arranging for the most recent edition, which was updated in November 2002, to be deposited in the Library.

EU-Africa Meeting

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* European and *(b)* African partners regarding re-scheduling the postponed EU-African meeting that was intended to be held in April 2003; what date and location have been agreed; what impact cancelling this meeting will have on relations between the two regions; and if he will make a statement. [101779]

Mr. MacShane: My right hon. Friend the Foreign Secretary discussed this matter with European colleagues on several occasions, including at the General Affairs and External Relations Council on 27 January 2003. The EU has agreed that the EU-Africa summit will be held at the earliest possible date; Portugal has renewed its offer to host it. We are committed to the EU-Africa dialogue and discussions with African partners are being taken forward by the EU troika. African countries recognise that the summit could not be held in April 2003 because it would not have been possible to achieve the broadest participation at the highest level. They also acknowledge the commitment of this Government towards Africa, as shown by our significant development programme, which will rise to £1 billion per annum by 2006, and our support to Africa in a number of multilateral fora, including as one of the prime movers behind the G8 Africa Action Plan announced at Kananaskis in June last year.

Euro

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs whether it is the Government's policy that the UK's opt-out from the euro should be included in the draft European constitution. [102148]

Mr. MacShane: I refer the hon. Member to the reply I gave him today (UIN 101655).

Gibraltar

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Ministry of Defence regarding commemoration of 300 years of British sovereignty in Gibraltar in 2004. [101414]

Mr. MacShane: As yet there have been no formal discussions between the FCO and the Ministry of Defence on the 300th anniversary of the capture of Gibraltar in 1704 by British forces.

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Gibraltar regarding commemoration of 300 years of British sovereignty in Gibraltar in 2004. [101415]

Mr. MacShane: I refer my hon. Friend to the answer I gave him on 26 February 2003, *Official Report*, column 594W. There have been some informal exchanges between officials and the Gibraltar Government on this matter.

HMS Mauritius

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the cost in each year since 1997 of training military personnel from the security forces of Mauritius; and how many persons have been trained each year. [100891]

Mr. Mike O'Brien: Records of exact numbers and costs for training military personnel from Mauritius are held centrally by the MOD, and we were unable to obtain them in the timeframe available. A fuller answer will be given to my hon. Friend as soon as we can.

According to the information available, since 2000, a total number of 78 members of the Special Mobile Force (SMF) of Mauritius have received training from the UK. They are as follows:

2000—5;
2001—22;
2002—51

Iraq

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his US counterparts regarding the disarming of the Iraqi population following any successful removal of the Iraqi regime. [100134]

Mr. Mike O'Brien: No decision to launch military action against Iraq has been taken. We regularly discuss all aspects of Iraq policy with our US counterparts.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions Baroness Amos had with the Governments of *(a)* Guinea, *(b)* Cameroon and *(c)* Angola regarding the disarmament of Iraq and UN Resolution 1441; during her recent visit to Africa, what the conclusion of those discussions was; and if he will make a statement. [101775]

Mr. Rammell: My noble Friend Baroness Amos met President Conte of Guinea, President Dos Santos of Angola and President Biya of Cameroon during her recent visit to Africa. She discussed the disarmament of Iraq in accordance with UNSCR 1441 and a range of other bilateral and regional issues.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the US Secretary of State on post-war reconstruction of Iraq; and if he will make a statement. [102509]

Mr. Mike O'Brien: No decision has been taken to launch military action against Iraq. We regularly discuss all aspects of Iraq policy with our US counterparts.

Ivory Coast

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the Baroness Amos has had with the Government of Guinea regarding the present situation in the Ivory Coast; what steps his Department is taking to address this situation; and if he will make a statement. [101773]

Mr. Rammell: My noble Friend, Baroness Amos, discussed regional issues during her visit to Conakry on 25 February 2003. She is also in regular touch with a wide range of ECOWAS leaders about the crisis in Côte d'Ivoire, including the chairman of ECOWAS, President Kufuor of Ghana.

We believe that the Linas Marcoussis Agreement offers the basis for a peaceful political settlement. We urge all Ivorians to work constructively for its implementation. Recent UK support has included £2 million to assist deployment of the ECOWAS peace-monitoring force, and £1 million in humanitarian assistance.

North Korea

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department have had with the Governments of *(a)* the Republic of Korea, *(b)* China and *(c)* Japan regarding the security situation in North Korea; and if he will make a statement. [101821]

Mr. Rammell: I discussed this issue during my visit to the region last week, where I held meetings with the new South Korean President, Roh Moo-hyun, Foreign Minister, Yoon Young-kwan, National Security Adviser, Ra Jong Yil, Chinese Vice Foreign Minister, Wang Yi, in Seoul, and the Japanese Deputy Foreign Minister, Tetsuro Yano, in Tokyo.

We have made clear in all our contacts with other Governments that we support a peaceful resolution of the security situation on the Korean Peninsula through multilateral dialogue.

Overseas Trips

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the overseas trips made by himself and other Members of his ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101487]

Mr. Rammell: I refer the hon. Member to the answer given to the hon. Member for Yeovil (Mr. Laws) by my hon. Friend the Minister of State, Cabinet Office (Mr. Alexander) on 22 January 2003, *Official Report*, column 334W.

Palestine

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received about the state of health of the Palestinian MP, Marwan Barghouti; and what representations he is making to ensure that Israel complies with Articles 30, 31 and 32 of the Third Geneva Convention and Articles 91 and 92 of the Fourth Geneva Convention in respect of its treatment of Mr. Barghouti. [101574]

Mr. Mike O'Brien: We have received information that Marwan Barghouti's health has deteriorated. Our embassy in Tel Aviv is making inquiries of the Israeli Government over these reports. On 28 February 2003, I wrote to the Israeli Ambassador to raise our concerns. I understand he has now been given the required medication.

The Israeli District Court started legal proceeding against Mr. Barghouti on 5 September 2002. The next hearing is set for 6 April 2003, and we understand that the trial will be over by the end of May 2003. We will continue to monitor this case closely.

Turkey

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the recent vote in the Turkish Parliament regarding the deployment of military troops to that country; and if he will make a statement. [101776]

Mr. MacShane: The Government are following developments in Turkey closely, including the recent Iraq-related vote in Parliament. Turkey's contribution to the search for peace and security in the region includes its own strong respect for democratic processes.

UNSCOM

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of Iraq's known weapons of mass destruction were destroyed or otherwise disabled by UNSCOM inspectors up to December 1998. [101989]

Mr. Mike O'Brien: As a result of Iraqi concealment and deceit, UNSCOM was never able to verify the full extent of Iraq's holdings of weapons of mass destruction, so it is not possible to give an accurate estimate of what proportion of them had been destroyed.

It is clear, however, from the final report of UNSCOM's Executive Chairman Richard Butler that there were substantial numbers of chemical and biological weapons, large quantities of the materials for the manufacture of such weapons and a number of missiles with a range beyond the 150 km limit prescribed by the United Nations still unaccounted for when UNSCOM left Iraq in December 1998.

Zimbabwe

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those persons the Baroness Amos met during her recent visit to Africa; what discussions she had on the role of Zimbabwe within the African Union during that visit; and if he will make a statement. [101777]

Mr. Rammell: During her recent visit (25 to 28 February 2003) to Africa, my noble Friend Baroness Amos met President Conte of Guinea, President Dos Santos of Angola and President Biya of Cameroon.

She discussed the political, economic and humanitarian situation in Zimbabwe with Angola's President Dos Santos, the current Chairman of the Southern African Development Community (SADC).

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list assets frozen under EU sanctions against Zimbabwe, broken down by *(a)* name of account holder, *(b)* amount and *(c)* date on which they were frozen; what impact freezing these assets has had upon the political situation in Zimbabwe; and if he will make a statement. [101778]

Mr. Rammell: The assets freeze has targeted Mugabe and senior Zimbabwean officials. Assets worth £513,367.70 have been frozen in the UK and Dependent Territories under the EU's Common Position. These are held in 25 personal accounts. We are withholding details of the individual account holders under Exemption 12 of the Code of Practice on Access to Government Information, as unwarranted disclosure would constitute, or could facilitate, an unwarranted invasion of privacy. We do not have figures for assets frozen by other EU states under the Common Position.

The assets freeze has sent a strong message to the Mugabe regime, underlining the EU's concern at the internal political situation.

EDUCATION AND SKILLS

Child Care

Sandra Gidley: To ask the Secretary of State for Education and Skills what assessment she has made of the regional variation in cost of child care; and if she will make a statement. [99050]

Maria Eagle: The Government appreciate that the cost of child care can be high, especially for parents with babies or young children needing full day care and that there are regional differences in the cost.

Working parents, subject to the level of their income, may receive support through the child care tax credit element of the Working Families Tax Credit or the Disabled Person's Tax Credit (Working Tax Credit from April 2003). Tax credit is rightly targeted at lower and middle income families who may use a range of types of child care.

The cost of child care reported in the Department for Education and Skills 2001–02 audit shows an England average of £101.01 a week for full day care and £132.49 for London—the region with the highest child care costs. The child care tax credit provides for up to 70 per cent. of costs of eligible child care. It can pay up to £94.50 a week for one child (where the child care cost is £135), and up to £140 a week for two or more children (where the cost is £200). No Government have provided the kind of direct support for the costs of child care that is delivered by the child care tax credit. £1 million a day is now spent on supporting parents with child care costs.

In addition, support is also available through various grants and access funds for parents undertaking further and higher education, for participants on the New Deals and those receiving Jobseeker's Allowance. Lone Parents participating in the New Deal for Lone Parents programme, can receive assistance with the costs of registered child care while attending job interviews, approved training and meetings with their Personal Advisors.

The DfES and the Inland Revenue will continue to monitor the cost of child care to ensure good quality affordable and accessible child care is available for all those who need it.

Education (Coalfield Areas)

John Mann: To ask the Secretary of State for Education and Skills what targets he has set for raising educational aspirations among young people in the coalfields. [101576]

Mr. Ivan Lewis: No targets are set to measure educational aspiration. However, this Department has strategies that are aimed at helping to raise educational attainment in coalfield and other areas. In "14–19: opportunity and excellence" (published 21 January 2003), we outlined our plans to transform the learning experience between 14 and 19 so that young people have a greater choice and flexibility to follow coherent learning pathways that reflect their individual strengths and aspirations. We believe that increased choice and flexibility, and improved coherence and quality of programmes, will help to raise young people's aspirations and those of their parents and wider communities. To support delivery and give focus to our proposals for 14–19 reform, we have set ourselves targets to increase young people's participation and attainment in education. These are:

compared with 2002, the proportion of 19-year-olds achieving 5 GCSE grades A* to C, or the equivalent vocational qualifications, will rise by 3 percentage points by 2004, and a further 3 percentage points by 2006;

by 2010, 90 per cent. of young people by age 22 will have participated in a full-time programme fitting them for entry into higher education or skilled employment;

by 2004 at least 28 per cent. of young people will enter a modern apprenticeship by age 22.

Connexions Service

Mr. Gibb: To ask the Secretary of State for Education and Skills which pupils have access to the independent advice provided by the Connexions service; and if he will make a statement. [99630]

Mr. Ivan Lewis: All young people aged 13–19 have access to impartial information, advice and guidance offered by the Connexions service. Access is via maintained schools, city academies, colleges, high street centres and Connexions Direct, the telephone and web-based service currently being trialled in several areas of England.

Young people also have access to the Youth Services, who can provide informal personal and social education for young people. They can help them prepare for adult life by:

- acquiring social skills,
- helping them to become responsible citizens and
- preparing them for the world of work.

Grant Funding

Harry Cohen: To ask the Secretary of State for Education and Skills pursuant to his statement of 7 February 2003, *Official Report*, column 29WS, which London boroughs qualify for grant funding to meet the cost of the 2003 teachers' pay settlement; and how much money that grant is in each case. [100900]

Mr. Miliband: The table contains the information requested. The Secretary of State has announced that a grant of over £11 million will be available for 2003–04 to those authorities where the DfES recognises that there are affordability issues created by the recommendations of the School Teachers' Review body for London. The grant is being given to those authorities in London who have the lowest increase in Education Formula Spending Share per pupil or receive the floor increase for Revenue Support Grant in 2003–04.

£ million

Authorities	*Total grant*
Barking and Dagenham	1.031
Barnet	0.579
Bexley	0.490
Bromley	0.594
Camden	0.698
Croydon	0.695
Enfield	0.665
Hammersmith and Fulham	0.739
Haringey	1.292
Havering	0.475
Kensington and Chelsea	0.491
Lambeth	0.391
Redbridge	0.017
Richmond upon Thames	0.261
Sutton	0.378
Waltham Forest	0.534
Wandsworth	1.141
Westminster	0.818
Total	11.290

Overarching Strategy for Children and Young People

Mr. McNamara: To ask the Secretary of State for Education and Skills when he will publish the Overarching Strategy for Children and Young People. [101419]

Mr. Denham *[holding answer 7 March 2003]:* The Government is determined to improve outcomes for all children and young people, wherever they live, whatever their background. We will publish an overarching strategy later this year, setting out the nation's vision for children and young people, the outcomes that we want to see them achieve, and what needs to happen to make this vision a reality.

The strategy will be closely linked with the forthcoming green paper, which will identify options for improving services for children at risk.

Private/Public Boarding Schools

Mr. Burstow: To ask the Secretary of State for Education and Skills what his policy is on looked after children attending *(a)* private and *(b)* public boarding schools; and if he will make a statement. [99378]

Mr. Ivan Lewis: Any decision, regarding the education that is most suitable for a child in care, should be taken locally by those who have responsibility for that child's care and welfare. The decision will be taken following an assessment of the child's developmental needs, including education, and should be in the best interest of the child.

School Governors

Mr. Willis: To ask the Secretary of State for Education and Skills how much funding was allocated to the National Governors Council in each year since 1998–99. [100727]

Mr. Miliband: The table shows how much funding has been allocated to the National Governors Council in each year since 1998–99.

£

Year	*Funding allocated*
1998–99	141,596
1999–2000	156,226
2000–01	158,507
2001–02	115,000
2002–03	116,500

Mr. Willis: To ask the Secretary of State for Education and Skills how much has been spent on supporting parent governor representatives, including the costs of the e-mail network, website and conferences, since they were established. [100728]

Mr. Miliband: Since the first parent governor representatives (PGRs) were elected in September 1999 we have provided £101,520 support for the integrated website and e-mail network and £87,475 for conferences. LEAs are also encouraged to provide financial support for PGRs because PGRs exist to represent the views of all parents on local authority overview and scrutiny committees and sub-committees dealing with education.

Specialist Schools

Mr. Chaytor: To ask the Secretary of State for Education and Skills if he will list the *(a)* specialist schools and *(b)* local education authorities that exercised the option to select up to 10 per cent. of pupils by aptitude in each of the last three years, indicating (i) the nature of the specialism, (ii) the status of the school, (iii) the percentage of pupils selected, (iv) the percentage of pupils with statements and (v) the percentage of pupils receiving free school meals. [101039]

Mr. Miliband *[holding answer 10 March 2003]:* On the basis of the latest collated information, the attached table lists the specialist schools and local education authorities that exercised the option to select up to 10 per cent. of their pupils by aptitude in the 2000–01 and 2001–02 academic years. Most of the schools and

LEAs listed were selecting by aptitude prior to the 1998 Act, and therefore some schools listed select more than 10 per cent. of their pupils.

We cannot provide the figures for the 2002–03 academic year as we collect information on aptitude selection from the progress reports which specialist schools are required to submit annually. Specialist schools designated in 2002 will not submit their first progress report until September 2003. The 217 specialist schools that were designated in February 2003 will not begin operating until this September, and will submit their first progress reports in September 2004.

The information requested on the percentage of pupils receiving free school meals cannot be provided as it is the Department's current policy not to publish figures about individual schools without their prior agreement.

30 specialist schools operational as of September 2000 which DfES figures suggest are selecting a percentage of their pupils on the basis of aptitude in their specialist subjects

Specialism	*School*	*LEA*	*Status*	*Operational as specialist school from September*	*Percentage of pupils selected*[1]	*Percentage of pupils on roll with statements of SEN*
Technology	Mill Hill County High School	Barnet, LB of	Foundation	1994	Up to 10%	3.6
Sports	Whitefield School	Barnet, LB of	Community	1999	Up to 10%	5.1
Sports	Oldfield School	Bath & NE Somerset	Foundation	1997	Up to 10%	0.6
Technology	Ninestiles School	Birmingham	Foundation	1997	Up to 10%	3.4
Technology	Small Heath School	Birmingham	Foundation	1994	Up to 10%	1.2
Sports	Oakbank School	Bradford	Foundation	1997	Up to 10%	2.7
Sports	The Wye Valley School	Buckinghamshire	Community	1998	Up to 10%	4.5
Arts	Brentwood Ursuline Convent School	Essex	Voluntary Aided	1999	Up to 10%	0.3
Technology	Philip Morant School	Essex	Foundation	1994	Up to 10%	1.2
Technology	St Martin's School	Essex	Foundation	1995	Up to 10%	0.8
Language	Bohunt School	Hampshire	Foundation	1996	Up to 10%	0.9
Language	Hockerill Anglo European School	Hertfordshire	Foundation	1998	Up to 10%	0.9
Technology	Chaucer Technology School	Kent	Foundation	1996	67%	1.6
Technology	Cornwallis School	Kent	Foundation	1994	Up to 10%	3.4
Technology	Sandwich Technology School	Kent	Foundation	1996	Up to 10%	1.7
Technology	Archbishop Temple School	Lancashire	Voluntary Aided	1995	Up to 10%	1.6
Arts	Intake High School	Leeds	Community	1998	Up to 10%	4.3
Arts	North Kesteven School	Lincolnshire	Foundation	2000	Up to 10%	1.9
Technology	Archbishop Blanch School	Liverpool	Voluntary Aided	1996	6%	1.7
Technology	St Margaret's C of E High School	Liverpool	Voluntary Aided	1997	15%	1.7
Technology	Denbigh School	Milton Keynes	Foundation	1997	Up to 10%	1.5
Technology	Lynn Grove VA High School	Norfolk	Voluntary Aided	1994	15%	0.7
Arts	Latimer Community Arts College	Northamptonshire	Community	1997	Up to 10%	3
Technology	Lodge Park School	Northamptonshire	Foundation	1994	Up to 10%	1.4
Technology	George Spencer GM School	Nottinghamshire	Foundation	1994	Up to 10%	0.6
Technology	Deacon's School	Peterborough city	Foundation	1994	15%	1.3
Technology	Glyn Technology School	Surrey	Foundation	1994	15%	0.5
Technology	Heathside School	Surrey	Foundation	1995	...4%	1.2
Arts	Chestnut Grove School	Wandsworth	Community	1997	16%	3.5
Arts	The St Marylebone School	Westminster	Voluntary Aided	1998	Up to 10%	1.6

[1] The percentages refer to aptitude selection relating to the schools' specialist school designations, some schools may also select for aptitude in other specialisms.

Note:

This information was taken from progress reports submitted by 536 schools operational as at September 2000.

The 1998 School Standards and Framework Act provides for schools with a specialism to select up to 10 per cent. of their intake on the basis of aptitude for a specialist subject prescribed in regulations. Prior to the 1998 Act schools had greater discretion over aptitude selection and this accounts for the percentages above 10 per cent.

University Intakes

Dr. Kumar: To ask the Secretary of State for Education and Skills which universities in *(a)* 2001 and *(b)* 2002 took (i) more than 90 per cent.of their students from state schools and (ii) more than 20 per cent.of students from low participation backgrounds; and if he will make a statement. [98469]

Margaret Hodge: The latest available data are shown in the two tables.

Higher Education Institutes in England taking more than 90 per cent. of young students from state schools in 1999 and 2000.

	1999 state schools percentage	*2000 state schools percentage*
Anglia Polytechnic University	94	95
Bath Spa University College	94	96
Bishop Grosseteste College	98	98
Bolton Institute of Higher Education	100	99
Bournemouth University	91	91
Bretton Hall	94	96
University of Brighton	93	93
Buckinghamshire Chilterns University College	97	98
Canterbury Christ Church University College	94	96
University of Central England	95	96
University of Central Lancashire	97	96
Chester College of Higher Education	92	96
University College Chichester	94	95
Coventry University	94	94
Cumbria Institute of the Arts	98	100
Dartington College of Arts	99	93
De Montfort University	94	95
University of Derby	97	98
University of East London	96	98
Edge Hill College of Higher Education	98	98
University of Essex	91	93
Falmouth College of Arts	98	98
University of Gloucestershire	95	93

	1999 state schools percentage	*2000 state schools percentage*
University of Greenwich	95	96
University of Hertfordshire	95	96
University of Huddersfield	97	97
Keele University	N/a	92
Kent Institute of Art and Design	98	97
King Alfred's College, Winchester	94	94
Leeds Metropolitan University	93	93
University of Lincoln	97	97
Liverpool Hope University College	96	96
Liverpool John Moors University	94	95
London Guildhall University	92	95
The London Institute	97	98
University of Luton	99	99
Manchester Metropolitan University	93	94
Middlesex University	96	97
Newman College of Higher Education	97	99
University College Northampton	97	97
University of North London	96	97
North Riding College	97	N/a
Norwich School of Art and Design	100	100
Nottingham Trent University	91	93
University of Plymouth	91	93
University of Portsmouth	92	91
Ravensbourne College	100	99
Rose Bruford College	93	92
College of St. Mark & St. John	94	96
St. Martin's College	96	97
St. Mary's College	92	93
University of Salford	95	94
Sheffield Hallam University	92	94
Southampton Institute	93	94
South Bank University	93	94
Staffordshire University	97	98
University of Sunderland	97	97
The Surrey Institute of Art & Design University College	99	99
University of Surrey Roehampton	92	N/a
University of Teeside	98	98
Thames Valley University	98	98
Trinity & All Saints	93	93
University of Westminster	92	94
Wimbledon School of Art	100	98
University of Wolverhampton	98	99
University College Worcester	96	97
Writtle College	N/a	94
York St. John College	95	95

Note:

N/a = not applicable, i.e. below 90 per cent. for the year in question.

	1999 Low participation (percentage)	*2000 Low participation (percentage)*
Bolton Institute of Higher Education	26	32
Cumbria Institute of the Arts	22	N/a
Edge Hill College of Higher Education	22	23
Liverpool Hope University College	23	26
Liverpool John Moores University	21	21
Newman College of Higher Education	25	24
Northern School of Contemporary Dance	N/a	21
University of Sunderland	29	29
University of Wolverhampton	23	23

Note:

Not applicable, i.e. not above 20 per cent. for the year in question.

The figures in the tables are taken from the two most recent versions of "Performance Indicators in Higher Education", published annually by the Higher Education Funding Council for England (HEFCE). Copies of these publications can be found in the House Library.

Student Loans

Chris Grayling: To ask the Secretary of State for Education and Skills what the maximum student loan available for a medical student doing a six year course will be after the introduction of the measures outlined in the Government's White Paper; and what the maximum tuition fees are which such a student will be required to pay. [100933]

Margaret Hodge: For English and Welsh domiciled students the maximum means tested loan in 2002–03 is £3,090 for a student residing at their parent's home; and otherwise £3,905, unless for studying in London, where it is £4,815. Eligible medical students from lower income families on a six year course will be entitled to these levels of loan, increased for inflation, for four years. Many will also be entitled to a further Higher Education Grant of £1,000 for four years from October 2004. In year five medical students are entitled to a non means tested reduced rate loan (at 2002–03 prices) of £1,465 if they are living with a parent, £1,915 otherwise, and £2,365 if they are studying in London. In the final year these figures reduce to £1,075, £1,400 and £1,725 respectively. In addition, in years five and six English domiciled medical students may receive non repayable annual means tested bursaries from the Department of Health, or if Welsh domiciled from the Welsh Assembly Government, of up to £1,758 (living with parent), £2,148 (otherwise) or £2,640 (living in London).

After implementation of the White Paper proposals, the annual fee contribution for four years will vary from £0-£3,000 per year but the upfront cost to students and parents would be reduced from the current maximum of £1,100 since fees would start to be repaid only after graduation (and achievement of an income threshold of £15,000 per year). Students on lower incomes would continue as now to receive a grant for fees of £1,100 (increased annually for inflation) and their loan for fees would not exceed £1,900 a year. In cases where the Access Regulator agrees higher fee levels than £1,100, university bursary schemes will further reduce the cost of fees to some students on low incomes.

Fee support for English domiciled medical students in years five and six is the responsibility of the Department of Health. Currently students pay no contributions to fees. Department of Health Ministers have indicated that, whatever the future levels of tuition fees, they will take measures to ensure that any increase in the cost of university courses will not have an adverse impact on the supply, retention, diversity or quality of students on health professional courses, including medicine.

Sure Start

Matthew Taylor: To ask the Secretary of State for Education and Skills if he will place the technical note underlying Sure Start's Public Service Agreement in the Library; and if he will make a statement. [94885]

Maria Eagle: The Technical Note has been published and a copy has been placed in the Libraries.

Teachers

Mr. Laws: To ask the Secretary of State for Education and Skills what proportion of teachers retire at or before age 60 years; and if he will make a statement. [99818]

Mr. Miliband: Early retirement is available to teachers between the ages of 50 and 59. During 2001–02, 3,450 teachers under the age of 60 who had been employed in the maintained schools sector in England were awarded early payment of retirement benefits. This represents around 3 per cent. of the teaching work force in the 50–59 age range. In addition, 1,760 teachers in the 50–59 age range and 580 teachers aged under 50 were awarded ill-health retirement benefits on the grounds of permanent incapacity.

Mr. Andrew Mitchell: To ask the Secretary of State for Education and Skills (1) how many teachers *(a)* left the teaching profession and *(b)* there have been in (i) Sutton Coldfield and (ii) the UK in each year since 1997; [100673]

(2) how many teacher vacancies there were in Sutton Coldfield in each year since 1997. [100674]

Mr. Miliband: Information on teacher numbers and vacancies is collected at local authority level. The table provides information for Birmingham local education authority at January of each year:

Year	*FTE regular teachers*[1]	*Vacancies*[2]
1997	9,910	32
1998	9,800	37
1999	9,760	73
2000	9,880	63
2001	10,220	83
2002	10,440	202

[1] Full-time equivalent regular teachers in post in the maintained schools sector.

[2] Advertised vacancies for full-time permanent appointments (or appointments of at least one term's duration) in maintained nursery, primary, secondary and special schools.

Note:

Includes vacancies being filled on a temporary basis unless filled by someone with a fixed term contract of one term or more.

Source:

DfES annual 618G survey.

The following table shows the numbers of teachers leaving full-time[1] or part- time[2] service in the maintained schools sector in Birmingham and in England. The information is not available at constituency level.

The devolved Administrations are responsible for providing information on teachers in Scotland, Wales and Northern Ireland.

[1] Leavers are those who were in full-time or part-time teaching in the maintained schools sector immediately before the period shown, who were not in service in that sector at the end of the period shown. Teachers leaving are based on pension returns. Some teachers may have moved from known service to service not recorded on the teacher pension return. Some leavers will be taking career breaks and will return to service at a later date.

[2] Around 10–20 per cent. of part-timers may not be included.

	1 April–31March				
	1996–97	*1997–98*[1]	*1998–99*	*1999–2000*	*2000–01*
Birmingham	730	850	610	810	[2,3]—
England	35,650	39,050	31,910	34,930	35,440

[1] Higher than usual numbers of premature retirements, following changes to the retirement regulations, contributed to the high levels of leavers in 1997–98.

[2] The most recent data available at LEA level are for 1999–2000.

[3] Not available

Source:

DfES Database of Teacher Records.

Teaching Assistants

Vernon Coaker: To ask the Secretary of State for Education and Skills what guidelines he has published for the use of teaching assistants to take whole classes without the presence of a qualified teacher; and if he will make a statement. [100965]

Mr. Miliband: My Department recently completed a consultation on developing the role of school support staff, which included proposals for enhancing the role of support staff. These proposals included the development of a 'higher-level teaching assistant' role, for individuals who would have the skills and training to work with whole classes of pupils in the absence of, but under the supervision of, a qualified teacher. We have also recently completed a consultation on draft regulations and guidance under Section 133 of the Education Act 2002. These regulations outline the role of the qualified teacher and set out conditions under which individuals without qualified teacher status can undertake aspects of that role. This area was previously unregulated so the new regulations will strengthen the safeguards in place to protect the quality of pupils' education. My officials are currently considering the responses to the two consultations and the Department will be issuing revised regulations and further guidance in the near future, taking into account the consultation responses and the details set out in the recent National Agreement between the Government, school work force unions and the local government employers.

Truancy

Mr. Hoyle: To ask the Secretary of State for Education and Skills if he will make a statement on his plans to provide more powers to welfare officers to curb truancy in schools. [99658]

Mr. Ivan Lewis: The forthcoming Anti-Social Behaviour Bill will formally enable education welfare officers to ask parents who fail to secure their child's regular attendance at school to sign a parenting contract. This will mean agreeing to co-operate with support arranged by the local authority (typically a parenting course) and taking specified action to improve their child's attendance. Refusal to sign or breach of contract may result in a fixed penalty notice or prosecution.

The Bill will also enable education welfare officers to issue fixed penalty notices to parents who condone or ignore truancy. Failure to pay the penalty will result in prosecution.

These new powers will complement existing measures for tackling truancy, including 'fast-track' prosecutions and truancy sweeps.

HOME DEPARTMENT

Criminal Records Bureau

Mr. Burstow: To ask the Secretary of State for the Home Department what soft information is given to *(a)* employers and *(b)* employees who have requested an enhanced Criminal Records Bureau check. [100167]

Hilary Benn *[holding answer 10 March 2003]:* Enhanced disclosures differ from standard disclosures in that in addition to information about convictions, which is obtained from the Police National Computer, they may also contain information provided by a local police force. Most often, this will be a police force in whose area an applicant has lived for the five years preceding the date of application. This information is commonly referred to as "local information".

The Police Act 1997, which established the Criminal Records Bureau (CRB), sets out when such information should be released. Essentially, a local police force may release local information if it thinks it may be relevant to the position sought. The question of whether information is or may be relevant is solely a matter for the local police force, and over which the CRB has no control.

Local information can be released in two forms—approved information and additional information. Decisions about the form in which information is released are again solely a matter for the local police force and over which the CRB has no control. The local police force decisions are based upon the nature of the information and the circumstances of particular cases. Approved and additional information have previously been termed 'soft' or 'non-conviction' information respectively.

Approved information is local police force information released under section 115 (7) of the Police Act and is information that has been approved to be included on an enhanced disclosure. This is printed on both copies of the disclosure, (i.e. which go to the employer and the employee). The applicant will normally be aware of the information already, which might for example be information about an impending prosecution. At present only some three in every 1,000 enhanced disclosures contain approved information.

Additional information is released under section 115 (8) of the Police Act and is information that has been authorised to be released to the registered body only in the interests of the prevention or detection of crime. This is released in the form of a separate letter sent to the registered body and arrives in a different envelope from the disclosure. The information is not made available to the applicant and does not appear on the disclosure. The disclosure issued to the registered body contains a box on the top right-hand side referring to the letter sent under separate cover. This warns the registered body that they should wait for the letter before reaching a recruitment decision. The information released by the police in these circumstances is highly confidential. Although CRB will know when such letters are released, they do not see the contents and are not sent a copy. At present only some four in every 10,000 enhanced disclosure applications end with the release of additional information.

Mr. Burstow: To ask the Secretary of State for the Home Department how long applications for Criminal Records Bureau checks will be sent to Madras for processing; what the cost is to his Department of sending those applications; what measures are in place to ensure that forms are securely transferred between the UK and India; and if he will make a statement. [100168]

Hilary Benn [*holding answer 10 March 2003*]: All disclosure applications are processed at the Criminal Records Bureau (CRB) sites at Liverpool and Darwen, Blackburn. The work being undertaken at, Chennai (Madras) involves manual inputting of personal information such as name, date of birth and addresses during the past five years, provided by individuals on their application forms. This work is undertaken at the beginning of the process, and no information drawn from police sources or other data sources is involved.

This arrangement was introduced as part of a package of measures to improve the performance of the CRB. It has proved highly effective in enabling large numbers of paper application forms to be processed, with timely, cost effective and accurate data capture, and eliminating backlogs from this critical stage of the CRB process.

Due to the fact that the CRB is still receiving around 78 per cent. of applications on paper and that the current data entry system works well the CRB will continue to capture the information from hand-written forms in Chennai. When the CRB introduces an electronic application channel this situation will be reviewed. There is no additional cost to this Department in the work being carried out in Chennai for data inputting. The costs are borne entirely by Capita as part of their contractual arrangements with the CRB.

To ensure the data processed by Hays in India would be secure, senior members of CRB staff have conducted two extensive site inspections. The inspections were carried out in accordance with the Information Commissioners (IC) guidance relating to overseas transfer. On inspection, the site satisfied both the IC's and the CRB stringent requirements for security, data protection and data integrity.

The data transferred is that contained on the disclosure application form. The form is scanned, encrypted and then transferred via a secure link to the site in Chennai. On receipt of the scanned image, the data are entered on to a system compatible with those used by the CRB to process disclosure applications. On completion the data is again encrypted and transferred back to the United Kingdom via the secure link. Hays only retain the data for the duration of time taken to input and transfer to the United Kingdom. Thereafter, the data are destroyed.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his answer of 9 January 2003, *Official Report*, columns 911–13W, on the Criminal Records Bureau (Checks), if he will set out for each study the *(a)* total cost and *(b)* cost to his Department of (i) the Coopers and Lybrand (1996) market research study; (ii) the Accent Market Research (March 2000) study; (iii) the Labour Force Survey carried out between September and November 1999; (iv) the telephone survey with existing checkers, that was carried out to validate the baseline information; (v) the Capita Account Managers research in December 2001; (vi) the on-going joint Capita CRB forecasting work; (vii) the Rosslyn Research in 2000, to establish employer's requirements in terms of service standards; and (viii) the consultation with registered employers from January to June 2001. [100241]

Hilary Benn: The information is as follows:

(i) the total cost and cost to the Home Office of the Coopers and Lybrand (1996) market research study was £66,422.75, including VAT;

(ii) the total cost and cost to the Home Office of the Accent Market Research (March 2000) study was £16,293.26, including VAT;

(iii) the Labour Force Survey is carried out annually by the Department for Work Pensions, and therefore, the Home Office incurred no additional costs;

(iv) the telephone survey with existing checkers, that was carried out to validate the baseline information, was undertaken by PRA's business planning unit as part of their normal day-to-day duties, and therefore, the Home Office incurred no additional costs;

(v) the Capita Account Managers research in December 2001 is part of the Account Manager's normal day-to-day duties. Therefore, the Home Office incurred no additional costs;

(vi) the on-going joint Capita/Criminal Records Bureau (CRB) forecasting work is part of the normal day-to-day duties of these staff, and therefore, the Home Office incurred no additional costs;

(vii) the total cost and cost to the Home Office of the Rosslyn Research in 2000 to establish employer's requirements in terms of service standards was £5,710.50, including VAT; and

(viii) the consultation with registered employers from January to June 2001 was a major part of the CRB's publicity campaign to raise awareness of the disclosure service and to encourage registration. The total cost and cost to the Home Office of this publicity campaign was £694,000.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his statement of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, what additional resources he has given to Capita for each *(a)* standard disclosure and *(b)* enhanced disclosure following the indefinite postponement of basic disclosures. [101016]

Hilary Benn: In his statement, my right hon. Friend the Home Secretary said it would be inappropriate to launch basic disclosures until higher priority categories of applicant for higher level disclosures are seeing their needs fully accommodated. The Criminal Records Bureau (CRB) is concentrating its resources on the standard and enhanced disclosures until the demand for higher level disclosures is fully met and that applicants for such disclosures receive a satisfactory service. Basic disclosures will not be introduced until these objectives have been achieved. In light of the operational difficulties that the CRB has experienced since the launch of the higher level disclosure service, the decision was taken to re-assess the anticipated demand for basic disclosures in conjunction with a review of the business process model. No additional resources have been directed towards Capita for standard and enhanced disclosures, following the decision to postpone the launch of basic disclosures.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his answer of 29 January 2003, *Official Report*, columns 911–13W, on Criminal Records Bureau (Checks), what assessment he has made of the research into the likely level of demand for Criminal Records Bureau checks undertaken by *(a)* the Home Office and *(b)* CRB. [101025]

Hilary Benn: The research undertaken enabled a baseline demand figure to be agreed and confirmed and assumptions validated from a number of different sources. An assessment of the research indicates that the baseline figure produced for the first year of operations is reasonably close to actual demand. However, it now seems less certain that much higher levels of forecast future demand will be achieved, although this has yet to be proven.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his statement of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, how many representations his Department received in the consultation exercise with registered bodies and employers from January to June 2001 on the use of paper based application systems; and if he will place copies of these in the Library. [101031]

Hilary Benn: During the early part of 2001, as a major part of the Criminal Records Bureau's (CRB's) publicity campaign to raise awareness of the disclosure service and to encourage registration, the CRB held 22 seminars in nine venues throughout England and Wales. In all, over 8,000 organisations were invited to attend, including users of the existing police based arrangements. Around 4,687 delegates attended and the overall satisfaction rating was "very informative". The events proved very successful in raising awareness of the new service with over 3,557 organisations registered from the start. The total cost of this campaign was £694,000. It was during the registration seminars that many organisations with significant stature and strong relevance to the CRB voiced their concerns over the proposed telephone only application channel. The CRB did not carry out a formal paper consultation exercise on this matter.

Mr. Burstow: To ask the Secretary of State for the Home Department (1) pursuant to his statement of 27 February, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, what estimate he has made of *(a)* lost revenue and *(b)* profit to the CRB following indefinite postponement of basic disclosures; [101036]

(2) pursuant to his statement of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, what estimate he has made of the likely increase in insurance premium increase on registered bodies following recommendation 2 of the Carter Inquiry. [101030]

Hilary Benn: Under Her Majesty's Treasury rules the fee level for basic disclosures would have been set at a level to ensure full cost recovery but no surplus. Consequently, this will have no financial effect on the Criminal Records Bureau. The estimate of cost and income for basic disclosures is as follows:

Financial Year 2003–04: £8.3 million

Financial Year 2004–05: £36.4 million

Financial Year 2005–06: £54.6 million

Tim Loughton: To ask the Secretary of State for the Home Department (1) what his estimate is of the charge made by Capita for Criminal Records Bureau checks calculated as the charge per disclosure processed when all 1,284,891 applications made so far have been processed, shown as *(a)* actual charge and *(b)* theoretical charge before penalty clause terms invoked; [101136]

(2) pursuant to his answer of 7 February, *Official Report*, column 475W, on the Criminal Records Bureau, whether the payment of £15,737,771.87 to Capita for Criminal Records Bureau checks represents full and final payment for the disclosures processed so far; and what the full payment made to Capita for work on Criminal Records Bureau checks would have been if penalty clauses had not been invoked. [101135]

Hilary Benn: Details of the charges made by Capita for Criminal Records Bureau (CRB) checks are commercially sensitive and as such I am unable to divulge this information.

Payments have been made in line with the terms of the contract with deduction of liquefied damages for delay and failure to meet service standards.

Mrs. Ellman: To ask the Secretary of State for the Home Department when he will implement the recommendations of the Carter report into the Criminal Records Bureau in Liverpool. [101431]

Hilary Benn [*holding answer 7 March 2003*]: The Independent Review Team's recommendations will be implemented as soon as practicable. Some can be implemented faster than others. Work has already begun on a pilot to examine the costs and feasibility of placing flags on the Police National Computer and in developing an electronic application channel. We expect to establish the Criminal Records Bureau (CRB) as a separate agency later this year.

Feltham Young Offenders Institution

Mrs. Brooke: To ask the Secretary of State for the Home Department when the Commission for Racial Equality's report into Feltham Young Offenders Institution will be published. [101730]

Hilary Benn: Her Majesty's Young Offenders Institution Feltham was one of three establishments examined by the Commission for Racial Equality during its formal investigation into the Prison Service. I am advised by the Commission that they intend to publish a report on the formal investigation into the Prison Service as soon as practicable.

Prisons

Mr. Streeter: To ask the Secretary of State for the Home Department what assessment he has made of facilities for prisoners at Ashfield prison; and if he will make a statement. [101432]

Hilary Benn *[holding answer 10 March 2003]:* Since the Prison Service issued a rectification notice to the contractor (Premier Prison Service) on 10 January 2003, service delivery improvements and progress on compliance with the contract have been achieved.

The delivery of purposeful activity against the contractual requirement of 35 hours per week per trainee is on an upward trend, and close to contract compliance. During February 2003, each trainee received on average 34.56 hours of purposeful activity. A standards audit took place in February 2003, and the establishment was rated as 'acceptable' for both standards and security, with health services, public protection, safer establishments, segregation unit and incentives and earned privileges all rated as good.

However, there are still concerns about provision in a number of areas. Including the level of assaults, the incidence of self harm, and the use of force in handling incidents.

Ashfield will continue to be closely monitored, and the Rectification Notice will not be lifted until the establishment is safe, and offering appropriate facilities to the young people held there. The long-term future of Ashfield remains uncertain. Unless these improvements are built on and sustained, the Prison service will consider re-tendering the contract, or bringing Ashfield into the public sector.

Work Permits

Rev. Martin Smyth: To ask the Secretary of State for the Home Department when Work Permits UK were consulted by the Northern Ireland Department of Employment and Learning regarding work permit applications in respect of pole dancers; whether Work Permits UK make a distinction between applications for *(a)* pole dancers and *(b)* lap dancers; and whether an application for pole dancers should be treated on the basis of an entertainment application. [102432]

Beverley Hughes: Work Permits (UK) was not consulted by the Department of Education and Learning on the issue of permits for pole dancers. Work Permits (UK) does not issue work permits for overseas nationals to work as pole dancers.

All work permit applications are assessed on a case-by-case basis against the work permit criteria. In order to qualify for a work permit under the business and commercial arrangements the job is expected to require an individual to have either a UK equivalent degree level qualification, a Higher National Diploma (HND) level qualification which is relevant to the post on offer, a HMD level qualification, which is not relevant to the post on offer plus one year of relevant work experience or three years experience of using specialist skills acquired through doing the type of job for which the permit is sought. This should be at National/Scottish Vocational Qualification level 3 or above.

In order to qualify for work permit under the arrangements for entertainers the individual must have performed at the highest level and have established a reputation in their profession or be engaged to perform or do work which only they can do.

An application for a pole dancer or lap dancer would not qualify under either of the above categories, and would be refused on the grounds that the skills criteria had not been met.

Simon Hughes: To ask the Secretary of State for the Home Department whether work permits can be issued to individuals who have entered the UK illegally. [102466]

Beverley Hughes: Illegal immigrants cannot apply for work permits, and it is an offence knowingly to employ an illegal entrant to the United Kingdom. Where an employer applies for a work permit for an overseas national who is already in the United Kingdom, Work Permits (UK) will first consider whether the application meets the criteria of the work permit arrangements before considering whether, under the Immigration Rules, the overseas national may be granted leave to remain for the purpose of work permit employment. Under the Immigration Rules, only those who were admitted to the United Kingdom as a work permit holder, as a student or student nurse or as a postgraduate doctor or dentist may be granted an extension of stay for the purpose of work permit employment. Granting such leave in any other circumstance can only be considered on a discretionary basis. Such discretion will not normally be exercised where the overseas national has had an adverse Immigration history.

Young Prisoners

Julie Morgan: To ask the Secretary of State for the Home Department what steps he is taking to ensure that social services are fulfilling their responsibilities for looking after children who go into prison. [100283]

Jacqui Smith *[holding answer 3 March 2003]:* I have been asked to reply.

Councils with social services responsibilities have a duty, under the Children Act 1989, to safeguard and promote the welfare of children in their area. This includes children who are in prison service establishments, subject to the requirements of their imprisonment.

The Department of Health is currently working with the Home Office, the Prison Service, the Youth Justice Board and the Association of Directors of Social Services to consider the implications of Justice Munby's judgment in the recent judicial review brought by the Howard League and Recommendation 2.8 of the Joint Chief Inspectors' report "Safeguarding Children". I refer my hon. Friend to the reply given by my hon. Friend the Under-Secretary of State, Home Department on 5 March 2003, *Official Report*, columns 1104–05W. This consideration will include the possible need for further guidance.

MINISTER FOR WOMEN

Public Appointments

Sandra Gidley: To ask the Minister for Women if she will list the initiatives she has organised in each of the last three years to attract more women into public appointments and their cost; and if she will make a statement. [99035]

Ms Hewitt: During 2000–02 we introduced two electronic databases, the first to create a pool of good quality potential applicants, focusing particularly on women, members of ethnic minority groups and those with disabilities, and the second to allow more effective monitoring of those currently holding appointments. The total cost of the system, of which the databases form a part, was £600,000.

All DTI Directorates were required to draw up and maintain equal opportunities plans for their public bodies spelling out how they intended to achieve their overall goals. We also evaluated all appointments procedures that produced good results in terms of equal opportunities to identify best practice and disseminated the results to other appointments teams. No additional costs were incurred.

During 2002, along with my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), I led a National Outreach Programme to increase the numbers of women applying for public appointments. The cost was £575,551 (excluding VAT).

On 11 December 2002 we launched a practical informative guide to help more women find out about public appointments, and encourage more women to apply for them. The cost of this was £4 a pack. Approximately 2,600 packs have been distributed.

During 2002 we actively sought women candidates for appointment to the Boards of the Regional Development Agencies. Members of the appointments team took part in the National Outreach Programme and the Regional Offices issued promotional material specifically directed at women candidates. The cost of this was approximately £5,000.

NORTHERN IRELAND

Education (Deprived Areas)

8. **Helen Jones:** To ask the Secretary of State for Northern Ireland what steps he is taking to improve educational standards in deprived areas of Northern Ireland. [101446]

Jane Kennedy: It is my objective that all children, irrespective of their backgrounds and circumstances, have the best possible opportunity to achieve their full potential and are properly prepared for the transition to adult life. The Department's new Targeting Social Need action plan contains a wide range of actions and targets aimed at tackling low educational achievement, low personal and social skills and poor employability among disadvantaged children and young people.

Decommissioning

10. **Michael Fabricant:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress of the decommissioning of arms held by the IRA. [101448]

Jane Kennedy: To date the Provisional IRA has been involved in two acts of decommissioning. The arms and material in question have been dealt with in accordance with the decommissioning scheme and regulations.

However, it is regrettable that PIRA, the Ulster Volunteer Force and the Red Hand Commando have all suspended contact with the IICD. I would urge all paramilitary organisations to re-engage with the Commission, as it is imperative that both republican and loyalist organisations complete the transition to exclusively peaceful means, real, total and permanent.

11. **Mr. Andrew Turner:** To ask the Secretary of State for Northern Ireland if he will make a statement on the extent of verifiable decommissioning of unlawfully held weaponry. [101449]

Jane Kennedy: I refer the hon. Member to the answer I gave to the hon. Member for Macclesfield (Sir Nicholas Winterton).

14. **Mr. Robathan:** To ask the Secretary of State for Northern Ireland if he will make a statement on the state of IRA decommissioning. [101452]

Jane Kennedy: I refer the hon. Member to the answer I gave earlier to the hon. Member for Lichfield (Michael Fabricant).

Sir Nicholas Winterton: To ask the Secretary of State for Northern Ireland if he will make a statement on the quantities of illegally held *(a)* weapons and *(b)* explosives that have been decommissioned under the Good Friday Agreement. [101447]

Jane Kennedy: On 18 December 1998 the Independent International Commission on Decommissioning reported that a quantity of arms belonging to the LVF were decommissioned.

On 23 October 2001 they reported that they had witnessed an event that they regarded as significant in which the Provisional IRA had put a quantity of arms completely beyond use. The material included arms, ammunition and explosives.

On 8 April 2002 the IICD reported the Provisional IRA had put a varied and substantial quantity of ammunition, arms and explosive material beyond use. An inventory of the arms will be provided to the British and Irish Governments when the Commission's task is completed.

The arms and material in question have been dealt with in accordance with the decommissioning scheme and regulations. It is imperative that both republican and loyalist organisations complete the transition to exclusively peaceful means, real, total and permanent.

Devolved Institutions

12. **Mr. Bailey:** To ask the Secretary of State for Northern Ireland if he will make a statement on his most recent discussions in respect of the restoration of devolution in Northern Ireland. [101450]

Mr. Paul Murphy: I refer my hon. Friend to the answer I gave today to the hon. Member for Orkney and Shetland (Mr. Carmichael).

Sports Funding

13. **Kate Hoey:** To ask the Secretary of State for Northern Ireland how many individuals in Northern Ireland are in receipt of funding to help them prepare for the next two Olympic Games. [101451]

Angela Smith: Eighteen athletes are in receipt of funding that will assist in their preparation for the Olympic Games in 2004. These are:

Athletics: 3

Equestrian: 2

Swimming: 2

Ladies hockey: 11

Figures are not available in respect of the 2008 Olympic Games.

Peace Process

Kevin Brennan: To ask the Secretary of State for Northern Ireland if he will make a statement on progress towards acts of completion. [101453]

Mr. Paul Murphy: I refer my hon. Friend to the answer I gave today to the hon. Member for Orkney and Shetland (Mr. Carmichael).

Blue Card Emergency Payments

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the average waiting time for assessment and treatment of blue card emergency patients was in Northern Ireland in the last year for which figures are available. [102311]

Mr. Browne: All Blue Card emergency patients have already been assessed within the Neurosurgery specialty. The Blue Card system is a method of prioritising the most urgent Neurosurgery patients. Figures are not available for the length of time between assessment and treatment. Patients on the Blue Card list are treated as soon as a bed becomes available.

At the end of December 2002 there were 302 persons waiting for their first outpatient appointment the Neurosurgery specialty. More than half of all persons waiting for their first outpatient appointment had been waiting less than three months.

The number of persons waiting in the Neurosurgery specialty for inpatient admission was 733. More than half of these were waiting in excess of 18 months.

Departmental Annual Report

Norman Lamb: To ask the Secretary of State for Northern Ireland how much producing his Department's latest annual report cost; how many copies were printed; how many copies of it were sold at its cover price; to whom copies of the report have been provided free of charge; and how many copies were provided free of charge. [100817]

Mr. Paul Murphy: The Northern Ireland Office Departmental Report 2002 was produced by The Stationery Office (TSO). Costs of printing and publication are met directly by TSO and do not fall to Government. My Department was invoiced only for the 200 copies it requested.

600 copies were printed and TSO's records show that 382 copies have been sold at its cover price of £25.

Copies of the Report were provided free of charge to 156 interested parties. A table of those interested parties follows.

Distribution of the NIO departmental report 2002

Recipient	*Number of copies*
Secretary of State, Ministers, Senior NIO Officials	18
Heads of NIO Agencies and Legal Offices	5
Parliament House of Commons Library	12
NIO Information Offices Belfast and London	9
HM Treasury	3
First Minister, Deputy First Minister, NI Assembly and OFM/DFM	25
Scottish and Welsh Offices	2
Head of NICS & NI Permanent Secretaries	11
NI MP's	18
Other interested MP's	3
1MEP	1
Members of the House of Lords with an interest in NI	25
Treasury Select Committee	14
NI Select Committee	14
TOTAL	156

In the Northern Ireland Administration five departments to date have produced Annual Reports or Annual Report and Accounts for the financial year 2001–02. Details of the cost of producing these reports could be obtained only at disproportionate cost. A total of 4,050 copies have been printed, of which 656 have been sold at their cover price and approximately 2,000 copies have been provided free of charge to a range of bodies.

Neurosurgery

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many nurses have been recruited to work in neurosurgery in Northern Ireland in each year since 1997. [102305]

Mr. Browne: The Royal Group of Hospitals HSS Trust is the only trust in Northern Ireland that employs nurses to work in neurosurgery. The figures are detailed in the table:

Number of nurses (including bank[1] staff) recruited to work in neurosurgery in Northern Ireland between 1997 and 2002

Year	*Non-bank/ headcount*	*Non-bank WTE*[2]	*Bank headcount*
1997	4	2.86	3
1998	2	2.00	0
1999	1	0.64	2
2000	5	4.84	5
2001	7	6.36	1
2002	5	4.25	1

[1] Bank staff cover for staffing shortfalls and fluctuating work loads in order to maintain service delivery

[2] Whole time equivalent

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the waiting list for neurosurgery is at the Royal Victoria Hospital Belfast. [102314]

Mr. Browne: The latest figures available (end of December 2002) indicate that there are 733 in-patients awaiting admission in the neurosurgery specialty. A further 302 out-patients are waiting for a first appointment.

Treatment Referrals

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many people from Northern Ireland have been referred for treatment in hospital in *(a)* the Irish Republic, *(b)* Scotland, *(c)* England and *(d)* Wales in each year since 1997. [102306]

Mr. Browne: Details of the number of people from Northern Ireland who have been referred for treatment in hospitals in the Irish Republic, Scotland, England and Wales in each year since 2000–01 are given in the following table. Data before 2000–01 could not be obtained from all Health Boards.

(a)-(d) Number of patients from Northern Ireland referred for treatment outside Northern Ireland, between 2000–01 and March 2003

Year	*Republic of Ireland*	*Scotland*	*England*	*Wales*	*GB (if regional breakdown not available)*	*Total*
2000–01	125	140	822	1	143	1,231
2001–02	29	211	873	0	21	1,134
2002-March 2003	186	101	791	0	27	1,105

Notes:

1. Data shown includes extra contractual referrals, out of area treatments and transfers as part of waiting list initiatives.
2. Northern Health and Social Services Board were unable to provide out of area treatment figures for 2001–02 or 2002–03 to date, as the UK NHS providers have not given details of NHSSB patients treated under out of area treatments since 2000–01.
3. Western Health and Social Services Board provided data on extra contractual referrals and transfers due to waiting list initiatives for all years, however they were unable to provide out of area treatment figures for 2001–02 and 2002–03 to date.

CULTURE, MEDIA AND SPORT

Welsh Language

Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport how much the Government provided to support the production of television programmes in the Welsh language in *(a)* 1997 and *(b)* 2002. [100992]

Dr. Howells: The Welsh Fourth Channel Authority, S4C, received grant in aid of £72.223 million in 1997 and £81.468 million in 2002, under its statutory funding formula. Under the provisions of the Broadcasting Act 1990 the authority also receives programmes provided by the BBC free of charge. These were valued at £16.7 million in the financial year 1997–98 and £16.4 million in 2001–02.

Administrative Costs

Mr. McLoughlin: To ask the Secretary of State for Culture, Media and Sport what the administrative costs were for the *(a)* Designated Museums Challenge Fund grants, *(b)* Wolfson Public Libraries Fund grants and *(c)* Spaces for Sport and Art grants in the last financial year. [101481]

Dr. Howells: I refer the hon. Member to the reply I gave him on 3 December 2002, *Official Report*, columns 782–83W, which stated that the administration of the specified grant programmes is carried out by a number of different units within the department and relevant NDPBs, to which a range of staff make a contribution. It is not possible to provide an accurate estimate of these costs centrally.

Deaf People (Television Programmes)

Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the Government's policy on promoting television programmes for the deaf; and how much money the Government gave to support television programmes for *(a)* deaf people and *(b)* people with a disability in each year since 1997. [100623]

Dr. Howells *[holding answer 4 March 2003]:* The Government have not provided funding to support television programmes for disabled people. The Government's role is to set the legislative framework within which subtitling and other services for people with disabilities can be provided.

The Broadcasting Act 1996 requires the ITC to draw up a code promoting the understanding and enjoyment of programmes by viewers who are deaf or hard of hearing and blind or partially sighted. The Act also set targets for subtitling, signing and audio description services on digital terrestrial television (DTT).

The Communications Bill will transfer the ITC's responsibilities to the new regulator, Ofcom, and will extend the requirements on DTT services to digital cable and digital satellite services.

Departmental Telephone Directory

Mr. Andrew Turner: To ask the Secretary of State for Culture, Media and Sport when the most recent internal telephone directory for the Department was published; how often it is updated; and if she will place a copy in the Library. [102026]

Dr. Howells: The internal telephone directory in DCMS was last updated on 6 March 2003. The directory will be updated whenever there are changes that need to be recorded and is usually updated daily. A copy of the directory from 6 March 2003 has been placed in the Libraries of both Houses.

Film Industry

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on Government support for the UK film industry since 1997. [101641]

Dr. Howells: Following the film policy review in 1998, my Department established the Film Council in April 2000 as the Government's strategic lead body. The creation of the Film Council brought together, for the first time, responsibility for the film industry, film culture and education.

The Film Council uses grant-in-aid and money from the national lottery to support film-making and development, training, education and film culture. Film production is also supported by tax relief for British qualifying films under section 48 of the Finance (No 2) Act, which was introduced in 1997.

My Department also sponsors the National Film and Television School, which is a leading international centre for professional training in the film and television industries.

INTERNATIONAL DEVELOPMENT

Administrative Costs

Mr. McLoughlin: To ask the Secretary of State for International Development what the administrative costs were of the *(a)* Social Science Research Fund, *(b)* Financial Deepening Challenge Fund, *(c)* Development Awareness Fund, *(d)* Education Research Programme, *(e)* Asia Regional Poverty Fund, *(f)* Tourism Challenge Fund, *(g)* Civil Society Challenge Fund, *(h)* Renewable Natural Resources Knowledge Strategy Fund, *(i)* Engineering Knowledge and Research Programme, *(j)* Business Linkage Challenge Fund and *(k)* Enterprise Development Innovation Fund in the last financial year. [101477]

Clare Short: DFID's expenditure on administration costs in 2002–03 is projected to be £101.8 million or 4 per cent. of the departmental budget. All the interventions listed are administered by DFID effectively and cost-effectively.

Conservation Group

Mr. Gardiner: To ask the Secretary of State for International Development when she intends to hold the next meeting of the Inter-Departmental Consultative Group on Conservation. [101323]

Mr. Morley: I have been asked to reply.

There is no formally constituted group with this title but officials of all the relevant Government Departments are in very regular contact on a wide range of conservation issues.

Departmental Telephone Directory

Mr. Andrew Turner: To ask the Secretary of State for International Development when the most recent internal telephone directory for the Department was published; how often it is updated; and if she will place a copy in the Library. [102028]

Clare Short: DFID does not produce a published copy of its internal phone directory. The information is now held electronically on our internal systems.

For general information on contact points within DFID you will find details of our Public Enquiry Point (which is the initial contact point for information on the work of the Department), plus an organisational diagram and list of DFID offices outside the UK on the "Contact Us" link on the homepage of DFID's website (www.dfid.gov.uk).

Iraq

Dr. Tonge: To ask the Secretary of State for International Development if she will allocate financial resources to limit the effect on Iraqi civilians of the use by Iraq of *(a)* chemical and *(b)* biological weapons in the event of war. [101913]

Clare Short: The risk that Iraqi forces may deploy chemical or biological weapons is a very grave one. Advice from the Department of Health and Ministry of Defence is that, given the unpredictable range of weapons that Saddam might use, only sophisticated protective suits and training would provide adequate protection to the threat. It is not possible for my Department to provide this training and protection to large numbers of Iraqi people.

In terms of response to any use of chemical or biological weapons, only highly skilled and well-equipped parts of the military or specialised agencies, who have been trained for such environments and on the use of protective suits, would have the capacity to operate. My Department is in continuing discussions with the Ministry of Defence about the provision of humanitarian response under a range of eventualities. DFID has a contingency reserve on which we are ready to draw for any emergency situation in Iraq.

Dr. Tonge: To ask the Secretary of State for International Development what steps her Department is taking to maintain food security in Iraq during any military action taken by the UK and allies. [101919]

Clare Short: 60 per cent. of the Iraqi people are totally dependent on the UN Oil For Food Programme for essential supplies, including food. We are working to try to minimise the impact of any military action on this programme and, in the event of disruption to it, to helping re-establishing it as quickly as possible. We are also drawing up contingency plans to support the provision of relief by those best placed to do so, to cover any period during which the programme would not be able to function. We have so far committed £10 million to support contingency planning by UN agencies and NGOs, which includes some prepositioning of supplies. There might be a phase when only military forces are fully able to operate in Iraq and thus would have primary responsibility for the initial delivery of humanitarian relief. My Department has been advising the Ministry of Defence on these issues for some time.

Sudan

Mr. Roy: To ask the Secretary of State for International Development how much aid the UK has given to Sudan in the last 12 months. [101588]

Clare Short: The UK has pledged £14 million of aid and development assistance to Sudan in the last 12 months.

PRIME MINISTER

Iraq

Mr. Allen: To ask the Prime Minister what steps the Government has taken to implement UN Resolution 57/232 to provide for human rights monitors in Iraq. [101405]

The Prime Minister: The UK helped to draft and sponsored this resolution, which condemns the appalling human rights situation in Iraq. Together with international partners, the UK takes every opportunity to raise the human rights situation in Iraq. The Foreign and Commonwealth Office's report on Iraq's human rights violations, published on 2 December 2002, exposes the sheer brutality of the Iraqi regime.

The Iraqi Government has refused to allow human rights monitors to be stationed in Iraq. For the 10 years prior to February 2002 it would not even allow the UN Special Rapporteur on human rights access to Iraq.

Mr. Allen: To ask the Prime Minister what discussions he has had with President Bush on the means by which it is intended to ascertain whether, in the event of war with Iraq, all weapons of mass destruction on Iraqi soil at the start of the conflict have been destroyed or captured intact; and if he will make a statement. [102528]

The Prime Minister: The primary objective of UNSCR 1441 is the disarmament of Iraq. No decision has been taken to launch military action against Iraq.

I regularly discuss all aspects of Iraq policy with other Governments, including the US Government. These discussions have included the issue of the continuation of the disarmament of Iraq.

Laptop Computers

Dr. Cable: To ask the Prime Minister how many laptop computers were used by *(a)* Ministers and special advisers and *(b)* officials in his office in each year since 1995; how many were (i) lost and (ii) stolen; what their cost was; and if he will make a statement. [98703]

The Prime Minister: I refer the hon. Member to the answer given to him by my hon. Friend the Minister of State, Cabinet Office on 11 March 2003.

Saudi Arabia

Mr. Allen: To ask the Prime Minister what recent representations he has made to the Saudi Government on behalf of the British citizens imprisoned in Saudi Arabia for alleged terrorist offences; whether he has sought the support of the United States Government on this matter; and what response he has received from the Saudi Government. [101406]

The Prime Minister: I have raised the cases of the British men detained in Saudi Arabia at the highest levels with the Saudi authorities. My right hon. Friend the Foreign Secretary and other ministerial colleagues have also raised these cases. The men's welfare is our paramount concern. We continue to work hard to resolve the cases and are in close contact with the Saudi authorities and the men's lawyers.

United States

Mr. Allen: To ask the Prime Minister when he last discussed with President Bush the impact of the US administration's policies on *(a)* trade, *(b)* agriculture and *(c)* drug prices, on Third World countries; and what response he received. [101409]

The Prime Minister: Both I and my Cabinet colleagues are engaged in a continuing dialogue with President Bush and the US Administration on a wide range of topics. The UK and the US are aiming for a WTO Round focused on increasing trade access, for developing as well as developed countries, in goods, services and particularly agriculture. Both Governments are also engaged in discussions in the WTO, G8 and other forums to ensure increased access to medicines, including lower and sustainable drug prices, for the developing world.

DEPUTY PRIME MINISTER

High Hedges Bill

Mr. Wood: To ask the Deputy Prime Minister what the Government's policy is on the High Hedges Bill introduced by the hon. Member for Ealing, North (Mr. Pound). [97652]

Mr. McNulty: The Government are committed to a legislative solution to the widespread problems caused by overgrown garden hedges and welcome the High Hedges (No. 2) Bill introduced by my hon. Friend the Member for Ealing, North (Mr. Pound). The Office of the Deputy Prime Minister is working with my hon. Friend to try to ensure that fair and workable measures get on to the statute book.

Affordable Housing

Ms Oona King: To ask the Deputy Prime Minister (1) how many affordable housing units he estimates will be built in 2003–04 by *(a)* debt-free authorities with transitional local authority social housing class grant (LASHG) funding and *(b)* with-debt authorities with LASHG funding; [102309]

(2) what information his Department has collated on the number of new affordable housing units which were due to be built with funding by local authority social housing grant in 2003–04. [102321]

Mr. McNulty: In my statement of 5 February 2003 I outlined transitional arrangements for local authority social housing grant (LASHG). The number of affordable homes to be built in 2003–04 from LASHG transitional funding will not be known until after 30 June 2003, which is the deadline for both with-debt and debt-free authorities to submit new schemes for 2003–04 to the Housing Corporation.

Area-based Initiatives

Matthew Green: To ask the Deputy Prime Minister if he will list area based initiatives operating in the South West Region, and the *(a)* annual budget and *(b)* regional budget for each in each year since 2000. [99400]

Mrs. Roche: The table provides details of area-based initiatives in the region that are the responsibility of the Office of the Deputy Prime Minister.

Initiative	*South West Region 2000–01*	*Total annual Budget 2000–01*	*South West Region 2001–02*	*Total annual Budget 2001–02*	*South West Region 2002–03*	*Total annual Budget 2002–03*
Neighbourhood Renewal Fund	Not established	Not established	£4.059520 million	£200 million	£6.089281million	£300 million
Wardens Schemes	£0.01 million	£1.2 million	£0.490 million	£7.7 million	£1.116 million	£19.3 million
Neighbourhood Management Pilots	Not established	Not established	£0.4 million	£4 million	£1.075544 million	£11. 1 million
New Deal For Communities	£2.6 million	£48.8 million	£6.1 million	£126 million	£7.6 million	£170.9 million
Community Empowerment Fund	Not established	Not established	£0.465082 million	£12 million	£0.465082 million	£12 million
Community Chest	Not established	Not established	£0.313894 million	£10 million	£0.470842 million	£15 million
Community Learning Chest	Not established	Not established	Not established	Not established	£0.125558 million	£4 million
Coalfields	£0.091 million	£43 million	£0.089 million	£30.8 million	£0.995 million	£41 million
Single Regeneration Budget[1]	£23.7 million	£94.2 million	£26.7 million	£872.8 million	£22.3	n/a
European Structural Fund Objective One[2]	103,812 million Euro	1,155,893 million Euro	178,967 million Euro	1,134,178 million Euro	174,643 million Euro	1,120,629 million Euro
European Structural Fund Objective Two	67,615 million Euro	1,384,436 million Euro	67,373 million Euro	1,372,080 million Euro	66,993 million Euro	1, 358,323 million Euro

[1] From April 2002 the Single Regeneration Budget was incorporated into the Regional Development Agency Single Pot.

[2] The European Structural Fund Objective One and Two are budgeted on the calendar year from January to December.

Best Value

Mr. Maude: To ask the Deputy Prime Minister what assessment he has made of the costs to local government of administration of the best value system. [98405]

Mr. Raynsford: No reliable estimates exist of the costs incurred by local government of administering best value. Any such costs would have to be set against the benefits of improved services. The Office of the Deputy Prime Minister has commissioned Cardiff Business School to evaluate the long-term impact of best value in English local authorities from 2001 until 2005. The results arising from the first year's census of local authorities reveal that best value is seen as a positive force for change in local government.

Compulsory Purchase

Margaret Moran: To ask the Deputy Prime Minister what measures he plans to take to increase the use of compulsory purchase orders in respect of empty properties. [97751]

Mr. McNulty: The use of compulsory purchase orders in respect of empty properties is a matter for local authorities to determine.

As announced by my right hon. Friend the Deputy Prime Minister in "Sustainable Communities: Building for the Future", the Office of the Deputy Prime Minister will be consulting on proposals that would provide local authorities with the alternative option of taking on the temporary management of some empty homes.

Decent Home Standards

Ms Shipley: To ask the Deputy Prime Minister what his estimate is of the cost to local authorities if the Decent Home Standards in operation in England adopted a minimum standard of loft insulation of 200mm. [97576]

Mr. McNulty: The Office of the Deputy Prime Minister estimates that it would cost between £500 and £600 million (at 2001 prices) to provide 200 mm loft insulation for all council homes with less than 200 mm loft insulation. The data for this estimate are taken from the 2001 English House Condition Survey.

Domestic Violence

Margaret Moran: To ask the Deputy Prime Minister what measures registered social landlords are taking to tackle domestic violence. [97761]

Mr. McNulty: Registered social landlords can apply for Housing Corporation funding to provide housing for people fleeing domestic violence. Bids for funds must meet local and regional priorities for housing. Revenue support for these schemes is currently available from the supported housing management grant administered by the Housing Corporation. From April 2003 this becomes part of the Supporting People budget administered by local authorities.

Both local authorities and registered social landlords are encouraged in the Relationship Breakdown Guidance* to have clauses against domestic violence in their tenancy agreements. Increased safety measures and effective multi-agency working with the police are suggested as alternatives. Where a victim of domestic violence is a tenant of a local authority or registered social landlord it is possible for that person to be transferred to alternative accommodation via a management transfer, although there may be issues of tenancy rights to resolve. The Office of the Deputy Prime Minister is keen to improve the opportunities for mobility for all social tenants, particularly from high pressure areas to those where the demand for social rented accommodation is less. People who experience domestic violence could benefit from the opportunities for mobility for all social tenants.

* DETR (now ODPM), Cabinet Office and Department of Health: "Relationship Breakdown: A Guide for Social Landlords", May 1999.

Margaret Moran: To ask the Deputy Prime Minister what information on the number of refuges for survivors of domestic violence that have been taken into direct management by registered social landlords was collected in his Supporting People mapping exercise. [97846]

Mr. McNulty: This information was not collected by the Supporting People supply mapping exercise.

The supply mapping did show that in December 2002 there were 82 refuges where the support provider was a registered social landlord. The Office of the Deputy Prime Minister does not have any earlier information about the numbers of refuges where the support provider was a registered social landlord with which to determine whether these arrangements have become more common.

Housing

Mr. Wood: To ask the Deputy Prime Minister what plans he has to extend the programme of new house building planned for the south-east to other areas of the UK where social housing is scarce and in high demand. [97640]

Mr. McNulty: All regions will benefit from increased resources for affordable housing. From 2004–05 these resources will be put together with housing investment programme funding to form single regional housing pots. The precise split of resources in each region between affordable housing and other local authority housing investment for 2004–05 and 2005–06 will be made in the light of recommendations from the new regional housing boards.

Phil Sawford: To ask the Deputy Prime Minister when he commissioned Roger Tym and Partners to carry out a study of the Milton Keynes and South Midlands. [97964]

Mr. McNulty: Roger Tym and Partners were commissioned to carry out a study of the Milton Keynes and South Midlands area in July 2001, after public tender.

Phil Sawford: To ask the Deputy Prime Minister what meetings he has had with *(a)* the Government Office for the East Midlands, *(b)* the East Midlands Regional Assembly, *(c)* the East Midlands Region Local Government Association, *(d)* Northamptonshire County Council, *(e)* Kettering Borough Council, *(f)* hon. Members from Northamptonshire, *(g)* Daventry District Council and *(h)* the East Midlands Regional Development Agency to discuss Sustainable Communities in the East Midlands; and who (i) was invited and (ii) attended. [98047]

Mr. McNulty: My right hon. Friend the Deputy Prime Minister met Mr. Derek Mapp, Chairman of East Midlands Development Agency, and Mr. Mick Young, Chairman of the East Midlands Regional Assembly and Leader of Northamptonshire County Council, on 16 January 2003 in Milton Keynes, in advance of the publication of "Sustainable Communities, Building For the Future". Also present were the Leaders of Bedfordshire County and Milton Keynes Unitary Authorities, the Chair of the South East of England Development Agency, the Chief Executive of the Housing Corporation and the Chair of English Partnerships.

In addition, my right hon. Friend Lord Rooker met a group of members and officers of the regional planning bodies for the East Midlands, East of England and South East on 10 October 2002, shortly after the publication of the advisory report "Milton Keynes and South Midlands Study".

Phil Sawford: To ask the Deputy Prime Minister when he expects to receive a report from the Shadow Regional Housing Body on housing priorities for the East Midlands; what the status is of the Shadow Regional Housing Body; which organisations and individuals are represented on the Shadow Regional Housing Body; and what public consultation will be undertaken by the Shadow Regional Housing Body prior to the formulation of the Regional Housing Strategy. [97962]

Mr. McNulty: The Regional Housing Board has been set up in response to the "Sustainable Communities: Building for the Future" report published on 5 February, and it will submit an outline Housing Strategy to Ministers, including recommendations on housing allocations for 2004–05 and 2005–06, by the end of July 2003. The Regional Housing Board is currently made up of the Regional Director of the Government Office East Midlands, and senior representatives from the Housing Corporation, East Midlands Development Agency, Regional Assembly and English Partnerships in accordance with the "Sustainable Communities: Building for the Future" report. The Regional Housing Board will consult the Regional Assembly's Housing Reference Group on draft issues and priorities before preparing the outline Housing Strategy. This will be followed by an opportunity for written representations.

Phil Sawford: To ask the Deputy Prime Minister when he appointed the Centre for Urban and Regional Studies at Birmingham University to undertake a study of housing demand and supply in the Milton Keynes and South Midlands area; what the timescale is for this study; and which local authorities and other bodies will be consulted as part of the study. [97963]

Mr. McNulty: The Centre for Urban and Regional Studies (CURS) was not appointed by my right hon. Friend the Deputy Prime Minister, but by the East Midlands (Shadow) Regional Housing Board on 19 December 2002. CURS were selected following a formal tender process, to produce a source material report for the East Midlands Regional Housing Strategy by 28 March 2003, which will cover the whole region. CURS are using a wider range of reference material to produce the report including Local Authority Housing Strategies, and are consulting the Government Office for the East Midlands, Housing Corporation and East Midlands Development Agency. In addition, before completing the report, CURS will meet with the East Midlands Regional Housing Strategy sub-groups, which include Local Authority representation, and talk to the Regional Assembly's Housing Task Group.

Mr. Gordon Prentice: To ask the Deputy Prime Minister what estimate he has made of the cost of bringing housing in *(a)* Pendle and *(b)* Burnley up to standard. [96596]

Mr. McNulty: Pendle reported in their 2001–02 Housing Revenue Account Business Plans that they need to spend about £5[illegible] million on outstanding capital works to their 3,94[illegible] council dwellings (including renovation, demolition and conversion). This includes about £1 million needed to make all their currently non-decent dwellings decent. In addition there may be works arising in the future that also need to be undertaken.

Burnley transferred all their 5,330 council dwellings in March 2000 to a Registered Social Landlord (RSL). At that time they planned to spend about £22 million on their stock over 30 years for improvement and maintenance.

Mr. Edward Davey: To ask the Deputy Prime Minister what consultation was undertaken with *(a)* representatives of local authorities and *(b)* the 42 local authorities named in the announcement to recent changes to the right to buy scheme. [97808]

Mr. McNulty: No consultation was undertaken. The data used to identify the 42 local authorities named in the announcement on 22 January were obtained from statistical surveys of local authority housing departments routinely conducted by the Office of the Deputy Prime Minister, and from the Land Registry.

Ms Bridget Prentice: To ask the Deputy Prime Minister what his policy is on whether there should be one tenancy for all housing groups, the terms of which should comply with the Unfair Terms in Consumer Contracts Regulations. [97802]

Mr. McNulty: In March 2001 the then Department for Transport, Local Government and the Regions asked the Law Commission to undertake a review of housing tenure law. The Commission are looking at the possibility of a single form of tenure for the social housing sector and in recognising the importance of the review, they have considered compliance with the Unfair Terms in Consumer Contracts Regulations.

The Law Commission is due to make their recommendations on this issue in the summer of 2003 and the Office of the Deputy Prime Minister will then consider how to take forward the Commission's recommendations and the results of their consultations.

Mr. Edward Davey: To ask the Deputy Prime Minister pursuant to his answer of 4 February 2003, *Official Report*, column 234W, under what criteria the pressure on local housing markets was measured in the local authority areas mentioned by him in his statement of 22 January. [97809]

Mr. McNulty: The 42 areas listed in the Deputy Prime Minister's statement of 22 January are those that appear to be under the greatest housing market pressure, as evidenced by a high incidence of homelessness and high local house prices. The sources of the homelessness data were statistical surveys of local authority housing departments, routinely conducted by the Office of the Deputy Prime Minister:

"2001/02 Housing Investment Programme Housing Strategy Statistical Appendix"

"Quarterly Housing Activity Return (PIE)".

The data are available on the website of the Office of the Deputy Prime Minister, at http://www.housing.odpm.gov.uk/local/hipoi/index.htm.

House price data were obtained from the Land Registry.

Local Government Finance

Mr. Beith: To ask the Deputy Prime Minister if he will issue guidance to rural authorities about council tax relief for service personnel on duty in Afghanistan and the Gulf. [101740]

Mr. Leslie: Service personnel are liable for council tax in the same way as any other person who works abroad and who has the intention of returning to their home. The Office of the Deputy Prime Minister has no plans to issue any guidance to local authorities concerning service personnel and council tax liability.

Logos

Mr. Stephen O'Brien: To ask the Deputy Prime Minister what measures his Department *(a)* has put in place and *(b)* plans to put in place to stop (i) forgeries and (ii) breach of copyright of logos of local authorities on proofs of identity. [101752]

Mr. Leslie: Within the statutory framework for copyright, design and patents, protection of copyright of local authority logos is a matter for local authorities themselves.

Mr. Stephen O'Brien: To ask the Deputy Prime Minister how many cases of *(a)* misuse, *(b)* forgery and *(c)* breach of copyright of logos of local authorities on proofs of identity have (i) occurred and (ii) been successfully prosecuted in the last three years. [101753]

Mr. Leslie: The information requested is not held centrally and could be provided only at disproportionate cost.

Parish Councils

Mr. Stephen O'Brien: To ask the Deputy Prime Minister if he will make a statement on the difference in guidance between England and Wales issued in connection with the Parish Council Code of Conduct. [102125]

Mr. Leslie: Guidance to parish councils in England in connection with the code of conduct laid before Parliament in November 2001 by the Secretary of State for Transport, Local Government and the Regions, has been issued by the Standards Board for England. Responsibility for guidance to community councils in Wales in connection with the code issued by the National Assembly for Wales in July 2001 rests with the Commission for Local Administration in Wales.

Private Housing (Improvement Loans)

Margaret Moran: To ask the Deputy Prime Minister what measures he plans to take to enable all local authorities to offer loans for private sector housing improvements. [97752]

Mr. McNulty: The Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 gave local authorities new powers to provide a wide range of assistance for private sector housing improvements, including loans. Before using this new power authorities are required to adopt and publish a policy setting out how they intend to use the powers.

Local authorities currently spend about £300 million per annum on private sector housing renewal. The Sustainable Communities Plan announced that we have made available an extra £30 million in both 2004–05 and 2005–06 to help authorities support new ways to fund repairs and improvements to the homes of low income/vulnerable homeowners/tenants. This will form part of the single regional housing pot. A further announcement will be made shortly about the detailed allocation procedures for this additional funding.

Public Service Agreements

Mr. Liddell-Grainger: To ask the Deputy Prime Minister how many PSA targets there are for Sedgmoor District Council. [98308]

Mr. Raynsford: There are no Local PSA targets directly negotiated with Sedgmoor District Council. However, Sedgmoor District Council, with the four other District Councils in Somerset, are involved in the negotiations currently taking place between the Government and Somerset County Council on their Local PSA.

Regional Assemblies

Mr. Swire: To ask the Deputy Prime Minister what plans he has to register English regional assemblies as limited companies. [102342]

Mr. Raynsford: None. Elected regional assemblies in England will be established as bodies corporate by the legislation the Office of the Deputy Prime Minister will bring forward after at least one region has voted in a referendum to have one. They will have power to form companies for the purposes of carrying out their functions if they see fit to do so.

Many of the existing regional chambers (who now all style themselves assemblies) are already or are considering registering as limited companies.

Regional Government

Matthew Green: To ask the Deputy Prime Minister what Government funding each regional chamber has been granted in each financial year since 2000–01. [98483]

Mr. Raynsford: No funding was given in 2000–01. The Government announced in March 2001 that it would make £15 million available over the following three years for Regional Chambers funding. In 2001–02, each of the eight Regional Chambers was given a budget of £500,000 to draw down, to enable them to fulfil their role scrutinising Regional Development Agencies and for other regional co-ordination and strategic development work. A further £1 million was assigned to the English Regions Network, the umbrella organisation for the Chambers, to fund projects of general interest. In 2002–03, the amount available to each Chamber was increased to £600,000, with the ERN allocation reduced accordingly. This will be repeated in 2003–04. The grant to the Chambers and to ERN is made on the basis of an agreed business plan.

Regional Planning Guidance

Helen Jones: To ask the Deputy Prime Minister when he expects to make an announcement on the regional planning guidance for the North West; and if he will make a statement. [97654]

Mr. McNulty: It is anticipated that an announcement concerning the publication of Regional Planning Guidance for the North West (RPG13) will be made in March 2003.

Social Housing

Mr. Burstow: To ask the Deputy Prime Minister what assessment he has made of the effect of rent restructuring on tenants' rents in social and supported housing in inner city wards, where there has been high house price inflation. [97671]

Mr. McNulty: The Office of the Deputy Prime Minister does not collect social housing rents data at ward level. Therefore no such assessment has been made. However, at a national average level, local authority and housing association rents are expected to go up over the 10 year rent restructuring period much more slowly than over the preceding 10 years. 30 per cent. of the Government's national rents formula is based on January 1999 relative property values, with the remaining 70 per cent. taking account of local earnings for affordability. The formula rent is therefore not affected by house price inflation since January 1999. In addition, absolute caps on formula rents, and limits on individual rent rises were introduced in autumn 2001 to address the concerns that formula rents would otherwise cause affordability problems for a small number of tenants. The housing benefit system forms an additional safeguard for those on the lowest incomes.

Ms Oona King: To ask the Deputy Prime Minister how many properties were built with funding from local authority social housing grant (LASHG) in each Government office region in each year since 1996–97; how many new properties were built with LASHG funding in each local authority in London in each year since 1996–97; and what each London local authority spent on LASHG in each year since 1996–97. [102320]

Mr. McNulty: Information about properties built with funding from Local Authority Social Housing Grant since 1996–97 by region and in each local authority in London is being collated. I will write to the hon. Member and place a copy of the letter in the Library of the House.

Standards Board

Simon Hughes: To ask the Deputy Prime Minister how many complaints have been received by the Standards Board for England since May 2002; and of these, how many *(a)* have so far proceeded to investigation stage, *(b)* were upheld and *(c)* are outstanding. [96848]

Mr. Raynsford: Between May 2002 and December 2002 (the latest date for which full figures are available) the Standards Board for England received 1,985 allegations of councillor misconduct.

Of those 1,985 allegations, *(a)* 695 were referred for investigation; *(b)* 41 have led to a referral to the Adjudication Panel for England[1]; *(c)* 160 are awaiting consideration by the Standards Board as to whether to refer the case for investigation and 506 are under investigation.

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[1] On 16 January the Adjudication Panel heard the first case referred by an Ethical Standards Officer. The Panel concluded that the code had been breached, and the Councillor concerned was suspended for one year from being a member of his authority.

Simon Hughes: To ask the Deputy Prime Minister what the average length has been of an investigation by the Standards Board for England since 2002. [96849]

Mr. Raynsford: The average length of an investigation completed by the Standards Board during 2002 to the present date, from referral of an allegation from the board to ESO final finding, is four months.

Simon Hughes: To ask the Deputy Prime Minister what the budget is for the Standards Board for England in 2002–03; and what the average cost is of an investigation by the Standards Board for England. [96850]

Mr. Raynsford: The Standards Board for England's budget for 2002–03, as set out in the Board's Corporate Plan (which is available in the Library of the House) is £7.9 million.

A figure for the average cost of an investigation is not yet available.

Starter Home Initiative

Mr. Edward Davey: To ask the Deputy Prime Minister how many *(a)* teachers, *(b)* police officers, *(c)* nurses and health workers and *(d)* others have been assisted through the Starter Home Initiative in each (i) local authority area and (ii) Government office of the region it operates in each year of the initiative. [97805]

Mr. McNulty: As at 31 January 2003, some 2,000 key workers had purchased with Starter Home Initiative assistance homes that otherwise they would have been unable to afford. The information has been placed in the Library.

Supporting People Scheme

Margaret Moran: To ask the Deputy Prime Minister what measures he is taking to ensure children's support services in refuges are retained under the Supporting People initiative. [97748]

Mr. McNulty: The Supporting People programme will continue to pay for services that are currently paid for from the legacy funding streams that will go into the Supporting People pot. Children's services are not currently funded in this way, and Supporting People Grant would therefore generally not be used for these services.

Some children's services within refuges may, however, also provide housing-related support for mothers, and these services are likely to be funded under the Supporting People programme. For example, the provision of housing related support within children's services may include supporting women with parenting to ensure children settle in the refuge.

Support which predominantly involves direct individual and group support work with children is not fundable under Supporting People. It is therefore important that clear links are established between Supporting People Strategies and local Children's Services Plans and that relevant Social Care and Health workers are aware of the support needs of children living in households vulnerable to domestic violence. The Office of the Deputy Prime Minister will shortly be issuing guidance to local authorities on preparing their five-year strategies, and this will emphasise the importance of making these strategic links to ensuring that service users' needs are properly met.

Sustainable Communities

Mr. Hammond: To ask the Deputy Prime Minister if he will define the term key worker as used in "Sustainable Communities: Building for the Future". [98576]

Mr. McNulty: For the purposes of "Sustainable Communities: Building for the Future", the Government has targeted key workers in the public sector. Wider housing policies to increase the supply of affordable homes, particularly in areas where demand is high, will benefit other key workers.

Vera Baird: To ask the Deputy Prime Minister what is intended by his statement that "We will work with partners in the Tees Valley who are tackling the issue of market failure, in the implementation of the Tees Valley Housing Strategy" in the document "Sustainable Communities in the North East". [97213]

Mr. McNulty: The North East Communities Plan recognises the valuable work currently under way across the region addressing housing and wider community issues. Among the examples selected to give a flavour of this activity is the important work of the stakeholders in the Tees Valley sub-region to address market failure. Furthermore, the problem of market failure has been recognised as a key issue in a draft regional housing strategy, prepared by the North East Housing Forum. It is likely therefore that this will be a priority for the new North East Housing Board to address.

The Board will address this and other housing issues through the Regional Housing Strategy which it has been tasked to submit to Ministers by July 2003. The Office of the Deputy Prime Minister will be looking to partners across the region, including Tees Valley, to come forward with proposals for the Board to consider.

Vera Baird: To ask the Deputy Prime Minister in what way the announcements in the document "Sustainable Communities in the North East" support housing renewal in Redcar and Cleveland. [97214]

Mr. McNulty: "Sustainable Communities in the North East" recognises that 20 per cent. of the housing stock in the region is at risk from low or changing patterns of demand, including Redcar and Cleveland in Teesside. One of the key announcements is the establishment of a Regional Housing Board. The North East Regional Housing Board will address the national priorities of bringing social housing into decent condition and to take action to tackle low demand. This is in line with the national priorities set out in "Sustainable Communities: Building for the Future".

Nationally we are making available £2.8 billion to improve council housing and £500 million to tackle low demand and abandonment over the next three years. As from 2004–05 we will be bringing together the Housing Corporation's Approved Development Programme and local authority Housing Investment Programme into a new single pot for housing capital investment. The Board will advise Ministers on the allocation of this new single pot so that investment is targeted more effectively on regional and local priorities.

The national plan also identifies tools and actions to tackle low demand more widely, including: building on existing regeneration programmes such as Neighbourhood Renewal Fund and New Deal for Communities; proposals to speed up compulsory purchase of land and property; increasing the minimum payments made to people whose homes are compulsorily purchased under the 'Home Loss' scheme from £1,500 to £2,600; legislating to allow local authorities to license private landlords in low demand areas; and launching a new EU approved 'Gap Funding' housing scheme to pump prime regeneration in deprived areas.

Vera Baird: To ask the Deputy Prime Minister what extra resources the Department will make available in 2003–04 for housing renewal in *(a)* Redcar and Cleveland and *(b)* Teesside. [97217]

Mr. McNulty: The bulk of Government support for local authorities housing capital spend is provided through the Major Repairs Allowance (MRA), which is ring-fenced for use on council housing, and the housing Annual Capital Guideline (ACG). The housing ACG, which is allocated as part of the Single Capital Pot, provides support for either improvements to existing housing (council or private sector) or provision of new affordable housing.

Redcar and Cleveland's housing ACG for 2003–04 is £2 million; the total for the five Tees Valley authorities (Redcar and Cleveland, Middlesbrough, Hartlepool, Darlington and Stockton on Tees) for 2003–04 amounts to £10.6 million. These figures are not directly comparable with allocations for 2002–03 as they no longer include an element assumed to be funded from authorities useable capital receipts. After taking account of this change, resources going to Tees Valley are estimated to have increased by 5–10 per cent.

Redcar and Cleveland no longer receives an MRA as the council housing stock transferred to Coast and County Housing in July 2002. The 2003–04 MRA allocations for other Tees Valley authorities total £21.3 million. These are formula-based allocations that depend on the number and type of dwellings owned by the council.

It should also be noted that the provisions of the Regulatory Reform Order on Housing Renewal, which came into force on 6 June 2002, gave local authorities much greater discretion on how they can provide assistance for housing renewal.

Lastly, HIP resources are only a part of the resources made available by Government to tackle issues of deprivation, including housing. Most notably £35.3 million is available to Tees Valley authorities under the Neighbourhood Renewal Fund (including £7.8 million for Redcar and Cleveland) and Hartlepool and Middlesbrough both benefit from New Deal for Communities moneys. The latter amounts to £52 million in West Middlesbrough and £54 million in Hartlepool, of which £12.5 million and £10.5 million respectively are earmarked for housing and environment spend.

Tenancies

Ms Bridget Prentice: To ask the Deputy Prime Minister if he will make a statement on the impact of the Unfair Terms in Consumer Contracts Regulations 1999 on local authority and housing association tenancies. [96592]

Mr. McNulty: We expect all local authorities and Registered Social Landlords (commonly known as housing associations) to take these regulations into account when issuing tenancy agreements to their tenants. I am not aware that the regulations have had any particular impact on these tenancies.

Travellers

Miss McIntosh: To ask the Deputy Prime Minister what plans he has under the new provisions to move travellers on immediately from unauthorised sites where authorised sites are provided by the local authority. [98066]

Mr. McNulty: The Government are proposing to introduce new police powers to move on illegal Gypsy and Traveller camps. The details of how this will work are currently being worked up by the Home Office, and no legislative vehicle has yet been identified to take this forward.

This new power is not intended to replace existing legislation currently in place under sections 61 to 62 and 77 to 79 of the Criminal Justice and Public Order Act 1994, which enables local authorities and police forces to move illegal encampments. This will remain alongside the new power.

WORK AND PENSIONS

Ambition Construction Initiative

Mr. Brazier: To ask the Secretary of State for Work and Pensions (1) what preliminary information is available from conducting the Ambition Construction Initiative pilots; [98015]

(2) what contracts have been awarded and in what locations, to deliver the Ambition Construction Initiative; to whom they have been awarded; what timescale has been set for delivering the contracts; and what delays there are compared with the original tender specifications. [98020]

Mr. Nicholas Brown: Since June 2002, we have launched six Ambition Construction pilots to help unemployed and disadvantaged people gain the right skills to meet the needs of employers in the construction industry.

The pilots are in their early stages and it is too soon to draw conclusions about their performance. However, initial indications are that there is a strong commitment from employers and training providers to making the programme a success. We are monitoring the pilots closely and are working in partnership with the contractors and employers to ensure that the needs of the construction industry are being met and the job opportunities available to participants are maximised.

The table identifies the location of the six pilots, the contracts awarded and the period they cover.

Pilot location	*Host agents*	*Period of contract*
Nottingham	City Wide Construction	June 2002-June 2005
Greater Merseyside	Knowsley Metropolitan Borough Council	July 2002-July 2005
Greater Manchester	Manchester Economic and Regeneration Partnership	June 2002-June 2005
Leeds and Bradford	Leeds City Council	June 2002-June 2005
Coventry and Warwickshire	CovWise Ltd.	Sept 2002-Aug 2005
Paddington	Carillion Construction Training	Sept 2002-Sept 2005

The contracting timetable for Ambition Construction sought for delivery of contracts to begin on 24 June 2002. Extended contract negotiations led to delays in the Merseyside, and Coventry and Warwickshire pilots. In Paddington, a delay followed the withdrawal of the initial training provider and a re-tendering of the contract. Despite these delays, all pilots are successfully up and running and are contracted to run for a full three years.

Departmental Offices (Rural Areas)

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions what consultation took place prior to the proposals to close some of the Department's offices in rural areas. [101238]

Mr. Nicholas Brown *[holding answer 10 March 2003]:* Jobcentre Plus is in consultation with the Countryside Agency at a national level about the impact of the new integrated Jobcentre Plus offices on rural areas. Decisions on closing of old offices and opening of new offices as part of the Jobcentre Plus national rollout are made after careful consideration of the rural impact of those decisions and made with reference to the 'rural proofing' checklist developed by the Countryside Agency.

Employers Liability

Sir Teddy Taylor: To ask the Secretary of State for Work and Pensions (1) when he expects the review announced on 27 November on employers liability to be completed; and when he expects that a report will be published; [102376]

(2) what the terms of reference were of the review on employers liability. [102378]

Mr. Nicholas Brown *[holding answer 11 March 2003]:* I refer the hon. Member to the written ministerial statement I gave on 12 December 2002, *Official Report,* columns 23–24W.

Employment Statistics

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions what percentage of people aged 50 and over were not in employment in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and *(f)* 2002 in (i) Coventry and (ii) the UK. [101189]

Ruth Kelly *[holding answer 10 March 2003]:* I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Jim Cunningham, dated 12 March 2003:

As National Statistician, I have been asked to reply to your Parliamentary Question about people aged 50 and over who are not in employment. (101189)

The attached tables give the information requested for the three-month period ending November of each year from 1997 to 2002. These estimates are from the Labour Force Survey (LFS) and are subject to sampling variability from year to year. They are not seasonally adjusted.

Table 1: Percentage of people aged 50–59/64[1] who are not in employment; United Kingdom, 1997 to 2002

September to November	*Per cent. not seasonally adjusted*
1997	35.3
1998	33.6
1999	33.5
2000	32.9
2001	31.9
2002	31.2

[1] Men aged 50–64 and women aged 50–59.

Note:

These Labour Force Survey (LFS) estimates have been adjusted to reflect the 2001 Census results.

Source:

ONS Labour Force Survey

Table 2: Percentage of people aged 50–59/641 who are not in employment; Coventry local authority district; 1997 to 2002

September to November	*Per cent. not seasonally adjusted*
1997	32.4
1998	34.3
1999	40.6
2000	36.9
2001	33.3
2002	48.4

[1] Men aged 50–64 and women aged 50–59.

Note:

These Labour Force Survey (LFS) estimates have not yet been adjusted to reflect the 2001 Census results.

Source:

ONS Labour Force Survey

New Deal

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions pursuant to his answer of 27 January 2003, *Official Report*, column 660W, on the New Deal, if he will make a statement on the difference of outcomes for those leaving the subsidised employment option of the New Deal for Young People and the New Deal 25 plus. [97781]

Mr. Nicholas Brown: We have not conducted a comparative evaluation of outcomes between the New Deal for Young People and New Deal 25 plus. The client groups for the programmes have very different characteristics and the programmes themselves are not identical. People aged between 18 and 24 can join the New Deal for Young People at six months of unemployment. In contrast, individuals are eligible for New Deal 25 plus following a period of 18 months or 18 out of 21 months of unemployment. As New Deal 25 plus participants have faced longer terms of unemployment, and hence greater barriers to work, fewer job outcomes through subsidised employment are likely.

Up to September 2002 the New Deal for Young People and New Deal 25 plus have helped well over half a million people move from benefit and into work. Both programmes are continuing to help significant numbers of disadvantaged people into jobs. We building on their success and providing extra help for those facing the greatest disadvantages in the labour market.

Mr. Webb: To ask the Secretary of State for Work and Pensions how many businesses were established under the New Deal self-employment model for *(a)* young people, *(b)* 25 plus and *(c)* lone parents in each year since its creation; and how many of those businesses were still trading after (i) one year, (ii) two years, (iii) three years, (iv) four years and (v) five years and above, from the end of the third stage of test trading. [93409]

Mr. Nicholas Brown: The information requested is not available. However, we do record the number of people who move into sustained employment of 13 weeks or more following test trading under the New Deal for Young People and New Deal 25 plus. This information is in the tables. Equivalent information is not available for the New Deal for Lone Parents.

New deal for young people

	Left new deal for sustained employment following test trading[1]
April 1998 to December 2000	1,000
January to December 2001	450
January to September 2002	220
Total	1,680

New deal 25 plus[2]

	Left new deal for sustained employment following test trading[1]
April to December 2001	30
January to December 2002	410
Total	440

[1] Figures include people who moved into sustained employment as employees following test trading.

[2] New deal 25 plus did not have a self-employed option until it was enhanced in April 2001.

Note:

Figures are rounded to the nearest 10.

Source:

Labour Market System and New Deal Evaluation Database

Asbestos

Mr. Heald: To ask the Secretary of State for Work and Pensions if he will list the *(a)* expert advisers and *(b)* scientists consulted by (i) his Department and (ii) the Health and Safety Executive in connection with the Control of Asbestos at Work Regulations 2002; and if he will list the qualifications and experience in relation to asbestos of each such adviser and scientist. [98659]

Mr. Nicholas Brown: The general policy underlying the new duty to manage asbestos was informed by considerable research evidence. Annexe I of the Regulatory Impact Assessment (RIA) sets out a list of all the other external and HSE research reviewed in 2001 on the levels of exposure to asbestos that could be caused by maintenance work.

The RIA is available in the Library.

Weekly Earnings Disregard

Mr. Boswell: To ask the Secretary of State for Work and Pensions when the weekly earnings disregard for incapacity and invalidity benefit *(a)* was introduced and *(b)* has subsequently been amended; at what level it stands in real terms compared with that of the time of introduction; and what plans he has to review the level of the disregard. [101726]

Mr. Nicholas Brown: Weekly earnings disregards are not a feature of incapacity benefit (IB). Entitlement is based primarily on a person's national insurance contribution record, and generally no account is taken of any income that a person may have.

There has, however, always been provision within the rules governing incapacity benefit and its predecessors for people wishing to undertake some work for therapeutic purposes.

We modernised the rules governing therapeutic work from April 2002, giving people greater freedom to try out work without fear of losing their benefit. For the first time, people claiming IB can work for up to and including £20 a week for an unlimited period. In addition, a person may work for less than 16 hours a week and earn up to and including £67.50 from a week for 26 weeks. This can be extended for a further 26 weeks where a job broker, disability employment advisor, or personal adviser supports the extension.

The earnings limit is regularly uprated to keep pace with the national minimum wage, and has increased from £48 per week in 1998 to its current limit. We have no plans to change these arrangements at present.

HEALTH

Diabetes

Tim Loughton: To ask the Secretary of State for Health what restenosis rate was associated with the use of bare stents in diabetics in the last year for which figures are available. [102143]

Ms Blears: No information is held on restenosis levels among patients suffering from diabetes.

Tim Loughton: To ask the Secretary of State for Health what assessment he has made of how many diabetics with heart disease would benefit from the use of drug eluting stents in percutaneous coronary intervention. [102144]

Ms Blears: The current evaluation by the National Institute for Clinical Excellence of the clinical and cost effectiveness of drug eluting stents will consider, inter alia, the implications of patient co-morbidity. Publication of the evaluation's results is expected during August 2003.

Tim Loughton: To ask the Secretary of State for Health if he will provide guidance to primary care trusts on the use of drug eluting stents in patients who are at high risk of having restenosis. [102145]

Ms Blears: Guidance to clinicians is currently in preparation by the National Institute for Clinical Excellence on the clinical effectiveness of drug eluting stents. Publication of this guidance is scheduled for August 2003. Pending publication, the national health service has standing guidance to take decisions locally on the best available evidence as to whether, and in what circumstances, to fund and deploy any particular intervention.

Worcestershire Acute Hospital NHS Trust

Dr. Richard Taylor: To ask the Secretary of State for Health what the costs to the Worcestershire Acute Hospital NHS Trust are of providing the off-site storage for patient records on the Hampton Lovett Industrial Estate; how many tenders were received for providing this service; and at what level the decision was made to accept the successful tender. [102149]

Mr. Lammy: The operating costs of the medical records storage facility at Hampton Lovett are approximately £140,000 per annum. The service itself is operated by staff of the Worcestershire Acute Hospitals National Health Service Trust in a leased warehouse. In line with normal NHS procedures for property leasing, the process followed was to identify storage of suitable size and location and to have the rent and rates negotiated and ratified by the district valuer. Competitive tendering was used to award contracts for the internal refurbishment of the building.

Cancer

Dr. Gibson: To ask the Secretary of State for Health what research the Government is carrying out on the link between acrylamide and *(a)* bowel, *(b)* bladder and *(c)* kidney cancer. [101385]

Ms Blears: Acrylamide has been found to occur in a wide range of home-cooked and processed foods, including chips and crisps. It has not been found in uncooked or boiled foods, and appears to be formed during cooking by methods such as frying and baking.

Acrylamide has been shown to cause various types of cancer in laboratory animals, although not of the bowel, bladder and kidney. It is considered to have the potential to cause cancer in humans, but a link has not been proven.

The Food Standards Agency (FSA) considers that exposure to acrylamide should be kept as low as reasonably practicable and is commissioning research and surveillance that will minimise the amounts occurring in food. Meanwhile the FSA advice remains that on the basis of current evidence people should eat a balanced diet including a variety of fruit and vegetables, and that as part of a balanced diet people should moderate their consumption of fried and fatty foods.

Care Homes

Mr. Burns: To ask the Secretary of State for Health how many care home beds there are in Greater London; and how many there were in May 1997. [101250]

Jacqui Smith *[holding answer 6 March 2003]:* The number of places in residential and nursing care homes in London is shown in the table as at 31 March for 1997 and 2001. Data for 2002 are not yet available.

Number of residential and nursing care home places[1] in London[2] at 31 March 1997 and 2001

Rounded numbers

	As at 31 March 1997	*As at 31 March 2001*
Residential	30,070	29,340
Nursing[3]	15,310	18,080
Total	45,380	47,430

[1] Data includes places in dual registered homes.

[2] All residential homes in councils with social services responsibilities in inner and outer London and all nursing homes in health authorities within London.

[3] Nursing home places covers general and mental nursing homes, private hospitals and clinics.

Note:

Totals may not sum due to rounding.

Children's Services

Tim Loughton: To ask the Secretary of State for Health when he plans to publish his NSF for children's services; what his priorities are for improving children's health services; and how much NHS money has been spent on children's health services in each of the last six years. [89928]

Jacqui Smith: The publication date of the full children's national service framework has not been finalised yet. The NSF will cover children's health and social care services. The first module, covering standards for children in hospital, will be published shortly.

The health service has a particular contribution to make in ensuring that all children have the opportunity to achieve their full potential. The NSF will set out our plans for improving services for children based on the aims in the NHS Plan of developing services around the need of individuals and improving their experience of care.

The planning and priorities framework issued last year by the Department of Health set out a number of targets to improve services from the national health service for people of all ages. Specific areas for improvement for children included targets to reduce health inequalities, improve access to child and adolescent mental health services, tackle teenage pregnancy and improve the life chances of children in the care of local authorities.

The total cost of children's hospital services[1] in England for 2000–2001 is estimated to be £2.4 billion[2]. Data for other health services for children is not available.

[1] "Children's hospital services" are defined here as hospital admissions, day cases, and out-patient appointments for 0 to 19-year-olds.

[2] This figure has been calculated by the Department of Health Economics and Operational Research Branch drawing on data from the following sources:

http://www.doh.gov.uk/hes/—Admissions of 0–19 year olds to NHS hospitals (data available by order).

http://www.doh.gov.uk/nhsexec/refcosts2001.htm#spred—National Schedule of Reference Costs—mean costs of Healthcare Resource Groups.

http://www.doh.gov.uk/hospitalactivity/statistics/2000–01/outpatient attendances/y00.htm—Out-patient attendances, England 2000–01.

"Living in Britain: Results from the General Household Survey", The Stationery Office 2001, p.103—Trends in percentages of persons who reported attending an out-patient or casualty department in a three month reference period: 1972 to 2000. http://www.gad.gov.uk—The Government Actuary's Department Population Projections, England 2000.

Tim Loughton: To ask the Secretary of State for Health (1) whether it is possible for a local authority to be rated excellent for its child and family social services division without the child and adolescent mental health services element being rated good or better; [100495]

(2) whether inspections by social service departments of child and family services include consideration of joint working with child and adolescent mental health services. [100496]

Jacqui Smith: The Social Services Inspectorate (SSI) assess the child and family social services in each council and categorise this performance by rating whether they are "serving people well" as "no", "some", "most" or "yes". There is no separate, explicit categorisation for child and adolescent mental health services (CAMHS), but it is one of a number of service areas that feed into the overall children's services judgement. As a result, a council could receive the highest rated children's social services judgement ("serving people well", categorised as "yes"), without their CAMHS being considered good.

Inspections of child and family social services are carried out by SSI, with the results feeding into the overall assessment of performance. The most recent inspection standards, published in September 2002, state that there should be "effective joint working between agencies at the point of service delivery, which puts children's needs before the convenience of organisations".

Flu Vaccines

Sue Doughty: To ask the Secretary of State for Health (1) whether his Department is taking steps to monitor the long-term effects of flu vaccines on the mental health of those inoculated; and if he will make a statement; [100057]

(2) what information he has received on the side effects of flu vaccines; when these were notified to GPs; and if he will make a statement; [100055]

(3) what research he has evaluated on possible links between flu vaccines and *(a)* Alzheimer's disease and *(b)* other brain function impairing conditions; and if he will make a statement. [100056]

Ms Blears: Influenza is a serious disease that can be fatal, particularly in the elderly, and influenza vaccines have a significant benefit in helping to reduce morbidity and mortality from the disease. As with any vaccine or medicine, influenza vaccines are not without possible side-effects in some recipients. The known side-effects of influenza vaccines are listed in the product information available to general practitioners and other health professionals and available in the Association of British Pharmaceutical Industries compendium of data sheets and summaries of product characteristics and the electronic medicines compendium.

The Medicines Control Agency (MCA) and the Committee of Safety of Medicines keeps the safety of all vaccines under continual review. The MCA is not aware of any evidence to support reported claims that immunisation with influenza vaccines may lead to the development of Alzheimer's disease or other related mental health disorders.

Some neurological conditions have been rarely reported in association with influenza vaccines and these are listed in the product information. These are neuralgia, convulsions, encephalomyelitis, neuritis and Guillain-Barré syndrome. These rare risks are far outweighed by the benefits of influenza vaccine in protecting against influenza virus infection and its complications.

Foster Care

Tim Loughton: To ask the Secretary of State for Health pursuant to his answer of 25 February 2003, on foster care allowance, why information is not held centrally with reference to his answer to question number 96092. [100691]

Jacqui Smith: Data on fostering allowances are not collected centrally. The setting of fostering allowance levels by local authorities is a matter for local decision. The choice protects review is looking at all aspects of the fostering service, and is working closely with stakeholders.

Tim Loughton: To ask the Secretary of State for Health how many children are in foster care with *(a)* direct local authority foster carers and *(b)* foster carers from independent fostering agencies. [100777]

Jacqui Smith: The latest information available on looked after children in foster care with foster carers provided by the local council responsible for the child and with foster carers arranged through external agencies is shown in the table.

Number of looked after children in foster care in England at 31 March 2001, by type of foster placement

At 31 March 2001	*Number*
All children in foster placements[1]	38,400
Of which:	
Placement provided by council responsible for the child	28,100
Placement arranged through external agency	3,700
Child fostered with relative or friend	6,600

[1] Figures exclude children looked after under an agreed series of short term placements

Foundation Hospitals

Mr. Gordon Prentice: To ask the Secretary of State for Health on what basis the governing boards of foundation hospitals will be constituted; and what role the Commissioners for Public Appointments will play. [100765]

Mr. Hutton: Our policy for the constitution of the Boards of Governors for National Health Service foundation trusts is explained in paragraphs 2.19 to 2.24 of 'A Guide to NHS Foundation Trusts'. The election of governors from the membership is set out in paragraphs 2.25 to 2.28. The Commissioners for Public Appointments will not be involved in the process.

General Practitioners

Mr. Amess: To ask the Secretary of State for Health what plans he has to review the regulations concerning the declaration of vacancies for general practitioners. [100318]

Mr. Hutton: Under proposals for a new general medical services contract, practices will have the flexibility to introduce new partners or employ the staff they need in order to meet their needs and the needs of their patients. If general practitioners vote to accept the contract, the existing system of statutory vacancies will be replaced with these new arrangements.

Hepatitis B (Overseas Staff)

Mr. Burns: To ask the Secretary of State for Health what percentage of *(a)* nurses and *(b)* doctors recruited from overseas in the latest year for which figures are available have hepatitis B. [102136]

Ms Blears *[holding answer 11 March 2003]:* I refer the hon. Member to the reply I gave the hon. Member for Fareham (Mr. Hoban) on 4 February 2003, *Official Report*, column 220W.

Home Treatment

Mr. Andrew Turner: To ask the Secretary of State for Health what evidence he collects on the relationship between the distance from home patients are treated, and their recovery rate from acute conditions. [101555]

Mr. Hutton: The Department does not collect this data centrally.

Illegal Meat Imports

Tim Loughton: To ask the Secretary of State for Health what resources he is committing through the Food Standards Agency to *(a)* prevent and *(b)* detect illegally imported meat entering the UK. [102162]

Ms Blears: The Food Standards Agency (FSA) is assisting local authorities in the prevention and detection of illegally imported meat through delivery of its 10 point plan to enhance imported food controls. This plan includes provision of training, enhanced liaison and provision of enforcement guidance to authorities. This summer, the FSA is to deliver a specific training programme to all United Kingdom local authorities relating to detection and removal of illegal imports.

The FSA is also assisting the Department for Environment, Food and Rural Affairs and Her Majesty's Customs and Excise as part of a cross-government action plan on illegal imports.

Leeds Teaching Hospital NHS Trust

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 13 January 2003, *Official Report*, column 499W, on Leeds Teaching Hospital NHS Trust, if he will set out the reasons that were given for not renewing the contract with NHS professionals. [95857]

Mr. Hutton: This is a matter for the Trust.

Mental Health

Tim Loughton: To ask the Secretary of State for Health whether the Mental Health Bill will place a legal obligation on health and social services authorities to honour advance statements and advance directives. [100781]

Jacqui Smith: It is not proposed that the Mental Health Bill should place a legal obligation on health and social services to honour advance statements and advance directives since the use of compulsory powers under the Bill is based on the concept of treatment being necessary rather than the capacity of the individual to take decisions, whether those decisions are expressed at the time or in an advance statement or directive.

As part of our consideration of the Mental Health Bill consultation responses we are, however, looking further at how best to ensure that clinical teams take notice of patients' wishes and feelings.

Tim Loughton: To ask the Secretary of State for Health (1) how many investigations took place last year into patient deaths in mental health trust centres; [101069]

(2) what steps his Department is taking against mental health trusts which do not accurately report how many *(a)* suicides and *(b)* killings took place in their care; [101072]

(3) how many mental health trust centres staff are suspended regarding patient deaths; [101070]

(4) what discussions his Department has had with *(a)* mental health trust chief executives and *(b)* the Commission for Health Improvement regarding patient deaths in mental health trust centres. [101071]

Jacqui Smith: The Department does not collect data from individual mental health trusts on the number of investigations that take place into patient deaths or on staff who are suspended regarding patient deaths. All serious untoward incidents are investigated by the relevant trust and the suspension of staff is a disciplinary issue dealt with at local level. If there is a homicide by a person in the care of a mental health trust, it is obligatory to hold an independent inquiry under HSG(94)27.

The Department is not aware of any problem in the reporting of serious untoward incidents by mental health trusts. All trusts are required to report serious incidents to strategic health authorities and to the relevant Directorate of Health and Social Care/Regional Director of Public Health and the Department of Health. In such cases, the Department works closely with all relevant organisations to ensure that advice and support is provided to enable the service to learn lessons, which can prevent further incidents occurring. The development of the new Commission for Health Audit and Inspection, and the integration within it of the Mental Health Act Commission, will ensure an even stronger focus on mental health issues for the new organisation.

The Department funds the National Confidential Inquiry into Suicide and Homicide by People with Mental Illness to ensure that everyone involved with mental health services learns and implements lessons from the factors associated with serious incidents.

The Government have also established the National Patient Safety Agency (NPSA) to improve the safety of NHS patient care by introducing a national reporting and learning system for adverse events. Guidance on the introduction of new arrangements will be issued when the system is rolled out, from summer 2003. In future, all serious service failures or dysfunction will be subject to a full root cause analysis to establish what went wrong, to learn lessons and to take appropriate action. Reports of all incidents, including those subject to a root cause analysis, will be made to the NPSA. This overview will enable the NPSA to identify trends and patterns of avoidable adverse events, learn lessons that can be fed back to the service and produce solutions to prevent further harm occurring.

Tim Loughton: To ask the Secretary of State for Health what assessment he has made of whether the NHS response to the mental health needs of ex-servicemen is in accordance with *(a)* international best practice and *(b)* the international evidence. [101073]

Jacqui Smith: The spectrum of mental health disorders in the United Kingdom armed forces is broadly the same as in the matched civilian community. The national health service already has a commitment to an evidence-based approach in the context of individual assessment of needs.

Health authorities have a responsibility to provide services to meet the mental health needs of all those who are eligible. Decisions about treatment and care are taken on the basis of an individualised assessment of needs, the patient's wishes, the evidence base for effective treatment and available resources. The general practitioner remains the first port of call for anyone suffering from mental health problems. The Department published guidance to help GPs know more about the most effective treatments in the mental health national service framework and in specific guidance on psychological therapies and counselling. These are available on our website at www.doh.qov.uk/mentalhealth.

There is also current guidance relevant to priority treatment for war pensioners (HSG (97)31) which says:

> that the referral should make specific reference to the fact that the patient is a war pensioner and requires treatment for the condition(s) for which he was awarded a pension; and
>
> that war pensioners can use the NHS complaints system to resolve any alleged breakdowns in the arrangements for priority treatment (leading, ultimately, to the Ombudsman).

Tim Loughton: To ask the Secretary of State for Health how many members of the British armed forces who served in the last Gulf war were subsequently diagnosed with mental health problems. [101081]

Jacqui Smith *[holding answer 6 March 2003]:* Primary health care records for the 53,000 or so veterans of the 1990–91 Gulf Conflict are held by their doctors and are not accessible centrally for reasons of patient confidentiality.

Tim Loughton: To ask the Secretary of State for Health what action he is taking to ensure the NHS can cope with increase in demand for specialist mental health services as a result of forthcoming military action in the Gulf. [101082]

Jacqui Smith *[holding answer 6 March 2003]:* Contingency planning between the Department of Health, Ministry of Defence and the national health service is ongoing. The Ministry of Defence has one specialist hospital and about 15 community units providing mental health services for military personnel and hence has the capacity to meet the needs of service personnel who develop mental illness. We will use the operational flexibility we have in the system to make sure that NHS mental health services can also be made available.

Tim Loughton: To ask the Secretary of State for Health if he will set up a system of specialist mental health services for returning service men and women along the lines of that in the US. [101085]

Jacqui Smith *[holding answer 6 March 2003]*: Returning service men and women will still be in-service and therefore the responsibility of the Defence Medical Services. The Ministry of Defence has one specialised hospital and around 15 community units providing mental health services for military personnel. The operational flexibility we have in the system can also be used to ensure that national health service mental health services are made available.

Mr. Burstow: To ask the Secretary of State for Health what steps his Department has taken to ensure appropriate arrangements are made to handle the transition between *(a)* children and adolescent and adult mental health services and *(b)* adult and older people mental health services. [96636]

Jacqui Smith: Ensuring a smooth transition for people as they move from child and adolescent mental health services (CAMHS) to adult services, and from adult to older people's services has been a priority in the modernisation of mental health services.

Progress has been monitored in the last two years' annual local implementation plan process. The self-report from the 162 local implementation teams nationally has shown a steady increase in those who rated themselves as having adequate and effective transition protocols.

The transition from CAMHS to adult services is currently being considered by the CAMHS module of the children's national service framework (NSF) who will make recommendations in their report.

A key element of the NSF for older people is the need for all localities to have plans for the assessment and integration of mental health services. The implementation of the single assessment process and the care programme approach guidance will ensure that care planning in the transition between the services is smooth.

MumpsVac

Mr. Brady: To ask the Secretary of State for Health if he will make a statement on his Department's policy on the supply of the MumpsVac vaccine in England and Wales. [96812]

Ms Blears: The Department of Health has never provided single mumps vaccine and believes that the combined measles, mumps and rubella (MMR) vaccine is the best way to protect children against three serious and potentially fatal diseases.

Although a single mumps vaccine is licensed in the UK, the pharmaceutical company that holds the product licence does not manufacture or market the vaccine for use in this country. Single mumps vaccines that are being prescribed and administered are imported and therefore unlicensed.

Muscular Dystrophy

Vernon Coaker: To ask the Secretary of State for Health what his estimate is of the number of *(a)* children and *(b)* young adults with muscular dystrophy in each of the last 10 years. [100967]

Jacqui Smith: The data show counts of in-patient admissions to national health service hospitals in England since 1995 where muscular dystrophy was diagnosed during the first episode of care. We do not have the equivalent figures prior to 1995–96. This is due to changes in coding, which took place in 1995.

All diagnoses, first episode of spell G71.0 muscular dystrophy, finished consultant episodes: Count of in-year admissions—NHS hospitals England 1995–96 to 2001–02

	0–17	*18–24*	*25–34*	*35 and over*	*Not known*	*Total*
1995–96	477	144	175	623	2	1,421
1996–97	552	125	146	730	0	1,553
1997–98	673	217	169	751	2	1,812
1998–99	677	220	187	837	0	1,921
1999–2000	619	176	182	783	1	1,761
2000–01	652	168	186	760	0	1,766
2001–02	635	191	197	751	3	1,777

Note:

This table is derived from ungrossed HES data.

Vernon Coaker: To ask the Secretary of State for Health if he will make a statement on Government policy with respect to muscular dystrophy. [100969]

Jacqui Smith: Patients with muscular dystrophy (MD) can take advantage of a range of primary, secondary and tertiary services available. Children with MD form a considerable part of the caseload for children's community nursing services and many receive services from children's hospices. The children's national service framework will develop new national standards across the National Health Service and social services for children, including those with MD. The new standards will help to ensure better access and smoother progression in the provision of services for children, from initial contact with the NHS, via a general practitioner's surgery or NHS hospital, through to social services support.

Clinical and laboratory services for the diagnosis of MD are available through existing networks of regional genetics centres. In January 2002, my right hon. Friend, the Secretary of State for Health, announced the spending of £11 million to boost capacity in NHS genetics services. This should help patients with muscular dystrophy and other genetic diseases.

There is no specific treatment for any of the forms of MD. Physical therapy and corrective orthopaedic surgery may be needed to improve the quality of life in some cases.

NHS Access

Mr. Laurence Robertson: To ask the Secretary of State for Health if he will make a statement on the consistency of access to *(a)* rheumatology services, *(b)* hydrotherapy services and *(c)* orthopaedic services in the NHS in different parts of England. [101656]

Jacqui Smith *[holding answer 7 March 2003]*: Arthritis and rheumatism together account for one quarter of visits to general practitioners. A general practitioner will decide if to refer a patient to a specialist team of rheumatologists, physiotherapists, and occupational therapists. They will provide the most effective care and treatment for arthritic patients especially those with rheumatoid arthritis.

Hydrotherapy is one form of treatment that a physiotherapist might choose for a patient's condition and access is through this route. However, hydrotherapy pools do not exist in all areas, so access could be limited for this reason. Referral to physiotherapy is usually through the GP, consultant or, in some cases, through direct referral from the patient.

Access to orthopaedic services for elective care is through referral to an orthopaedic consultant by the patient's general practitioner. The Modernisation Agency is running two programmes, which aim to improve patient access to orthopaedic care. The "Action on Orthopaedics" programme has a number of pilot sites across the country and is gathering information on best practice with the objective of showing the improvements in patients' access that can be achieved through an integrated approach within health communities. The orthopaedic services collaborative is a quality improvement initiative and has the participation of nearly two thirds of the 177 orthopaedic services departments in England examining potential changes that might be made in their processes and systems to bring about optimal outcomes and improved patient care.

Through improvements in general hospital care and especially through the new single assessment process, older people's health care needs will be properly targeted, ensuring that the services that are provided are most appropriate to their needs, including people with arthritis.

NHS Beds

Chris Grayling: To ask the Secretary of State for Health what estimate he has made of the number of beds listed in the NHS that are trolleys or couches. [97705]

Mr. Hutton: No estimate has been made as trolleys and couches are not included in the headline bed figures.

NHS Database

Mrs. Lait: To ask the Secretary of State for Health whether the NHS national database covers patients in Scotland. [102139]

Mr. Lammy: The national health service strategic tracing service and the NHS central register in Southport covers NHS patients in England and Wales. The Scottish NHS has a separate central register for NHS patients in Scotland. The two registers co-operate fully to ensure that patients moving between the countries are not lost from sight and that users see a seamless service.

NHS Staff

Mr. Cousins: To ask the Secretary of State for Health how many *(a)* doctors in training, *(b)* nurses in training, *(c)* medical students and *(d)* nursing students there were in (i) each health authority area in the North East in 1996 and (ii) in each PCT area in the North East at the most recent date for which figures are available. [100:62]

Jacqui Smith *[holding answer 4 March 2003]:* The available information on the number of doctors and nurses in training, and on the number of nursing students have been placed in the Library.

The information on the number of medical school students within each health authority area is not collected centrally. However, Newcastle University's intake for 1996, was 161. For the autumn term 2002, Newcastle University's intake of medical students was 344.

Northwich Park Hospital

Mr. Gareth Thomas: To ask the Secretary of State for Health how much direct funding from the Strategic or Regional Health Authority Northwich Park Hospital received in each of the last five years; and for what purpose. [100596]

Mr. Hutton: For the last five years, the Department has allocated revenue allocations to health authorities. Northwick Park Hospital is part of the North West London Hospitals National Health Service Trust. The Trust is located within Brent Primary Care Trust, previously part of Brent and Harrow Health Authority. Revenue allocations to Brent and Harrow HA over the last five years are shown in the table.

Year	*Allocation(£)*
1998–99	239,173,000
1999–2000	310,879,000
2000–01	342,135,000
2001–02	371,479,000
2002–03	432,599,000

The figures for 1999–2000 onwards are not comparable with those for 1998–99, which cover hospital and community health services (HCHS) only. 1999–2000 was the first year of unified allocations, which cover HCHS, prescribing and discretionary general medical services.

The above figures represent initial revenue allocations. Any further in-year allocations will also have been made to health authorities.

Patient Choice

Dr. Fox: To ask the Secretary of State for Health how many choices of alternative hospital patients in West Yorkshire needing eye operations will have. [99104]

Mr. Hutton: I refer the hon. Member to the response I gave him on 3 March 2003, *Official Report*, column 889W.

Patients' Forums

Mr. Crausby: To ask the Secretary of State for Health whether patients' forums will be set up before community health councils are abolished on 1 September 2003. [101580]

Mr. Lammy: Patients' forums will not be set up before community health councils are abolished. The Commission for Patient and Public Involvement in Health is responsible for recruiting members and putting in place the support and infrastructure arrangements for patients' forums. This process will be well under way by 1 September 2003, and the Commission will be working towards the achievement of full coverage of forums by the end of the year.

Post-traumatic Stress Disorder

Tim Loughton: To ask the Secretary of State for Health if he will set up a specialist centre of excellence within the NHS for dealing with post-traumatic stress disorder. [101084]

Jacqui Smith *[holding answer 6 March 2003]:* There are no current plans to set up a specialist centre of excellence within the national health service for dealing with post-traumatic stress disorder. Health authorities have a responsibility to provide services to meet the mental health needs of all those who are eligible. Decisions about treatment and care are taken on the basis of an individualised assessment of needs, the patients wishes, the evidence base for effective treatment and available resources.

The general practitioner remains the first port of call for anyone suffering from mental health problems. The Department published guidance to help GPs know more about the most effective treatments in the mental health national service framework and in specific guidance on psychological therapies and counselling. These are available on our website at www.doh.qov.uk/mentalhealth.

Red Button Alert Devices

Rev. Martin Smyth: To ask the Secretary of State for Health how many people have received a red button alert device, broken down by region. [98264]

Jacqui Smith: Information on the numbers of people receiving a red button alert device is not collected centrally.

Rheumatoid Arthritis

Mr. Laurence Robertson: To ask the Secretary of State for Health what steps he is taking to increase the access of patients to *(a)* Cox-2, *(b)* Anti TNFs and *(c)* metal on metal hip resurfacing; and if he will make a statement. [101659]

Jacqui Smith *[holding answer 7 March 2003]:* The National Institute for Clinical Excellence (NICE) was asked to appraise the use of infliximab (Remicade) and etanercept (Enbrel) in the treatment of rheumatoid arthritis. NICE issued its guidance on 22 March 2002, which recommended the use of etanercept for the treatment of juvenile idiopathic arthritis and etanercept and infliximab for adult rheumatoid arthritis.

NICE issued guidance on 26 July 2001 on the use of four drugs for the treatment of osteoarthritis and rheumatoid arthritis to the national health service in England and Wales. The four drugs, celecoxib, etodolac, rofecoxib and meloxicam, are Cox II selective inhibitors and are a type of non-steroidal anti-inflammatory drug used for short-term treatment of acute inflammation in joints caused by arthritis. They recommended they be considered in preference to standard treatments only when there is a high risk of patients suffering from gastrointestinal problems as a side effect of treatment.

NICE also issued guidance on 19 June 2002 recommending the selective use of a technique called metal on metal hip resurfacing, used to treat hip disease. They recommended that metal on metal hip resurfacing be considered as an option for people with advanced hip disease who would otherwise receive conventional primary total hip replacements and are likely to live longer than the device is likely to last. It also recommended that information be collected on the long-term effectiveness of the technique.

On 5 December 2001, the Government announced that they would meet their commitment to ensure that patients receive drugs and treatments recommended by NICE on the NHS if deemed appropriate by their clinicians. Directions were issued on 11 December 2001 obliging health authorities and primary care trusts to provide appropriate funding for recommended treatments.

Stroke Care

Mr. Allen: To ask the Secretary of State for Health what mechanisms will be put in place to monitor the April 2003 milestone contained in Standard Five of the National Health Service Framework for Older People, for every hospital which cares for older people with strokes to have established clinical audit systems to ensure delivery of the Royal College of Physicians clinical guidelines for stroke care. [94580]

Jacqui Smith: "Improvement, Expansion and Reform", the priorities and planning framework for 2003–06, has the April 2004 milestone for specialised stroke services in all general hospitals caring for people with stroke as a key delivery target. The level of monitoring is currently being determined.

Other aspects of Standard Five will be monitored through existing information collections (including the Sentinel Stroke Audit), discussions with the field and through a network of older people national health service and social care leads.

Tuberculosis

Tim Loughton: To ask the Secretary of State for Health how many specialist tuberculosis nurses were employed in *(a)* the NHS and *(b)* each health authority in London last year. [100506]

Ms Blears: The number of specialist tuberculosis nurses employed in the national health service is not held centrally.

London is broken down by five sectors. The number of TB nurses in each sector is shown in the table.

Sector	*Number of nurses*
North West	22
North Central	13.5
North East	19
South East	12
South West	6

LORD CHANCELLOR'S DEPARTMENT

Correspondence

Mr. Kaufman: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Lord Chancellor intends to reply to the letter to him dated 31 January from the right hon. Member for Manchester, Gorton with regard to unadopted roads. [101062]

Yvette Cooper: My noble Friend the Lord Chancellor replied on 6 March.

Industrial Action

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many working days were lost owing to industrial action by staff in her Department, agencies and non-departmental public bodies in 2002. [101958]

Ms Rosie Winterton: None.

Ministerial Transport

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what her estimate is of the cost *(a)* ministerial cars and drivers and *(b)* taxis for her Department in 2002. [101853]

Ms Rosie Winterton: Part *(a)* of this question will be addressed in a letter from Mr. Nick Matheson, Chief Executive of the Government Car and Despatch Agency to the hon. Member for Buckingham. As for part *(b)*, expenditure of £40,407 was incurred against the departmental taxi service contract between 1 April 2002 and 28 February 2003. This figure excludes any amounts spent on taxi hire outside of the departmental contract and reclaimed by officials as travel and subsistence expenditure. That information could be obtained only at disproportionate cost.

CHURCH COMMISSIONERS

Church Repairs

Miss McIntosh: To ask the hon. Member for Middlesbrough, representing the Church Commissioners pursuant to his oral statement of 3 February 2003, *Official Report*, column 20, on Church Repairs and VAT, when he expects the review of the sixth VAT directive to be completed. [101642]

Mr. Bell: I understand that work is ongoing between Commission officials and member states to finalise the details of the revision to the Sixth Directive. The aim is to get sufficient agreement in the Council for the 'Recast' Directive to be formally adopted before the next enlargement of the EU, scheduled for May-June 2004.

The 'recasting of the Sixth VAT Directive' is a separate exercise to other elements of the Sixth Directive being revised, such as the reduced rates review, scheduled to take place later this year, or the Labour Intensive Services Experiment.

Clergy Pensions

Mr. Ben Chapman: To ask the hon. Member for Middlesbrough, representing the Church Commissioners if he will make a statement on the pension rights of clergy. [101436]

Mr. Bell: Clergy in office receive a stipend and are housed. When they retire they make their own housing provision, but they receive a pension from the State as well as that provided by the Church's clergy pension scheme. The basis for determining the benefits provided by the latter—a lump sum at retirement plus a pension—was designed to take into account all of these factors. The full service pension (payable after 37 years of service) has since April 2002 been £10,693 per annum and will increase by 3 per cent. from April 2003. The retirement lump sum is £32,079.

Following a thorough consultation with interested parties in the Church, culminating in a General Synod debate last November, it was decided to retain the defined benefit scheme. The Church has resisted the increasingly common alternative of moving to money purchase schemes, thereby shifting risk onto the employee, in a demonstration of its commitment to adequate provision for the clergy in their retirement.

Written Answers to Questions

Thursday 13 March 2003

INTERNATIONAL DEVELOPMENT

AIDS

Mrs. Spelman: To ask the Secretary of State for International Development what meetings she has had with pharmaceutical companies to discuss AIDS in developing countries. [102738]

Clare Short: My Department continues to give greater priority to prevention, but we also place great emphasis on reducing the personal, social and economic impact of illness and disease caused by HIV/AIDS. The fight against HIV/AIDS has to incorporate effective public health responses that engage in education, prevention, care and support, impact mitigation and related development concurrently. For any of these programmes to be successfully implemented, broad multi-sectoral approaches are crucial.

I have regularly met representatives of GlaxoSmithKline (GSK), AstraZeneca and Association of British Pharmaceutical Industries (ABPI), as a result of their involvement in the high level working group on increasing access to essential medicines for AIDS, TB and Malaria.

Officials from my Department have been in extensive dialogue with representatives of these companies and MERCK, a member of the US PHARMA industry association, around taking forward the reports' recommendations in a number of initial countries. We will continue to have a dialogue with them and other key actors in the pharmaceutical industry in the lead up to the G8 summit in Evian later this year.

Mrs. Spelman: To ask the Secretary of State for International Development what her Department's strategy is for tackling AIDS. [102812]

Clare Short: My Department's HIV/AIDS strategy focuses on the following key areas:

building political leadership;

building national capacity;

tackling the underlying causes of vulnerability;

maximising the contribution of all sectors;

supporting work across the prevention, treatment, care and impact mitigation continuum;

supporting the development of knowledge generation.

A copy of our HIV/AIDS strategy is available in the Library of the House.

Mrs. Spelman: To ask the Secretary of State for International Development what her Department is doing to co-ordinate an international strategy for tackling AIDS in the developing world. [102813]

Clare Short: The Declaration of Commitment adopted by 189 delegations at the twenty-sixth Special Session of the United Nations General Assembly in June 2001 sets out a global consensus on action necessary to tackle the HIV/AIDS epidemic. Within this framework, my Department is working in partnership with governments, international agencies, the private sector, NGOs and others to achieve the Millennium Development Goal of combating HIV/AIDS.

Ethiopia

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on food security in Ethiopia; and what assessment her Department has made of the number of people who have died as a result of food shortages in Ethiopia in the last 12 months. [102748]

Clare Short: The overall response to the humanitarian crisis has so far averted mortality that could be directly attributed to levels of starvation. However, low levels of nutrition predispose people to disease, which can raise mortality rates. For this reason, we are working with the Ethiopian Government and other donors to provide assistance with health, water and sanitation in addition to food.

Forestry (Africa)

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the UK position on the Africa Forest Law Enforcement and Governance Ministerial Conference in April. [101325]

Clare Short: The Under-Secretary of State for International Development will make a statement of the UK position at the Africa Law Enforcement and Governance Ministerial in April.

Global Health Fund

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the *(a)* performance and *(b)* future funding of the Global Health Fund. [102814]

Clare Short: The primary role of the fund is to provide drugs and commodities for the prevention and treatment of AIDS, TB and Malaria. Wherever possible the Global Fund should be providing support behind strategies that help deliver sustainable improvements in health care. The fund has strong founding principles in this regard, but performance to date to this end has been mixed.

The UK Government have pledged $200 million over five years to the fund, $80 million of which has been disbursed. In addition we have committed over £1.5 billion since 1997 to support the development of health systems in poorer countries. Strengthening such systems is vital if drugs are to be safely and sustainably supplied to the poor. Our future support for the Global Fund will depend on its effectiveness. It is one of several possible instruments designed to improve basic health care in poor countries.

International Organisation for Migration

Dr. Tonge: To ask the Secretary of State for International Development, what plans her Department has to increase its funding to the International Organisation for Migration. [101715]

Clare Short: My Department has no current plans to increase funding to the International Organisation for Migration (IOM). To date, DFID's funding of IOM has principally been for practical programmes aimed at improving IOM's capacity in the area of emergency response and preparedness. We will continue to consider any proposals put to us in this or other areas of mutual interest such as research in the field of migration and development. In addition, DFID is responsible for paying half of the UK's annual subscription to IOM. This will continue.

Uganda

Mrs. Spelman: To ask the Secretary of State for International Development what assessment she has made of the reports of a ceasefire by the Lord's Resistance Army. [102808]

Clare Short: Both Government and Donors have greeted this announcement with cautious optimism. President Museveni has responded by ordering the Ugandan Army to pull back from frontline positions in one area for a period of five days so that religious leaders, traditional leaders, and a Government peace team can hold face-to-face talks with the LRA. It is too early to say what will come out of this process but we are hoping for positive developments so that this terrible conflict might be brought to an end.

Mrs. Spelman: To ask the Secretary of State for International Development what assessment she has made of reports by the UN WFP on malnutrition in children in Anaka and Pabbo refugee camps in northern Uganda; and how much aid she is giving in response. [102809]

Clare Short: An estimated 800,000 people have been displaced by this conflict in northern Uganda. Access to these groups is often difficult due to insecurity, but we are aware that the malnutrition rates in Anaka and Pabbo displaced persons camps are of grave concern. To date DFID has provided £2.5m for humanitarian needs including £1.6m to the World Food Programme for the emergency purchase and distribution of food supplies. This food, along with other donor contributions, is now being distributed in Pabbo and Anaka as well as other camps in northern Uganda. The DFID office in Uganda remains in close touch with agencies working in the area and is continually re-assessing the situation.

Uzbekistan

Mr. Pope: To ask the Secretary of State for International Development what representations she will make to the Government of Uzbekistan on its human rights record when she chairs the European Bank for Reconstruction and Development meeting in Tashkent. [102191]

Clare Short: The EBRD's new strategy for Uzbekistan clearly states the concerns about the situation in Uzbekistan and the need for progress with economic and political (including human rights) reforms. The strategy also sets out seven key benchmarks for political (including human rights) and economic progress, and states that the bank will monitor progress towards these benchmarks after one year.

At the annual meeting I will seek to ensure these messages are delivered strongly, so as to encourage the Uzbek authorities to undertake essential economic and political reforms, which will enhance the country's economic growth, attr[illegible] investment and reduce poverty.

Central Asia is a region of desperate poverty, of high levels of debt and corruption, and of deteriorating infrastructure and public services. We hope that the EBRD Annual Meeting will focus international attention on the region, and will provide a forum for a full and open discussion of the need for progress in achieving economic and political transition, tackling poverty, strengthening the investment climate, increasing regional co-operation and improving human rights.

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with the European Bank for Reconstruction and Development regarding human rights in Uzbekistan. [102247]

Clare Short: EBRD's new two-year strategy for Uzbekistan clearly states the need for improvements in the human rights situation. Encouraging progress with economic and political (including human rights) reform is a central part of the bank's work and the UK Delegation at EBRD has been closely involved in the bank's discussions on Uzbekistan. In addition I have met EBRD's President Lemierre twice in the last six months to discuss the EBRD Annual Meeting, and conditions in Uzbekistan and Central Asia more widely.

TRANSPORT

Beddingham Level Crossing

Norman Baker: To ask the Secretary of State for Transport if he will make a statement on the decision-making process and timescale involved in the proposal to install a double barrier at the level crossing at Beddingham on the A27; what weight is being given to the views of the *(a)* local county and district councils and *(b)* the constituency hon. Member; what assessment is being made of the traffic conjunction implications of the proposal; whether the proposal is being considered in conjunction with the separate proposal to construct a flyover over this crossing; and if he will make a statement. [102819]

Mr. Jamieson: An application for an Order has been made under the Level Crossing Act 1983 for a full barrier crossing at Beddingham. In accordance with the legislation the draft Order has been sent to all affected local authorities, including the highways authority. The Secretary of State for Transport will consider all representations made against this draft Order—including the impact on road traffic—before making a decision on the way forward. The consultation period closes on 1 April but the likely timeframe for decisions will be dependent on the level and content of the representations received. Careful consideration will be needed before any final decision on the way forward is made. Decisions related to the long-term future of the crossing will be taken within the context of decisions on the south coast multi-modal study. There is in any case a need to consider the short-term safety issues at Beddingham, which is the purpose of the consultation relating to the draft Order.

London Transport Schemes

Martin Linton: To ask the Secretary of State for Transport how much his Department and its predecessors spent on transport in London in each of the last five years; and what plans he has to finance new London transport schemes in 2003 to 2008. [100895]

Mr. Jamieson: The figures show the Treasury's analysis of public expenditure on Road and Transport in London taken from the annual Public Expenditure Statistical Analyses (PESA).

	£ million
1997–98	1,394
1998–99	1,436
1999–2000	1,366
2000–01	1,396

From 2001/02 onwards, the Government's spending on transport in London, and its plans for the future are laid out in Table A1.1 of Annexe 1 to "Delivering Better Transport: Progress Report", published in December 2002. These are shown as follows:

	£ million
2001–02	1,597
2002–03	2,189
2003–04	2,716
2004–05	2,579
2005–06	2,504
2006–07	2,616
2007–08	2,690

Decisions on individual schemes in London are a matter for the Mayor and Transport for London (TfL). London will also benefit from improvements to the National Rail network.

Ministerial Speeches

Mr. Don Foster: To ask the Secretary of State for Transport what rules govern the placing of *(a)* speeches and *(b)* notes for speeches by Ministers of his Department (i) on his Department's website and (ii) in the Library. [102193]

Mr. Spellar: Ministers address a very wide range of audiences in the course of business.

Key speeches, such as mark a significant development in, or are significant new statements of policy, are placed on the departmental website. Copies of such speeches will be placed in the Library of the House on request.

Notes for speeches are not placed on the website or in the Library.

Mr. Don Foster: To ask the Secretary of State for Transport pursuant to his answer of 24 February 2003, *Official Report*, column 290W, on ministerial speeches, if he will place a copy of the notes from which he spoke in the Library. [102340]

Mr. Spellar: I have not kept a copy.

Motorways

Mr. Laws: To ask the Secretary of State for Transport what his estimate is of the annual maintenance costs of English motorways in each year from 1985–86 to 2005–06 (planned); if he will provide such estimates, broken down for each such motorway; and if he will make a statement. [101533]

Mr. Jamieson: Separate totals for maintenance for years 1985–86 to 1990–91 are not available because accounts for those years were not published at that level of detail. Maintenance costs for 1991–92 onwards are available, but the costs are not split between motorways and other trunk roads, or by individual motorway. Listed in the table is the overall maintenance expenditure by the Highways Agency and its predecessor for each year since 1991–92.

£ million

Financial year	*Total cash maintenance expenditure*
1991–92	482
1992–93	539
1993–94	584
1994–95	595
1995–96	615
1996–97	550
1997–98	582
1998–99	641
1999–2000	726
2000–01	736
2001–02	711
2002–03	[1]740
2003–04	[2]748
2004–05	[2]822
2005–06	[2]824

[1] Budget.

[2] Planned.

Railways

Mr. Hancock: To ask the Secretary of State for Transport how many train carriages have been ordered in the last four years; how many carriages are expected to be ordered before 2010; and if he will make a statement. [100296]

Mr. Jamieson: Since 1999, 2,832 vehicles have been ordered. Over 1,500 have already entered passenger service and the rest are expected to do so by 2005. Future orders are primarily a matter for train operating and rolling stock leasing companies. However, the Strategic Rail Authority's rolling stock strategy, now being developed, aims to assess future rolling stock needs and co-ordinate the ordering process.

Mr. Don Foster: To ask the Secretary of State for Transport what assessment has been made by his Department in the last year of the security arrangements at railway stations; and which have been assessed, listed by station operator. [102198]

Mr. Jamieson: The Department for Transport's security inspectors regularly monitor the security arrangements at railway stations to ensure that the requisite standards are being met.

For obvious reasons, it will not be appropriate to detail the assessments carried out at particular stations.

Mr. Norman: To ask the Secretary of State for Transport what measures he plans to take to improve perceptions of safety among users of railway transport. [102228]

Mr. Jamieson: The Department is currently looking at good practice to improve personal security on trains. Part of this work includes considering the perceptions of passengers.

Mr. Gareth Thomas: To ask the Secretary of State for Transport (1) what assessment he has made of the performance of Silverlink train services from Hatch End and Headstone Lane stations into Euston *(a)* before 1997 and *(b)* since 1997; and if he will make a statement; [102285]

(2) what assessment he has made of the performance of the Chiltern Line services from Sudbury Hill and Northolt Park into central London since 1997; and if he will make a statement. [102286]

Mr. Jamieson: The Strategic Rail Authority publish performance statistics for all train operating companies in their quarterly National Rail Trends publication and their six-monthly "On Track" publication. The figures for each operator are not broken down to route level, but reflect the performance of their services in aggregate. The latest edition of "National Rail Trends" was published on Wednesday 12 March and copies are available in the Libraries of the House.

Road Safety

Bob Russell: To ask the Secretary of State for Transport what his policy is on accepting road safety research conducted overseas as being valid for the United Kingdom; and whether this policy is applied in other parts of his Department. [102217]

Mr. Jamieson: The road safety research programme takes account of research conducted overseas through literature reviews and collaborative projects under the EU Framework programme. Our vehicle standards research feeds into international collaborative agreements where the combined research effort of all participants is used. Every attempt is made not to duplicate research unnecessarily, but the validity of results from research in other countries needs to be assessed to ensure that they are relevant in British road conditions and under our legal and regulatory system. A similar approach is taken in other parts of the Department.

London Underground

Tom Brake: To ask the Secretary of State for Transport when the Metronet contract will be signed; and when the Mayor of London will take over responsibility for the London Underground. [102392]

Mr. Jamieson: London Underground Ltd. has agreed final commercial terms with Metronet for the remaining two public-private partnership transactions, and expects final completion of the transactions to take place this spring.

The Government intend to transfer London Underground Ltd. to Transport for London as soon as possible after completion of those transactions.

TRADE AND INDUSTRY

Nuclear Reactors (North Korea)

Harry Cohen: To ask the Secretary of State for Trade and Industry whether BNFL remains contracted to build two nuclear reactors for North Korea; and if she will make a statement. [100984]

Mr. Wilson: BNFL has no contractual commitments to provide two nuclear reactors for North Korea.

However, Westinghouse Electric Company LLC, a BNFL subsidiary, has provided technology and supplied components for a number of nuclear plants in South Korea. Westinghouse is under contract with companies in South Korea to manufacture components and to provide system design consulting, in respect of the light-water reactors to be supplied to North Korea by the Korean Peninsula Energy Development Organisation (KEDO).

KEDO is an international organisation formed and funded by the Governments of the United States, South Korea, Japan, the European Union and others. The organisation is responsible for supplying two light-water reactors under the 1994 agreed framework negotiated between the US Government and the North Korean Government.

Equipment being supplied by Westinghouse for the KEDO projects is subject to US export controls and requires US Government authorisations prior to export.

British Energy

Llew Smith: To ask the Secretary of State for Trade and Industry if she will place in the Library a copy of the British Energy restructuring plan at the same time as it is submitted to the European Commission under state aid rules. [101996]

Mr. Wilson: No. The submission to the European Commission of the restructuring plan relating to British Energy, which was made on 7 March, contains commercially sensitive information. As such, it is exempt from disclosure under Exemption 13—Third Party Commercial Confidences of the Code of Practice on Access to Government Information.

Mr. Maples: To ask the Secretary of State for Trade and Industry what assessment she has made of the *(a)* safety and *(b)* operational performance of British Energy, following the report of the World Association of Nuclear Operators. [102164]

Mr. Wilson: I understand the World Association of Nuclear Operators (WANO) review was requested by British Energy, and like all such reviews is confidential between the company and WANO. The Health and Safety Executive's Nuclear Installations' Inspectorate (HSE/NII) welcomes and supports any critical self-examination of health and safety performance by nuclear licensees. The HSE/NII respect the fact that these WANO peer assessments are confidential, although I understand British Energy have briefed the HSE/NII on the main recommendations of the report. The HSE/NII would expect to be informed of any initiatives of relevance to the safe operation of its sites being taken in response to the WANO recommendations.

Car Batteries

Mr. Burnett: To ask the Secretary of State for Trade and Industry what guidance she gives on the disposal of motor car batteries; and if she will make a statement. [102399]

Mr. Wilson: The UK has an excellent record for recycling automotive batteries and it is estimated that close to 90 per cent. are currently recycled, with the vast majority going to the lead smelters at H.J. Enthoven in Derbyshire and Britannia Refined Metals in Kent.

Many local authority civic amenity sites offer collection facilities for automotive batteries and some garages and vehicle accessory stores also participate in collection schemes. Consumers facing difficulties in finding out about the nearest collection point for automotive batteries should contact their local authority. In no circumstances should automotive batteries be disposed of with household waste.

Coal Miners' Compensation

Ms Walley: To ask the Secretary of State for Trade and Industry if she will make a statement on the liability of licensed small coal mines to contribute to coal health compensation claims. [101836]

Mr. Wilson: Licensed small mines have liability together with British Coal for respiratory disease and vibration white finger. The Small Mines Federation is negotiating with the Department and the claimants' solicitors about accession to the claims handling agreement for respiratory disease. Discussions are ongoing with regard to appropriate tortuous dust levels, job dust factors and respirator factors. The issues involved are complex, but a good measure of progress has been made and the Department is pressing for a further meeting on 19 March. Small mines already contribute to compensation under the separate claims handling agreement for vibration white finger.

Compulsory Purchase

Mr. Edward Davey: To ask the Secretary of State for Trade and Industry how many properties have been compulsorily purchased by *(a)* the UK Atomic Energy Authority and *(b)* the Coal Authority in each year since 1999. [101828]

Mr. Wilson: The United Kingdom Atomic Energy Authority has not undertaken any compulsory purchases in this period. For its part the Coal Authority does not have compulsory purchase powers.

Electricity

Norman Baker: To ask the Secretary of State for Trade and Industry if she will estimate the transmission losses of electricity in the UK in 2002, broken down by supplier; and what percentage of total electricity supplied this represents. [101690]

Mr. Wilson: Data on electricity losses in 2002 are not yet available. In 2001 total losses of electricity were 30,900 GWh. It is estimated that about 5,600 GWh of this were lost from the high voltage transmission systems and 25,300 GWh (just under 7 per cent. of supply) between the grid supply points an customers meters. As part of its consultation paper on electricity distribution losses OFGEM have published the following figures for losses as a percentage of electricity supplied for each distribution network operator (DNO) in 2000–01. OFGEM have commented that there are many inherent differences in the design and load characteristics of each DNO. Nevertheless, it is not clear that these differences are sufficient to account for the variable performance of distribution companies.

Distribution network operator	*2000–01 (%)*
Eastern	7.1
East Midlands	6.0
London	7.3
Manweb	9.1
Midlands	5.4
Northern	6.6
Norweb	6.2
Seeboard	7.6
Southern	7.2
South Wales	7.2
South Western	7.9
Yorkshire	6.6
Scottish Power	7.2
Hydro Electric	9.1
Average	9.1

Employers' Liability Insurance

Mrs. Roe: To ask the Secretary of State for Trade and Industry (1) what her estimate is of the number of construction and roofing companies working without employers' liability insurance; [102322]

(2) what information she has given to members of the public about the risks of exposure to the activities of construction companies that are involved in accidents without employers' liability insurance. [102324]

Mr. Wilson: The HSE is responsible for ensuring compliance with ELI rules. Non-compliance is monitored by means of periodic checks undertaken by Workplace Contacts and HSE's Health and Safety Inspectors. Their estimate for non-compliance based on the level of notices to produce and prosecutions for all employers, not just construction and roofing contractors, under employers' liability compulsory insurance HELC—is low, less than 1 per cent. A breakdown of this figure for construction and roofing firms is not available.

Employers' liability insurance relates to the cost of compensating workers for injury or illness which their employer is liable for. It has no direct relevance to third parties such as members of the public.

Export Licences

Llew Smith: To ask the Secretary of State for Trade and Industry what export licences were given to UHDE Ltd. of Hounslow to export equipment for the Falluja II chlorine plant mentioned in the Government dossier on Iraq's military programmes of September 2002. [102729]

Nigel Griffiths: I deeply regret that previous Administrations have not considered it appropriate to publish information on individual licensing decisions. Information on export licences issued prior to May 1997, where the end users were in Iraq, is not held centrally and a manual search of all the case files would incur disproportionate cost. Details of all relevant export licences since 2 May 1997 are published in the Government's annual reports on strategic export controls. Copies of the 1997, 1998, 1999, 2000 and 2001 annual reports are available in the Libraries of the House. The 2002 annual report will be published in due course.

The details of this particular case were, however, published in the 1996 report of the inquiry into the export of defence equipment and dual-use goods to Iraq and related prosecutions. The then Vice Chancellor, the right hon. Sir Richard Scott (now the noble Lord Scott of Foscote) concluded that

> "Such equipment as would need, under the contract, to be exported from the UK was not export licensable".

A copy of the 1996 Scott report is available from the Libraries of the House.

Nuclear Liabilities

Llew Smith: To ask the Secretary of State for Trade and Industry what resources have been committed in support of her Department's Liabilities Management Unit; what developments have taken place towards the creation of a nuclear liabilities management authority; and if she will make a statement. [101998]

Mr. Wilson: By the end of the current financial year, the Department will have spent approximately £9.5 million in support of the Liabilities Management Unit (LMU).

As announced in the Queen's Speech, the Government will publish draft legislation later this year. This will set out the legal basis for creating the Nuclear Decommissioning Authority (formerly the Liabilities Management Authority—the new name better reflects the Authority's role but its remit remains the same). We will also publish at the same time draft memoranda of understanding between the NDA and the nuclear regulators and a draft NDA management statement, setting out the basis of the relationship between the NDA and the Government.

In the meantime, I can report that good progress is being made in preparing the ground for the NDA. The LMU is developing a comprehensive understanding of the liabilities on legacy sites and working closely with BNFL and UKAEA and the nuclear regulators in a number of important areas including the development of comprehensive long term decommissioning plans for all the legacy sites. My officials are also actively seeking out and talking to relevant and interested stakeholders, in particular through regular meetings with stakeholders at regional level. The first round of these meetings is focusing on explaining progress to date and identifying the issues which stakeholders want to discuss. The second round, in the summer, will focus on how the NDA might work with stakeholders with a view to developing a draft stakeholder engagement framework that the NDA can build on once it is in place.

Offshore Industry (TUPE Regulations)

John Thurso: To ask the Secretary of State for Trade and Industry what steps she is taking to secure protection under the Transfer of Undertakings (Protection of Employees) Regulations 1981 for those engaged in the offshore industry who are employed on the UK continental shelf; and if she will make a statement. [102842]

Alan Johnson: The offshore industry is not explicitly excluded from the coverage of the regulations. The regulations implement the EC Acquired Rights Directive, which states that it shall apply where and in so far as the undertaking, business or part to be transferred is situated within the territorial scope of the Treaty.

The Government have been considering possibilities for the reform of the TUPE Regulations, but has no plans to make further provision specifically in relation to the continental shelf. We announced on 14 February 2003 that a public consultation will be launched in the first half of this year on draft revised regulations. All representations received in that consultation will be taken into account. The new regulations are expected to be in effect by April 2004.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Advertising Costs (Scotland)

Pete Wishart: To ask the Secretary of State for Environment, Food and Rural Affairs how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102329]

Alun Michael: The Department has incurred no advertising expenditure in Scotland since its formation in June 2001.

An analysis of the expenditure for each agency and non-departmental body sponsored by the Department could be obtained only at disproportionate cost.

Animal Movement

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what plans she has to grant an exemption in relation to the six-day rule for animal movements for agricultural shows; [102569]

(2) what assessment she has made of the potential loss of marketing opportunities for major breeders unable to move from show to show without an exemption for on-farm isolation. [102568]

Mr. Morley: My right hon. Friend the Secretary of State announced in a written statement on 23 January 2003, *Official Report*, columns 20–23WS, that the standstill would be reduced to six days for cattle, sheep and goats with effect from 4 March, but with far fewer exemptions.

The removal of most of the exemptions is a counterbalance to the increased risk created by the reduction in the standstill period. The much shorter standstill should make it possible for show organisers to arrange events so that breeders and others wishing to exhibit at shows can plan their movements to comply with the rules.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the proposal to restrict cattle movements to a 96-mile radius; and what impact this will have on those farmers who move animals for finishing purposes. [102793]

Mr. Morley: In a written statement on 23 January 2003, *Official Report*, columns 20–24WS, announcing the Government's decision to reduce the 20-day standstill to six days, my right hon. Friend the Secretary of State, stated that Defra would commission further work into the possibility of imposing a distance limit on the movement of animals through markets or making such moves subject to special licences. A figure of 150 kilometres was suggested.

We will discuss this suggestion further with livestock auctioneers and the farming industry in order to obtain more information about the pattern of movements through markets and the likely impact of such a restriction before we reach a view on its merits.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs when the new arrangements for the restrictions upon animal movements, following the replacement of the 20-day rule, will be fully in place. [102794]

Mr. Morley: The Disease Control (Interim Measures) (England) Order 2003 and the Disease Control (Interim Measures) (Wales) Order 2003 both came into effect on 4 March 2003. The Orders reduced the 20-day standstill to six days for cattle, sheep and goats, and removed most of the previous exemptions from the standst

We intend to consult soon on a number of further proposals aimed at improving biosecurity and disease detection, for possible introduction later this year.

Avian Influenza

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what compensation her Department will make available to farmers affected by avian influenza. [102363]

Mr. Morley: Schedule 3 to the Animal Health Act 1981 provides that, where the Secretary of State causes birds to be slaughtered, compensation for poultry that are not diseased shall be their value immediately before slaughter. No compensation is paid for diseased poultry.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs which vectors carry avian influenza. [102364]

Mr. Morley: There are no known insect vectors of avian influenza. Avian influenza spreads by the movement of infected birds, products of infected birds and contaminated materials.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what symptoms are shown by poultry with avian influenza. [102365]

Mr. Morley: The clinical signs of avian influenza are variable and depend greatly on the characteristics of the particular virus involved, and on the species and age of the infected poultry.

Infection of chickens with a highly pathogenic avian influenza virus typically causes severe respiratory signs, swelling of the head, blue discoloration of the wattles and comb and diarrhoea. Death may occur between one and seven days after first appearance of clinical signs.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs which countries had outbreaks of avian influenza in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [102369]

Mr. Morley: The Office International des Epizooties (World Animal Health Organisation) records that the countries that had outbreaks of highly pathogenic avian influenza in the relevant years are as follows:

2000
Italy
Pakistan
2001
Hong Kong
Saudi Arabia
2002
Chile
Senegal.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what recent research into avian influenza she has commissioned. [102371]

Mr. Morley: The Veterinary Laboratories Agency undertakes on-going research into avian influenza. The main aims of this research are to:

i) provide a rapid realistic diagnostic service for statutory tests;

ii) provide an international reference laboratory service;

iii) improve diagnostic methods of virus detection and characterisation;

iv) improve our understanding of virus virulence, host range, host adaptation and disease pathogenicity; and

v) improve our understanding of avian influenza epidemiology.

The Veterinary Laboratories Agency is also about to co-ordinate a survey for avian influenza viruses in poultry and wild birds. All EU members states are being asked to carry out surveys in accordance with Commission Decision 2002/649/EC to provide information on the incidence strains of low pathogenicity, some of which may have the potential to mutate to high pathogenicity.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how many veterinarians are available from the Government's veterinary service to deal with the outbreak of avian influenza. [102373]

Mr. Morley: At the present time, there is not an outbreak of avian influenza in Great Britain.

There are currently 211 State Veterinary Service permanent Veterinary Officers (VOs) and 48 casual VOs (full-time equivalents) located throughout GB. These would be deployed to eradicate the disease as necessary. Additional veterinary resources could be commissioned in a similar manner to that set out in Defra's Foot and Mouth Contingency Plan, which is scheduled to be laid before Parliament in late March 2003.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what guidance she gives on the treatment of chickens which do not die from avian influenza, but which are on infected farms. [102402]

Mr. Morley: EU Council Directive 92/40 lays down that once the presence of avian influenza has been officially confirmed on a holding, all poultry on that holding shall be killed without delay.

Bathing Waters

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list those bathing waters where bathing water meets the EU mandatory standards, but do not meet the advisory guidelines. [99253]

Mr. Morley: The bathing water compliance results in England for the 2002 bathing season were published on 11 November 2002. The News Release can be found on the Defra website at www.defra.gov.uk/news/2002/021111a.htm. This release provides a link to a list of all the bathing waters in England that met the EU mandatory standards last year and those that also passed the more stringent guideline standards.

Bird Registration Scheme

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the progress being made on the Bird Registration scheme. [102435]

Mr. Morley *[holding answer 12 March 2003]:* Our consultation on the future of the Bird Registration scheme in autumn 2002 attracted over 400 responses from individuals; from groups and organisations known to have an interest in the scheme from central and local government organisations; and from police forces and other enforcement agencies.

These responses have been carefully analysed and I intend to make an announcement shortly.

Bovine Tuberculosis

Mr. Flook: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* research she has collated and *(b)* guidance she has given on the susceptibility of red deer to bovine tuberculosis; and what assessment she has made of the likely impact of bovine tuberculosis on the red deer herd on Exmoor. [102147]

Mr. Morley: The information is as follows.

(a) Defra is funding the Central Science Laboratory to carry out research into the risk to cattle from wildlife species other than badgers in areas of high herd breakdown. The research project is proceeding according to plan and the findings will be published in due course.

(b) Mycobacterium bovis is isolated almost every year from wild red deer specimens submitted to the Veterinary Laboratories Agency as part of the statutory requirement to notify suspect lesions in deer carcases. In 2002 there was one positive isolate from a red deer from Exmoor. There has been no formal assessment of the effect of bovine tuberculosis on wild deer populations.

Statutory controls are in place to deal with bovine tuberculosis in farmed deer.

Bushmeat

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of bushmeat seizures at UK ports over the past 12 months have resulted in a prosecution. [101351]

Mr. Morley: We are not aware of any prosecutions resulting from seizures of bushmeat at UK ports over the past 12 months.

Prosecutions for offences relating to bushmeat can be brought under the Convention on International Trade in Endangered Species by HM Customs, and under the Products of Animal Origin (Third Country Imports) (England) regulations by local authorities.

Bushmeat forms only a very small proportion of reported seizures of products of animal origin—less than 2.5 per cent. Seizures are confiscated and destroyed.

Domestic Abuse

Margaret Moran: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to ensure the provision of facilities and services for victims of domestic abuse in remote rural areas. [97754]

Alun Michael: Policy responsibility for domestic violence, including provision of services for victims, lies outside my Department. However, the Government are committed to "rural-proofing" all their policies. The Department and the Countryside Agency work with other Government Departments to ensure that rural aspects of policies are addressed and to improve service delivery in rural areas.

The Countryside Agency is working on two pilot initiatives. One is with Crime Concern and their local partners to quantify the nature and extent of domestic violence in rural Wiltshire and to implement innovative methods of early intervention, and the other with Save the Children UK to examine the impact of domestic violence on rural children in the West Midlands region.

Rural Development

Mr. Blizzard: To ask the Secretary of State for Environment, Food and Rural Affairs how many grants have been approved under the land-based schemes of the England Rural Development Programme since its inception; and what proportion of the total available budget this represented in each year. [102404]

Alun Michael: The following table shows the number of ERDP agreements approved under the land based schemes since the Programme began in 2000, and the total programme budget for each scheme.

Scheme	*Total number of agreements*	*Number of agreements approved between 2000–02*[1,2]	*Scheme budget 2000–06 (£ million)*
Countryside Stewardship Scheme	13,858	6,290	481
Environmentally Sensitive Areas	12,300	1,677	330
Organic Farming Scheme	n/a	1,085	141
Woodland Grant Scheme	32,748	7,058	139
Farm Woodland Premium Scheme/Farm Woodland Scheme	10,059	2,389	77
Energy Crops Scheme	n/a	31	32
Hill Farm Allowance[2]	n/a	9,953	254

[1] Figures for number of approved agreements are provisional as some agreements for 2002 remain to be processed. Agreements entered into before 2000 are excluded.

[2] For Hill Farm Allowance, figure relates to number of payments made on claims received in 2002 rather than agreements approved over the years 2000 to 2002.

It is not possible to compare the value of approved agreements in a given year directly with the budget for that year, because *(a)* the majority of agreements under the land based schemes are for commitments lasting 10 years or more and with payments made annually; *(b)* first payments under individual agreements may not always be made in the same year as the agreement is approved; and *(c)* much of the current budget for land based schemes is expended on commitments entered into before the ERDP began in 2000.

In financial year 2000–01, 83 per cent. of the total budget available for the ERDP land-based schemes was spent, and in financial year 2001–02, 89 per cent. of the total budget available for the ERDP land-based schemes was spent.

Mr. Blizzard: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to *(a)* encourage the take-up and *(b)* speed up the processing of grants for land-based schemes of the England Rural Development Programme. [102405]

Alun Michael: All ERDP schemes are being promoted both at national and regional level through joint working with partner organisations, at events such as agricultural shows and other public events, news releases and local publicity, and workshops for potential applicants.

In addition, a number of initiatives are in place to encourage uptake of particular ERDP land-based schemes. For example, the opening of the 2003 Countryside Stewardship Scheme (CSS) application window was announced by my right hon. Friend the Minister for the Environment on 7 November 2002 and applications have been encouraged through advertisements in the national farming press. In order to increase the number of farmers converting to organic production methods, the Organic Farming Scheme (OFS) will be relaunched from May 2003 with a new option that allows payments to be made (over a five year agreement) for the management of organically farmed land in an environmentally beneficial way. In addition, steps are under way to improve the take up of the Energy Crops Scheme (ECS), which supports the establishment of short rotation coppice and miscanthus as renewable energy sources. The Government have allocated £66 million to the development of end markets for such crops, and £3.5 million for improvements to the fuels supply infrastructure. We will also be reviewing the rules in respect of the co-firing of energy crops with coal.

The payment of some claims has recently been delayed due to the need under EU regulations to cross-check land-based scheme agreements against the IACS database. Steps have now been taken to speed up the processing of applications and payments through the streamlining of administrative procedures. In addition, a simplified claim form for CSS payments was introduced last year, to significantly ease the burden on beneficiaries. Also, to allow more time for the preparation of CSS applications, the application window has been opened two months earlier than in previous years. Over the longer term, major reviews of both the agri-environment and forestry schemes are considering ways of rationalising and simplifying existing arrangements. To this end a pilot of the Entry Level Scheme, which is designed to encourage a large number of farmers across a wide area of farmland to deliver simple yet effective environmental management on their farms, was launched on 27 February. Together with the introduction of new IT systems in Defra, the Rural Payments Agency and the Forestry Commission, these developments should lead to significant improvements in the speed and efficiency of land-based scheme administration.

Forestry Commission Disposals

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs how many disposals of land *(a)* under 100 acres and *(b)* over 100 acres have been completed by the Forestry Commission in (i) Scotland, (ii) England and (iii) Wales. [101739]

Mr. Morley: The subject of the question relates to matters undertaken by Forest Enterprise. I asked its Chief Executive, Dr. Bob McIntosh, to arrange a written response.

Letter from Bob McIntosh to Mr. Peter Duncan, dated March 2003:

I refer to your question asking the Secretary of State for Environment, Food and Rural Affairs for details of sales of Forestry Commission land.

I set out below details of the number of cases of forestry land sold this financial year.

(40 hectares)

Country	*Under 100 acres*	*Over 100 acres*
Scotland	15	5
England	6	1
Wales	1	1

I hope that you will find this helpful.

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her policy towards Forestry Commission disposals of land to *(a)* community purchase and *(b)* smallholding farmers. [101742]

Mr. Morley: The Forestry Commission operates a sponsorship scheme by which bodies with environmental responsibilities or interests and local communities may be given a preferential opportunity to acquire surplus property which has been identified for sale and which has either a recreational, conservation or amenity interest or is of interest to a local community for their social and economic development.

Communities may purchase such surplus on condition that they gain sponsorship from the relevant Government Department or Agency. The sponsorship is, in effect, a statement from the Department or Agency certifying that a sale direct to the community would be more in the public interest than selling the land on the open market. The District Valuer determines the sale price.

There is no specific policy in respect of sales of land to Smallholding Farmers. However, the Commission usually sells surplus agricultural land on the open market. Where the land is tenanted, the farmer would be given a prior opportunity to purchase.

GM Crops

Joan Ruddock: To ask the Secretary of State for Environment, Food and Rural Affairs what consultations with Government the Food Standards Agency undertook before embarking on the GM public debate. [100864]

Mr. Meacher: The Food Standards Agency announced its plans to involve consumers in debating issues related to GM food last July and has kept both Government and the Public Debate Steering Board fully informed of progress since then.

Dairy Products (Imports)

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list dairy products which if brought into the UK by international travellers are considered to be a health risk by the "Don't Bring Back More Than You Bargained For" campaign; and what risks are associated with each. [101268]

Mr. Morley: Passengers entering the United Kingdom from third countries are prohibited by EU and domestic law from bringing in for their personal consumption, milk and milk products.

These prohibited products include, milk, cheese, butter, yoghurt, ghee, and milk powder.

In terms of animal health, exotic viral diseases that can be transmitted in milk include Foot and Mouth Disease, Rinderpest and Peste des Petits Ruminants. Heat treatment or other processing could destroy some or all of the virus present in the product but there remains the possibility of recontamination after production.

In terms of human health, there is no definitive list of dairy products that may be considered to be a health risk. All food products that are not subject to stringent health and hygiene controls may be contaminated with bacteria or undesirable chemicals. The Food Standards Agency has responsibility for human food safety matters.

Uncontrolled animal products (including dairy products) pose an increased risk to human and animal health in general terms primarily due to their perishable nature and association as vectors of both animal disease and human pathogens.

Light Pollution

Helen Jones: To ask the Secretary of State for Environment, Food and Rural Affairs what action her Department is taking to curb light pollution; and if she will make a statement. [101186]

Alun Michael: We included nuisance lighting options in our "Living Places—Powers, Rights, Responsibilities" consultation paper. That consultation exercise closed on 14 February. We are in the process of analysing the responses received in order to decide how to proceed.

Poultry Meat Imports (Brazil)

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs whether she has made representations concerning the non-compliance of Brazil with EU residue testing and veterinary certification requirements. [101571]

Mr. Morley: Following the detection of nitrofurans in poultry meat imported from Brazil, the EU has introduced legislation requiring all consignments of poultry meat from Brazil to be tested to ensure that the products concerned do not present a hazard to human health. No poultry meat from Brazil is permitted to enter the community unless the results of these checks are favourable. Any poultry meat that tests positive for nitrofurans or their metabolites will be destroyed.

The UK has implemented the provisions of this decision. The European Commission is engaged in discussions with the Brazilian authorities and my Department is monitoring the situation.

All meat imported into the UK from third countries must enter at designated UK Border Inspection Posts (BIPs) where it is subject to veterinary inspections. All consignments are subject to documentary and identity checks and at least 20 per cent. of consignments undergo physical checks. These ensure import conditions are met and that the products remain in a satisfactory condition during transport.

If during the documentary check, a problem is found with the accompanying veterinary certification, appropriate action will be taken.

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received concerning the import into the UK of whole turkeys from Brazil at below production cost. [101573]

Mr. Morley: My colleagues and I, and the Department, have received two letters on this subject, and the broader question of imports of poultry meat from third countries has been discussed with several stakeholders in recent weeks.

Noise Emissions

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the EU Directive relating to noise emissions from outdoor equipment. [102475]

Mr. Wilson: I have been asked to reply.

The EC noise emission in the environment by equipment for use outdoors Directive was adopted by the European Parliament and Council on 3 July 2000 as Directive 2000/14/EC. Its purpose is to harmonise national laws of member states regarding noise emission limits and labelling requirements at the manufacturing stage.

The Directive was implemented into UK law by The Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001 (SI 2001/1701) made under the European Communities Act 1972.

The Directive and implementing UK Regulations apply to 57 types of equipment for use outdoors ranging from construction machinery to lawnmowers that require noise emission measurements to be taken and to fix labels showing the "guaranteed" noise levels of each machine. In addition the Directive and implementing UK Regulations set noise limits for 22 of the 57 types of equipment that are intended to be first placed on the market or taken into service as an entire unit.

Equipment is subject to conformity assessment, as with other European Directives of this type. Certain types of equipment, is subject to third party assessment by a Notified Body. In the UK these organisations are appointed by the Secretary of State, according to certain minimum criteria laid down in the Directive and Regulations, following an assessment by the United Kingdom Accreditation Service. A manufacturer or his authorised representative established in the Community may use the services of Notified Bodies in any of the other member states.

Once conformity assessment has been completed and provided that the equipment subsequently complies with the provisions of the Directive and any other applicable Regulations, the manufacturer will be required to affix the CE marking together with the indication of the guaranteed sound power level.

Enforcement of the UK Regulations is carried out by the Vehicle Certification Agency. The penalties for non-compliance range from the issuing of suspension notices to imprisonment or a fine not exceeding level 5 on the standard scale. It should be noted, however, that the VCA are seeking to work with manufacturers to help them comply properly, as well as taking enforcement action in justifiable cases.

Non-Bovine Carcases

Mr. Oaten: To ask the Secretary of State for Environment, Food and Rural Affairs what plans he has to support farmers with the cost of collection of non-bovine animal carcases from 1 April. [101768]

Mr. Morley *[holding answer 7 March 2003]:* The Government are already voluntarily contributing nearly £30 million annually for the collection and disposal of fallen stock for TSE testing purposes. The Government have been discussing with the livestock industry how we can build on the arrangements that are already in place to develop a wider service for collecting fallen stock when the new animal by-products regulation banning burial comes into force from 1 May. Any further progress is dependent upon the willingness of the livestock industry to make a financial contribution to a national scheme.

Pesticides

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many pesticides are *(a)* approved for use in the UK, *(b)* approved for use in the UK but not for use in the European Union and *(c)* manufactured in the UK and approved for use in third countries but not in the UK or the EU; and when each was approved for use in (i) the UK, (ii) the EU and (iii) third countries. [101270]

Mr. Morley: At present there are approvals for 4,112 individual pesticide products in the UK. The number of active substances for which there are one or more approved products is currently 336.

There are two active substances that are approved for agricultural use in the UK but not for use in other member states. Differences in approvals between countries can arise because different approval conditions are applied or because commercial approvals are not sought in all countries. A spreadsheet (named the 'Indicative list') giving details of pesticides approved in each member state can be found on the Commission's website at: http://europa.eu.int/comm/food/fs/ph_ps/pro/eva/existinq/index_en.htm

The Government do not hold this information, as the UK's pesticide legislation does not extend to the manufacture of pesticides or to those pesticides intended solely for exportation from the UK. Neither do the Government have information on the details of pesticides approved for use in the third countries or information on when each pesticide was approved for use in the EU and third countries. Within the UK pesticides have been approved for use under the Control of Pesticides Regulations (COPR) since October 1986.

Raptor Protection

Mr. Dismore: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to deregulate raptor protection. [99616]

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Mr. Morley: There are no plans to deregulate raptor protection. All wild birds, including raptors are protected under the Wildlife and Countryside Act 1981. However, I recognise the problems presented by birds of prey to game bird managers and pigeon fanciers, and believe the recommendations from the Raptor Working Group's final report, published in 2000, will provide an integrated solution to the problems presented by birds of prey in these particular sectors.

Work is already being taken forward by the country conservation agencies, and other organisations, and includes research in Scotland examining levels of pigeon predation, at lofts and release sites and during races, and testing the feasibility of using radio tags to follow pigeons when training or racing. I look forward to hearing the results. In addition, English Nature has signed a Memorandum of Understanding with the Moorland Association on addressing the issue of raptor predation in the uplands.

Implementation of the Working Group's report's recommendations in Scotland and Wales is of course a matter for the devolved Administrations. Nevertheless, I have asked the Joint Nature Conservation Committee to report generally on progress.

Copies of the Raptor Working Group report are available from the Library of the House.

Regional Government

Mr. Edward Davey: To ask the Secretary of State for Environment, Food and Rural Affairs what the administrative cost of the Countryside Agency to each Government Office of the Region was in *(a)* 1999–2000, *(b)* 2000–01, *(c)* 2001–02 and *(d)* 2002–03. [103016]

Alun Michael: The Countryside Agency is a Non-Departmental Public Body funded directly by Defra and it does not impose any costs on the Government Offices.

Ducks

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her Written Ministerial Statement on 3 March 2003, *Official Report,* column 71WS, how much additional money she will be spending on future research work into the ruddy and white-headed duck populations. [101381]

Mr. Morley *[holding answer 10 March 2003]:* The Department has completed the ruddy duck control trial and will spend an additional £100,000 this financial year on research work into refining control methods for the ruddy duck. Further research will be undertaken in 2003–04. Final decisions have not yet been taken on the allocation of the research budget, but the expected expenditure is around £250,000. We also propose to participate in a white-headed duck workshop to be held later this year in Morocco. The workshop will consider various control methods used on ruddy ducks throughout Europe and North Africa.

Illegal Meat Imports

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs how many sniffer dogs are being used to detect illegal meat imports at UK airports and ports; and where they are used. [102157]

Mr. Morley: We are running a six-month pilot with two detector dogs, based at Heathrow airport. They are working in baggage, cargo and mail areas, and have been tested in a number of locations.

Noise Mapping Project

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs whether the national noise mapping project, launched on 12 December 2002, will include the regular sounding of horns by trains at particular points on rail lines. [102530]

Alun Michael: The information being collected for the noise mapping project considers the level of noise on the basis of the 16 hour day, 4 hour evening and 8 hour night period, when averaged over a year.

The initial stage of the project does not consider short-term noise events such as the regular sounding of horns by trains.

Train drivers are required to sound their horns at level crossings and on the approaches to tunnels to give extra warning of the approach of trains to those who may wish to cross or are working on the track. This is done on the grounds of safety.

Trees

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to increase plantation of trees to boost the supply of wood available as fuel in the UK; and if she will make a statement. [101291]

Mr. Morley: Forestry is a devolved matter, and the policies for tree planting in Scotland and Wales are therefore the responsibility of the Scottish Executive and the Welsh Assembly Government respectively.

We are committed to increasing the use of renewable energy. This includes the use of woodfuel from both traditional woodland and short rotation coppice. There is already considerable scope for increased sustainable harvesting for woodfuel in existing woodland in England, and we also expect the area of woodland to continue to increase at its current rate of around 5,000 hectares per year. Support for woodland creation is provided by the Woodland Grant Scheme and Farm Woodland Premium Scheme, while the Energy Crops Scheme offers financial incentives for the establishment of short rotation coppice as woodfuel. A review of the support for woodland creation has been carried out, and the results will be published in the spring.

Turkey Meat

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs what research her Department has commissioned in the last two years into the UK turkey meat market. [101570]

Mr. Morley: None. However, digests summarising technical research in the poultry sector were published by ADAS in November 2001 and April 2002. The aim of the review was to publish poultry research findings of interest to the poultry industry. The reports cover turkey production, marketing, nutrition, welfare and meat quality, and are available on the Defra website at: http://www.defra.gov.uk/foodrin/poultry/techtransfer/index.htm

Waste Electrical and Electronic Equipment Directive

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received regarding the Waste Electrical and Electronic Equipment (WEEE) Directive. [101975]

Mr. Meacher: We have received representations from numerous stakeholders including local authorities, dismantlers, retailers, manufacturers and small businesses.

TREASURY

Working Hours

Mr. Evans: To ask the Chancellor of the Exchequer how many people in *(a)* England, *(b)* Scotland, *(c)* Northern Ireland and *(d)* Wales work less than 16 hours a week. [102780]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nigel Evans, dated 13 March 2003:

As National Statistician, I have been asked to reply to your Parliamentary Question about people who work less than 16 hours a week by country of residence. (102780)

The attached table gives the information requested for the three-month period ending November 2002. These estimates are from the Labour Force Survey (LFS). They are not seasonally adjusted.

People who work less than 16 hours a week by country of residence[1]—United Kingdom—September to November 2002

	Thousands, not seasonally adjusted
UK	2,422
England	2,084
Wales	98
Scotland	190
Northern Ireland	50

[1] Total usual weekly hours worked in main job, including paid and unpaid overtime.

Note:

These Labour Force Survey (LFS) estimates are Not Seasonally Adjusted (NSA) and have not yet been adjusted to take account of the Census 2001 results.

Source:

ONS Labour Force Survey

Accountancy Services

Mr. Bercow: To ask the Chancellor of the Exchequer what the total cost to his Department was for accountancy services in 2002. [101568]

Ruth Kelly: This information is not held in the format required, and could be provided only at disproportionate cost.

Advertising Costs (Scotland)

Pete Wishart: To ask the Chancellor of the Exchequer how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102335]

Ruth Kelly: The information is as follows:

Customs and Excise

HMCE spends 1999–2002 by Media Scotland only

£

	1999	*2000*	*2001*	*2002*	*Total*
TV	—	—	—	—	—
Newspapers	—	26,966.00	45,466	11,716.61	84,148.61
Radio	—	—	20,128.95	7,897.45	28,026.40
Magazines	—	—	—	—	—
Billboards	—	—	—	—	—
Sporting events	—	—	—	—	—
TOTAL	—	26,966.00	65,594.95	19,614.06	112,175.01

Valuation Office Agency

The detailed breakdown requested is not available. However, the total amount spent on advertising in Scotland was as follows:

£

	Total spent on advertising
1999–2000	35
2000–01	0
2001–02	0
2002–03	[1]146.87

[1] To date

Inland Revenue

It is not possible to separate out costs for all media as this is generally bought on a UK wide basis. Where this is possible separating out spending for Scotland would incur disproportionate costs.

National Savings and Investments

National Savings and Investments spends 1999–2002 by Media Scotland only

£

	1999	*2000*	*2001*	*2002*	*Total*
TV	218,466	—	—	—	218,466
Press	13,245	3,510	6,107	18,183	41,045
Billboards	—	—	—	38,316	38,316
Radio	—	—	—	—	0
TOTAL	231,711	3,510	6,107	56,499	297,827

Source:

DDS, Outdoor Connection

The figures for press relate only to Scottish newspapers.

Royal Mint

The Royal Mint advertises in the UK media but does not currently break down spend geographically below this level.

No expenditure was incurred by the Treasury, the Office for National Statistics, the Office of Government Commerce, the Debt Management Office and the Government's Actuary's Department.

Economic Instruments

Norman Baker: To ask the Chancellor of the Exchequer what his policy is on the selective use by the EU of economic instruments where the aim is to influence environmental behaviour. [102473]

John Healey: Economic and market-based instruments are one of the range of instruments that can be used to influence environmental behaviour. As stated in the European Economic Reform White Paper 'Realising Europe's Potential', published in February 2002, the Government are in favour of the use of such instruments at Community level where these are most appropriate.

The voluntary agreements with car manufacturers on carbon dioxide emissions from new cars and the forthcoming EU Emission Trading Scheme are good examples of the community, with the Government's support, developing economic and market-based instruments where these are most appropriate to address environmental issues with a strong trans-boundary or single market dimension.

Generally, the Government will only allow departures from member states' freedom to set tax rates and bases where there are strong, specific reasons for the UK to do so which would otherwise be undermined by a lack of community level action. For example, the Government recognise that there are strong and specific reasons to agree common approaches to tackle climate change. Otherwise, for example, businesses could relocate within the EU to member states that did not tax the causes of climate change—thereby not reducing climate change at all.

For this reason, the Government are prepared to agree to the proposed EU energy products directive that would increase the minimum rates of duty on road fuels within the EU and introduce minimum rates on some other energy products. This proposal is currently being discussed in Brussels and the Government expect that agreement will be reached on it shortly. However, the Government believe that member states should be free to tax more than the minimum rates if they wish to do so.

Norman Baker: To ask the Chancellor of the Exchequer what steps he takes to ensure that his use of economic instruments is consistent with sound environmental practice; if proposals for tax changes are always subject to prior environmental impact assessment; and if he will make a statement. [102474]

John Healey: The Chancellor takes account of all relevant social, economic and environmental factors when deciding taxation policy. The environmental impacts of Budget measures are taken into account in the Budget decision-making process. The impacts of any measures which have a significant environmental effect are published in the Budget and pre-Budget report documents.

The document 'Tax and the environment: using economic instruments', published with the 2002 pre-Budget report, sets out how the Government use an evidence-based approach based on an assessment of costs and benefits when developing environmental policy measures.

Foundation Hospitals

Mr. Laws: To ask the Chancellor of the Exchequer what request he has recently made to the Office of National Statistics in relation to confirming the correct accounting treatment for the classification of the borrowings of foundation hospitals; and if he will make a statement. [101620]

Mr. Boateng *[holding answer 10 March 2003]*: Treasury officials consult ONS about the national accounts treatment of new institutions as a matter of routine. Treasury officials sent a letter to ONS on the 3 February 2003 with the full involvement of DH officials. This was a routine inquiry and not undertaken by Ministers.

Fuel Tax

Norman Baker: To ask the Chancellor of the Exchequer what account he has taken of the trends in relative transport costs of *(a)* car, *(b)* bus and *(c)* train over the last 30 years in determining his policy on fuel tax for private vehicles. [102480]

John Healey: The Chancellor takes into account all relevant social, environmental and economic factors when setting road fuel duty rates.

IT Projects

Mr. Webb: To ask the Chancellor of the Exchequer if he will list each information technology project being undertaken by his Department and its agencies including *(a)* the start date, *(b)* the planned completion date, *(c)* the current expected completion date, *(d)* the planned cost and *(e)* the current estimated cost; and if he will make a statement. [98223]

Ruth Kelly: The information has been placed in the Library.

Landfill Tax

Mr. Swire: To ask the Chancellor of the Exchequer what steps are being taken to enable the administration of the new landfill tax credit scheme. [102343]

John Healey: From 1 April 2003 the landfill tax credit scheme will be capped at a value of around £47 million per year for spending on local community environmental projects, ensuring that the current level of support for these projects is maintained. The Government have been considering the detailed administration and criteria for the successor scheme in consultation with stakeholders and are considering how the management of the scheme might be improved to ensure greater transparency and accountability, more attention to value for money, and better evaluation of projects. The Government will set out their plans for reform on a Budget timetable.

Pension Funds (Tax Treatment)

Mr. Willetts: To ask the Chancellor of the Exchequer whether the proposal in his consultation document on the tax treatment of pension funds for a £1.4 million limit on tax exempt pension in savings includes *(a)* funded public sector schemes and *(b)* unfunded public sector schemes. [100795]

Ruth Kelly: The Government consultation paper, "Simplifying the Taxation of Pensions: Increasing Choice and Flexibility for All", proposes a framework of benefit rules that would apply, from the date of its introduction, to any pension scheme, whether in the public or private sector, that wished to utilise pension tax privileges. The consultation period allows people to put forward their views before final decisions are taken.

Waste Management

Norman Baker: To ask the Chancellor of the Exchequer whether it is his policy that revenue from landfill tax be recycled to business to improve waste management performance. [102730]

John Healey: As announced in the 2002 pre-Budget report, the Government are consulting with stakeholders on a revenue-neutral proposal to increase the landfill tax escalator to £3 per tonne in 2005–06 and to increase the rate of the tax by at least £3 per tonne in future years, on the way to a medium to long term rate of £35 per tonne. It is the Government's intention that these increases will be introduced in a way that is revenue neutral to business as whole. Decisions on how to achieve this will announced as part of the Budget process, taking account of views from stakeholders.

DEFENCE

International Military Services

Mr. Cousins: To ask the Secretary of State for Defence what evidence he has examined with regard to the claim by the Government of Iraq that International Military Services supplied *(a)* materials, *(b)* expertise and *(c)* other types of support for the development of (i) missiles and (ii) rocketry. [98869]

Mr. Hoon: International Military Services ceased trading on 31 July 1991. Any transactions prior to that date will have been governed by our arms export policy at the time.

A400M

Mr. Jenkin: To ask the Secretary of State for Defence what the expected unit price is of each A400M aircraft; and what effect on that price the withdrawal of Portugal from the project involves. [102574]

Mr. Ingram: I am withholding the unit price information in accordance with Exemption 13 of the Code of Practice on Access to Government Information, which relates to third party's commercial confidences. The withdrawal of Portugal had no effect on the unit price.

Al Yamamah Deal

Mrs. Brooke: To ask the Secretary of State for Defence pursuant to his answer of 12 February 2003, *Official Report*, column 737W, on the Al Yamamah deal, when he estimates that the Al Yamamah programme will cease to have a significant impact on British jobs and exports. [101924]

Mr. Ingram: Al Yamamah is an on-going programme with no specific end point. Because of its importance for British jobs and exports, we look forward to providing continuing and long-term support for the equipment already delivered.

AWACS

Mr. Jenkin: To ask the Secretary of State for Defence what the *(a)* establishment and *(b)* strength is of weapons controller personnel on the E3D AWACS fleet. [102575]

Mr. Ingram: The establishment for weapons controllers on the E3D AWACS fleet on 1 March 2003 was 33. The trained strength on the same date was 23. The shortfall of 10 being recently established posts that have still to be filled.

Biological/Chemical Warfare

Llew Smith: To ask the Secretary of State for Defence what communications he has had with his United States counterparts since 5 February in respect of the United Kingdom opposition to *(a)* incapacitants and *(b)* irritant chemical agents in warfare. [102074]

Lynne Jones: To ask the Secretary of State for Defence what representations he has made to the United States administration about the British Government's policy on the use by British armed forces of incapacitant and calmative weapons, and irritant chemical agents during wartime. [102414]

Mr. Hoon: None.

Dr. Cable: To ask the Secretary of State for Defence what assessment he has made of the compatibility of disabling nerve agents with international obligations governing chemical weapons. [101941]

Mr. Hoon *[holding answer 10 March 2003]:* The Chemical Weapons Convention prohibits the development, production and use of all toxic chemicals (both lethal and incapacitating) and their precursors, except where they are intended for purposes not prohibited under the Convention, as long as the type and quantities are consistent with such purposes.

Council Tax Rebates

Mr. Keetch: To ask the Secretary of State for Defence whether members of the Armed Forces on deployment are entitled to council tax rebates; and if he will make a statement. [102516]

Dr. Moonie: All Service personnel who own a private property remain liable to pay council tax on their own property to the local authority concerned. Council tax rebates are a matter for local authorities and it is for them to interpret the regulations concerning "sole or main residence". In reaching their decision they consider case law arising from earlier council tax appeals, which takes various factors into account including the amount of time spent at a property, whether it is the family home, and security of tenure.

Foreign Warships

Mr. Jenkin: To ask the Secretary of State for Defence what foreign warships have been involved in Royal Naval training exercises in UK domestic waters in the past two years. [102572]

Mr. Ingram: Royal Navy operational sea training, is recognised as a world leader. In the past two years, 129 warships from 15 nations undertook training with or were trained by the Royal Navy in UK domestic waters. Details are as follows.

Nationality	*Name Of Unit*	*Type of training*	*Year*
Bangladesh	Kapatappa	OST[1]	2002
Belgium	Westdiep	OST	2001
Belgium	Lobelia	JMC[2]	2001
Belgium	Godetia	JMC	2001
Belgium	Crocus	JMC	2001
Belgium	Wielingen	JMC	2001
Belgium	Westdiep	JMC	2001
Canada	Halifax	JMC	2001
Canada	Ursula	OST	2001
Denmark	Saelen	JMC	2001
Denmark	Skaden	JMC	2001
Denmark	Viben	JMC	2001
Denmark	Hvidbjornen	JMC	2002
Finland	Rubis	JMC	2002
France	La Fayette	OST	2002
France	Cdr Blaison	JMC	2001
France	De Grasse	JMC	2001
France	Marne	JMC	2001
France	S M Le Bihan	JMC	2001
France	Siroco	JMC	2001
France	Croix Du Sud	JMC	2001
France	Latouche Treville	JMC	2002
France	Primauguet	JMC	2002
France	Le Henaff	JMC	2002
France	Orion	JMC	2002
France	Styx	JMC	2002
France	Le Henaff	JMC	2002
France	Com L'herminier	JMC	2002
Germany	Augsburg	OST	2002
Germany	Brandenburg	OST	2002
Germany	Bremen	OST	2002
Germany	Emden	OST	2001
Germany	Frankfurt Am Main	OST	2002
Germany	Freiburg	OST	2001
Germany	Karlsruhe	OST	2001
Germany	Luetjens	OST	2001
Germany	Mecklenburg	OST	2001
Germany	Vorpommern	OST	2002
Germany	Schleswig Holstein	OST	2001
Germany	Lubeck	JMC	2001
Germany	Augsburg	JMC	2001
Germany	Bremen	JMC	2001
Germany	Rhon	JMC	2001
Germany	Fulda	JMC	2001
Germany	Rhein	JMC	2001
Germany	Bad Bevensen	JMC	2001
Germany	Walchensee	JMC	2001
Germany	Greif	JMC	2001
Germany	Kondor	JMC	2001
Germany	Habicht	JMC	2001
Germany	Hermelin	JMC	2001
Germany	Kormoran	JMC	2001
Germany	Elbe	JMC	2001
Germany	Molders	JMC	2001
Germany	Lutjens	JMC	2001
Germany	Spessart	JMC	2001
Germany	Karlsruhe	JMC	2001
Germany	U22	JMC	2001
Germany	Mecklenburg Vorpommern	JMC	2002
Greece	Bouboulina	OST	2002
Greece	Callisto	OST	2001
Greece	Elli	OST	2002
Greece	Limnos	OST	2001
Guyana	Essequibo	OST	2001
Netherlands	Abraham Van Der Hulst	OST	2001
Netherlands	Bloys Van Treslong	OST	2001
Netherlands	Jacob Van Heemskerk	OST	2001
Netherlands	Van Galen	OST	2002
Netherlands	Van Nes	OST	2001
Netherlands	Van Speijk	OST	2002
Netherlands	Walrus	OST	2001
Netherlands	Van Amstel	JMC	2001
Netherlands	Makkum	JMC	2001
Netherlands	Schiedam	JMC	2001
Netherlands	Vlaardingen	JMC	2001
Netherlands	Bruinvis	JMC	2001
Netherlands	Vlaardingen	JMC	2001
Netherlands	Bruinvis	JMC	2001
Netherlands	Scheveningen	JMC	2001
Netherlands	J V Heemskerk	JMC	2001
Netherlands	Harlingen	JMC	2002
Netherlands	Middelburg	JMC	2002
Netherlands	Van Nes	JMC	2002
Netherlands	Walrus	OST	2002
Netherlands	Walrus	JMC	2002
Netherlands	Maassluis	JMC	2002
Netherlands	Willemstad	JMC	2002
Netherlands	Bruinvis	OST	2002
Norway	Uredd	JMC	2001
Norway	Bergen	JMC	2001
Norway	Maaloey	JMC	2001
Norway	Utstein	JMC	2001
Norway	Narvik	JMC	2001
Norway	Uthaug	JMC	2001
Norway	Trondheim	JMC	2002
Norway	Uredd	JMC	2002
Norway	Utvaer	JMC	2002
Poland	Orzel	OST	2001
Poland	Orzel	JMC	2002
Portugal	Corte Real	OST	2001
Portugal	Vasco De Gama	OST	2001
Portugal	Corte Real	JMC	2001
Spain	Reina Sofia	JMC	2001
Spain	Extremadura	JMC	2001
Spain	Patino	JMC	2001
Spain	Canarias	JMC	2002
Spain	Santa Maria	JMC	2002
Spain	Patino	JMC	2002
Spain	Orion	JMC	2002
Sweden	Gavle	OST	2002
Sweden	Goteburg	OST	2001
Sweden	Kalmar	OST	2001
Sweden	Vinga	OST	2001
Sweden	Vinga	OST	2002
Sweden	Arholma	OST	2002
Sweden	Gotland	JMC	2001
Sweden	Goteburg	JMC	2002
Sweden	Kalmar	JMC	2002
Sweden	Visborg	JMC	2002
USA	Winston Churchill	OST	2001
USA	Enterprise	JMC	2001
USA	Arctic	JMC	2001
USA	Philippine	JMC	2001
USA	McFaul	JMC	2001
USA	Hampton	JMC	2001
USA	Samuel E Morison	JMC	2001
USA	Anzio	JMC	2002
USA	Cape St. George	JMC	2002
USA	Conneticut	JMC	2002
USA	Mahan	JMC	2002

[1] Operational Sea Training

[2] Joint Maritime Course

Frigates

Mr. Jenkin: To ask the Secretary of State for Defence whether warships will be re-allocated to Atlantic Patrol (North) duties following the deployment of HMS Iron Duke in support of operations in Sierra Leone. [102573]

Mr. Ingram: Outside the hurricane season, May to November, the unit assigned to APT (N) is routinely at 14 days notice to be in the Caribbean theatre. HMS Iron Duke demonstrated, during her transit from the Caribbean to Sierra Leone, that she is well within that 14-day notice period. It is not planned to supplement the APT (N) unit at the present moment.

Mr. Jenkin: To ask the Secretary of State for Defence what the operational status is of HMS Montrose. [102552]

Mr. Ingram: I refer the hon. Member to the answer I gave on 5 March 2003, *Official Report*, column 1040W to the hon. Member for Portsmouth, South (Mr. Hancock).

Mr. Jenkin: To ask the Secretary of State for Defence what the complement is of HMS Newcastle; and whether she is fully crewed. [102551]

Mr. Ingram: The complement of HMS Newcastle is 249. 16 posts are gapped, but she is currently carrying 22 personnel under training. Her current strength is therefore 255.

Kuwait

Mr. Burstow: To ask the Secretary of State for Defence if he will make a statement on the use of water by troops stationed in Kuwait for personal hygiene; and what estimate he has made of the amount of water military personnel will consume per day. [102252]

Mr. Ingram: Water for the personal hygiene of troops deployed in Kuwait is being provided under a joint UK/US arrangement. This provides for showers and ablutions. No specific consumption rates are being applied. Bottled drinking water is provided at a rate of six litres per person per day. All personnel are advised to ensure that they adhere to the recommended consumption levels in order to avoid the effects of dehydration.

Mr. Burstow: To ask the Secretary of State for Defence how many press officers from his Department he has sent to Kuwait in each of the last eight weeks. [102248]

Mr. Ingram: In the eight weeks since 13 January, the Department has deployed two press officers—defined as members of the Government Information and Communication Service—to Kuwait. The first officer departed during the week beginning 24 February and the second in the week beginning 3 March.

Mr. Burstow: To ask the Secretary of State for Defence what menus are being used for troops stationed in Kuwait; and what plans he has to place troops on food rations. [102251]

Mr. Ingram: A wide variety of menus are available for troops stationed in Kuwait to ensure that they receive the required daily calorific intake and a balanced nutritional diet. Troops currently receive a hot meal for both breakfast and evening meal, while lunch comprises a US ration pack ready-to-eat meal provided under a joint US/UK arrangement. Operational ration packs have been deployed for use, if necessary and as required, in the event of any military action.

Manning Control Reviews

Mr. Keetch: To ask the Secretary of State for Defence how many personnel have been *(a)* recommended for manning control review, *(b)* subsequently discharged after a review and *(c)* transferred to s-type contracts in each of the last 12 months; and if he will make a statement. [102443]

Dr. Moonie: I refer the hon. Member to the answer I gave on 9 December 2002, *Official Report*, column 13W, which explained that the number of Army personnel who have been recommended for Manning Control Point review is not held centrally and could only be provided at disproportionate cost.

Only two individuals have been discharged under Queens Regulations for the Army paragraph 9.413, 'Not required for a full Army career', in the last 12 months. Both discharges occurred in April 2002 and neither individual has been re-engaged nor transferred to an s-type engagement.

Naval Deployment

Mr. Jenkin: To ask the Secretary of State for Defence what the tasks are of *(a)* 800 and *(b)* 801 NAS. [102570]

Mr. Ingram: 800 and 801 Naval Air Squadrons are currently engaged in non-operational tasking. Both squadrons are undertaking routine training and participating in routine exercises, at home and abroad, to maintain their capabilities in readiness for future tasking as required.

Mr. Jenkin: To ask the Secretary of State for Defence what percentage of Naval Service personnel are *(a)* deployed and *(b)* warned to deploy. [102553]

Mr. Ingram: Approximately 26 per cent. of the Royal Navy and Royal Marines trained strength are currently on a range of operational deployments. On current plans, a further 13 per cent. are warned to deploy, including personnel warned for fire-fighting duties.

Mr. Jenkin: To ask the Secretary of State for Defence when the French warships, Aconit and Primauguet, will join up with Naval Task Group 03. [102550]

Mr. Ingram: The French Ship (FS) Primauguet was integrated into the Naval Task Group (NTG) 03 between the dates 17 to 29 January 2003. There is currently no plan for FS Primauguet to re-integrate with the Task Group. While FS Aconit did participate in NTG 2000, there was never any intention for her to participate in NTG 03. A French Minehunter, FS Cassiopee, is currently assigned to Operational Armilla in the Gulf under United Kingdom Operational Command.

Mr. Jenkin: To ask the Secretary of State for Defence which operational warships are not *(a)* deployed on operations, *(b)* warned to deploy for operations, *(c)* preparing to deploy for operations, *(d)* allocated to duties for Atlantic Patrol (North), Atlantic Patrol (South) and the Armilla Patrol, *(e)* held in port as part of Operation Fresco and *(f)* at sea because crew are on leave. [102565]

Mr. Ingram: Of the ships available for operations for the remainder of this year, HMS GRAFTON is not currently operational, warned to deploy on operations, preparing to deploy for operations, allocated to duties for Atlantic Patrol (North), Atlantic Patrol (South), the ARMILLA Patrol, held in port as part of Operation FRESCO or operational but not at sea due to crew on leave. A number of ships warned for operations later in the year are currently in United Kingdom waters or alongside in the UK undergoing training or maintenance or in support of Op FRESCO. These ships could be made available for alternative tasks if priorities changed.

NBC Regiment

Mr. Jenkin: To ask the Secretary of State for Defence what the *(a)* establishment and *(b)* strength is of the Joint NBC Regiment. [102555]

Mr. Ingram: On the 1 February 2003 the strength of the Joint NBC Regiment was 498 against an establishment of 343. These figures reflect the fact that the Joint NBC Regiment has been augmented for Operation Telic.

Operation Telic

Mr. Jenkin: To ask the Secretary of State for Defence what his policy is on under-18s serving on Operation Telic; and if he will make a statement. [102578]

Dr. Moonie: I refer the hon. Member to the answer I gave on 5 March 2003, *Official Report*, column 1053W, to my hon. Friend the Member for Wellingborough (Mr. Stinchcombe).

Operational Welfare Package

Tony Cunningham: To ask the Secretary of State for Defence what plans he has to allow to family and friends of service personnel deployed in operations to send a limited number of parcels to them at no charge, as part of the operational welfare package. [102698]

Dr. Moonie: The Ministry of Defence recognises that an affordable, regular and reliable postal service is vital for morale and consequently a high priority is given to achieving this. For operational reasons there is very limited transport capacity available for mail both into the Gulf region and for onward carriage within theatre. A parcels service is, therefore, not offered within the mail element of the Operational Welfare Package for Operation Telic, and only letters and packets within the weight and dimension limits of the air letter service can be accepted, the maximum weight being two kilograms. The charge for a two kilogram packet is £6.89, which is the same as the United Kingdom inland first class letter rate. This is the limit of the concession currently approved and complies with the principle that Service personnel should not be disadvantaged by being deployed overseas.

Public Relations Agencies

Mr. Jenkin: To ask the Secretary of State for Defence how much his Department spent on public relations agencies in the last year for which figures are available; which public relations agencies are retained by each service; and for what reasons such agencies are retained. [102548]

Dr. Moonie: The information requested is not held centrally and could be provided only at disproportionate cost.

However, since 1999–2000, Ministry of Defence's public relations expenditure has been published in the annual Departmental Performance Report, broken down into categories of RN, Army, RAF and civilian recruitment, PR, marketing and business support services, Chief of PR, sales promotion, scholarships and National Employers' Liaison Committee. Copies of these documents have been placed in the Library of the House.

Rail Mail

Tom Brake: To ask the Secretary of State for Defence what investment the MOD has made in the *(a)* Rail Mail and *(b)* MOD equivalent in each of the last five years. [102421]

Tom Brake: To ask the Secretary of State for Defence, what agreement is in place between Royal Mail and MOD for MOD use of the Rail Mail, and if he will place a copy in the Library. [102422]

Mr. Ingram: I assume that the hon. Member refers to the system known as "Mail Rail" which the Ministry of Defence does not use, and for which it has no requirement and no investment in this system. No MOD equivalent exists.

Reservists

Mr. Jenkin: To ask the Secretary of State for Defence how many reservists called up for duty in connection with Operation Telic have failed to respond to call up papers; and what plans he has for legal proceedings against reservists who have gone absent without leave. [102554]

Dr. Moonie: The Reserve Forces Act 1996 (RFA 96) requires reservists who are served with a call-out notice to report for service at a specified time and place. Should a reservist fail to comply with a call-out notice, the Ministry of Defence will attempt to resolve administratively cases where an individual has inadvertently failed to comply with call-out instructions. This includes checking address information and sending a follow-up notice by recorded delivery. However, should it become apparent that the individual has deliberately failed to comply, a formal investigation will take place that may result in the reservist being charged with desertion or absence without leave. Such cases will be reported to the civil police and will be tried in a civil court. As at 10 March only one reservist is believed to have deliberately failed to report for service.

There are separate arrangements for conscientious objectors.

Mr. Waterson: To ask the Secretary of State for Defence how many NHS personnel *(a)* resident and *(b)* working in Eastbourne have received notice that they may be called up for active service; and what are their positions in the NHS. [91195]

Mr. Hoyle: To ask the Secretary of State for Defence how many reservists have been called up who are employed at *(a)* Chorley hospital, *(b)* Preston hospital, *(c)* hospitals in the north-west and *(d)* hospitals in the UK. [100682]

Dr. Moonie: Generally, reservists are not required to provide details of their civilian employment to the Ministry of Defence until such time as they are called-out. Historically, therefore, no central records have been maintained by the MOD of the numbers of reservists working in the NHS as doctors, nurses, paramedics and other professionals allied to medicine.

As at 6 March, 1,065 medical reservists in the Volunteer Reserve Forces had been sent call-out papers. Of these, 509 are understood to be working in the NHS. Information detailing the specific NHS Trusts these individuals work for is not available centrally. In addition, 166 medical reservists from the Regular Reserve have been sent call-out papers. None of these are understood to be employed in the NHS.

The MOD is working with the Department of Health to minimise disruption to the NHS as far as possible.

RFA Sir Galahad

Mr. Keetch: To ask the Secretary of State for Defence if he will list *(a)* the date of original build completion, *(b)* the date of acceptance into service, *(c)* the anticipated date of decommissioning, *(d)* the number of crew, *(e)* the stores-carrying capacity and *(f)* the ownership of RFA Sir Galahad. [102513]

Mr. Ingram: The information requested for RFA Sir Galahad is contained in the table:

Build completion date	1987
Date of acceptance into service	1987
Planned decommission date	2005
Crew complement	51 RFA, 20 Embarked force
Approximate stores capacity	Ammunition and cargo: 900 m3 vehicles: 15 Challenger tanks, 33 eight-tonne vehicles, 23 drop vehicles, 72 Land Rovers or 26 20-foot containers on the tank deck; 33 eight-tonne vehicles, 74 Land Rovers or 40 20-foot containers on the vehicle deck
Ownership	MOD

Riot Control Agents

Lynne Jones: To ask the Secretary of State for Defence (1) whether it is the British Government's policy to forbid British armed forces from handling riot control agents such as CS gas and pepper spray during wartime; [102413]

(2) what the British Government's policy is on British armed forces taking part in joint military operations with other countries where riot control agents are used. [102412]

Mr. Ingram: The Chemical Weapons Convention prohibits the use of riot control agents as a method of warfare. United Kingdom armed forces will comply with their obligations under the Convention. The Government expect that other states parties to the Convention will likewise comply with their obligations under the Convention.

Sea Harrier

Mr. Jenkin: To ask the Secretary of State for Defence whether Sea Harrier aircraft are being used in the quick reaction alert role. [102580]

Mr. Ingram: No.

Tornado

Mr. Jenkin: To ask the Secretary of State for Defence what the *(a)* establishment and *(b)* strength is of Tornado F3 navigators. [102576]

Mr. Ingram: On the 1 March 2003 the establishment for navigators on the Tornado F3 was 112. The trained strength on the same date was 90. The figures include senior officer appointments on frontline squadrons and the operational conversion unit.

HOME DEPARTMENT

Advertising Costs (Scotland)

Pete Wishart: To ask the Secretary of State for the Home Department how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102330]

Beverley Hughes: The information at the level of detail requested is not available. Where it is possible to disaggregate figures for advertising in Scotland, the information could be obtained only at disproportionate cost.

Advisory Panel on Country Information

Simon Hughes: To ask the Secretary of State for the Home Department pursuant to his answer of 10 February 2003, *Official Report*, column 537W, on the Advisory Panel on Country Information, what progress has been made to date in setting up the Panel; and what his timetable is for appointing (i) the chairman and (ii) the members of the Panel. [102452]

Beverley Hughes: We have identified a number of eminent organisations that we expect will be interested in being represented on the Advisory Panel. The appointment of the chairman and members of the panel will take place during 2003.

Carter Inquiry

Mr. Burstow: To ask the Secretary of State for the Home Department if he will publish the report of the Carter Inquiry, with extracts that are deemed commercially confidential removed. [100901]

Hilary Benn: A summary of the key recommendations was published on 27 February.

As we have made clear, the report took the form of advice to Ministers, including advice on matters that are commercially confidential. As such, the report would not be in a form suitable for publication, even if the commercially confidential material were removed.

Mr. Burstow: To ask the Secretary of State for the Home Department whether disciplinary action has been taken against officials *(a)* in his Department and *(b)* in the Passport Service UK as a result of the Carter Inquiry. [101391]

Hilary Benn: No. The Independent Review Team was asked to look to the future and identify the long-term changes necessary to further improve the performance of the Criminal Records Bureau; it was not asked to conduct an inquest.

Juvenile Prisoners

Mr. Dawson: To ask the Secretary of State for the Home Department (1) how many children under 18 in 2002 were made subject to category A status in prison when they were *(a)* remanded and *(b)* sentenced; [101255]

(2) how many children under the age of 18 were held in category A security conditions in prison in 2002, broken down by *(a)* age, *(b)* gender, *(c)* ethnicity and *(d)* location. [101256]

Hilary Benn *[holding answer 10 March 2003]*: In 2002, four 17-year-olds were received into Prison Service accommodation and made the subject of category A procedures. Two of them were sentenced during 2002. Of the two, one was first held at Altcourse and then transferred to Moorland as a Restricted Status prisoner upon sentencing. The other was held in Highdown and had his security categorisation downgraded upon sentencing later in 2002. Of the remaining two, one was received into Woodhill and the other into Belmarsh. Both remain on remand. With regard to their ethnicity, two were white, one black and one of Algerian origin.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department when he will reply to the letter to him dated 17 January 2003 from the right hon. Member for Manchester, Gorton with regard to Roz Hughes; [100687]

(2) why he has not replied to the letter to him dated 16 January from the right hon. Member for Manchester, Gorton with regard to Roz Hughes. [102186]

Mr. Blunkett: I wrote to my right hon. Friend on 12 March 2003.

Mr. Norman: To ask the Secretary of State for the Home Department when his Department will reply to the letter of 11 December 2002 from the hon. Member for Tunbridge Wells regarding Mr.Hoi Kam Tang. [101875]

Beverley Hughes: I wrote to the hon. Member on 13 March 2003.

Mr. Norman: To ask the Secretary of State for the Home Department when his Department will reply to the letters from the hon. Member for Tunbridge Wells of 10 December 2002 and 13 January 2003 regarding Mr. and Mrs.Yurchenko. [101876]

Beverley Hughes: I wrote to the hon. Member on 13 March 2003.

Commission for Racial Equality

Mr. Laws: To ask the Secretary of State for the Home Department what the cost of the Commission for Racial Equality was in the last year for which figures are available; what value for money assessment he has made of its work; and if he will make a statement. [99806]

Beverley Hughes: The total operating cost of the Commission for Racial Equality (CRE) for 2001–02 was £20,465,894 of which some £19,340,000 was provided in grant in aid.

The most recent quinquennial review of the Commission for Racial Equality was completed in 1996–97. The quinquennial review which was programmed to take place in 2000–01 was delayed to enable the then new Chair of the Commission to become established in post and introduce a modernisation programme to enable the Commission to meet its new responsibilities under the Race Relations Amendment Act 2000. As the Government are currently examining the feasibility of establishing a single equality body we do not anticipate conducting a separate value for money assessment of the CRE at this time.

Criminal Records Bureau

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his statement of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, when he expects the independent executive agency to be created within the Home Office; how many additional staff will be needed; and at what additional cost. [101019]

Hilary Benn: The Criminal Records Bureau will be established as a separate executive agency as soon as practicable. As part of the process of establishing the Agency consideration will be given to the number of additional staff required and to the additional cost.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his statement of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, what steps he is taking to determine whether current systems in the CRB would be able to deal with the doubling in demand of criminal record checks. [101028]

Hilary Benn: As the report of the Independent Review Team made clear, a further programme of enhancement to the current IT system will be required in order to satisfy the demand for Disclosures. This will be pursued as part of the renegotiation of the contract with Capita.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his statement of 27 February, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, if he will define the needs of the intelligent customer function of the Criminal Records Bureau. [101029]

Hilary Benn: The precise details need to be settled, but the function would include setting standards for the end-to-end process, auditing them and, monitoring performance against them; contract management;

identifying and specifying product changes; managing relationships with registered bodies, the police and other stakeholders; and handling complaints.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his statement of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, (1) what implications the increased requirement for bodies registered with the Criminal Records Bureau to verify applicant's identity will have for their public liability insurance; [101033]

(2) what implications the increased requirement for bodies registered with the Criminal Record Bureau to verify applicant's identity will have for their public liability insurance. [101033]

Hilary Benn: We will address any evidence that may be presented to us on these matters, under the current consultation exercise on the recommendations of the independent review team.

Under guidance issued by the Criminal Records Bureau, registered bodies are already required to verify the identity of persons, applying for a disclosure, in implementing the independent review team's second recommendation we are simply seeking to formalise this requirement. We are currently consulting registered bodies on the implications for them of recommendations and will consider any representations made about the impact on their insurance premiums.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his answer of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, (1) how the reduction in the numbers of bodies registered with the Criminal Records Bureau will enable voluntary and community organisations more easily to access disclosures; [101035]

(2) how many voluntary organisations the Independent Review Team into the Criminal Records Bureau consulted as part of their inquiry. [101034]

Hilary Benn: In the course of fieldwork for the review, representatives of two major voluntary organisations were interviewed. We have launched a consultation exercise on those recommendations of the review team that directly impact on the role of registered bodies. We expect that the sector, either through the Consultative Panel and Voluntary and Community Sector Working Group that we have put in place, or directly, will wish to make known its views on the implications of these recommendations, so that they can be fully taken into account.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his Statement of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, what the contractual consequences are for his Department with Capita of recommendation 7 of the Carter Inquiry. [101037]

Hilary Benn: This is a matter for the discussions that will take place to renegotiate the contract with Capita.

Experience Corps

Mr. Streeter: To ask the Secretary of State for the Home Department how much funding the Home Office has provided to the Experience Corps. [101867]

Beverley Hughes: The funding for the Experience Corps amounts to a total of £19.9 million over three years to March 2004. To date they have received £11.67 million.

Mr. Streeter: To ask the Secretary of State for the Home Department what targets the Government set for the Experience Corps; and what progress has been made towards those targets. [101868]

Beverley Hughes: The Experience Corps have been set the target to recruit 250,000 volunteers, reflecting the diversity of people over 50, by 2004. A further target requires that 90 per cent. of the volunteers have been active members over a three month period and that 40 per cent. of these are active over the period of a year in 2003–04. I refer the hon. Member to the reply I gave to the hon. Member for Colchester (Bob Russell) on 11 February 2003, *Official Report*, column 716W, which gives details of progress. The performance of the Experience Corps is currently being reviewed by the Home Office.

Mr. Streeter: To ask the Secretary of State for the Home Department how many volunteers the Experience Corps has recruited since its formation; how many of these are from ethnic minority communities; and on what basis each total is calculated. [101869]

Beverley Hughes: I refer the hon. Member to the reply I gave to the hon. Member for Colchester (Bob Russell) on 11 February 2003, *Official Report*, column 716W, which gives details of volunteers recruited by the Experience Corps. The Experience Corps state that, as at 28 February 2003, over 60 per cent. of their volunteers are from ethnic communities. These figures are drawn from a database maintained by the Experience Corps. The performance of the Experience Corps is currently being reviewed by the Home Office.

Haslar Removal Centre

Simon Hughes: To ask the Secretary of State for the Home Department what research has been commissioned by his Department into the operation of Haslar Removal Centre since February 2002; and if he will place copies in the Library. [102450]

Beverley Hughes: No specific research has been commissioned into the operation of Haslar Removal Centre. However, Her Majesty's Inspectorate of Prisons carried out a formal inspection of the Centre in February 2002. We expect the report of this inspection to be published in the near future.

Immigration Detainees

Simon Hughes: To ask the Secretary of State for the Home Department how many immigration detainees are being held in prisons. [102467]

Beverley Hughes: The latest available data on the number of persons detained solely under Immigration Act 1971 powers relate to 28 December 2002. As at that date, 215 persons (to the nearest five) were being detained in Prison Service accommodation of which 110 are recorded as having claimed asylum at some stage.

The routine use of Prison Service accommodation for immigration detainees ended at the beginning of 2002, but it remains necessary to hold small numbers of detainees in prison for reasons of control and security. The figure of 215 may also include individuals who are held pending deportation on completion of custodial sentences.

Information on Immigration Act detainees as at 29 March 2003 will be published on 30 May 2003 on the Home Office Research, Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Muslims

Mr. Gareth Thomas: To ask the Secretary of State for the Home Department what further action he is taking to prevent racially and religiously motivated attacks on Muslims; and if he will make a statement. [100584]

Beverley Hughes: The Government are committed to tackling hate crime regardless of what form it takes.

The criminal law already contains a wide range of powers to deal with violent behaviour and harassment. This includes, under the Crime and Disorder Act 1998, the ability for courts to issue higher sentences to perpetrators of crimes motivated by racial hatred. These measures send a clear message that the Government will not tolerate these types of crimes.

The Association of Chief Police Officers (ACPO), working with the Government, have developed guidance for police forces on dealing with these types of crime (including racially and religiously motivated crime). This guidance is entitled "Identifying and Combating Hate Crime" and was last updated in April 2002.

Additionally, ACPO has produced an Operational Guide for the Management of Inter Ethnic Conflict, which will ultimately aim to improve officers ability to understand, communicate and interact with the many diverse communities.

The police service seeks to maintain strong links with representatives of Muslim communities. The Muslim Safety Forum, which brings together representatives of Muslim communities and the police meets every month to consider any issues of concern.

Women's Prisons

Mr. Webb: To ask the Secretary of State for the Home Department if he will make a statement on the report by the Youth Justice Board on the detention of teenage girls in women's prisons. [101344]

Hilary Benn: The Youth Justice Board (YJB) is responsible for the commissioning and purchasing of secure accommodation for under 18s and for the placement of individual offenders.

On 18 February the YJB announced its intention to remove all under 17-year-old girls from Prison Service accommodation during 2003. There are currently no 15-year-old girls in Prison Service accommodation, and around 20 16-year-olds.

This is in line with the commitment given by the then Home Secretary in March 1999 when he said that he intended to use the greater flexibility provided by the detention and training order to place sentenced 15 and 16-year-old girls in available non-Prison Service accommodation. The detention and training order came into force in April 2000.

LORD CHANCELLOR'S DEPARTMENT

Courts (Salisbury)

Mr. Key: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will announce plans for the co-location of the Crown court and magistrates court in Salisbury. [102183]

Yvette Cooper: Wiltshire magistrates courts committee and Wiltshire county council are undertaking a feasibility study into the provision of a new combined crown, county and magistrates court facility in Salisbury. Once this feasibility study has been completed (expected to be at the end of March); and the outline business case has been approved, which on current plans will be during April, an announcement on future plans will be made.

PRIVY COUNCIL

Orders in Council

Mr. Gordon Prentice: To ask the President of the Council how many Orders in Council in 2002 were made under *(a)* the prerogative and *(b)* an Act of Parliament. [103042]

Mr. Robin Cook: A total of 526 Orders in Council were made in 2002, of which 372 were made under an Act or Measure and 154 were made under the Prerogative. The Orders approved at each Council meeting are listed on the Privy Council Office website (www.pco.gov.uk) and copies are placed in the Library of the House. The majority of Prerogative Orders related to the appointment of Ministers and Privy Councillors, the private affairs of Chartered bodies, and Channel Islands business. The majority of statutory Orders were confirmations of Church Commissioners' schemes under the Pastoral Measure 1983.

Privy Council

Mr. Gordon Prentice: To ask the President of the Council how many times the Privy Council met in 2002; and how many privy councillors were present on each occasion. [103041]

Mr. Robin Cook: The Privy Council met on 14 occasions in 2002. Details are given in the table:

Date of Council	*Number of Privy Councillors present*
14 January	3
23 January	3
12 February	6 (of whom 2 were new Councillors attending to be sworn in)
26 March	6 (of whom 2 were new Councillors attending to be sworn in)
17 April	4
22 May	7 (of whom 3 were new Councillors attending to be sworn in)
31 May	5
26 June	3
16 July	7 (of whom 2 were new Councillors attending to be sworn in)

Date of Council	*Number of Privy Councillors present*
22 October	5 (of whom one was a new Councillors attending to be sworn in)
29 October	5
5 November	4
20 November	8 (of whom 4 were new Councillors attending to be sworn in)
17 December	6 (of whom one was new Councillors attending to be sworn in)

Mr. Gordon Prentice: To ask the President of the Council on what basis privy councillors are selected to sit on ad hoc committees of the Council. [103043]

Mr. Robin Cook: Nowadays such committees are established only to consider petitions from bodies seeking a Royal Charter. Their business is conducted in correspondence. Those involved in the correspondence are those Privy Councillors with ministerial responsibility for the area of the body's activities and the Law Officers.

EDUCATION AND SKILLS

Further Education

10. **Jane Griffiths:** To ask the Secretary of State for Education and Skills what plans he has to establish a further education national training organisation. [102712]

Mr. Ivan Lewis: Formal Government recognition of national training organisations, including FENTO, the further education NTO, ended in March 2002. This is part of a UK-wide transition to Sector Skills Councils representing wider employment sectors. FENTO continues to deliver a number of essential functions and has operated with assistance from the Sector Skills Development Agency and the department during this transition period.

Good progress is being made towards developing an employer-led Sector Skills Council proposal covering the workforce in the higher education, further education, work-based and community-based learning sectors. This development will support the delivery of Success for All and the Higher Education strategy and enable employers to look strategically at the UK learning sector for the first time.

Children's Centres

11. **Ms Coffey:** To ask the Secretary of State for Education and Skills what discussions he has had with local education authorities about guidelines for the new children's centres. [102713]

Mr. Stephen Twigg: Officials have been taking forward detailed discussions with local authorities on this issue. The Sure Start Unit issued children's centre guidance to local authorities at the end of February. Prior to this, a series of stakeholder events were held to enable local authorities and other key partners to feed in their views. In the coming weeks officials will be meeting with every local authority due to receive children's centre funding, as they start their strategic planning.

Higher Education

12. **Annabelle Ewing:** To ask the Secretary of State for Education and Skills what discussions he has had with the Scottish Executive regarding the White Paper on higher education. [102714]

Margaret Hodge: The White Paper "The future of higher education" (Cm 5735) states that there will be discussions with the devolved Administrations about the impact on the other UK countries of the proposals for student and institutional funding for higher education institutions in England. Initial discussions between officials have already begun, and I expect them to continue over the coming months.

Mr. Chaytor: To ask the Secretary of State for Education and Skills what research he has *(a)* commissioned and *(b)* assessed on the relationship between A level points scores and class of final degree; and if he will make a statement. [101041]

Margaret Hodge *[holding answer 10 March 2003]:* The Department has not commissioned research into the relationship between A level points scores and class of final degree. However, it has reviewed a number of research projects in this area including:

i) "Determinants of degree performance in UK universities: a statistical analysis of the 1993 student cohort" by Jeremy Smith and Robin Naylor at Warwick University. This was published in 2001 in the Oxford Bulletin of Economics and Statistics, 63, 29–60. It found that

> "...for women, an extra two points per A-level subject (i.e. one grade higher per subject) raises the probability of a good degree (at least an upper second class honours degree) by over 9 percentage points. There is a similar effect for men."

ii) "School Performance and the Likelihood of getting into Bristol" by Jeff Odell in 1999. This found that, on the whole, of all the students who entered the University of Bristol with excellent A levels, those who came from weaker schools gained better degrees than the students from stronger schools.

iii) "Gender Differences in Educational Attainment: The Case of University Students in England and Wales" by Robert McNabb, Sarmistha Pal and Peter Sloane was published in Economica in 2002. This found that A-level point scores have a strong positive effect on degree attainment.

iv) "Who does best at university" HEFCE 2002 concluded that young full-time entrants with lower A level points scores are more likely to drop out, to repeat years and, if they graduate, they are less likely to get a good degree. The authors also argue that admissions tutors should be exploring new ways (in addition to A level attainment) to identify performance. This report can be downloaded from HEFCE's website at http://www.hefce.ac.uk/Learning/whodoes/. The HEFCE are continuing to refine and develop their analysis and a fuller report will be published later this year.

v) "Fair Enough? Wider access to university by identifying potential to succeed". This was published in 2003 by UUK. It identified objective criteria to build on existing systems and more accurately predict applicants' potential, particularly those from backgrounds not traditionally associated with higher education. This can be downloaded from http://www.universitiesuk.ac.uk/fairenough/.

Paul Holmes: To ask the Secretary of State for Education and Skills what discussions he has had with higher education institutions to ensure that they take account of changes to the curriculum proposed in "14 to 19: Opportunity for Excellence". [102710]

Margaret Hodge: Representatives from higher education were invited to each of the 58 regional consultation workshops on the 14 to 19 Green Paper, along with representatives from secondary education, further education colleges, employers and other stakeholders. Additional events were also held to discuss the proposals with representatives from higher education including a presentation of the proposals to the Universities UK main Committee of Vice Chancellors.

The Working Group for 14 to 19 Reform, chaired by Mike Tomlinson, will consult a range of interested bodies, including higher education institutions, as it considers the longer-term agenda for change and develops its proposals for a new unified qualifications framework. The Group's membership includes two University Vice Chancellors.

Our regional consultations on the White Paper, "The Future of Higher Education", will include discussion of the development of more work-based degrees such as Foundation Degrees and progression from the 14 to 19 phase to higher education.

Top-up Fees

13. **Tom Brake:** To ask the Secretary of State for Education and Skills if he will make a statement on top-up fees. [102715]

Margaret Hodge: From 2006, we will give universities the freedom to set tuition fees, up to a maximum of £3,000. Universities will set out in Access Agreements how they will safeguard and promote access when they set their fees.

In addition, no student or parent will have to pay fees up-front. We will offer loans for fees, subsidised in the same way as the current maintenance loans, with a fair and equitable system of repayments.

Emergency Planning

14. **Mr. Key:** To ask the Secretary of State for Education and Skills when he last issued guidance to schools on procedures in the event of a hostile biological or chemical incident. [102716]

Mr. Ivan Lewis: All schools in England have been made aware, most recently earlier this week, that they can get advice on emergency planning via the UK Resilience website. This includes advice on terrorism.

First Aid

15. **Mr. Jim Cunningham:** To ask the Secretary of State for Education and Skills what action he is taking to encourage the teaching of basic first aid to children in schools. [102717]

Mr. Ivan Lewis: Basic Aid Training is included in the curriculum as part of the framework for Personal Social and Health Education. The aim is to ensure that young children are safe within and outside their school environment. In primary schools, children learn the rules relating to health and safety and basic emergency aid. In secondary schools, young people develop the skills to cope with emergency situations that require basic aid procedures including resuscitation techniques.

School Results

16. **John Mann:** To ask the Secretary of State for Education and Skills what steps his Department is taking to improve secondary school results in coalfield areas. [102718]

Mr. Miliband: My Department has set a number of challenging targets aimed at raising the attainment of secondary school pupils in coalfield and other areas, including floor targets at Key Stage 2, 3 and GCSE level. In addition, my Department has targeted measures such as Education Action Zones and Excellence in Cities, to raise standards in particularly disadvantaged areas. These focus on improving the quality of teaching and learning, tackling social exclusion and providing support to families and pupils.

Early-years Premises

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills how many early years settings have *(a)* opened and *(b)* closed in each year since 1973 for which information is available. [93431]

Maria Eagle: Information on the number of maintained nursery schools that have opened and closed each year is shown in the table. Figures are available from 1995 when the Department's database of educational establishments was created.

Number of maintained nursery schools which opened and closed each year
1995 to 2002—England

	Closed	*Opened*
1995	3	1
1996	6	1
1997	14	0
1998	12	2
1999	8	1
2000	15	2
2001	17	3
2002	15	2

Information on other types of early years settings that have opened and closed since 1973 is not available.

All four year olds have been able to access a free, part-time early education place since September 1998. Since September 1999, we have invested substantially in new free early years education places for three year olds. The number of free early years education places taken up by three year olds increased from 214,200 in 1997 to 408,200 in 2002, an increase of 194,000 places. We are committed to providing all three year olds, whose parents want one, with free early years education place by April 2004.

Education (Northampton)

Mr. Tony Clarke: To ask the Secretary of State for Education and Skills how many *(a)* pupils and *(b)* teachers there were in Northampton in (i) primary, (ii) middle and (iii) upper schools in (A) the latest period for which figures are available and (B) each of the past four years. [100799]

Mr. Miliband: The available information is shown in the table.

Maintained primary, secondary and middle deemed schools: full time equivalent number of teachers[1] and pupils—position in January each year
Northampton, North and South parliamentary constituencies

	Number of pupils				*Number of teachers[1]*			
	Primary	*of which middle deemed*	*Secondary*	*of which middle deemed*	*Primary*	*of which middle deemed*	*Secondary*	*of which middle deemed*
1998	14,555	0	17,410	8,442	623	0	984	428
1999	14,421	0	17,572	8,540	616	0	988	422
2000	14,237	0	17,755	8,463	615	0	987	423
2001	13,866	0	18,773	8,453	626	0	1,093	431
2002	13,579	0	18,840	8,343	629	0	1,106	428

[1] Includes qualified teachers and other teaching staff.

Source:

Annual Schools' Census

Education Funding

Mr. Laws: To ask the Secretary of State for Education and Skills what proportion of his Departmental budget was spent on *(a)* pre-school education, *(b)* school age education up to sixth form level, *(c)* sixth form school and college education, *(d)* further education and *(e)* higher education in the last year for which figures are available; and if he will make a statement [99819]

Mr. Charles Clarke: The amount spent by the Department on various functions is set out in table 4.2 of the 2002 Departmental Report for the Department for Education and Skills (Command Number 5402).

Mr. McLoughlin: To ask the Secretary of State for Education and Skills if he will list the grants funded by his Department for which *(a)* LEAs, *(b)* primary and secondary schools, *(c)* further education institutions, *(d)* higher education institutions, *(e)* individual teachers and *(f)* students may apply; how much funding was made available in the last financial year; how many awards were made; and what their administrative costs were in each case. [99946]

Mr. Charles Clarke: My Department makes grant payments to a wide range of education, voluntary and private organisations. Organisations and individuals can also apply to and receive grants from our NDPBs and other agencies, for which we hold no central records. Therefore this question could be answered only at disproportionate cost.

Mr. Rosindell: To ask the Secretary of State for Education and Skills pursuant to his answer of 24 February 2003, *Official Report*, columns 164–65W, on pupil funding, for what reasons Havering receives lower funding than other London Boroughs for pupils aged *(a)* five to 10 and *(b)* 11 to 15; and what plans he has to increase funding for schools in Havering. [102049]

Mr. Miliband: In 2003–04, Havering's Education Formula Spending Share is increasing by 3.2 per cent. per pupil. In addition we will continue to provide Standards Fund grant funding for priority programmes to support improvements as in previous years: for 2003–04 Havering's Standards Fund allocation so far is £4.2 million not including the LEA contribution. Havering's schools will also continue to benefit from significant increases in the School Standards Grant.

In 2003–04 Havering's average level of funding per primary pupil is £2,237. Its average level of funding per secondary pupil is £2,956.

Overall, the per pupil funding in Havering is lower than in London authorities because it benefits less than other London authorities from those aspects in the funding formula which reflect the additional costs of recruiting and retaining staff in high-cost areas (the Area Cost Adjustment—ACA) and the additional costs of educating deprived pupils.

The ACA for London has three values: 1.2624 (inner); 1.1447 (outer London west); and 1.0912 (outer London east). Havering receives the ACA for those in outer London east: its lower value reflects the lower general wage rates in outer London east compared with those in outer London west. On the measures of deprivation in EFSS, Havering is 10th out of the 13 outer London east authorities for both income support and the working families tax credit and has the lowest proportion of pupils with English as an additional language and low achieving ethnic groups.

We recognise that the recommendations of the School Teachers' Review Body will place an additional burden on schools in Havering. Consequently our response to the STRB report proposes an additional grant for those London authorities with a low increase in their education formula spending share or a floor increase in their Revenue Support Grant. Havering's share will be £475,000: we intend to pay this grant in May; and the LEA will be required to pass it on to school budgets.

Education Targets

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many education targets his Department has *(a)* introduced and *(b)* failed to attain since 1997. [102292]

Mr. Stephen Twigg: The Department publishes progress against all its outstanding PSA targets in its Annual Departmental Report and Autumn Performance Report. Progress against our CSR 98 targets was reported most recently in the 2002 autumn report, published in November 2002, together with commentary where appropriate. A copy of the report is available from the House of Commons Library.

English Baccalaureate

Mr. Gibb: To ask the Secretary of State for Education and Skills what his assessment is of the impact of the proposed move towards an English baccalaureate on an optional foundation year of study after GCSE. [101883]

Mr. Miliband: I refer the hon. Member to the answer given on 11 March 2003, *Official Report*, column 168W, in which we explained that we have asked a Working Group chaired by Mike Tomlinson to take forward work on possible longer-term 14 to 19 developments, including a unified framework of qualifications for this age group. It would be premature at this stage to be developing specific baccalaureate models before the Group has reported or to make any assessment of its effect on post-GCSE study.

Foreign Language Teaching

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 3 March 2003, ref: 99626, how many *(a)* French, *(b)* German and *(c)* Spanish teachers qualified in each year since 1995. [102154]

Mr. Miliband: The table provides a breakdown of the numbers qualifying as teachers in England[1] with a modern language as their subject.

	Calendar year of qualification[2]						
Modern languages	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*
French	800	770	1,070	1,070	1,050	870	[3]—
German	210	200	250	250	210	200	[3]—
Spanish	50	70	140	140	110	130	[3]—
Other modern languages	520	560	50	50	50	70	[3]—
Total	1,590	1,590	1,510	1,520	1,410	1,260	1,390

[1] Includes those trained through the Open University but excludes those qualifying through employment based routes.

[2] The data for 1995 to 2000 are from the DfES Database of Teachers' Records (DTR). A new subject coding system was introduced in 1997 therefore the 1995 and 1996 subject breakdown within modern languages is not comparable with later years. The 2001 figure is taken from the Teacher Training Agency's (TTA) Performance Profiles because 2001 DTR data are not available. The subject breakdown within modern languages is not available for 2001.

[3] Not available

GCSEs

Mr. Damian Green: To ask the Secretary of State for Education and Skills what the GCSE results were of the pupils who did not achieve level 4 at Key Stage 2 in 1997. [102290]

Mr. Miliband: Of those pupils who attempted GCSEs in 2002 but had not achieved level 4 or above at Key Stage 2 in 1997, 12 per cent. achieved five or more GCSE grades A*-C and 83 per cent. achieved five or more GCSE grades A*-G.

The answer is based only on pupils who attempted GCSEs as information on the percentage of pupils from KS2 who did not attempt GCSEs is not collected centrally.

Grammar Schools

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many grammar schools there were in each education authority in *(a)* 1980, *(b)* 1990 and *(c)* 2000. [102424]

Mr. Miliband: The numbers of grammar schools as defined under the 1998 School Framework Act in each education authority for the year 2000 are shown in Table 1. Prior to 1998 schools reported themselves as grammar schools in the Annual Schools' Census. Data from the Census for the years 1980 and 1990 are shown in Table 2. The data in the two tables are not directly comparable.

Table 1: Number of grammar schools[1] by local education authority[2] in England: 2000

Barnet	3
Bexley	4
Birmingham	8
Bournemouth[3]	2
Bromley	2
Buckinghamshire[3]	13
Calderdale	2
Cumbria	1
Devon[3]	1
Enfield	1
Essex[3]	4
Gloucestershire	7
Kent[3]	33
Kingston upon Thames	2
Kirklees	1
Lancashire[3]	4
Lincolnshire	15
Liverpool	1
Medway[3]	6
North Yorkshire[3]	3
Plymouth[3]	3
Poole[3]	2
Reading[3]	2
Redbridge	2
Slough[3]	4
Southend-on-Sea[3]	4
Stoke-on-Trent[3]	1
Sutton	5
Telford and Wrekin	2
Torbay[3]	3
Trafford	7
Walsall	2
Warwickshire	5

Table 1: Number of grammar schools[1] by local education authority[2] in England: 2000

Wiltshire[3]	2
Wirral	6
Wolverhampton	1

[1] Grammar schools as defined under the 1998 School Framework Act.

[2] Local education authorities without grammar schools have not been shown.

[3] Local education authority areas affected by the 1996–98 local government reorganisation.

Table 2: Number of grammar schools as reported in the annual schools' census by local education authority[1] in England as at January of each year

	1980	*1990*
Avon	2	2
Barnet	2	2
Berkshire	8	6
Bexley	2	2
Birmingham	7	8
Bolton	6	—
Bromley	3	2
Buckinghamshire	14	14
Calderdale	7	2
Cornwall	2	—
Cumbria	4	—
Derbyshire	1	—
Devon	11	8
Dorset	11	6
Durham	1	—
Enfield	1	1
Essex	9	8
Gloucestershire	11	7
Hereford and Worcester	2	—
Inner London Education Authority	3	—
Kent	19	29
Kingston upon Thames	2	2
Kirklees	2	1
Lancashire	5	4
Lincolnshire	16	15
Liverpool	10	—
Norfolk	10	—
North Yorkshire	7	3
Redbridge	2	2
Shropshire	4	2
Staffordshire	2	—
Sutton	4	4
Tameside	5	—
Trafford	8	6
Walsall	2	2
Warwickshire	5	5
Wiltshire	3	2
Wirral	4	4
Wolverhampton	1	1

[1] Local education authorities without grammar schools have not been shown

Modern Apprenticeships

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his Answer of 11 February 2003, *Official Report*, column 693W, on modern apprenticeship programmes, if he will make a statement on the achievement rates of full national vocational qualification *(a)* level 2 for Foundation Modern Apprenticeships and *(b)* level 3 for Advanced Modern Apprenticeships from 1994 to 2001. [98908]

Mr. Ivan Lewis: My earlier answer to the hon. Member provided figures for the achievement of the main National Vocational Qualifications (NVQs) within Modern Apprenticeship (MA) frameworks. These have risen substantially since 1997. Over half of Advanced Modern Apprentice trainees now complete their level 3 NVQ; other positive outcomes include progression to higher education and continuing with the same employer.

On 25 February, the Government launched a new Modern Apprenticeship Task Force, under Sir Roy Gardner, to encourage a higher level of employer commitment to MAs. We expect, through their work and that of the Learning and Skills Council (LSC), retention and completion rates to rise further.

MA framework completion involves achievement of the appropriate NVQ, Key Skills and Technical Certificate qualifications. The collection of information on whole framework completion was a recommendation of the MA Advisory Committee. The LSC aims to publish NVQ attainment and framework completion data from spring 2003.

Opportunity Bursaries

Vera Baird: To ask the Secretary of State for Education and Skills what proportion of 18-year-olds from the borough of Redcar and Cleveland who will meet the parental income eligibility criteria for Opportunity Bursaries in 2003 would be eligible for the proposed Higher Education Grant. [102711]

Margaret Hodge: The Department does not collect information about parental income by local education authority area. Opportunity Bursaries are not awarded solely on the basis of parental income. 11,000 Bursaries are available for those entering English higher education institutions in 2003. Students with Opportunity Bursaries will remain eligible to receive their payments in years 2 and 3 of the course, when the new higher education grant is introduced for new students from 2004. Eligibility for the Higher Education Grant will depend on household income. My right hon. Friend the Secretary of State indicated in his reply to my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) on 6 February 2003, *Official Report*, column 358W, that a decision on the income threshold at which the full £1,000 is payable will be announced later this year.

Primary Schools

Dr. Kumar: To ask the Secretary of State for Education and Skills what plans he has to extend the Excellence in Cities programme to primary schools; and if he will make a statement. [102696]

Mr. Miliband: We extended the Excellence in Cities programme to primary schools in the 24 Phase 1 authorities in September 2000. We plan to roll out the programme to primary schools in the remaining 34 Phase 2 and 3 authorities from April 2004. We are currently considering with headteachers, partnership co-ordinators and Ofsted how best this might be done—learning from the experience in the phase 1 schools, primary schools in Education Action Zones and Excellence Clusters.

Pupil Mobility

Mr. Gardiner: To ask the Secretary of State for Education and Skills what research his Department has conducted to assess the impact of increased pupil mobility on discipline in schools. [101366]

Mr. Ivan Lewis: Pupil mobility is a permanent feature of our school system. There is no evidence that it is increasing. However, there is evidence that very high rates of mobility at particular schools can have detrimental effects on levels of attainment. The Department is therefore supporting a project at 50 schools with very high rates of mobility to help them develop and implement action plans to tackle problems related to behaviour and attendance as well as attainment. This work will also lead to good practice guidelines to help other schools with high mobility.

School Circulars

Mr. Lidington: To ask the Secretary of State for Education and Skills if he will list the circulars that have been sent by his Department to *(a)* primary school, *(b)* secondary schools and *(c)* local education authorities since 1 March 2002; and how many pages each circular contained. [99488]

Mr. Miliband: The information requested has been placed in the Libraries.

School Federations

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 4 March 2003, ref 100049, what the purpose is of publishing exam results for federations of schools. [102155]

Mr. Miliband: The purpose is to enable participating schools and other interested parties to measure the impact of federating on the overall attainment of schools within the Federation and to recognise the joint efforts of schools in a federation to raise standards. Exam results will continue to be published for individual schools as well.

School Funding

Mr. Laws: To ask the Secretary of State for Education and Skills how much was spent on schools in Somerset, in each year from 1990–91 to 2002–03, at 2001–02 prices, broken down to show *(a)* local government spending, *(b)* central government credit approval and *(c)* central government expenditure by each available category; and if he will make a statement. [99823]

Mr. Miliband: The information requested for parts *(a)* and *(b)* is contained in the table. However the Department does not hold data that would answer part *(c)* of the question.

Somerset local education authority expenditure, capital grant and credit approvals

All figures in £000

	Net current expenditure (after recharges) [1,3]	*Capital Grant* [2]	*Credit Approvals*[2]
1990–91	159,446	—	—
1991–92	157,032	—	—
1992–93	183,305	—	—
1993–94	175,418	—	—
1994–95	187,054	—	—
1995–96	171,520	—	—
1996–97	170,311	964	3,082
1997–98	169,613	976	3,253
1998–99	173,308	6,622	2,761
1999–2000	186,049	7,122	2,481
2000–01	204,471	14,598	3,754
2001–02	221,524	13,181	4,340
2002–03	—	13,359	5,289
2003–04	—	12,090	6,231

[1] NCE includes expenditure within schools and also that incurred centrally by LEAs.

Sources:

[2] Schools Capital Database. NB Figures prior to 1996–97 not readily available. Capital grant figures include NGfL

[3] Up to 1998–99 Revenue Outturn Statements which LEAs submitted to the Department of Environment, Transport and the Regions. From 1999–2000 Section 52 Outturn statements which LEAs submitted to the DfES. Data as reported by LEA.

Social Care

Mr. McLoughlin: To ask the Secretary of State for Education and Skills if he will list the grants funded by his Department for social care for which organisations may apply; how much funding was made in the last financial year; how many awards were made; and what their administrative costs were. [99947]

Mr. Charles Clarke: My Department does not fund any specific grants for the purpose of providing social care.

Sure Start

Mr. Ivan Henderson: To ask the Secretary of State for Education and Skills what funding has been allocated to the Harwich constituency under the Sure Start scheme. [96912]

Maria Eagle *[holding answer 10 February 2003]*: Pursuant to my reply on 4 March 2003, *Official Report*, columns 965–66W, there is one Sure Start Local Programme operating in the Harwich constituency—a Round 3 programme in West Clacton and Jaywick that was approved in June 2001. It has revenue funding of £601,996 for 2002–03. Funding for capital projects of £400,000 has been approved to date, including funding for a toddler playground and the purchase and refurbishment of a property for a Sure Start Centre. The programme can apply for approval of capital funding up to £1 million. Essex county council is the accountable body.

Plans for a 'mini' Sure Start programme are currently being considered by the Sure Start Unit. The Harwich 'mini' Sure Start, if approved, will receive up to £100,000 each year for revenue expenditure and funding for capital expenditure of up to £250,000 in total.

Teachers (Performance Management)

Dr. Kumar: To ask the Secretary of State for Education and Skills what assessment he has made of the effectiveness of the Performance Management System for the teaching profession; and if he will make a statement. [102695]

Mr. Miliband: Following the introduction of the new performance management arrangements in 2000–01 the Office for Standards in Education (Ofsted) looked at how they were being implemented in a sample of schools. They found that even at such an early stage performance management had been introduced in all the schools surveyed and that it had been adopted satisfactorily or better in four fifths of those schools. Ofsted also found that headteachers, other senior managers, teachers and governors were positive about the contribution that performance management could make to school improvement. However we recognise that more needs to be done before performance management can fulfil its potential in supporting school and teacher improvement. I am sending my hon. Friend a copy of a speech I gave on 27 January this year on this subject.

University Funding

Mr. Bryant: To ask the Secretary of State for Education and Skills what recent assessment he has made of the capital needs of UK universities. [102708]

Margaret Hodge: Reports commissioned from JM Consulting by the Higher Education Funding Council for England into the capital requirements of higher education institutions in the UK concluded that there was a total shortfall of some £8 billion of investment, consisting of a research infrastructure backlog of £3.2 billion, and a teaching infrastructure backlog of £4.6 billion, plus a need to double expenditure on maintenance. The Secretary of State announced in January 2003 that capital funding for higher education institutions in England will increase by 77 per cent. for research and by 185 per cent. for teaching and learning in cash terms between 2002–03 and 2005–06.

FOREIGN AND COMMONWEALTH AFFAIRS

US Administration (Representations)

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs when the British Government made the representations to the US administration to which the President of the Council referred in his oral answer to the hon. Member for Blaenau Gwent (Llew Smith) on 6 February 2003, *Official Report*, column 454. [102484]

Mr. Mike O'Brien: Since entry into force of the Chemical Weapons Convention in 1997, the United States has accepted the continuous monitoring of the destruction of its chemical weapons (CW) stockpiles, as well as regular OPCW inspections of its former CW production facilities. Inspections at US industrial facilities only began in May 2000, as a result of a delay in putting in place the necessary domestic enabling legislation. During that time the United Kingdom regularly urged the US to remedy this deficiency at the earliest opportunity. To date the United States has in fact hosted more CW inspections than any other State Party, and the bulk of the inspector-person days expended by the Organisation for the Prohibition of Chemical Weapons have been in the United States.

Commonwealth Day

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to celebrate Commonwealth Day 2003; and what total budget his Department has made available for the celebration of Commonwealth Day 2003. [101979]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary received an invitation to attend the Observance for Commonwealth Day at Westminster Abbey, but was unable to attend. A Cabinet Minister will represent the Government at the Observance. The FCO has given the Joint Commonwealth Societies' Council £10,000 towards the cost of organising the Observance for Commonwealth Day at Westminster Abbey. Our Embassies and High Commissions will also be arranging events to mark the occasion, but information about expenditure on these events is not yet available.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with each Commonwealth country regarding Commonwealth Day 2003. [101980]

Mr. Mike O'Brien: None. Each member country is responsible for organising its own events to mark the Day.

Cruise Missiles

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his counterpart in the US Government about the loading of cruise missiles on to B52 bombers at RAF Fairford in Gloucestershire. [102418]

Mr. Mike O'Brien: None. I refer my hon. Friend to the answers given by my right hon. Friend the Secretary of State for Defence (Mr. Hoon) to the hon. Member for Lewes (Norman Baker) on 11 March, *Official Report*, column 183–4W.

Iraq

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps have been taken to ensure that, in the event of UK involvement in military conflict in Iraq, prisoners and persons detained will be protected by the 1949 Geneva Convention and accommodated in facilities that meet appropriate UN standard minimum rules for the treatment of prisoners. [100889]

Mr. Hoon: I have been asked to reply.

The Government will act in conformity with the Geneva Convention and international law.

Mr. Keetch: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on US plans for US military administration in Iraq following military action. [101597]

Mr. Mike O'Brien: No decision has been made to launch military action in Iraq. If military action becomes necessary to enforce Iraq to disarm, a US-led military coalition will provide security and facilitate the provision of humanitarian relief for the Iraqi people, in accordance with international law.

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the Canadian proposals on Iraq as the basis for a resolution at the United Nations Security Council. [102535]

Mr. Mike O'Brien: All proposals on Iraq, from whatever source, have been carefully examined.

The Canadian proposal contains a number of sensible and useful suggestions, some of which have been incorporated into our current position.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the steps taken to authenticate the documentation on which the claims in the Government dossier that Iraq attempted to buy uranium from Niger were based. [102666]

Mr. Mike O'Brien: There were no claims made in the Government Dossier that Iraq had attempted to procure uranium specifically from Niger.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the costs associated with the return of the UN arms inspectors to Iraq to *(a)* the UN, *(b)* each member of the Security Council and *(c)* other UN members. [102668]

Mr. Mike O'Brien: Under the terms of UN Security Council resolution 1284, the UNMOVIC and IAEA inspection regimes for Iraq are funded by the diversion of resources from the Oil-For-Food programme. They are, therefore, effectively self-financing.

The United Kingdom has met some ad-hoc requests for funding for training and other logistical support for UNMOVIC and the IAEA since the establishment of the new inspection regime in March 2000. The cost of this support to date has been approximately £1.2 million.

We do not have figures relating to any financial support provided by other countries.

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the potential environmental consequences arising from military action in Iraq; and what provision he is making to minimise these. [102820]

Mr. Mike O'Brien: No decision to launch military action against Iraq has been taken.

CABINET OFFICE

Sir David Omand

Norman Baker: To ask the Minister for the Cabinet Office pursuant to his answer of 5 December 2002, *Official Report*, column 925, to the right hon. Member for West Dorset (Mr. Letwin), what functions are performed by the 724 other staff working for Sir David Omand; how much this cost the Cabinet Office in the last year for which figures are available; and if he will make a statement. [99221]

Mr. Alexander: The 724 other staff referred to in the answer of 5 December are non-senior civil servants. In December 2002 the total salary costs of non-senior civil servants in the units that report to Sir David Omand were £2.1 million. These units are: the Intelligence and Security Secretariat; the Civil Contingencies Secretariat; the Communication Group; the Machinery of Government Secretariat; the Government Information and Communication Service; the Corporate Services Group; ministerial offices; and Sir David's private office.

PRIME MINISTER

Lord Levy

Norman Baker: To ask the Prime Minister if he will list the visits undertaken at his request by Lord Levy since 1 January, indicating in each case the purpose of the visit. [102772]

The Prime Minister: In his capacity as the Prime Minister's envoy, Lord Levy travelled to Ramallah on 23 January and to Washington on 19 February to update and exchange views on the Middle East peace process.

Norman Baker: To ask the Prime Minister what factors he takes into account when deciding that Lord Levy, in preference to a Foreign Office Minister, should undertake a foreign trip on his behalf. [102773]

The Prime Minister: I refer the hon. Member to the answer my right hon. Friend the Foreign Secretary gave to my hon. Friend the Member for Stockport (Ms Coffey) on 9 July 2001, *Official Report*, column 350W.

Norman Baker: To ask the Prime Minister if he will list the members of the US administration Lord Levy has met while acting as his envoy. [102774]

The Prime Minister: In his capacity as the Prime Minister's envoy, Lord Levy has met a range of contacts, including Richard Armitage (Deputy Secretary of State); Bill Burns (Assistant Secretary of State, State Department); David Satterfield (Deputy Assistant Secretary, State Department); Martin Indyk, Dan Kurtzer, Aaron Miller, Rust Deming and Richard Haass (all State Department).

He has also met Elliott Abrams, Bruce Riedel and Flint Everett (National Security Council), Scooter Libby and John Hannah (Office of the Vice President), General Anthony Zinni (US Special Envoy) and Senator George Mitchell (Chairman of the Sharm el-Sheikh Fact-Finding Committee).

SOLICITOR-GENERAL

Defence of Provocation

20. **Linda Gilroy**: To ask the Solicitor-General if she will make a statement on the defence of provocation, with particular reference to domestic violence. [102722]

The Solicitor-General: Provocation acts as a partial defence to murder and serves to reduce the offence to manslaughter.

The Home Secretary and the Law Officers together with the Director of Public Prosecutions are currently considering whether there are grounds for a review of the law of provocation and a direction to the Sentencing Advisory Panel.

24. **Mr. Kidney:** To ask the Solicitor-General how many cases prosecuted by the Crown Prosecution Service involved the defence of provocation in the last year for which statistics are available. [102726]

The Solicitor-General: Currently the CPS does not record statistics on the number of cases involving the defence of provocation. However, part of the work being carried out by the Law Officers and the DPP in considering whether there are grounds for a review of the law will include monitoring exercise in which CCP's will look at all homicides in their area, particularly those involving the defence of provocation.

British Transport Police

21. **Miss McIntosh:** To ask the Solicitor-General how many staff were employed by the Crown Prosecution Service on cases brought by the British Transport Police in each of the last four years. [102723]

The Solicitor-General: Nearly all operational staff within the 42 areas and the headquarters of the Crown Prosecution Service are likely from time to time to handle cases submitted by the British Transport Police covering England and Wales. There is no central record of who in the CPS has, and has not, handled a British Transport Police case and it would involve a disproportionate cost to survey staff to ascertain this information.

Race Hate Crimes

22. **Mr. Dismore:** To ask the Solicitor-General what her policy is on prosecution of race hate crimes. [102724]

The Solicitor-General: The Crown Prosecution Service reviews all allegations of inciting racial hatred in accordance with the Code for Crown Prosecutors.

All such allegations are considered individually, on their own merits. However when considering the public interest of such prosecutions the Code for Crown Prosecutors specifically states that

> "a prosecution is likely to be needed if: the offence was motivated by any form of discrimination against the victim's ethnic or national origin".

All such prosecutions are dealt with by the Casework Directorate where they are reviewed by a team of specialist lawyers and no prosecution takes place without the consent of the Attorney-General.

Serious Fraud Office

23. **Hugh Bayley:** To ask the Solicitor-General what the priorities of the Serious Fraud Office are. [102725]

The Solicitor-General: The main priority of the Serious Fraud Office is the investigation and prosecution of serious and complex fraud.

Other priorities include raising public awareness of the dangers of fraud and maintaining confidence in the UK's business and financial institutions.

The Attorney-General and I are keen to support the SFO in their work which is why I met the Federation of Small Businesses the CPS and the SFO on 5 March to share their views on ways of combating fraud perpetrated against businesses.

WORK AND PENSIONS

Construction Industry (Accidents)

Mrs. Roe: To ask the Secretary of State for Work and Pensions what assessment the Health and Safety Executive has made of the risk to members of the public from activities of construction companies who are involved in accidents. [102323]

Mr. Nicholas Brown: The risk from construction work to the public can be significant. Those who create the risks are therefore legally required to control them. The Health and Safety Executive has issued practical guidance "Protecting the public—your next move" to help those in the construction industry to understand their legal responsibilities to the public and to explain how to eliminate hazards and control risks which could affect the public. The Health and Safety Executive also runs regular publicity campaigns to discourage children from playing on construction sites.

Jobseeker's Allowance

Mr. Heald: To ask the Secretary of State for Work and Pensions if he will make a statement on the number of persons claiming Jobseeker's Allowance while working in each of the last five years for which figures are available. [102776]

Mr. Nicholas Brown: The information requested is in the table.

Jobseeker's Allowance claimants declaring part-time earnings (under 16 hours per week)

As at August	*Thousand*
1997	53.1
1998	46.2
1999	36.5
2000	28.3
2001	21.2
2002	19.8

Notes:

1. Figures are based on a 5 per cent. sample and are therefore subject to a degree of sampling variation.

2. Figures have been rounded to the nearest hundred and are expressed in thousands.

Source:

Jobseeker's Allowance Quarterly Statistical Enquiries, August 1997 to August 2002.

HEALTH

Accident and Emergency Admissions

Mr. Burns: To ask the Secretary of State for Health how many NHS patients were admitted to wards from accident and emergency departments within *(a)* one, *(b)* two, *(c)* three, *(d)* four and *(e)* more than four hours, after being first seen by a doctor or consultant in (i) February 1997 and (ii) the latest month for which figures are available. [97838]

Mr. Lammy: The Department collects quarterly data regarding waiting times in accident and emergency, post decision to admit.

The latest month for which figures are available is Quarter 2, July to September 2002–03—388,247 patients were placed in a bed in a ward within two hours of a decision to admit. 120,915 patients were placed in a bed in a ward within two to four hours of a decision to admit and 509,229 of patients were placed in a ward within four hours of a decision to admit.

In Quarter 4, January to March 1996–97, 360,246 patients were placed in a bed in a ward within two hours of a decision to admit. 58,540 patients were placed in a bed in a ward within two to four hours of a decision to admit and 293,145 patients were placed in a ward within four hours of a decision to admit.

Care Homes

Mr. Burns: To ask the Secretary of State for Health how many elderly residents of each London borough have been placed in care homes outside London in the last 12 months; and how many people from outside London have been placed in care homes inside London in the last 12 months, broken down by social services department. [101309]

Mr. Hutton: The information requested is not centrally available.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Health when he will reply to the letter to him dated 27 January 2003 from the right hon. Member for Manchester, Gorton with regard to Gorton Constituency Labour Party. [100684]

Mr. Milburn: A reply was sent to my right hon. Friend on 12 March.

Dementia

Mr. Steen: To ask the Secretary of State for Health (1) what steps he will take to provide people with dementia requiring long-term care with specialist, trained care staff; and what provision has been made under the free nursing care policy for such provision; [102040]

(2) what assessment he has made of the effect of his decision to limit the NHS contribution to funding long-term care to the cost of registered nurse time spent providing, delegating and supervising care to people with dementia. [102041]

Jacqui Smith *[holding answer 12 March 2003]*: In response to comments from the Alzheimer's Society, draft supplementary guidance on national health service funded nursing care, that was issued for consultation on 20 December 2002, highlighted the importance of nurses assessing people's mental health as well as physical health needs, particularly in cases of dementia. This will be reflected in forthcoming guidance.

As far as NHS-funded nursing care is concerned, people with dementia should be treated no differently from people with other conditions. The level of input from a registered nurse is determined at the appropriate level of funding. Care homes that specialise in dementia care may provide more appropriate care for some people with dementia than a care home providing nursing care.

The older people's national service framework (NSF) sets out to ensure that people with dementia have access to integrated mental health services, provided by the NHS and councils, to ensure effective diagnosis, treatment and support for them and for their carers. Work to support implementation of the NSF includes a strand on work force development. There is a dementia subgroup of the older people's care group work force team, and this is looking at the steps that need to be taken to ensure that there are the right skills and numbers of staff in place to care for people with dementia.

Dentistry

John Barrett: To ask the Secretary of State for Health when retrograde amalgam fillings for teeth were first introduced in England and Wales. [98352]

Mr. Lammy: As far as records indicate, the treatment has been used since at least the inception of the national health service in 1948.

Mental Health

Tim Loughton: To ask the Secretary of State for Health what estimate he has made of the number of people who would be subject to compulsory treatment, whether resident or non-resident, under the proposals contained in the draft Mental Health Bill, who are currently exempt under the Mental Health Act 1983. [100820]

Jacqui Smith *[holding answer 4 March 2003]:* The 1983 Mental Act liberalised the law to incorporate more tolerant public attitudes in relation to sexual preference so that this could no longer be viewed as a condition of mental disorder. Also excluded were people who are substance or alcohol misusers.

However, people with psychosis exacerbated or caused by substance misuse, including alcohol, can be treated under the 1983 Act. A misunderstanding of section 1(3) of the Act has resulted in many instances in substance abusers being denied the treatment they need.

Proposals under the Bill will remove all exclusions to ensure that those who fulfil all the conditions for compulsion receive the help that they need.

The draft Mental Health Bill proposes a single broad definition of mental disorder, coupled with tightly drawn conditions that must be satisfied for compulsory powers to be used. It is the intention that the strict conditions will ensure that the powers are only used where the patient is suffering from a mental disorder which is serious enough to require treatment under the care of a mental health consultant; the risk to self or others warrants it and appropriate treatment is available for the individual patient. This approach would remove exclusions and the "treatability" requirement so that there are no arbitrary obstacles to the treatment of anyone who satisfies the conditions for compulsion.

While the new legislation will lead to some change in the group of people treated, overall it is not the intention that more people will be subject to compulsion under the Bill. Investment under the NHS Plan and service improvements under the national service framework for mental health, such as assertive outreach, crisis resolution and early intervention, will help to provide more effective care and ensure that fewer people become so ill that they need compulsory treatment.

Neurologists

Mr. Hancock: To ask the Secretary of State for Health how many neurologists are practising in England; what estimate he has made of the shortfall in neurologists; what action he is taking to encourage more neurologists to practise; what effect the shortfall of neurologists has on the speed of diagnosis for motor neurone disease sufferers; and if he will make a statement. [100107]

Mr. Hutton: We are committed to a significant expansion in the national health service work force. The NHS Plan set a target of 7,500 more consultants and 1,000 more specialist registrars by March 2004, over a 1999 baseline.

Between September 1999 and March 2002, the total number of consultants increased by 13 per cent. During the same time period, the number of consultant neurologists increased by 23 per cent. By 2004, we expect there to be an additional 78 trained specialists available to take up consultant posts in neurology.

We are encouraging more doctors to practice neurology by expanding the number of specialist registrar (SpR) opportunities in neurology. For 2003–04, central funding will be distributed to support the implementation of 10 additional SpR posts in neurology. Trusts will also have the opportunity to create up to 20 locally funded SpR training opportunities.

The long-term conditions care group workforce team covers conditions such as neurology, diabetes and renal services. It is developing the workforce strategy to underpin the national service frameworks for these conditions. It covers all aspects of work force planning and development including medical and nursing, allied health professions and social care professions.

Motor neurone disease is often a difficult clinical diagnosis because the pattern of symptoms varies between patients and often mimics other, quite different diseases. The Department has introduced targets to limit the maximum length of time a patient should expect to wait to see a neurologist to 26 weeks.

NHS Consultants

Mr. Burns: To ask the Secretary of State for Health how many *(a)* NHS consultants and *(b)* NHS consultant vacancies there are in Greater London; and how many of each there were in May 1997. [101319]

Mr. Hutton: Information on consultant vacancies and consultants in post is shown in the tables. Vacancy figures were only collected from March 1999. The increase in vacancies reflects the action being taken by trusts to expand the consultant workforce.

Hospital, Public Health Medicine and Community Health Services (HCHS): medical and dental consultants

numbers

	1997[1]	*1999*[1]	*March 2002*[2]
London DHSC area	4,210	4,620	5,330

[1] As at 30 September

[2] As at 31 March

Figures are rounded to the nearest 10

Sources:

Department of Health medical and dental workforce census

Department of Health Vacancies Survey All consultant vacancies in NHS Trust in London DHSC area three month vacancy rates and numbers

	March 2002		*March 1999*	
	3 month vacancy rate month (percentage)	*3 month vacancy rate*	*3 month vacancy rate month (percentage)*	*3 month vacancy rate*
England (excluding HA staff) of which:	3.8	946	2.3	469
London DHSC area	3.4	161	2.2	85

Vacancy Notes:

[1] Three month vacancy information is as at 31 March each year

[2] Three month vacancies are vacancies which Trusts are actively trying to fill, which had lasted for three months or more (whole time equivalents)

[3] Three month Vacancy Rates are three month vacancies expressed as a percentage of three month vacancies plus staff in post

[4] For 2002, three month Vacancy Rates are calculated using staff in post from the Consultant Census, March 2002

[5] For 1999, three month Vacancy Rates are calculated using staff in post from the Medical and Dental Census, September 1998

[6] Percentages are rounded to one decimal place

General notes:

1. Vacancy and staff in post numbers are rounded to the nearest whole number
2. Calculating the vacancy rates using the above data may not equal the actual vacancy rates
3. Medical and dental figures exclude staff in training

Sources: Department of Health Vacancies Survey, March 1999 and March 2002

NHS University

Tim Loughton: To ask the Secretary of State for Health when he expects to apply for the Royal Charter for the NHS University. [100504]

Mr. Hutton: The National Health Service University (NHSU) aims to become an awarding and accrediting institution in its own right, by meeting the standards required to become a university. NHSU will apply to the Privy Council in its own right. The decision to grant university status will be then made by the Privy Council.

NHSU have set up a working group with the Higher Education Funding Council, with members drawn from the Higher Education Funding Council, NHSU, Department for Education and Skills, the Department of Health and the Quality Assurance Agency. This group will look at the appropriate processes and mechanisms for achieving university status, to offer advice and to draw up an action plan setting out the steps to be taken.

DEPUTY PRIME MINISTER

Advertising Costs (Scotland)

Pete Wishart: To ask the Deputy Prime Minister how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102331]

Mr. Leslie: The information requested is not held centrally and could be provided only at disproportionate cost.

Capita

Mr. Hammond: To ask the Deputy Prime Minister how many meetings *(a)* he and Ministers in his Department, *(b)* special advisers in his Department and *(c)* officials have had with Capita employees and members of the Capita board since May 2001; what the purpose was of each meeting; and if he will make a statement. [98578]

Mr. Leslie: As with previous Administrations, and in line with exemption 7 of the "Code of Practice on Access to Government Information", it is not this Government's normal practice to release details of specific meetings or their content, as some of these discussions may have taken place on a confidential basis. All such contacts are conducted in accordance with the rules set out in the "Ministerial Code", the "Civil Service Code", and "Guidance for Civil Servants: Contacts with Lobbyists". Copies of these documents are available in the Libraries of the House.

Children's Services

Mr. Burstow: To ask the Deputy Prime Minister pursuant to his answer of 24 February 2003, *Official Report*, column 262W, on looked after children, if he will set out the reasons for the delay in publication of the Social Exclusion Unit report. [102527]

Mrs. Roche: The Social Exclusion Unit report on the education of children in care will need to take account of the proposals in the forthcoming Green Paper on Children at Risk. It will be published shortly after the Green Paper, which is due for publication in the spring of 2003.

Compulsory Purchase

Mr. Edward Davey: To ask the Deputy Prime Minister how many properties were compulsorily purchased by the Housing Corporation in *(a)* 1999, *(b)* 2000, *(c)* 2001 and *(d)* 2002. [102409]

Mr. McNulty: The Housing Corporation purchased no properties during those years.

Departmental Costs

Mr. Laws: To ask the Deputy Prime Minister what the cost was of the *(a)* Social Exclusion Unit and *(b)* Deputy Prime Minister's Central Policy Group in each year from 1997–98 to 2004–05 (planned). [99885]

Mr. Leslie: The information is as follows:

(a) The following table shows the total administration expenditure profile for the Social Exclusion Unit for each year 1997–98 to 2004–05. The SEU was located within the Office of the Deputy Prime Minister on its creation on 29 May 2002.

	£000
1997–98	89
1998–99	681
1999–2000	1,570
2000–01	2,246
2001–02	2,156
2002–03	[1]2,770
2003–04	[2]3,163
2004–05	[2]3,163

[1] Forecast

[2] Planned

The Social Exclusion Unit does not have any programme or capital costs.

(b) The Deputy Prime Minister's Central Policy Group was in existence from July 2001 to June 2002 in the Cabinet Office. Administration expenditure of the Central Policy Group for 2001–02 was £491,000.

Firefighters

Mr. Weir: To ask the Deputy Prime Minister if he will make a statement on the relationship between the projected cuts in the number of firefighters under the Bain proposals and the proposals of the Pathfinder report. [100120]

Mr. Raynsford: The Independent Review of the Fire Service recommended a new and more flexible approach to fire cover. It suggested that resources should be deployed to ensure that the right resources such as firefighters, fire stations, and fire appliances are in the right place at the right time to save lives where they are at risk. This new approach is not about cutting fire stations or firefighters. It is about better targeting Fire Service resources at identified risks in a cost-effective manner.

The Task Group on the Fire Cover Review (whose report is widely referred to as the "Pathfinder report") developed a Fire Service Emergency Cover Methodology. This was used by the Task Group to predict resource and personnel requirements, and their related cost. This was done both for the 11 fire brigades which participated in the Pathfinder trials and, by extrapolation, nationally. However, while the Task Group endorsed the basic methodology, a number of teething problems led the group to reject the detailed calculations, which are now being repeated following further work. The Fire Cover Review has developed a model to inform decisions about the allocation of emergency response resources (fire stations, red engines, and crews). The model has been tested twice in computer simulations. The first test run suggested that you could spend twice the current Fire Service budget without achieving much reduction in risk. The second test run suggested that you could halve expenditure without much increase in current levels of loss of life and property.

These two simulations have set out two extreme cases. But taken together, and even allowing for some technical errors which have come to light in the early results, the findings suggest that substantial improvements in Fire Service efficiency and effectiveness are achievable. This judgement has been endorsed by the Bain report.

The report of the Fire Cover Review was published in draft on the Office of the Deputy Prime Minister website on 23 December 2002 (www.odpm.gov.uk). Copies of the final report of the Independent Review of the Fire Service, and the draft Fire Cover Review report have been placed in the Library of the House.

Mr. Weir: To ask the Deputy Prime Minister how the cuts in the number of firefighters envisaged by the Bain report would be broken down by Fire Brigade regions. [100121]

Mr. Raynsford: The Independent Review of the Fire Service recommended a new and more flexible approach to fire cover in which resources would be deployed in the right place at the right time to meet identified risks to life and property. This new approach is not about cutting the number of firefighters. Under these proposals, democratically accountable fire authorities, acting on the professional advice of Chief Fire Officers, would take decisions on the provision of fire cover. The review considered that the recommendations it made could be implemented without the need for compulsory redundancies.

Mr. Wiggin: To ask the Deputy Prime Minister if he intends to revise fire service guidance on the employment of people with diabetes as firefighters. [102411]

Mr. Raynsford: The Office of the Deputy Prime Minister is reviewing the existing guidance to the fire service on the employment of people with diabetes as fire fighters. Key interest groups are being consulted, and the review will take account of all relevant legislation.

Housing

Mrs. Calton: To ask the Deputy Prime Minister how small local schemes will be funded following the creation of the single housing pot, with particular reference to schemes outside the areas earmarked for housing expansion or housing market renewals. [101831]

Mr. McNulty: Local housing authorities and housing associations will continue to invest in improving existing stock or increasing the supply of affordable housing in accordance with priorities identified in local housing strategies. Under the new single regional housing pot the resources provided by central Government to support this housing investment will increasingly be directed to areas or types of expenditure identified as priorities in regional housing strategies.

Parish Councils

Mr. Stephen O'Brien: To ask the Deputy Prime Minister pursuant to his oral answer of 5 March 2003, *Official Report*, column 806, on parish councillors, what the evidential basis was of the information given in his reply. [102137]

Mr. Leslie: My reply to the hon. Member for Eddisbury (Mr. O'Brien) on 5 March drew on information in departmental and Standards Board records of the number of parish councillors who have written to say that they have resigned as a result of the requirements in the code of conduct, and on published estimates of the number of parish councillors in England (see 'Local Council Administration', sixth edition, Butterworths 2002).

Pathfinder Scheme (Swarcliffe Estate)

Colin Burgon: To ask the Deputy Prime Minister what assessment he has made of the progress of the Pathfinder Scheme for the Swarcliffe estate in the Elmet constituency. [102792]

Mr. McNulty: The Housing Private Finance Initiative (PFI) pathfinder for the Swarcliffe estate in Leeds, is due to reach contract signature before the end of 2003.

Pollution (Fines)

Norman Baker: To ask the Deputy Prime Minister what assessment he has made or plans of the effectiveness of fines levied by local authorities on polluters preventing *(a)* further incidences of pollution by the polluters and *(b)* incidences of pollution from others who have not previously polluted; what changes are planned; and if he will make a statement. [99257]

Mr. Meacher: I have been asked to reply.

Part 1 of the Environment Protection Act 1990 specifies that fines be levied by courts and not by the local enforcing authority. The authority may however bring proceedings against the accused in a Court of Law.

No assessment has yet been made of the preventive effect of fines levied against environmental offenders. My Department takes the view that the level of fines being imposed for pollution offences is generally too low. We are now working with the Environment Agency and with others, especially the Magistrates Association, to ensure that magistrates are trained and have an increased awareness of the implications of polluting activity and consequently impose more realistic fines. To this end, the Association recently circulated relevant training material to all its 28,000 members.

The Government are also exploring the possibility of developing general guidelines on sentencing for environmental offences. To this end, my Department has recently commissioned research to examine penalties for environmental offences and to aim to establish a solid body of information, which could be used as a basis for future action. The research team is due to report in the summer.

Public Bodies (Greater London)

Mr. Andrew Turner: To ask the Deputy Prime Minister what the value was of each grant paid to public sector bodies in London in the last year before the creation of the Greater London Authority for transport and highways purposes, including the highways and transport element of rate support grant; what sum was paid to the Greater London Authority in the last year for which information is available; and if he will make a statement on the methodology for determining that grant. [101550]

Mr. Raynsford: Grants paid to public sector bodies in London in 1999/00 were as follows (figures in fan):

	(£)
Traffic Director for London	24
Traffic Control Systems Unit/Woolwich Ferry/Consultancies	8
London Transport (incl. London Underground	816
Docklands Light Railway	29
Highways Agency London spend (est.)	140
London Borough LTP allocations	84
Highways Rate Support Grant	223
Total:	1,324

In addition to these figures, a proportion of the expenditure on National Rail would have been spent in London.

In 2002/03, the sum paid to the Greater London Authority in the form of GLA transport grant is £1,024,118,000. This does not include any funding for the London Underground, National Rail, or for rate support grant paid to the London boroughs and TfL. No account of concessionary fares funding for London boroughs has been taken with regard to these figures.

Decisions on the level of GLA transport grant are taken by Ministers during comprehensive spending reviews, based on an assessment of London's need and competing national priorities. Grant is determined annually, following consultation with the Mayor of London.

Quarries

Mr. McLoughlin: To ask the Deputy Prime Minister how many quarries within the Peak District National Park are operating without the requirement for modern working standards required by schedule 13 of the Environment Act 1995; and what steps his Department is taking to ensure all quarries in the Peak District National Park are reviewed under schedule 13 of the Environment Act 1995. [102694]

Mr. McNulty: This information is not available centrally, because the review of existing mineral sites in this area is the responsibility of the Peak District National Park Authority. Guidance on the use of schedule 13 by all mineral planning authorities is set out in Planning Policy Guidance Note 14: "Environment Act 1995—Review of Mineral Planning Permissions".

Smoking

Chris Grayling: To ask the Deputy Prime Minister what policy his Department has adopted on smoking in the workplace. [100936]

Mr. Leslie: The Office of the Deputy Prime Minister operates a no smoking policy except in specifically designated smoking rooms.

Speed Cameras

Mr. Norman: To ask the Deputy Prime Minister how many staff were employed by local authorities to operate and administer speed cameras in each year since 1997. [102230]

Mr. Jamieson: I have been asked to reply.

This information is not held centrally.

Fire Authorities

Mr. Andrew Turner: To ask the Deputy Prime Minister if he will list the authorities which benefited from the coastline factor in the fire service formula; and what proportion of the aggregate fire service FSS allocation was distributed on the basis of the coastline factor. [101549]

Mr. Raynsford: 1.5 per cent. of the aggregate fire service FSS allocation was distributed on the basis of the coastline factor. The following fire authorities benefited:

Cornwall;

Cumbria;

Isle of Wight;

Isles of Scilly;

Lincolnshire;

Merseyside;

Norfolk;

Northumberland;

Somerset;

Suffolk;

Tyne & Wear; and

West Sussex.

In addition the following authorities benefited on behalf of their combined fire authority:

Bath and north east Somerset, Bristol, north Somerset and south Gloucestershire for the Avon Fire Authority; Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees for the Cleveland Fire Authority; Plymouth, Torbay and Devon for the Devon Fire Authority; Bournemouth, Poole and Dorset for the Dorset Fire Authority; Darlington and Durham for the Durham Fire Authority, Brighton and Hove and East Sussex for the East Sussex Fire Authority; Thurrock, Southend-on-Sea and Essex for the Essex Fire Authority; Portsmouth, Southampton and Hampshire for the Hampshire Fire Authority; East Riding of Yorkshire, Kingston upon Hull, North East Lincolnshire and North Lincolnshire for the Humberside Fire Authority; Medway and Kent for the Kent Fire Authority; Blackburn with Darwen, Blackpool and Lancashire for the Lancashire Fire Authority; and York and North Yorkshire for the North Yorkshire Fire Authority.

Stratford on Avon District Council

Mr. Maples: To ask the Deputy Prime Minister how much total Government grant was *(a)* paid and *(b)* proposed to be paid to Stratford on Avon District Council in (i) cash and (ii) constant prices in each year between 1997–98 and 2003–04; and what the percentage increase in such grant in each of these years was at constant pricing. [102896]

Mr. Raynsford: The following table shows total formula grant which consists of redistributed business rates, revenue support grant and SSA reduction grant (SSA review) (where appropriate).

Over the period requested there have been many changes in the functions and funding of services to local government. To enable a like-for-like comparison between years, we calculate adjusted grants. The percentage change figures have been calculated on the basis of these like-for-like comparisons.

Until the introduction of Central Support Protection Grant in 1999–2000, there was no need to calculate grant on a like-for-like basis, and for this reason grant comparisons in the years 1997–98 and 1998–99 are not available. There were no changes in funding and function between 1998–99 and 1999–2000 that needed reflecting in adjusted grants for 1998–99 to allow a like-for-like comparison; the actual 1998–99 values have therefore been used in this case.

Year	*Formula grant (£ million)*	*Formula grant at 2003–04 prices (£ million)*	*Percentage increase in formula grant at 2003–04 prices*
1997–98	5.635	6.507	Not available
1998–99	5.167	5.807	Not available
1999–2000	5.516	6.053	6.2
Adjusted 1999–2000	5.516	6.053	
2000–01	5.979	6.415	6.0
Adjusted 2000–01	6.016	6.454	
2001–02	6.009	6.298	-2.4
Adjusted 2001–02	5.866	6.148	
2002–03	6.157	6.295	2.4
Adjusted 2002–03	5.968	6.102	
2003–04	6.164	6.164	1.0

Telecommunications

Mr. Hunter: To ask the Deputy Prime Minister what further measures he proposes to take to encourage mast sharing by telecommunication operators. [102095]

Mr. McNulty: The Code of Best Practice on Mobile Network Development was published on 11 November 2002. This firmly encourages mast and site sharing where that is the optimum solution in the individual circumstances. The Office of the Deputy Prime Minister has no plans to amend further the planning arrangements for telecommunications development at the present time.

Mr. Hunter: To ask the Deputy Prime Minister what representations he has *(a)* made to and *(b)* received from local planning authorities in respect of telecommunication operators' commitment to participate in obligatory pre-rollout and pre-allocation consultation. [102094]

Mr. McNulty: The Government issued 'Planning Policy Guidance Note 8: Telecommunications' in August 2001 which strongly encourages telecommunications operators and local planning authorities to carry out annual discussions about rollout plans for each authority's area. The Office of the Deputy Prime Minister also issued the 'Code of Best Practice on Mobile Phone Network Development' in November 2002, which includes more detailed recommendations for managing the relationship between mobile operators and local planning authorities and the process of public consultation. The Code also contained the Mobile Operators' Ten Commitments, which includes the commitments to participate in pre-rollout and pre-application consultation with local authorities and improved consultation with local communities.

The Government receive many representations on matters relating to the telecommunications industry but the Office of the Deputy Prime Minister is not aware of any particular representations from local planning authorities on this subject.

Mr. Hunter: To ask the Deputy Prime Minister what financial support the Government's independent scientific research programme on mobile communications health issues has received from telecommunication operators. [102096]

Mr. McNulty: The independent scientific research programme is costing £7.36 million of which private companies in the telecommunications sector are paying 50 per cent. (£3.68 million). More information about the research programme can be found at the Mobile Telecommunications and Health Research Programme website: www.mthr.org.uk.

Mr. Hunter: To ask the Deputy Prime Minister what information his Department has gathered regarding the extent to which telecommunication operators have met their commitment to provide staff resources to respond to complaints and inquiries about radio base stations within 10 working days. [102097]

Mr. McNulty: The Mobile Operators Association have commissioned Deloitte and Touchè to carry out an independent review of the implementation of the Operators Ten Commitments. The results of the review will be made available to the public in due course.

Mr. Hunter: To ask the Deputy Prime Minister if he will make it his policy to replace telecommunication operators' voluntary code of conduct with statutory regulation; and if he will make a statement. [102098]

Mr. McNulty: There are no plans to replace the mobile phone Operators' Ten Commitments with statutory regulation. The Office of the Deputy Prime Minister will, however, continue to monitor the implementation of the Commitments and will keep the situation under review in light of experience and any new developments.

Written Answers to Questions

Friday 14 March 2003

CULTURE, MEDIA AND SPORT

National Lottery

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport how many lottery awards there were to organisations in the City of York constituency in each year since 1997; and what the average number of awards per constituency was in each year. [102648]

Mr. Caborn: According to the National Lottery Awards Database, which is based upon the information provided by the Lottery distributers, the total number of Lottery awards made to the City of York, and the average number of awards per constituency made each year since 1997 is set out in the table:

Calendar year	*City of York constituency*	*Average number of awards per constituency*
1997	27	21.3
1998	16	13
1999	31	30.5
2000	37	36.8
2001	48	30.2
2002	32	37.1

Regional Cultural Consortiums

Mr. Edward Davey: To ask the Secretary of State for Culture, Media and Sport what the administrative costs of each regional cultural consortium were in each year since 1999–2000. [102682]

Mr. Caborn: The information required is in the table.

Regional cultural consortium	*1999–2000*[1]	*2000–01*	*2001–02*	*2002–03*[2]
Eastern	388	26,358	31,621	37,884
East Midlands	857	34,366	15,927	18,063
North East	1,355	41,855	32,415	36,614
North West	230	21,995	42,890	36,503
South East	968	20,229	36,929	40,915
South West	4,823	33,609	22,043	34,061
West Midlands	1,613	31,089	6,097	29,457
Yorkshire	829	29,800	17,326	38,344

[1] The Regional Cultural Consortiums were established in October 1999

[2] Expenditure calculated to 31 December 2002

The Consortiums have also received support from staff based within the Government Offices in the regions. The Regional Development Agencies and the various regional cultural agencies have all been encouraged to help with funding and other means of support.

The Consortiums use their resources to promote joint working by regional partners and to implement the Regional Cultural Strategies so that cultural and sporting interests make a significant contribution to economic development, regeneration and social inclusion in each region.

Sporting Events

Mr. Berry: To ask the Secretary of State for Culture, Media and Sport if she will make it her policy that adoption of a code of practice on ethical trading on the lines of that developed for the 2002 Manchester Commonwealth Games should be a necessary precondition for Government endorsements of any bid to stage a major sporting event; and if she will make a statement. [101918]

Mr. Caborn: The Government will make a clear assessment of the costs and benefits of hosting the biggest (mega) events such as the Olympic Games and Football's World cup prior to bidding.

It is not policy to adopt a code of practice for ethical trading as a precondition to bid to stage a mega event. However any organisation set up to bid for or stage a mega event will be expected to follow the good practice learned from previous events such as the staging of the Commonwealth Games 2002.

DEFENCE

Aircraft Carriers

Mr. Hancock: To ask the Secretary of State for Defence where the savings will be made in the Ministry of Defence's budget to fund the new aircraft carriers; and if he will make a statement. [102613]

Mr. Ingram: The new aircraft carriers have been an integral part of the Ministry of Defence's future spending plans since the Strategic Defence Review. There is thus no requirement to find any savings to accommodate this longstanding key capability.

Cluster Bombs

Norman Lamb: To ask the Secretary of State for Defence how many cluster bombs are stockpiled by the Ministry of Defence, broken down by type. [102358]

Mr. Ingram: Stockholdings of cluster bombs are held at an authorised war reserve stock figure. Details of the precise numbers of weapons could provide a potential adversary with information that could undermine our defence capabilities. I am therefore withholding this information in accordance with Exemption 1 (Defence, Security and International Relations) of the Code of Practice on Access to Government Information.

Norman Lamb: To ask the Secretary of State for Defence which types of cluster munitions the UK armed forces possess. [102359]

Mr. Ingram: The United Kingdom armed forces possess the following types of cluster munitions; the multiple lunch rocket system (MLRS), Shell 155 mm HE L20A1 extended range bomblet shell (ERBS), Shell 155 mm HE M483A1 and the BL755.

Norman Lamb: To ask the Secretary of State for Defence if he will make a statement on the use by the RAF of cluster munitions. [102360]

Mr. Ingram: Cluster bombs are one of a range of weapons systems available to the RAF, and are a legal weapon that fulfils a legitimate military role that cannot be performed by other means. Where the RAF has used cluster bombs, it has done so in a manner that is fully consistent with our obligations under international law.

Crisis Management

Mr. Hancock: To ask the Secretary of State for Defence what medium-term plans there are to give the EU military staff a planning capability for crisis-management operations; and if he will make a statement. [102677]

Mr. Hoon: European Union member states agreed at Nice in 2000 that the EU Military staff would carry out strategic planning tasks, including

> "military aspects of strategic advance planning"

for crisis management operations. This covers high-level consideration of options to support political/military decision-making, including particularly planning activities up to the point when the EU approves a military option. As part of the assured access to NATO planning capabilities agreed last year, the EU may call on NATO planning support for these activities.

More detailed operational planning is not in the terms of reference of the EU Military staff. It was agreed at Nice that NATO's planning bodies will carry out operational planning for EU-led operations with recourse to NATO assets and capabilities. Operational planning for other operations would be carried out in existing European national and multinational headquarters, such as our own Permanent Joint Headquarters.

There are no plans to change these arrangements.

Mr. Hancock: To ask the Secretary of State for Defence whether geographic limits will be set to politico-military action by the EU for crisis-management purposes; and if he will make a statement. [102788]

Mr. Hoon: Currently there are no geographical limits set for crisis management operations which the European Union might conduct as part of the European Security and Defence Policy, although in practice distance would be one of a large number of factors which would determine whether or not an operation could be undertaken. I do not expect this to change.

Cruise Missiles

Lynne Jones: To ask the Secretary of State for Defence what authority the UK Government have given the US Government to load cruise missiles on to B-52 bombers at RAF Gloucestershire; and for what purpose. [102419]

Mr. Hoon: The use by United States Visiting Forces of United Kingdom bases is a matter for joint decision by HM Government and the US Government at the appropriate time. The deployment of the B-52s to RAF Fairford was part of our continuing contingency preparations and did not represent a decision to take military action.

I am withholding the information requested in accordance with Exemption 1 (Defence, security and international relations) of the Code of Practice on Access to Government Information.

Defence Equipment

Mr. Keetch: To ask the Secretary of State for Defence if he will list, by company, the outstanding value of offset obligations imposed and accepted in respect of defence equipment supplied from overseas to the UK. [102077]

Mr. Ingram: I am withholding details of Industrial Participation (offset) obligations by company in accordance with Exemption 13 of the Code of Practice on Access to Government Information. The total value of extant IP obligations is £5.4 billion of which £2.3 billion remains to be completed.

Defence Export Services Organisation

Mr. Jenkin: To ask the Secretary of State for Defence what assessment he has made of the benefits of privatising the Defence Export Services Organisation; and if he will make a statement. [102579]

Mr. Ingram: The future of the Defence Export Services Organisation (DESO) was considered as part of the Strategic Defence Review in 1998. At that time a number of options were assessed, including privatisation, but it was concluded that the value of DESO support for defence exports stem from its being an integrated part of MOD and, hence, Government.

Freedom of Information

Mr. Dalyell: To ask the Secretary of State for Defence what his policy is on releasing information under the Freedom of Information Act 2000 relating to unpublished papers concerning the Scott Report and Mr. Gerald James. [100713]

Mr. Ingram *[holding answer 13 March 2003]:* It is Ministry of Defence policy to comply with the Freedom of Information Act 2000 once it enters into force. Requests for personal data will continue to be handled in accordance with the Data Protection Act 1998, as amended by the Freedom of Information Act.

EU Military Capabilities

Mr. Hancock: To ask the Secretary of State for Defence (1) if he will make a statement on progress with implementing the Headline Goal to give the European Union the means of carrying out the full range of Petersberg missions; and if he will make a statement; [102674]

(2) what measures are planned to overcome the budgetary problems affecting achievement of the Helsinki goals; and if he will make a statement; [102678]

(3) what assessment has been made of shortfalls in the military capabilities of the EU member states; what assessment he has made of the prospects for overcoming them; and if he will make a statement. [102675]

Mr. Hoon: The Helsinki Headline Goal has been broken down into 144 capability targets, of which 104 had been met following the Capabilities Improvement Conference in November 2001. Of the 40 shortfalls about half may be resolved by improved management of existing forces. For the rest, a European Capability Action Plan (ECAP) was launched after the conference, comprising multinational panels tasked with suggesting possible solutions.

Steady progress has been made with implementing ECAP. The panels are in the process of issuing their final reports. Panel suggestions will be taken forward by Member States on a voluntary basis, with steps being taken to establish "Project Groups" to take these solutions forward. Decisions on defence budgets and priorities within them are matters for individual member states.

Mr. Hancock: To ask the Secretary of State for Defence what measures have been taken to incorporate the fight against international terrorism within the range of European Security and Defence Policy missions; and if he will make a statement. [102672]

Mr. Hoon: The European Security and Defence Policy (ESDP) seeks to enable the European Union to deal with the full range of conflict prevention and crisis management missions defined in the Treaty, the "Petersberg Tasks". These missions (humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking) already give ESDP considerable scope to assist in the fight against international terrorism. Further work was commissioned, building on the Declaration of the Seville European Council concerning the contribution of the European Union's Common Foreign and Security Policy, including ESDP, in the fight against terrorism. This includes strengthening arrangements for sharing intelligence, and developing common threat evaluations. We are also supporting, in the framework of the Convention on the Future of Europe and elsewhere, proposals to allow a member state to call on the resources, including military, of other EU members, for civil protection tasks, following a terrorist attack.

Iraq

Tom Brake: To ask the Secretary of State for Defence how many extra body bags his Department has ordered as part of contingency planning for any war against Iraq; how many his Department holds in stock; and if he will make a statement. [101920]

Mr. Ingram: The Department undertakes routine purchasing of body bags to maintain stock levels. The most recent order, to replenish stocks and provide for contingency requirements, was for a total of 4,040 bags. Deliveries have commenced.

The Ministry of Defence does not hold a centralised data on the holding of body bags, most of which are held at unit level, with a reserve held by the Defence Storage Distribution Agency and this information could be provided only at disproportionate cost.

Sir Teddy Taylor: To ask the Secretary of State for Defence if he has received a copy of the pages of the Riegle report published by the US Senate on 25 May 1994, which lists the materials exported to Iraq which could contribute to a biological warfare programme; and if he will seek to establish from the USA what threat these materials provide to troops engaged in warfare with Iraq. [101400]

Mr. Ingram *[holding answer 6 March 2003]:* The Ministry of Defence is aware of the Riegle report. We remain concerned that Iraq continues with efforts to develop weapons of mass destruction, as set out in the dossier "Iraq's Weapons of Mass Destruction" published by the Government last September.

Sir Teddy Taylor: To ask the Secretary of State for Defence what information he has received about the amount of *(a)* bacillus anthracis, *(b)* clostridium botulinum, *(c)* histoplasma capsulatum, *(d)* brucella melitensis and *(e)* clostridium perfingens which have been exported from the USA to Iraq; and if he will make a statement. [101401]

Mr. Ingram *[holding answer 6 March 2003]:* We share information with allies and believe we have a good understanding of the potential threat that may derive from the biological materials, knowledge and technology known to be available to Iraq.

Sir Teddy Taylor: To ask the Secretary of State for Defence what the consequences will be for troops operating in the Iraq area of the Iraq Atomic Energy Commission's possession of *(a)* E-coli, *(b)* genetic materials and *(c)* human and bacterial DNA. [101402]

Mr. Ingram *[holding answer 6 March 2003]:* The United Kingdom believes that the possession by Iraq of E-coli, genetic materials or human and bacterial DNA poses less of a hazard than their continuing efforts to develop weapons of mass destruction, as set out in the dossier "Iraq's Weapons of Mass Destruction" published by the Government last September.

Jaguar Aircraft

Tony Baldry: To ask the Secretary of State for Defence how many Jaguar combat aircraft *(a)* have been produced under licence in India and *(b)* are contracted to be produced under licence in India. [102045]

Mr. Ingram: I am withholding the information requested in accordance with Exemptions lb, 3 and 14 of the Code of Practice on Access to Government Information that relate to information whose disclosure would harm the conduct of international relations or affairs, to commercial confidences of a third party, and to information given in confidence.

Mines

Mr. Frank Cook: To ask the Secretary of State for Defence what steps the Government has taken to ensure that contracts for overseas work awarded by the US to *(a)* British private military companies and *(b)* UK-based subsidiaries of US companies do not include the handling, storage and maintenance of anti-personnel mine stockpiles. [101296]

Mr. Ingram: The Landmines Act 1998 prohibits certain conduct, including using or possessing an anti-personnel mine, or participating in the acquisition or transfer of an anti-personnel mine, or assisting, encouraging or inducing such conduct. These offences apply to conduct in the United Kingdom and to conduct by United Kingdom nationals elsewhere. Any indication of illegal activity would be a matter for the law enforcement agencies.

Ministerial Directions

Mr. Jenkin: To ask the Secretary of State for Defence if he will place in the Library ministerial directions issued by his Department since 1997. [98816]

Mr. Hoon: Yes.

Ordnance

Mr. Liddell-Grainger: To ask the Secretary of State for Defence (1) how much ordnance was disposed of in the UK in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03; [98298]

(2) what procedure is used by the MOD to dispose of old ordnance; and where it is disposed of. [98297]

Mr. Ingram: Out of shelf life ordnance, or that for which no market can be found, is destroyed by the Ministry of Defence under a contract with QinetiQ. Any base materials (i.e. brass cartridge cases) are sold for recycling.

Disposal by sale of surplus ordnance is the responsibility of the Ministry of Defence's Disposal Services Agency (DSA). That which is not sold overseas on a Government to Government basis (or gifted to Jordan under the Al Hussein Project) is disposed of within the United Kingdom or overseas by sale to properly licensed concerns through DSA's Marketing Agreement with Royal Ordnance PLC (now BAE systems).

Ordnance destroyed is as follows:

2000:

17,265,342 round of small arms ammunition .22 to 30mm, grenades and mortar bombs.

102,156 rounds of large calibre e.g. 105mm to 155mm, 4.5 inch ammunition.

159,995 Explosive Ordnance Disposal Arisings.

2001:

5,470,802 rounds of small arms ammunition .22 to 30mm, grenades and mortar bombs.

60,978 rounds of large calibre e.g. 105mm to 155mm, 4.5 inch ammunition.

392,930 Explosive Ordnance Disposal Arisings.

2002:

1,212,124 rounds of small arms ammunition .22 to 30mm, grenades and mortar bombs.

241,861 rounds of large calibre e.g. 105mm to 155mm, 4.5 inch ammunition.

127,851 Explosive Ordnance Disposal Arisings.

The quantities of ordnance sold via Royal Ordnance PLC are as follows:

2000:

7,114,866 rounds of small arms ammunition.

2001:

1,228,970 rounds of small arms ammunition.

2002:

686,998 rounds of small arms ammunition.

Richard Younger-Ross: To ask the Secretary of State for Defence what redundant *(a)* weapons and *(b)* munitions have been sold since 1997; and to whom. [97288]

Mr. Ingram *[holding answer 11 February 2003]:* Surplus weapons and munitions sold in the last five years are listed as follows:

1998–99

Weapons: Nil

Munitions:

9,599,691 rounds to licensed companies—via Royal Ordnance PLC (now BAE SYSTEMS)

1999–2000

Weapons:

Light Gun—Royal Ordnance PLC

SLRs associated leaning equipment, magazines—FCO (for subsequent gifting to Sierra Leone as part of a wider assistance package)

Munitions:

30,626,813 rounds to licensed companies—via Royal Ordnance PLC

AIM Sidewinder Missiles—MOD Oman

1,999,931 rounds— FCO (for subsequent gifting to Sierra Leone as part of a wider assistance package)

2000–01

Weapons: Nil

Munitions:

Exocet missiles and homing heads—Aerospatiale France

Stingray Warheads—BAE SYSTEMS

Stingray Torpedoes—Norway

10,970,167 rounds to licensed companies—Via Royal Ordnance Plc

2001–02

Weapons: Nil

Munitions:

Mk46 Torpedoes—Raytheon Naval and Marine

8,738,5149 rounds to licensed companies—Systems via Royal Ordnance Plc

2002–03

Weapons: Nil

Munitions:

30 mm Aden Ammunition—BAE SYSTEMS

13,621,235 rounds to licensed companies—via Royal Ordnance Plc

Note:

Rounds referred to above were all either 7.62 mm, 5.56 mm or 0.303 mm ammunition.

Minesweepers

Mr. Peter Duncan: To ask the Secretary of State for Defence if he will make a statement on the disposal of minesweeper Pagham. [99782]

Mr. Ingram: The ex-HMS Pagham was formally gifted by the Ministry of Defence to the Stranraer Sea Cadet Unit on 1 May 1999 having been on loan to the unit since 1978. This decision was made in light of an assessment of the likely receipts from the sale of the vessel on the open market and other relevant factors, including the expenditure incurred by the Stranraer unit on maintaining and improving the vessel during the loan period. Other forms of disposal were not considered to be cost effective. The MOD no longer has any responsibility for the vessel.

Skynet 5

Mr. Keetch: To ask the Secretary of State for Defence if he will make a statement on the Skynet 5 Project. [101595]

Mr. Ingram: Negotiations leading to deal closure on the Skynet 5 PFI programme are nearing completion. We expect contract award to take place shortly.

Unmanned Aerial Vehicle System

Harry Cohen: To ask the Secretary of State for Defence what the operational, technical and political benefits are to the UK of acquiring the planned unmanned aerial vehicle system; and if he will make a statement on the system's inter-operability with that of the Israeli Army. [101213]

Mr. Ingram: The general benefits of the Watchkeeper system, to which I assume my hon. Friend refers, comprising Unmanned Aerial Vehicles, their sensor packages and associated exploitation facilities, were outlined in my right hon. Friend the Secretary of State for Defence's written statement to the House on 7 February 2003, *Official Report*, columns 21 -22 WS. We expect to select a single successful Watchkeeper contractor by mid-2004. On interoperability, I refer my hon. Friend to the answer I gave to the hon. Member for Aldershot (Mr. Howarth) on 24 February 2003, *Official Report*, column 312W. This indicated that our primary focus is on interoperability with NATO allies.

Water and Food Rations (Gulf)

Bob Spink: To ask the Secretary of State for Defence if he will list the water and food rations for armed service personnel operating in the Gulf region. [100861]

Mr. Ingram: Land and Air Forces in Theatre are provided with a fresh cooked breakfast and evening meal each day and the United States supplied MREs (Meals Ready to Eat) for lunch. Meals are cooked by military chefs, from field kitchens. Bottled water is supplied through reliable sources within the region, providing six litres of water per person per day. Personnel undertaking training outside the main operating bases are provided with 24 hour Operational Ration Packs. The Naval Forces have sufficient stock embarked to be self-supporting, with resupply available from Royal Fleet Auxiliary ships.

DEPUTY PRIME MINISTER

Cabinet Committees

Mr. Edward Davey: To ask the Deputy Prime Minister if he will list Cabinet Committee meetings he has chaired in the last 12 months. [101818]

Mr. Leslie: I refer my hon. Friend to the Written Ministerial Statement given on 6 February by my right hon. Friend the Prime Minister on Cabinet Committees. *Official Report*, column 19WS.

Local Government Finance

Mr. Steen: To ask the Deputy Prime Minister which local authorities in Devon have suffered a cut in real terms in central government funding on the basis of the new burdens principle; and if he will define the proposals and initiatives within the principle. [102042]

Mr. Raynsford: The Local Government Finance Settlement 2003–04 provides all authorities in Devon with an above inflation increase in formula grant. Three authorities in fact receive increases above 10 per cent. Where the Government have provided additional funds to those announced in SR2002 for specific new burdens, such as an extra £21.53 million for the End of Life Vehicles Directive, the Office of the Deputy Prime Minister has adjusted the 2002–03 baseline to enable a like for like comparison. This means that the above inflation grant increases we have guaranteed to all councils are over and above the extra money councils will be receiving for new burdens

The Office of the Deputy Prime Minister is committed to the new burdens principle which requires Government Departments to fully fund the extra costs on councils of any new initiative for which they are responsible. We looked with local government in the context of the Spending Review 2002 at the new burdens to be imposed on local government, along with the pressures on council expenditure and the scope for efficiency savings. This year's Settlement takes into account the outcome of that work and is reflected in the general grant increases over the next three years of 5.8 per cent., 4.9 per cent., and 6.9 per cent.

In addition, there were a number of new burdens on local authorities which could not be finalised at the time of the Spending Review. The following transfers were added to the Local Government Finance Settlement 2003–04:

Teachers' Pensions	£585.908 million
Concessionary fares	£50 million
End of Life Vehicles Directive	£21.530 million
Enterprise Bill	£4.306 million
Animal Feedstuffs	£2.5 million

Revenue consequence of Supplementary Credit Approvals for detrunked roads £1.444 million.

Rate Support Grant

Mr. Hurst: To ask the Deputy Prime Minister how much the rate support grant was in *(a)* Essex County Council and *(b)* Braintree District Council in each year from 1990 to 2002. [102727]

Mr. Raynsford: The amounts of revenue support grant paid to Essex County Council and to Braintree District Council in each financial year from 1990–91 to 2002–03 are given in the table.

Revenue support grant paid to Essex County Council and Braintree District

£ million

	Essex County Countil	*Braintree District Council*
1990–91[1]		14.6
1991–92[1]		13.5
1992–93		30.7
1993–94	386.2	2.9
1995–95	442.7	3.8
1995–96[2]	395.3	3.6
1996–97	388.5	3.0
1997–98	406.4	3.3
1998–99[3]	331.0	2.9
1999–2000	339.7	2.8
2000–01	332.1	2.6
2001–02	375.3	3.0
2002–03	348.5	2.5

[1] Between 1990–91 and 1992–93, all revenue support grant for shire areas was paid direct to the collection funds of district councils amounts for individual authorities were not separately identified.

[2] Responsibility for policing transferred from Essex County Council to Essex Police Authority on 1 April 1995.

[3] The area covered by Essex County Council was reduced on 1 April 1998, when Southend and Thurrock became unitary authorities

Note:

Figures are not necessarily comparable between years due to changes in function and responsibility. The main changes are listed.

Revenue support grant was not the only general grant paid to each authority by central Government during the period shown in the table. Other grants paid include redistributed non-domestic rates.

Residential Care (Funding)

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the transfer of funding between social services departments when one department chooses to place residents into residential care in the area of another. [100540]

Jacqui Smith: I have been asked to reply.

In England, a council should provide social services to those who are assessed under section 47of the NHS and Community Care Act 1990 as needing such care services and are considered to be ordinarily resident within that council's area, in accordance with Local Authority Circular 93(7), a copy of which is available in the Library. Once a council has accepted responsibility for a service user, that council should provide and fund the appropriate services whether that service be provided within that council's boundary or outside. There is therefore no requirement to transfer funds between social services departments when one council chooses to place an individual in the area of another council.

EDUCATION AND SKILLS

Free Fruit Schemes

Mr. Rosindell: To ask the Secretary of State for Education and Skills (1) what recent communication he has had with the organisers of free fruit schemes for schools; [99740]

(2) what plans he has to increase the take-up of free fruit schemes in British schools; [99739]

(3) how many schools in the United Kingdom are participating in free fruit schemes. [99741]

Ms Blears: I have been asked to reply.

The Government have made a commitment to introduce a National School Fruit Scheme for four to six-year-olds across England from 2004. The scheme is being introduced through large scale region wide pilots in 2002–03 and 2003–04 with funding from the New Opportunities Fund. The scheme has been introduced in the West Midlands and London and is currently being introduced across the North West.

The scheme is voluntary for schools but our aim is to encourage all eligible schools to take part. The total number of schools currently participating is currently 4,411; around 88 per cent. of those eligible. This means that around 600,000 children are receiving free fruit each school day.

The total number of participating schools will increase as the scheme is expanded to new regions. In regions where the scheme has already been introduced, regional five-a-day co-ordinators and school fruit area co-ordinators are working with regional and local colleagues in health and education to encourage take up of the scheme by all eligible schools. The Department of Health has regular communication with the five a day and school fruit co-ordinators.

There are a number of locally funded projects which provide free fruit to schoolchildren outside the scope of the National School Fruit Scheme in England, although there is no information held centrally on how many schools or children are participating in such schemes.

As health is a devolved matter the Department of Health has responsibility for England only. However, officials have regular contact with their counterparts working on similar schemes in the devolved Administrations.

ENVIRONMENT

Fish (Pain)

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent research she has evaluated concerning whether fish feel pain; and if she will make a statement. [100360]

Mr. Morley: The maintenance of high standards of welfare for all animals including fish is a priority for DEFRA. The FAWC Report on the Welfare of Farmed Fish which was published in September 1996 considered the applicability of the term pain to fish. Since this report was published we are aware of further research on this topic.

Projects have been conducted at centres of expertise in the Roslin Institute in Scotland as well as in the University of Edinburgh. We are aware of the recent report by the Fisheries Society of the British Isles on Fish Welfare published in 2002 as well as reports from Canadian sources on this important topic of pain in fish.

While such research suggest fish do not experience pain in the same way as species such as mammals, further detailed research is required before a definitive position can be taken.

Foodstuffs (Labelling/Standards)

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* labelling and *(b)* standards schemes there are relating to the nature and production of foodstuffs in the UK; and what the requirements are for each. [102440]

Ms Blears *[Holding answer 13 March 2003]:* I have been asked to reply.

The Government does not collate information on the number of labelling and standards schemes relating to the nature and production of foodstuffs in the United Kingdom. These schemes fall into two general categories: those based on European legislation (such as that on organic food production), and those more commonly referred to as food assurance schemes, which are largely voluntary.

Food assurance schemes generally set out certain production standards in areas such as food safety and hygiene, environmental protection, animal welfare and inspections. An independent review of 18 of the main assurance schemes (including those covered by the British Farm Standard denoted by its "red tractor" logo) was carried out for the Food Standards Agency and published in July last year. It contains detailed descriptions of those schemes. Copies of the review will be placed in the Library.

GM Crops

Joan Ruddock: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effectiveness of two separate GM public debates running concurrently; and if she will make a statement. [100865]

Mr. Meacher: The Government are sponsoring a public debate on GM issues, which was announced last July, that encompasses a range of different activities. As part of that process, the Food Standards Agency announced that it would be conducting a series of events to independently evaluate consumers' views on the acceptability of GM food and how this relates to consumer choice. These activities will be a contribution to the wider public debate.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to ensure the Scottish Executive is involved in the *(a)* public debate and *(b)* approval process for GM crops. [101258]

Mr. Meacher: The Scottish Executive is fully involved in and is contributing to the funding of the Public Debate on GM issues, which is being managed at arms' length from Government by an independent Steering Board. The Steering Board are keeping the Scottish Executive fully informed of their progress.

Decisions to authorise or not the commercial importation or cultivation of any GM crop will be taken, on a case-by-case basis, by European Union (EU) Member States collectively working with the European Commission in the context of EU Directive 2001/18. In preparing the UK's opinion the Government will seek the views of the Devolved Administrations on all applications.

Meat Imports

Diana Organ: To ask the Secretary of State for Environment, Food and Rural Affairs how many cases of specified risk material have been detected in meat imports into the UK from the EU over the past year. [100580]

Ms Blears: I have been asked to reply.

Since 1 January 2002, there have been 33 cases where specified risk material has been found in imported meat. Each case has been reported to the veterinary authorities of the Member State of origin for appropriate action to be taken. Of these breaches, one consignment came from France, one from the Netherlands, four from the Republic of Ireland, 11 from Germany and 14 from Spain.

Diana Organ: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she plans to take with regard to meat imports contaminated with specified risk materials. [100581]

Ms Blears: I have been asked to reply.

On the instructions of the Food Standards Agency (FSA), the Meat Hygiene Service continues to check at licensed premises every notified consignment of imported carcases beef for any presence of specified risk material (SRM). When SRM is found, the carcases affected are destroyed. The authorities of the exporting country and the European Commission are also informed.

Further to this, the Chairman of the FSA has discussed the issue with the relevant European Commissioner (Commissioner Byrne). The United Kingdom has also instigated discussions at the European Union Standing Committee on the Food Chain and Animal Health and at the EU Beef Management Committee. UK officials have also had profitable discussions at technical level with officials from the Member States concerned.

FOREIGN AND COMMONWEALTH AFFAIRS

Democratic Republic of the Congo

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the Baroness Amos had on *(a)* the peace process in the Democratic Republic of the Congo, *(b)* the Kimberley diamonds process and *(c)* conflict prevention measures in the region during her recent visit to Africa; and if he will make a statement. [101800]

Mr. Rammell: During her recent visit to Guinea, Cameroon and Angola, my noble Friend Baroness Amos discussed a range of issues including regional peace and security.

Discussions did not include the DRC or the Kimberley Process certification scheme for rough diamonds. But Baroness Amos is in regular contact with the key African players and other members of the international community on both issues.

Eurobank

Mr. Hawkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost is to UK public funds of the resignation of the Attorney-General of the Cayman Islands. [103127]

Mr. Mike O'Brien: There has been no cost to UK public funds arising from his departure from office.

Mr. Hawkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to meet the Leader of Government Business of the Cayman Islands Government to discuss the collapse of the Eurobank case; and if he will make a statement. [103128]

Mr. Mike O'Brien: My noble Friend Baroness Amos last met the Leader of Government Business during her visit to the Cayman Islands on 16–17 February. She remains in regular touch with him.

Mr. Hawkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what changes he plans in the appointment of law officers to overseas territories as a result of *(a)* the collapse of the Eurobank case and *(b)* the subsequent resignation of the Attorney-General to the Cayman Islands. [103129]

Mr. Mike O'Brien: None. However procedures may be re-examined as part of the constitutional review process now under way in most Overseas Territories following up the commitment made in the 1999 White Paper "Britain and the Overseas Territories: Partnership for Progress and Prosperity". Our position remains that it is fundamentally important to protect the independence and impartiality of law officers and the judiciary in the Overseas Territories.

Mr. Hawkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to review security matters relating to overseas territories as a result of the collapse of the Eurobank case in the Cayman Islands; and if he will make a statement. [103130]

Mr. Mike O'Brien: None.

Human Rights

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment his Department has made of the human rights situations in *(a)* Uzbekistan, *(b)* Turkmenistan, *(c)* Kyrgmenistan, *(d)* Algeria, *(e)* Jordan, *(f)* Qatar and *(g)* Pakistan. [101619]

Mr. Rammell: *[holding answer of 10 March 2003]:* Human rights are at the heart of foreign policy and as such are integrated into policy-making at all levels. The FCO is therefore continually considering the human rights issues in all countries alongside other political, economic and security issues. However the human rights situations in the countries raised are as follows:

Uzbekistan:

We remain deeply concerned by reports of human right abuses in Uzbekistan. We recognise that the Uzbek Government has made small concessions in addressing the situation, including co-operating with the UN Special Rapporteur for Torture. However, Uzbekistan needs to do much more. We would like to see reform of the criminal justice system, as well as wider recognition of independent human rights groups, religious groups and political parties. The Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office, my hon Friend the Member for North Warwickshire (Mr. O'Brien), raised human rights concerns with the Uzbek Ambassador in London on 10 February. We shall continue to press for tangible improvements in Uzbekistan's human rights record. We are also thinking together with the EU how best to handle the human rights situation in Uzbekistan at the next session of the Commission on Human Rights starting in March.

Turkmenistan:

We are greatly concerned at the recent developments in Turkmenistan following the reported assassination attempt on President Niyazov last November. We encouraged the EU to make a statement calling on the Turkmen authorities to comply with Turkmenistan's human rights obligations under international law. The EU is also considering how best to handle the human rights situation at the next session of the Commission on Human Rights.

Through the Organisation for Security and Cooperation in Europe (OSCE) we have sought to establish a fact-finding mission to Turkmenistan to investigate all matters relating to the conduct of the investigations, including detentions, arrests and allegations of torture, as well as the trials, convictions and sentencing procedures. Turkmenistan has however refused to admit any mission of this kind. The OSCE has asked the Turkmen authorities to reconsider. We will continue to monitor the situation closely.

Kyrgyzstan:

We recognise efforts made by the Kyrgyz Government to improve its human rights situation and to bring about political reform. Positive developments include a presidential decree on 8 January 2003 extending a moratorium on the use of the death penalty. We are however still concerned by cases of harassment of independent media and unofficial Muslim groups. We shall continue to help Kyrgyzstan make improvements, in line with its international obligations and commitments.

Algeria:
We regularly raise our concerns about human rights violations in Algeria with the Algerian Government. We continue to urge the Algerian Government to fully comply with all its obligations under international human rights law, including the investigation of human rights violations, and to allow visits by the UN special rapporteurs on the question of torture and on extrajudicial, summary or arbitrary executions. The UK with EU partners has also raised its concerns about a number of cases of human rights abuses with the Algerian authorities. The Algerian Ministry of Foreign Affairs has offered information on some of these cases, but both we and our EU partners will continue to press for full answers.

Jordan:
We welcome the decision by the Jordanian Government to hold general elections in June 2003 (elections were previously postponed from autumn 2002). This decision represents the opportunity for people to exercise their democratic right to vote. We will encourage the Government to hold a free and fair electoral process. We have some concerns about the human rights situation in Jordan including the treatment of religious minorities, honour killings, and freedom of expression. Toujan al-Faisal was a former member of the Jordanian Parliament who was arrested in 2002 in connection with her public criticism of the Government's policies. We welcomed her release following a Royal Pardon in July 2002. We will continue to raise each human rights case as appropriate with the Jordanian Government or in conjunction with EU Partners.

Qatar:
Qatar has a good human rights record for a conservative Islamic society with an autocratic system of government. The social and political system is comparatively tolerant and increasingly open. The Amir has the right basic instincts towards human rights issues but recognises that change which could damage the fabric of his tribal people must be handled carefully and will take time. The Amir is encouraging women to play an active part in all walks of life; he has introduced his first steps towards democratic reform; the press exercises some self censorship; freedom of worship is tolerated provided it is discreet; there are plans to build Qatar's first churches; work continues on codifying sharia and civil law but Qataris are still to some extent associated in the Western mind with their Wahabi cousins in Saudi Arabia. Death sentences have been carried out but are extremely rare. There are, however general issues regarding the treatment of third country nationals and minors working in Qatar.

Pakistan:
The UK Government welcomed President Musharraf's speech of 12 January 2002 in which he condemned all forms of sectarianism and religious hatred and made the case for a moderate and tolerant Islam. We hope the new government will look carefully at human rights violations in Pakistan. The UK and EU are particularly concerned by sectarian and terrorist violence that has resulted in the deaths of a number of Christians across Pakistan, most recently the vicious attack on 25 December 2002.

We have concerns about the abuse of the blasphemy laws and are seriously concerned about the imposition of the death penalty for blasphemy. The UK government opposes the death penalty in all circumstances. Women's rights issues remain a concern. We hope the new government will keep to the pledge of the out-going government to review the Hudood ordinances on Islamic punishments. We are particularly concerned by so-called "honour" crimes against women, forced marriages, domestic violence, kidnap and rate. We believe much can be done to promote women's rights within the existing Islamic legal framework.

Israel

Mr. Alan Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Israeli Government concerning *(a)* the resettlement of Bedouin in the Negev and *(b)* the provision of services to Bedouin in the Negev; and if he will make a statement. [101584]

Mr. Mike O'Brien: The Israeli Cabinet will soon vote on a proposal to relocate 70,000 Bedu from the Negev to seven existing settlement areas. I have asked our Embassy in Tel Aviv to raise concerns about the treatment of the Bedu with the Israeli Ministry of Foreign Affairs. We continue to monitor developments closely.

Our Ambassador in Tel Aviv visited the Bedu Regional Council of the Unrecognised Villages on 18 February as part of our Embassy's continuing dialogue with them. In 2002, our Embassy in Tel Aviv completed a successful advocacy-training programme for Bedu leaders and will shortly fund the construction of an 'environmental' medical centre for several unrecognised villages. The Regional Council has warmly welcomed our interest in, and support for, the Bedu's plight.

North Korea

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the nuclear programmes in *(a)* Iran and *(b)* North Korea; and if he will make a statement. [101822]

Mr. Mike O'Brien: There has been concern about the nuclear ambitions of both Iran and North Korea for sometime. The IAEA Director-General has recently returned from a fact finding mission to Iran. We await his report to the IAEA Board of Governors.

On North Korea's programme I refer the hon. Member to the answer given him by my hon. Friend the Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office (Mr. Rammell) today UIN 101823.

We continue to monitor closely developments in both countries.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the threat posed to the United Kingdom by North Korea's nuclear programmes. [101823]

Mr. Rammell: We assess that North Korea has the technical capacity to manufacture nuclear weapons, and that the volume of plutonium it has diverted from its nuclear programme would be sufficient to make one or two weapons. We also believe that North Korea could flight test a missile with the potential to reach Europe within weeks of a decision to do so. Once such a missile was flight-tested, it would take several years to deploy the missile operationally.

Assessment of threat is based on both capability and intent. We currently have no evidence of North Korean intent to target the UK.

We deplore North Korea's recent actions, including the expulsion of the International Atomic Energy Agency (IAEA) monitors from Yongbyon, and the stated intention to withdraw from the Nuclear Non-Proliferation Treaty.

Sudan

Mr. Roy: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Sudan on the clearances of villages in the oil field area of Southern Sudan. [101586]

Mr. Rammell: We are in regular contact with the Government of Sudan. The US-led Civilian Protection Monitoring Team (CPMT) has investigated alleged attacks against civilians in Western Upper Nile as part of their normal mandate. At the request of Lt-Gen. Sumbeiywo the CPMT has also investigated alleged violations of the Memorandum of Understanding on cessation of hostilities which was signed at Machakos on 15 October 2002 and extended on 18 November 2002.

On 4 February the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) signed an addendum which aims to strengthen the MoU. It contains many new and welcome initiatives, including the establishment of a Verification Monitoring Team to investigate alleged violations of the MoU by the Government of Sudan and the SPLM/A, to build confidence between the parties and make more unlikely the sorts of outbreaks of fighting which we have seen recently in Western Upper Nile. We are ready to contribute personnel and resources to this operation.

Mr. Roy: To ask the Secretary of State for Foreign and Commonwealth Affairs how many UK nationals are employed in the southern oil fields of Sudan. [101587]

Mr. Rammell: We cannot state with certainty how many UK nationals are in Sudan. UK nationals are not obliged to register at the British Embassy in Khartoum. Of those who have registered 26 state that they work in the oil industry in south Sudan.

Mr. Roy: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had on the progress of peace negotiations in Sudan. [101590]

Mr. Rammell: The UK role in supporting the peace process is performed jointly by the FCO and DFID. The UK Special Representative for Sudan, Alan Goulty, leads the UK observer delegation at the peace talks. We continually carry out intensive consultations at ministerial and official level with the Government of Sudan and the Sudan People's Liberation Movement/Army in support of the Inter-Governmental Authority on Development (IGAD) peace process. My right hon. Friend the Foreign Secretary most recently met the Sudanese Foreign Minister at UNGA in September 2002.

United Nations Security Council

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what his definition is of the phrase material breach as used in United Nations Security Council Resolutions. [101991]

Mr. Rammell: As my right hon. Friend the Foreign Secretary said in the House on 7 November 2002, *Official Report*, column. 437,

> "material breach is a term of art familiar in international law"

and

> "means something significant, some behaviour or pattern of behaviour that is serious".

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government means by the term serious consequences used in the draft resolution on Iraq presented by it, the United States and Spain to the United Nations Security Council on 24th February. [102076]

Mr. Rammell: As the Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office my hon. Friend the Member for North Warwickshire (Mr. O'Brien) stated on 4 March in a written reply to a question from my hon. Friend the Member for Morley and Rothwell (Mr. Challen), *Official Report*, column 915W, the Council has warned Iraq that it will face serious consequences as a result of its continued violation of its obligations. As the Government have made clear, that means consequences up to and including the use of force.

Zimbabwe

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what applications *(a)* Mr. Robert Mugabe and *(b)* other Zimbabweans subject to the EU travel ban have made to visit Europe in the next three months; and if he will make a statement. [101780]

Mr. Rammell: We are not aware of any such applications.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the members of the Commonwealth troika on Zimbabwe; what assessment he has made of Zimbabwe's position in the Commonwealth following these discussions; and if he will make a statement. [101820]

Mr. Rammell: We have a regular dialogue with Presidents Mbeki and Obasanjo and Prime Minister Howard about the situation in Zimbabwe. The political, economic and humanitarian situation has further deteriorated since Zimbabwe's suspension from the Commonwealth Councils on 18 March 2002. Zimbabwe has made no progress towards meeting the principles of good governance as set out in the Commonwealth's Harare declaration. On that basis, we see no justification for lifting its current suspension from the Commonwealth Councils.

HEALTH

Avian Flu

Mr. Wiggin: To ask the Secretary of State for Health what implications for human health avian influenza has. [102366]

Ms Blears: Avian influenza viruses very occasionally infect humans. However, this is a very rare event. An outbreak of avian influenza (strain H5N1) in Hong Kong in 1997 resulted in the death of six people. There was no evidence of human to human spread. In Europe there have been several cases of avian flu without any human consequences. The United Kingdom has plans in place to deal with a pandemic situation should the need arise.

Dietary Advice

Hugh Robertson: To ask the Secretary of State for Health what percentage of the Government's five-a-day programme for schools is sourced from British fruit and vegetables. [102547]

Ms Blears *[holding answer 12 March 2003]:* Under the National School Fruit Scheme, which is part of the five a day programme, apples, pears, bananas and satsumas are provided free to children aged four to six. Since the beginning of the current school year, approximately 63 per cent., of apples and 73 per cent., of pears have been of United Kingdom origin.

The Department is working with a range of partners to maximise the opportunities for UK growers to supply to the scheme, including expanding the range of produce provided to include other types of fruit and vegetables.

Dr. Gibson: To ask the Secretary of State for Health what action is being taken to encourage low income groups to increase their consumption of fresh fruit and vegetables. [97324]

Ms Blears: The Government's Five-a-day programme, a NHS Plan commitment, aims to increase access to, and availability and consumption of, fruit and vegetables particularly in low-income groups. Following successful piloting by the Department of Health, the New Opportunities Fund is providing £10 million over the next two years to support 66 local community initiatives led by primary care trusts (PCTs) based in the most deprived areas of England. Evaluation of the initial Department of Health Five-a-day community pilots showed that those who ate less than five a day at baseline increased their intakes by one portion over the course of the study.

The Five-a-day communications programme will provide clear and consistent messages about Five-a-day, including the benefits of eating at least five portions of a variety of fruit and vegetables each day and portion sizes. Work is also in progress with different organisations from across industry, including retailers, producers and caterers, as well as across government and with other agencies, to improve people's access to fruit and vegetables.

Fully operational by 2004, the National School Fruit Scheme will entitle every child aged four to six in infant schools to a free piece of fruit each school day, as part of a national strategy to improve the diet of children. In addition, local initiatives to increase fruit and vegetable consumption in low-income groups may be found through health action zones, sure start, healthy living centres and other PCTs.

Oldchurch Hospital

Mr. Rosindell: To ask the Secretary of State for Health how many complaints have been received about Oldchurch Hospital in the London Borough of Havering in each of the last 10 years. [101981]

Mr. Hutton: The Department does not routinely collect statistics on the number of complaints received about hospitals. We do receive letters from hon. Members and from the public in respect of complaints about the National Health Service. However, NHS complaints are best dealt with at local level through the NHS complaints procedure. Therefore, letters received by the Department are transferred to the relevant NHS trust where appropriate.

In the last four years Ministers have received directly the following numbers of letters of complaint about Oldchurch Hospital.

Year	*Number of Letters*
2000	56
2001	65
2002	23
2003	15

Information on previous years could be provided only at disproportionate cost.

Mr. Rosindell: To ask the Secretary of State for Health if he will make a statement on accident and emergency services at Oldchurch Hospital in the London Borough of Havering. [101984]

Mr. Hutton: Improving patients' experience of emergency care is essential. In light of this, "Reforming Emergency Care" was launched in October 2001, supported by £118 million investment. It sets a long-term programme of reform supported by extra investment and new capacity to address one of the public's key concerns about the national health service—waiting in accident and emergency (A&E).

The NHS Plan set the target to reduce by 2004, the maximum time any patient spends in A&E from arrival, transfer or discharge to four hours. Barking and Havering Hospital NHS Trust is continuing to work toward achieving this target.

Joint Working

Mr. Gardiner: To ask the Secretary of State for Health what plans he has to combine the skills of health visitors and social workers. [102109]

Jacqui Smith: The Department is investing funds from the new human resources development strategy specific grant to support pilot sites to encourage and facilitate joint working across traditional professional roles. We are working in partnership with employers, across service boundaries, to develop new types of workers at different levels of expertise.

Our aim is to consider how social care provision can be improved through new ways of delivering services that make the best use of staff skills and have the needs of the service user as their focus.

Chorley Hospital

Mr. Hoyle: To ask the Secretary of State for Health what budget provision has been made for the employment of agency *(a)* doctors, *(b)* nurses and *(c)* other staff at Chorley Hospital for the next financial year. [101816]

Jacqui Smith: There is no specific budget set aside for agency staff at the Lancashire Teaching Hospitals National Health Service Trust.

Mr. Hoyle: To ask the Secretary of State for Health how many agency staff have been employed at Chorley Hospital *(a)* as doctors, *(b)* as nurses and *(c)* in other capacities in each of the last three years. [101413]

Jacqui Smith: The information available is shown in the tables.

Doctors employed at Chorley Hospital since March 2000

	Number
1 March 2000 to 28 February 2001	83
1 March 2001 to 28 February 2002	149
1 March 2002 to 28 February 2003	187

Note:

The figures are shown as employment episodes. The length of each employment episode varies from a 1 day/night cover to very occasional periods of several months.

Nurses employed at Chorley Hospital since March 2000

	Number
1 March 2000 to 28 February 2001	No records kept
1 March 2001 to 28 February 2002	2,831
1 March 2002 to 28 February 2003	4,280

Note:

The figures shown are for the number of shifts agency nurses have worked. Data is only collected in this manner.

Other staff employed at Chorley Hospital since March 2000

	Number
1 March 2000 to 28 February 2001	No records kept
1 March 2001 to 28 February 2002	4
1 March 2002 to 28 February 2003	13

Note:

Other staff comprises of staff in the allied health professions and includes physiotherapists, radiographers and occupational therapists. The figures are shown as whole time equivalents.

Source:

Lancashire Teaching Hospitals NHS Trust

In all three categories, and particularly medical staff, the increase of the number of posts is due to major expansion of services since 2001.

Mr. Hoyle: To ask the Secretary of State for Health how many mental health beds are available at Chorley hospital; and how many were available in each of the last 30 years. [102545]

Jacqui Smith: Information on bed numbers is collected at national health service trust level and not by individual hospital site.

From 1996–97 bed information for each NHS trust is available from the Department of Health website http://www.doh.gov.uk/hospitalactivity/

Alcohol-related Illness

Tim Loughton: To ask the Secretary of State for Health what recent international studies his Department has conducted into the effects of alcohol-related illnesses and deaths on countries' economies. [101068]

Ms Blears: The Department of Health has conducted no recent international studies on the effects of alcohol-related illnesses and deaths on countries' economies. However, the Cabinet Office strategy unit have looked at the strategies in a number of different countries as part of their work on developing the national alcohol harm reduction strategy.

Audiology

Mr. Boswell: To ask the Secretary of State for Health how much has been spent to date on audiology modernisation *(a)* in phase I and *(b)* in phase II; how much is allocated for completion of the national programme; and how much of the total will (i) be offset by PCT expenditure and (ii) be raised by public/private partnership arrangements. [98675]

Jacqui Smith: The Government invested £10.75 million on the first wave of the modernising hearing aid services project and a further £20 million on the second wave. A further £94 million has been allocated to ensure that a modernised service is rolled out to all national health service hearing aid services in England by April 2005. Primary care trusts are expected to contribute 25 per cent. of any additional revenue costs that are incurred through modernisation.

Involving private hearing aid dispensers in providing NHS digital hearing aids has been tested out in two areas of the country. The trial has been very successful. On this basis, the plans for national roll-out of digital hearing aids will include developing public/private partnerships to boost NHS capacity, and to improve access for patients by providing a service "on the High Street" rather than in the hospital.

Bed Blocking

Miss McIntosh: To ask the Secretary of State for Health what steps his Department is taking to tackle bed blocking in York and North Yorkshire. [95202]

Jacqui Smith: The Department of Health has been proactive in a number of areas to help improve the problems arising from delays in patients being discharged from hospitals in York and North Yorkshire.

In 2002–03 funding of £2.3 million has been available to local authorities in North Yorkshire, through the Building Care Capacity Grant to reduce delay in discharging people from hospital.

The change agent team has also been engaged to assist the City of York, York Health Services NHS Trust, and the Selby &York Primary Care Trust to review and devise a more strategic approach to ensuring effective patient care, assessment and placement.

Funding has also been made available to the York and North Yorkshire Councils under the Innovations Fund to help with the assessment processes and intermediate care.

The Community Care (Delayed Discharges) Bill will also help tackle the problem by making councils responsible for meeting the costs to the national health service of delayed discharges where the councils' interventions could prevent the delay.

Care Homes

Mr. Rosindell: To ask the Secretary of State for Health what representations he has received from the London Borough of Havering regarding funding for care homes; and what his response has been. [101977]

Jacqui Smith: I am not aware of any recent representations from the London Borough of Havering regarding funding for care homes.

Mr. Burstow: To ask the Secretary of State for Health pursuant to his Answer of 25 February 2003, *Official Report,* column 514W, to the hon. Member for East Worthing and Shoreham, on the Care Standards Act 2000, if he will place copies of the consultation in the Library. [101799]

Jacqui Smith: A copy of the analysis of the responses to the consultation document on amended standards for care homes for older people and adults (18–65) has been placed in the Library.

Children's Servies

Mr. Peter Duncan: To ask the Secretary of State for Health if he will make a statement on the extent of parental responsibility to register children with *(a)* local GPs and *(b)* other health professionals. [98342]

Mr. Hutton *[holding answer 24 February 2003]:* At present patients register with a general practitioner to receive general medical services or with a personal medical services (PMS) pilot provider to receive PMS. In either case the service is provided by a GP or by another health care professional as appropriate. Patients do not, however, register separately with such other health care professionals.

A registration application may be made on behalf of a child by either parent, or in the absence of both parents, the guardian or other adult person who has the care of the child. Registration is not compulsory but the Government encourage everyone to do so for the benefit of the child, the family and the wider community.

Mr. Ben Chapman: To ask the Secretary of State for Health if he will make a statement on the provision of sustainable funding for children's hospices. [102544]

Ms Blears: The funding of hospices is a matter for local discussion and agreement and must be based on local health needs assessment. It is therefore important that hospices engage as much as possible with the health service. The package of care provided should be discussed with the local primary care trust, which is responsible for deciding which health services the local population requires, and ensuring the provision of these services.

Mr. Gardiner: To ask the Secretary of State for Health what account the Children's National Services Framework is taking of multi-disciplinary, multi-agency working. [102103]

Jacqui Smith: Developing work from the external working groups working on the national service framework for children, young people and maternity services has emphasised the need for multi-disciplinary multi-agency working. This is likely to be reflected in the final document.

Mr. Norman: To ask the Secretary of State for Health (1) how many children under six have been removed from *(a)* GP lists and *(b)* primary care trusts in each year since 1998; and what the reasons were for the removal; [99182]

(2) how many children under six are receiving only immediate and necessary treatment from GPs or primary care trusts. [99181]

Mr. Hutton: A patient may register with a general practitioner to receive general medical services (CMS) or with a personal medical services (PMS) pilot provider to receive PMS. Patients do not register with a primary care trust (PCT) to receive National Health Service treatment unless that PCT is itself a PMS pilot provider.

Registration is not compulsory but the Government encourages everyone to do so for their own benefit and for that of the wider community. No data are, however, held on the number of people who are not registered with a GP or PMS pilot provider. It is not necessary to register with a GP to receive emergency or immediately necessary treatment and GPs are required to provide this to anyone who needs it at the time they need it.

Although the Department collects information on the number of patients removed from lists, data are not collected or held on the ages of the patients concerned nor on the reasons for their removal, other than whether there was an act or threat of violence.

Correspondence

Helen Jones: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for Warrington, North concerning Mrs. Gwatkin of Warrington dated 29 October 2002. [96405]

Ms Blears *[holding answer 7 February 2003]:* A reply was sent to the hon. Member on 26 February.

Disabled Children

Mr. Ben Chapman: To ask the Secretary of State for Health (1) if he will make a statement on the External Working Group on disabled children with special reference to children with palliative care needs; [102542]

(2) if he will make a statement on the task group to review the needs of children with severe disabilities and complex life-limiting or terminal conditions. [102543]

Jacqui Smith: The external working group developing national service framework (NSF) standards for the ill child, which includes those with long term conditions, and the external working group on disabled children's services, are by joint working arrangements considering the particular needs of children with complex life-limiting conditions and those who require palliative care.

Themes that are emerging so far, and likely to be covered, include the need for greater flexibility in service delivery and for multidisciplinary and multi-agency partnership working.

The "Children's NSF—Emerging Findings" document, to be issued shortly, will give an overview of the areas that are likely to be included in the final NSF.

Drugs

Mr. Battle: To ask the Secretary of State for Health (1) how many registered drug addicts there were in the *(a)* Leeds, West constituency and *(b)* the city of Leeds in each year since 1995; and if he will make a statement. [96969]

(2) how many registered drug addicts there are in the *(a)* Leeds, West constituency and *(b)* the city of Leeds; how many registered drug addicts in the (i) Leeds, West constituency and (ii) the city of Leeds are receiving (A) rehabilitation and (B) other forms of drug treatment; and if he will make a statement. [96970]

Jacqui Smith: The Information is not available in the form requested.

Following the closure of the Home Office Addicts Index in 1997, the regional drug misuse databases (RDMDs) were the main source of information on people presenting to drug treatment services with a drug problem.

A one off exercise was carried out to estimate the number of drug users in England in contact with drug treatment agencies in 2000–01. Around 2,105 individuals were reported to be in contact with drug treatment agencies in Leeds health authority in 2000–01.

Information on the numbers of users reported as presenting to drug treatment services for treatment in the Leeds HA is given in the table.

Number of users reported as presenting for treatment for drug misuse in Leeds health authority during the six months periods ending 30 September 1996 to 31 March 2001

Six month period ending	*Number*
September 1996	664
March 1997	653
September 1997	498
March 1998	536
September 1998	927
March 1999	895
September 1999	816
March 2000	910
September 2000	746
March 2001	787

Sources:

The Department of Health series of Statistical Bulletins "Statistics from the Regional Drug Misuse Databases". Bulletins for the six months ending March 1998 onwards are available at http://www.doh.gov.uk/public/work public health.htm

The number of drug misusers in Leeds HA receiving rehabilitation and other forms of treatment in 2000–01 is shown in the table. In addition, drugs misusers usually resident in Leeds may be attending rehabilitation centres (or other forms of treatment) outside the area.

Number of drug misusers in treatment in Leeds HA by type of agency, 2000–01

Agency Type	*Number*
Community: Specialist services	1,713
Community : General Practitioners	289
Structured Day programmes	219
Resident rehabilitation	19
Others	85
Total	2,105

Notes:

1. In the case of residential rehabilitation, places are often purchased at a residential centre that may be outside the drug misusers area of residence. In practice some local authority social services departments agree to fund long distance placements with the agreement of the drug misuser so he/she can be removed from the area where they are involved in drug using. This means that in theory drug misusers resident in Leeds may be receiving treatment in rehabilitation centres elsewhere in England.

2. Following NHS reorganisation in 2002, Leeds health authority became part of West

Yorkshire Strategic health authority.

3. Data from the Leeds Drug Action Team shows investment and attendance as 201 additional structured day programmes and 19 placements in residential rehabilitation.

Source:

Department of Health Statistical Bulletin—"Statistics from the Regional Drug Misuse Databases on drug misusers in treatment in England, 2000/01" http://www.doh.gov.uk/public/sbQ133.htm

John Mann: To ask the Secretary of State for Health if he will commission research into opioid substitution therapy. [101578]

Ms Blears: The National Treatment Agency for Substance Misuse (NTA) is aware that there is well-developed research evidence into the use of opioid substitution therapy— particularly into the effectiveness of oral methadone maintenance treatment. An important part of the NTA role is to support high quality evidence based practice. It is recognised that some findings from the evidence base are not fully implemented and the NTA has built a variety of mechanisms to support the implementation of key research findings into to practice, including briefings, training, commissioning guidance and increasingly performance management systems. The NTA is also working with the Department of Health to develop dissemination of the findings of its current drug treatment research programme. The NTA has recently published a briefing on the advice of its expert group on prescribing, which includes a brief review of the evidence base for opioid treatment.

Copies have been placed in the Library.

The NTA will commission new research in line with the outcome of its current priority setting exercise that is awaiting approval by the NTA Board in March. Research bodies will be invited to submit tenders in line with these priorities.

Food Supplements

Mr. Austin Mitchell: To ask the Secretary of State for Health what representations he is making to the European Food Standards Agency about ingredients formerly used in foods in the UK but not included in the annexes of the Food Supplement Directive as available for use in the manufacture of food supplements. [102617]

Ms Blears: Lists of permitted vitamins and minerals and their sources in the Annexes to the Food Supplements Directive remain open pending safety assessments of additional substances by the European Union Scientific Committee on Food (SCF) or its successor in the European Food Safety Authority. The Food Standards Agency has written to the European Commission with the aim of facilitating a meeting between United Kingdom stakeholders and representatives of the SCF to discuss the technical content of such dossiers.

Mr. Austin Mitchell: To ask the Secretary of State for Health (1) whether he will propose an amendment to the EU Food Supplements Directive to permit the sale in the UK of products not listed in the Directive but recognised by the competent UK authorities as safe and which are already on the market in the UK; [102619]

(2) what *(a)* representations he has received from and *(b)* discussions he has held with the Food Standards Agency about the EU Food Directive; and if he will incorporate the Agency's views in proposals he makes for the revision of the Directive. [102618]

Ms Blears: The Government have no plans to seek an amendment to the European Union Food Supplements Directive. They have already secured provisions which enable member states to allow the continued sale of products which do not comply with the compositional requirements up to 31 December 2009, provided certain criteria are met.

Foundation Trusts

Mr. Gibb: To ask the Secretary of State for Health if he will make a statement on the legal status of foundation trusts. [102176]

Mr. Hutton: Our proposals for national health service foundation trusts are set out in "A Guide to NHS Foundation Trusts". Subject to parliamentary approval NHS foundation trusts will be established under provisions to be included in the Health & Social Care (Community Health & Standards) Bill, which was published on 13 March.

Mr. Gibb: To ask the Secretary of State for Health what will happen to a foundation hospital if it fails to meet its liabilities. [102179]

Mr. Hutton: The Independent Regulator would be able to intervene at national health service foundation trusts if it fails to meet its liabilities. The policy is explained in paragraphs 3.34 to 3.38 of "A Guide to NHS Foundation Trusts". The provisions that apply if an NHS foundation trust fails to meet its liabilities are set out in the Health & Social Care (Community Health & Standards) Bill.

Mr. Gibb: To ask the Secretary of State for Health (1) what plans he has to allow primary care trusts to become foundation institutions; [102177]

(2) what plans he has to expand the provision of foundation status beyond the acute healthcare sector. [102174]

Mr. Hutton: The policy for applications for national health service foundation trust status is set out in 7.3 of "A Guide to NHS Foundation Trusts".

Mr. Gibb: To ask the Secretary of State for Health how non-executive directors will be appointed to foundation hospital boards. [102181]

Mr. Hutton: Non-executive directors will be elected by members of the Board of Governors of the national health service foundation trust. Details of the policy are set out in paragraph 2.33 and 2.34 of "A Guide to NHS Foundation Trusts".

Dr. Evan Harris: To ask the Secretary of State for Health whether trusts applying for foundation status will be obliged to have consulted other acute trusts in their local area before being granted foundation status. [102209]

Mr. Hutton: The principles for local consultation by National Health Service foundation trust second stage applicants is set out in paragraph 7.11 of "A Guide to NHS Foundation Trusts".

Illegal Meat Imports

Tim Loughton: To ask the Secretary of State for Health what arrangements he has with the Home Office, Customs and Excise and DEFRA *(a)* to prevent and *(b)* to detect illegally imported meat entering the UK. [102163]

Ms Blears: The Food Standards Agency works closely with the Department for Environment, Food and Rural Affairs and Her Majesty's Customs and Excise on issues concerning the illegal import of meat and is assisting these departments as part of a cross-government action plan to improve enforcement and control of illegal imports. The FSA does not have arrangements currently with the Home Office in this area of work.

International Nurses Advice Line

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 4 March 2003, ref 99682, on the international nurses advice line, if he will break down the calls by the type of caller's query or problem; in how many cases caller's information has been passed to his Department at the caller's request; where callers heard about the advice line; how many repeat callers there were to the line; what the outcome was of problem resolution; and whether calls are recorded. [102562]

Mr. Hutton: The types of queries and problems made by callers to the international nurses advice line are not recorded. Issues that cannot be resolved by the call operators are directed to the Department of Health. To date 15 cases have been forwarded to the Department of Health for further assistance and were dealt with either by direct contact with the caller or by putting the caller in contact with the appropriate nursing association.

Callers, when asked by operators, had heard of the advice line through various media and these included leaflets, posters and press articles, and through word of mouth.

Data indicate that there have been three repeat callers to the advice line since its operation. The calls are not recorded but are monitored.

Inventures

Tim Loughton: To ask the Secretary of State for Health whether the former Runwell Hospital site in Wickford, Essex has been included in the bulk sale of properties in the Inventures disposal; what *(a)* price and *(b)* terms will be secured by its sale; whether it will be sold with planning permission; and how much has been spent on the (i) maintenance and (ii) refurbishment of the site in the last three years. [102152]

Mr. Hutton *[holding answer 10 March 2003]:* This hospital has been included in the portfolios of properties that will form the basis of the proposed real estate partnership with the private sector. Miller/Bank of Scotland have been chosen as preferred partner.

The price and other terms of the sale are commercially confidential. A planning application for alternative uses has been submitted which Miller/Bank of Scotland will pursue.

The hospital is not expected to close until 2006–7. In the past three years £1.5 million has been spent upgrading wards to meet fire regulations. A further £1.4 million has been invested in securing a safe and appropriate environment for staff and patients until the site is no longer needed for National Health Service use.

Local Government Grant Formulae

Mr. Gardiner: To ask the Secretary of State for Health pursuant to his Answer of 5 February 2003, *Official Report,* column 314W, on local government grant formulae, what response he has made to the concerns raised by the Association of London Government in its report "The 2003–04 Local Government Finance Settlement" about the children's formula used in the local government grant formula. [101290]

Jacqui Smith: I wrote to Sir Robin Wales on 24 February responding to the points raised by the Association of London Government on the 2003–04 Local Government Finance Settlement.

The current formulae were reviewed openly with local government and there was a public consultation last summer.

Long-term Care

Mr. Burstow: To ask the Secretary of State for Health if he will place in the Library a copy of letter E.814/00–01, referred to in paragraph 21 of the report by the Health Service Ombudsman on NHS funding for long term care. [99383]

Jacqui Smith: A copy of the letter E.814/00–01 referred to in paragraph 21 of the Health Service Ombudsman's report on National Health Service funding for long term care has been placed in the Library.

Looked-after Children

Mr. Burstow: To ask the Secretary of State for Health what his policy is on looked after children attending *(a)* private and *(b)* public boarding schools; and if he will make a statement. [99379]

Jacqui Smith: I refer the hon. Member to the reply given by my hon. Friend the Under-Secretary of State for Education and Skills on 12 March 2003, *Official Report*, col. 297W.

NHS Managers

Mr. Gibb: To ask the Secretary of State for Health (1) how many managers recruited from the private sector since 1998 have left the NHS; and if he will make a statement; [101885]

(2) how many private sector managers have been recruited since 1998 *(a)* to run central NHS facilities and *(b)* to work in primary care trusts; and if he will make a statement. [101884]

Mr. Hutton: The information requested is not collected centrally.

Dr. Evan Harris: To ask the Secretary of State for Health what research his Department has commissioned into the cost of managers to the NHS. [102520]

Mr. Hutton: The Department of Health has not commissioned any research into the cost of managers to the national health service.

Mental Health

Tim Loughton: To ask the Secretary of State for Health what specific financial provision he has made for increase in demand for specialist mental health services following forthcoming military action in the Gulf. [101083]

Jacqui Smith [*holding answer 6 March 2003*]: There are no funds specifically earmarked for the provision of additional specialist mental health services following any military action in the Gulf.

Mr. Gibb: To ask the Secretary of State for Health if he will make a further statement on the performance rating system in the mental healthcare sector. [102178]

Mr. Hutton: In July 2002, mental health trusts received an indicative rating on their performance during 2001–02. Later this year, the Commission for Health Improvement will publish full performance ratings for mental health trusts based on their performance during 2002–03.

Tim Loughton: To ask the Secretary of State for Health how many adolescent mental health patients have been accommodated in adult mental wards in NHS establishments in the last 12 months; and what percentage of the total number treated this represents. [96059]

Jacqui Smith: The following data are taken from the Mental Health Service and Financial Framework Report, 2001–02 outturn, the latest available. There were 64,920 occupied bed days (OBDs) for patients under age 18 on adult psychiatric wards during 2001–02.

This represents 36 per cent. of the total number of hospital OBDs (180,642) for that age group on both child and adolescent and adult wards during that year. 82 per cent. of the OBDs of under 18 year olds on adult wards, that is 53,243 out of 64,920, represented patients in the 16–18 age range; only 18 per cent. 11,677, represented those under age 16.

MRI Scans

Mr. Gordon Prentice: To ask the Secretary of State for Health what the waiting time is for an MRI scan at *(a)* Airedale NHS Trust and *(b)* Burnley Healthcare NHS Trust. [101207]

Jacqui Smith: The information requested is not available centrally.

Multiple Sclerosis

Mr. Burstow: To ask the Secretary of State for Health what progress is being made on increasing the availability of beta interferon for MS sufferers in Sutton. [101513]

Mr. Hutton: Sutton and Merton Primary Care Trust (PCT) has implemented the risk-sharing scheme for drugs for patients with multiple sclerosis (MS). All eligible patients are being fully funded. These services are being provided to MS patients in Sutton and Cheam at Atkinson Morley Hospital, which is part of St. George's Healthcare National Health Service Trust.

Muscular Dystrophy

Mr Vernon Coaker: To ask the Secretary of State for Health (1) if he will make a statement on his plans to increase the funding spent on research into *(a)* the treatment and *(b)* the causes of muscular dystrophy; and if he will make a statement; [100968]

(2) what estimate he has made of the amount of Government funding in 2002–03 for research into *(a)* the treatment and *(b)* the causes of muscular dystrophy; and if he will make a statement. [100966]

Jacqui Smith: The main agency through which the Government supports medical and clinical research is the Medical Research Council (MRC). The MRC is an independent body, which receives its grant-in-aid from the Office of Science and Technology. In 2001–02, the MRC spent an estimated 2 million on muscular dystrophy research. This was an increase on the estimated £1.1 million spent in 2000–01. Figures for 2002–03 are not yet available.

National Institute for Clinical Excellence

John Mann: To ask the Secretary of State for Health what assessment he has made of the effect on NHS funding of a growing list of NICE approved treatments. [101577]

Ms Blears: I refer my hon. Friend to the reply I gave to the hon. Member for Oxford West and Abingdon (Dr. Evan Harris) on 12 February 2003, *Official Report*, column 824W. The cost of implementing appraisal guidance issued by the National Institute for Clinical Excellence has been taken into account in the funding provided to the national health service.

Neurology

Mr. Hancock: To ask the Secretary of State for Health what actions he is taking to reduce waiting lists for neurologists; and if he will make a statement. [100106]

Mr. Hutton: The Government are reducing maximum waiting times. As part of the NHS Plan, the maximum waiting time for a first outpatient appointment will fall each year from over six months, down to five, four and finally three months by 2005. The Government's eventual objective is to reduce the maximum wait for any stage of treatment to three months. Provided that the Government can recruit the extra staff, and the National Health Service makes the necessary reforms, the Government hopes to achieve this objective by the end of 2008.

Manpower has been recognised as key to the successful delivery of the NHS Plan and the national service frameworks (NSF). The long term conditions care group workforce team has been set up to support workforce development in the fields of diabetes, renal and long-term conditions. Its aim is to help deliver a multidisciplinary and integrated health and social care workforce to support service improvement.

With regard to neurology, the care group makes recommendations on workforce numbers across the specialty including doctors and nurses. Recommendations are also made on changes in service delivery models to facilitate the best use of all staff.

Between September 1997 and March 2002, consultant numbers in neurology increased by 34 per cent.. During the same period, consultant numbers in neurosurgery increased by 21 per cent..

We are developing a national service framework for long-term conditions, which will have a particular focus on neurological conditions. It is scheduled for publication in 2004, and implementation from 2005. The NSF will help to drive up standards and improve the quality of, and access to, care for people with neurological conditions.

NHS Funding

Mr. Burstow: To ask the Secretary of State for Health which NHS bodies have received direct funding from the Regional Office; and how much was paid to each NHS body, broken down by Directorate of Health and Social Care, in each of the last three years. [100711]

Mr. Hutton *[holding answer 5 March 2003]:* Disclosure of these amounts can be analysed, along with other sources of income, in the income note of a national health service body's accounts. NHS accounts are published locally and are available from the individual NHS body.

NHS Trusts

Mr. Gibb: To ask the Secretary of State for Health whether the annual performance rating system for NHS trusts *(a)* is independent from the Government and *(b)* takes into account hospital specialisation; and if he will make a statement. [102175]

Mr. Hutton: The Commission for Health Improvement is the independent regulator of national health service performance and is responsible for developing indicators and publishing NHS performance ratings. Ministers continue to select key targets and the priority areas to be covered. In July 2002, specialist NHS trusts received their first performance rating based on performance during 2001–02.

Nursing and Midwifery Council

Mr. Gardiner: To ask the Secretary of State for Health what new requirements for entry to the Nursing and Midwifery Council Register have been agreed for implementation by 2005 by health visitor members of the NMC since April 2002. [102102]

Mr. Hutton: It is for the Nursing and Midwifery Council (NMC) to propose, and the Privy Council to determine the requirements for entry to the register. The NMC, which comprises equal numbers of nurse, midwife and health visitor members, is considering in consultation with the professions the parts of the future register and standards required for entry to those.

Mr. Gardiner: To ask the Secretary of State for Health what percentage of respondents to the public consultation on the Nursing and Midwifery Council Register supported direct entry to the proposed third part of the register. [102099]

Mr. Hutton: The Nursing and Midwifery Council (NMC) is an independent statutory body and is required to consult on its proposals for a new register. The NMC has not published a response to its consultation.

Mr. Gardiner: To ask the Secretary of State for Health whether the proposed third part of the Nursing and Midwifery Council Register will allow direct entry for community public healthcare professionals. [102100]

Mr. Hutton: The Nursing and Midwifery Council has powers to regulate only the professions of nursing and midwifery.

Mr. Gardiner: To ask the Secretary of State for Health whether the Nursing and Midwifery Council supports the proposals to expand the third part of the NMC register to include nurses and midwives who work as specialists in community and public health. [102101]

Mr. Hutton: The Nursing and Midwifery Council is the body responsible for making proposals in respect of the parts of the register.

Mr. Gardiner: To ask the Secretary of State for Health if he will approve a non direct entry proposal for the proposed third part of the NMC Register only as an interim measure until the children's workforce planning group has reported its findings. [102104]

Mr. Hutton: The Nursing and Midwifery Council (NMC) has powers to regulate only the professions of nursing and midwifery. A proposal for a non-direct entry third part of the NMC register will be considered and if appropriate, approved by the Privy Council.

The NMC will want to consider the implications for the register of any report by the children's workforce planning group when that report is available.

Mr. Gardiner: To ask the Secretary of State for Health if he will amend the Nursing and Midwifery Order 2001 to allow a three part register that is equitable across the three groups regulated by the Nursing and Midwifery Council. [102105]

Mr. Hutton: No. The Order allows, if the Council propose it and the Privy Council agree it, for there to be a three part register that is equitable across the three groups regulated by the Nursing and Midwifery Council, each part with a designated title indicative of different qualifications and different kinds of educational training.

Obesity

Tim Loughton: To ask the Secretary of State for Health what plans he has to introduce a National Standards Framework to tackle obesity. [100546]

Ms Blears: The Government are not considering a national standards framework (NSF) for obesity. However, action to address obesity is being taken forward through the NSF for coronary heart disease and older people. Action to reduce obesity will be necessary to meet Standard 1 of the NSF for diabetes.

Following publication of the Government's strategy for sustainable farming and food, the Department of Health is leading on developing a food and health action plan. This will pull together all of the issues on diet and nutrition, which is of direct relevance to the prevention and management of obesity, and promote action at national, regional and local levels.

Current guidance available to contribute to tackling obesity includes guidance issued by the National Institute for Clinical Excellence on the anti-obesity drugs orlistat and sibutramine, and surgery and a national quality assurance framework for exercise referral systems to promote physical activity. The evidenced-based Five-a-day handbook will support staff in primary care trusts and other organisations to establish community-wide initiatives to increase fruit and vegetable consumption, and the Health Development Agency is providing a report setting out the evidence base for the prevention and treatment of overweight people and obesity, and the maintenance of weight loss. Evidence from the local exercise action pilots will also provide guidance for increasing physical activity levels.

Older People (Drug Treatment)

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the change from traditional to atypical antipsychotics drugs to treat older people in *(a)* care homes and *(b)* hospitals; what assessment he has made of possible over-medication of people using antipsychotic drugs; and if he will make a statement. [99380]

Jacqui Smith: Information about the prescribing of antipsychotic drugs is only available in relation to prescriptions dispensed in the community. It is estimated that, in 2001, just under 40 per cent. of antipsychotics dispensed to older people were atypicals, while in April-September 2002 this proportion is estimated to have increased to just over a half. There are likely to be a number of reasons for the move to atypicals. One is that clinicians believe they are better tolerated by patients than traditional antipsychotices. The Government is aware of concern about the possible overuse of antipsychotic drugs for older people A number of steps should help ensure their appropriate use—in particular, implementation of the medicines management supplement of the older people's national service framework and the requirements in the care homes national minimum standards.

Parliamentary Questions

Tim Loughton: To ask the Secretary of State for Health when the hon. Member for East Worthing and Shoreham will receive answers to his questions refs *(a)* 89928, *(b)* 92551 and *(c)* 92538. [100502]

Jacqui Smith: I refer the hon. Member to the replies that my right hon. Friend the Minister of State gave on 26 February 2003, *Official Report*, column 636W and on 28 February 2003, *Official Report*, column 779W. I also refer the hon. Member to the reply I gave him on 12 March 2003, *Official Report*, column 338–39W.

Patient Choice

Dr. Fox: To ask the Secretary of State for Health who will determine whether a patient in Greater Manchester waiting six months for *(a)* orthopaedic treatment, *(b)* ENT treatment or *(c)* general surgery is eligible to choose an alternative hospital. [99107]

Mr. Hutton: Approval has recently been given by the Department of Health to the establishment of a national health service based "CHOICE" pilot scheme. In Greater Manchester, this is to be based around the Greater Manchester Surgical Centre at Trafford General Hospital. When fully up and running in October 2003, the pilot proposes that any patient registered with a general practitioner in Greater Manchester who has been waiting over six months in the specialties of general surgery, ear, nose and throat and orthopaedics for set of procedures will be eligible to choose an alternative treatment centre.

Practice Lists (Child Removal)

Mr. Norman: To ask the Secretary of State for Health what measures he has taken to prevent GP practices removing children not immunised against MMR from their practice list. [99179]

Mr. Hutton: General practitioners should not remove patients from their lists in these circumstances. The General Medical Council has issued guidance—"Duties of a Doctor— Good Medical Practice", which makes it clear that patients should not be removed because of the financial impact of their care or treatment on the practice.

The Department fully supports that advice. The proposed new general medical services contract which was announced on 21 February is intended not only to provide for a consistently high quality service to patients but also to avoid perverse incentives such as any which might encourage removal of patients from practice lists other than for good reason.

Smoking

Chris Ruane: To ask the Secretary of State for Health what recent research his Department has undertaken into the major health effects of passive smoking in *(a)* adults, with particular reference to pregnant women and *(b)* children, with particular reference to babies aged between eight and 12 weeks. [97575]

Ms Blears: The independent Scientific Committee on Tobacco and Health concluded in its 1998 Report that:

> Exposure to environmental tobacco smoke is a cause of lung cancer and, in those with long-term exposure, the increased risk is in the order of 20–30 per cent.
>
> Exposure to environmental tobacco smoke is a cause of ischaemic heart diseases and if current published estimates of magnitude of relative risk are validated, such exposures represents a substantial public hazard.
>
> Smoking in the presence of infants and children is a cause of serious respiratory illness and asthmatic attacks
>
> Sudden infant death syndrome, the main cause of post-neonatal death in the first year of life, is associated with exposure to environmental tobacco smoke. The association is judged to be one of cause and effect.
>
> Middle ear disease in children is linked with parental smoking and this association is likely to be causal.

The independent Scientific Committee on Tobacco and Health subsequently re-iterated this view in its 2001 Annual Report. The statement can be found on the following websites:

www.doh.gov.uk/scoth/index.htm

http://www.archive.official-documents.co.uk/document/doh/tobacco/report.htrn

No further recent research has been commissioned by the Department into the health effects of passive smoking.

Mr. Pollard: To ask the Secretary of State for Health what research he has commissioned on the effects of passive smoking in the workplace; and if he will make a statement. [98492]

Ms Blears: The independent Scientific Committee on Tobacco and Health concluded in its 1998 Report that:

> Exposure to environmental tobacco smoke is a cause of lung cancer and, in those with long term exposure, the increased risk is in the order of 20–30 per cent.
>
> Exposure to environmental tobacco smoke is a cause of ischaemic heart diseases and if current published estimates of magnitude of relative risk are validated, such exposures represents a substantial public hazard

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www.doh.qov.uk/scoth/index.htm

http://www.archive.official-documents.co.uk/document/doh/tobacco/report.htm

No further recent research has been commissioned by the Department into the health effects of passive smoking.

Mr. Chaytor: To ask the Secretary of State for Health what recent research his Department has carried out into the health implications of passive smoking. [98921]

Ms Blears *[holding answer 27 February 2003]:* The independent Scientific Committee on Tobacco and Health concluded in its 1998 Report that:

> Exposure to environmental tobacco smoke is a cause of lung cancer and, in those with long-term exposure, the increased risk is in the order of 20–30 per cent.
>
> Exposure to environmental tobacco smoke is a cause of ischaemic heart diseases and if current published estimates of magnitude of relative risk are validated, such exposures represents a substantial public hazard.
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> Smoking in the presence of infants and children is a cause of serious respiratory illness and asthmatic attacks.
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No further recent research has been commissioned by the Department into the health effects of passive smoking.

Chris Grayling: To ask the Secretary of State for Health what his policy is on *(a)* smoking in public places and *(b)* passive smoking. [98843]

Ms Blears: The White Paper, "Smoking Kills" committed the Government to working in partnership with industry to reduce the problem of exposure to passive smoke through voluntary action rather than legislation. It praised the example of the licensed hospitality industry, which agreed, with Government support, the Public Places Charter. The Charter commits signatories to increasing the provision of facilities for non-smokers, improving ventilation and giving customers better information about the level of smoke-free facilities in a given establishment.

We consider that if we are to ensure protection against passive smoking in public places, we need action nationally and locally both to raise awareness of the risks associated with passive smoking and to increase the prevalence of smoke free environments. The Department of Health will continue to encourage the development of smoke free policies, working with employers and communities.

At a national level the Department of Health has, since 1998, worked with the hospitality industry to reduce the problem of exposure to passive smoking through the development of a Public Places Charter. An independent evaluation of the Charter is being commissioned, and further work will be considered on the basis of the findings.Locally, the Department is funding tobacco control alliances across England to work in communities to raise awareness and to increase the number of smoke-free environments. Findings from these projects will inform future development of the Department's work in this area.

The Department of Health will, in addition to action already under way, develop education and information resources to raise awareness and understanding of the risks associated with passive smoking.

Mr. Chaytor: To ask the Secretary of State for Health if he will make it his policy to support legislation against smoking in the workplace. [98922]

Ms Blears *[holding answer 27 February 2003]:* Although the Government do not support legislation to ban smoking in the workplace, existing health and safety legislation, the Health and Safety at Work Act 1974, places responsibility on employers to protect the health, safety and welfare of their employees.

The Government are giving careful consideration to the Health and Safety Commission's proposals for an Approved Code of Practice on Smoking in the Workplace (ACoP). While consideration of the ACoP continues, other action is being taken to encourage the provision of smoke free areas in public and workplaces.

We consider that if we are to ensure protection against passive smoking in public places and workplaces, we need action nationally and locally both to raise awareness of the risks associated with passive smoking and to increase the prevalence of smoke free environments. The Department will continue to encourage the development of smoke free policies, working with employers and communities.

Locally, the Department is funding tobacco control alliances across England to work in communities to raise awareness and to increase the number of smoke free environments. Findings from these projects will inform future development of the Department's work in this area.

The Department will, in addition to action already under way, develop education and information resources to raise awareness and understanding of the risks associated with passive smoking.

Social Workers

Tim Loughton: To ask the Secretary of State for Health pursuant to his answer of 24 February 2003, *Official Report*, column 26W, on child protection, when the General Social Care Council is planning to report on the review of the current framework for post-qualifying training for social work; what the parameters of the review conducted by the General Social Care Council into post-qualifying training are; how many social workers hold the post-qualifying award; and if he will make a statement on the implementation by local authority social services departments of the action plan to effect planned developments. [100487]

Jacqui Smith: It is the intention that the General Social Care Council's review of the post-qualifying training framework will report their findings and recommendations later in the year. The GSCC intends to consult extensively on the future framework for post-qualifying awards during April and May this year. The scope of the review will include the range and design of qualifications within the framework and the administrative framework to support their delivery. Any statement on how recommendations from the review should be implemented will be made after this.

The number of social workers in England holding the post-qualifying award, recorded by the GSCC is 1,875. However, this award is just one of a number of post-qualifying awards that can be gained after social workers have become professionally qualified in both generic and specialised areas. It these are taken into account, the total number of awards issued comes to over 9,500.

Tim Loughton: To ask the Secretary of State for Health what action he will take against local authority social services departments that have been found to have recruited social workers who have not had their qualifications validated with the General Social Care Council; and how many times this has happened in the last five years. [100488]

Jacqui Smith: Local authorities, as with any other employer of social care staff, should carry out appropriate checks to ensure that the social workers in their employ are properly qualified for the work they are employed to carry out. In September 2002, the General Social Care Council (GSCC) published codes of practice for social care workers and employers. Code 1 of the employers code requires employers to make sure that only people who have the appropriate knowledge and skills enter the social care work force. The codes are taken into account in the enforcement of National Care Standards.

All courses in social work are approved by the GSCC, which has been in operation since October 2001. The GSCC is also the awarding body for the Diploma in Social Work and will validate the successful completion of the Diploma programme by an individual. The GSCC also offers an advisory service to employers and internationally qualified social workers, verifying whether or not the qualification is a professional qualification in social work in its country of origin.

Prior to this date, the Central Council for Education and Training in Social Work (CCETSW) was the awarding body for the Diploma in Social Work and offered the same service.

However, there is no obligation to validate qualifications with the GSCC, or was there previously with the CCETSW, and no action is taken against those who do not use this service.

Tobacco Regulatory Authority

Paul Flynn: To ask the Secretary of State for Health what discussions he has had with other member states of the European Union about establishing a tobacco regulatory authority. [99283]

Ms Blears: Ministers have had no formal discussions to date with other Member States of the European Union about establishing a new tobacco regulatory authority. However, European wide legislation to introduce tighter controls on tobacco products is currently entering into force in Member States.

The Government believes that much of the work to further regulate tobacco is being addressed through continuing developments under the Directive on the Manufacture, Presentation and Sale of Tobacco Products. This legislation was transposed into United Kingdom law in December 2002. It lays down maximum yields of tar, nicotine and carbon monoxide for cigarettes; requires new larger and starker health warnings on tobacco products and bans the use of terms such as Now tar7 which suggest one tobacco product is less harmful than another.

Article 11 of this Directive requires the European Commission to evaluate implementation of the Directive. This includes indicating where further review may be necessary in a wide range of tobacco regulatory areas, in the light of developments in scientific and technical knowledge. This could include evaluation of addictive effects of ingredients in tobacco products and methodologies for more realistically assessing the content and emissions of tobacco products. The Commission may also propose amendments to the current Directive. Full details of article 11 are contained in the Department of Health publication "Consultation on regulations implementing EU Directive 2001/37/EC— the Labelling Directive", copies of which are available in the Library.

Unpaid Carers

Mr. Hancock: To ask the Secretary of State for Health what action the Government is taking to support unpaid carers; what plans he has to bring new funds to *(a)* help carers and *(b)* set up better support networks; and if he will make a statement. [100295]

Jacqui Smith: Through the Carers and Disabled Children Act 2000, carers are entitled to an assessment to determine their needs as carers and eligibility for support. They may also receive cash to purchase the services they need.

The Carers Grant gives money to local councils to provide short breaks for carers to enable them to continue in their caring role. The grant has been increased annually since its introduction in 1999 from £20 million to £100 million in 2003–04. The Grant will continue until 2006, during which time it will more than double to £185 million to provide extended care and 130,000 further breaks to carers. Increased flexibility in the use of the Grant will allow councils to better support local carers networks.

In addition the Department of Health makes grants to voluntary organisations to provide information to support carers.

Utting Report

Tim Loughton: To ask the Secretary of State for Health which recommendations of the Utting Report the Government have implemented in full. [100779]

Jacqui Smith: Of the 20 principal recommendations contained in "People Like US—The Report of the Review of the Safeguards for Children Living Away from Home (Utting, 1997)", 11 were for the Government to address. Of these 11, two were rejected, recommendations six and nine, eight have been implemented in full, recommendations one, five, seven, 11, 13, 16, 18, and 19, and one, recommendation 20, was partially implemented. Recommendation 20 relates to the implementation of the remaining recommendations contained in the 1989 Pigot report. These were considered by the interdepartmental report "Speaking

Up for Justice" and informed the Youth Justice and Criminal Evidence Act 1999, now in the process of implementation.

Waiting Times

Mr. Hoyle: To ask the Secretary of State for Health if he will make a statement on the Audit Commission report on the alteration by NHS hospital trusts of figures on waiting times; and which hospitals in the north-west have been accused of altering waiting time lists. [102546]

Mr. Hutton: The Audit Commission report "Waiting List Accuracy" was published on Wednesday 5 March. Three trusts were found to be deliberately misreporting their data, this practice is inexcusable, in all of these cases prompt action was taken to investigate and deal with the issues identified. Only one of these trusts is in the north-west, South Manchester University Hospitals National Health Service Trust.

Working Practices

Mr. Burstow: To ask the Secretary of State for Health what his definition is of *(a)* multidisciplinary working and *(b)* co-terminosity; and if he will make a statement. [98593]

Mr. Hutton: In a health and social care context, multidisciplinary working refers to a number of trained and skilled professionals using and co-ordinating their particular expertise to ensure that people receive the best possible treatment and care. Co-terminosity means the alignment of organisational boundaries between health and social care agencies.

HOME DEPARTMENT

Asylum Seekers

Sir Teddy Taylor: To ask the Secretary of State for the Home Department when he will reach a decision on the asylum application of Mr. Hektor Sinani, Ref S1034257/3; and where the papers relating to Mr. Sinani's application are located. [102250]

Beverley Hughes: Hektor Sinani's asylum claim was refused on 17 April 2000, and the subsequent appeal was dismissed on 13 March 2001. Mr. Sinani's papers are at Eaton House to consider further applications on the basis of his marriage and Human Rights grounds. These applications will be resolved within the next two weeks.

Mr. Coleman: To ask the Secretary of State for the Home Department what plans his Department has to deport failed asylum seekers to Somalia; and if he will make a statement. [103031]

Beverley Hughes: This position has not changed since my answer on 3 December 2002, *Official Report*, column 714W.

Biological and Toxic Weapons Convention

Mr. Lazarowicz: To ask the Secretary of State for the Home Department pursuant to his answer of 5 February 2003, *Official Report*, column 321W, what steps he is taking to monitor the effectiveness of the provisions cited in his answer in helping the UK to meet its obligations under the Biological and Toxic Weapons Convention. [101809]

Mr. Blunkett: Further to my answer of 5 February, statistical information on use of the powers under sections 113 and 114 of the Anti Terrorism Crime and Security Act 2001 (ATCS) is collected regularly. The powers have been used in respect of two juveniles, detained on hoaxing charges and released on bail pending trial.

As a result of investigations in London, four people have been charged under section 2 of the Chemical Weapons Act 1996. In a subsequent investigation five other people have been charged under section 1 (1) of the Criminal Law Act 1967 with conspiracy to produce or develop chemical weapons. The protective security arrangements surrounding the security of pathogens and toxins under part 7 of the ATCS are being taken forward as part of the implementation of the Act.

Capita

Tim Loughton: To ask the Secretary of State for the Home Department how much his Department expects to pay to Capita for work carried out for his Department *(a)* in 2003 and *(b)* 2002. [101137]

Mr. Blunkett: The forecasted payments by the Home Department to Capita for work carried out in 2002 and 2003 are as follows:

Year	*Expenditure (£)*
2002	32,214,095.35
2003	65,509,238.61

Correspondence

Dr. Iddon: To ask the Secretary of State for the Home Department when he will reply to the letters from the hon. Member for Bolton, South-East of 11 October and 25 November 2002 and 8 January 2003 regarding the case of Mr. Uones Mahmad Nizar (HO Ref N1030237). [100582]

Beverley Hughes: I wrote to my hon. Friend on 13 March 2003.

Dr. Iddon: To ask the Secretary of State for the Home Department when he will reply to the letters from the hon. Member for Bolton, South East of 12 September 2002, 29 October 2002, 4 December 2002 and 8 January 2003 regarding the case of Mr. Mohammed Iqbal (HO Ref J243444). [101342]

Beverley Hughes: I wrote to my hon. Friend on 13 March 2003.

Kate Hoey: To ask the Secretary of State for the Home Department when the Immigration and Nationality Directorate will reply to a letter from the hon. Member for Vauxhall dated 21 November 2002 about a constituent, reference number D1066307. [101834]

Beverley Hughes: The Immigration and Nationality Directorate wrote to my hon. Friend on 7 March 2003.

Court Escapees

Tim Loughton: To ask the Secretary of State for the Home Department how many people found guilty of a criminal offence escaped from court last year; and of these, how many failed to be recaptured. [100483]

Hilary Benn: Information received from the Prisoner Escort and Custody Service shows that 34 persons escaped from courts in England and Wales in 2002, but information held centrally does not identify whether these persons were convicted or whether a recapture took place. As this information will need to be collated I shall write to the hon. Member as soon as the information is available. In addition, a further 21 persons escaped but were recaptured within 15 minutes.

Guildford/Birmingham Bombings

Mr. Beggs: To ask the Secretary of State for the Home Department what progress has been made in securing convictions against those responsible for the bombs in *(a)* Guildford on 5 October 1974 and *(b)* Birmingham on 21 November 1974. [102127]

Mr. Blunkett: The cases remain open. Should any new evidence or information come to the attention of the police service, it will, of course, be investigated fully.

Immigration and Nationality Directorate

Mr. Letwin: To ask the Secretary of State for the Home Department what measures are in place to ensure that all persons employed by the Immigration and Nationality Directorate are either UK citizens or have valid work permits. [101650]

Beverley Hughes: All candidates who apply to work for the Immigration and Nationality Directorate (IND) must meet the required eligibility criteria which is set out on each recruitment campaign. For administrative and executive grades candidates must be a British or Commonwealth citizen or a national of a state within the EU with no time limit on their stay in the UK. They should also have normally lived in the UK continuously for the previous three years. For Immigration Service grades candidates must be a UK national with five years residence in the UK.

When a candidate applies for a recruitment campaign their application form is checked to ensure they fulfil the relevant nationality criteria. If they are successful in reaching the interview stage they are then required to produce either a birth certificate or UK, EU or Commonwealth passport. These documents are photocopied and any passport other than a UK or EU document is checked to ensure that the holder has Indefinite Leave to Remain (ILR) in the UK. This means that anyone who is declared successful at interview does not have any restrictions attached to their stay in this country and is allowed to work here.

Prior to offering a start date to any candidate successful on a recruitment scheme enquiries are conducted into suitability for employment. These include security checks, inquiries into health and taking up employment or academic references and personal references. Only when we are content that all inquiries have been completed satisfactorily, will an offer of employment be made.

Simon Hughes: To ask the Secretary of State for the Home Department how many staff are employed in the Immigration and Nationality Directorate, broken down by grade. [102453]

Beverley Hughes: The information is as follows:

Directorate: Totals sheet— As at 1 February 2003

Substantive grades	*Head count of full and part-time staff*
Senior civil servants	20
Grade 6	39
Grade 7	173
Inspectors	145
Senior executive officer	319
Higher executive officer D	7
Higher executive officer	976
Chief immigration officer	631
Immigration officer	3,127
Executive officer	2,177
Administration officer	2,475
Assistant immigration officer	624
Administration assistant	1,454
Chief typing manager	1
Typist	29
Personal secretary	71
Support grades	347
Industrial	23
Total	12,638

Lili Lin

Mr. Rosindell: To ask the Secretary of State for the Home Department if he will make a statement on the case of Lili Lin. [101987]

Beverley Hughes: Ms Lin was due to be removed from the United Kingdom on 6 March 2003. Ms Lin has since submitted a further application to remain in the United Kingdom. She will not be removed while this application is under consideration.

Motorised Scooters

Vernon Coaker: To ask the Secretary of State for the Home Department what powers are available to *(a)* the police and *(b)* local authorities to tackle problems caused by motorised scooters using pavements. [102284]

Mr. Bob Ainsworth: I understand that caselaw confirms that riding a motorised scooter on a pavement is an offence under section 72 of the Highways Act 1835 the maximum penalty for which is a fine not exceeding Level 2 on the standard scale. The police will take action as they consider appropriate locally in each case to enforce the law. Where the offender is a child the police can warn him and advise his parents as necessary. Local authorities have no power to deal with the specific problem. They can make byelaws prohibiting the use of motorised scooters in particular areas.

Parliamentary Questions

Mr. Burns: To ask the Secretary of State for the Home Department pursuant to his answer of 10 March, ref 96152, if he will reply to the second part of the hon. Member's question. [102827]

Beverley Hughes: I apologise for the delay in responding. At the time your letter was received in the Immigration and Nationality Directorate (IND) the file was in transit within the IND estate. As a result your letter could not be immediately linked to the file and responded to.

Smallpox Vaccinations

Mr. Letwin: To ask the Secretary of State for the Home Department what discussions he has held with the Secretary of State for Health about the availability to the general public of smallpox vaccinations. [101617]

Mr. Blunkett *[holding answer 7 March 2003]:* I hold regular discussions with Cabinet colleagues on a wide range of issues. This is an integral part of the routine process of government but it is not Government policy to disclose details of specific conversations. Discussions between Cabinet colleagues fall under Exemption 2 in the Code of Practice on Access to Government Information, which covers Internal Discussion and Advice.

INTERNATIONAL DEVELOPMENT

Burundi

Mr. Key: To ask the Secretary of State for International Development what the *(a)* timescale and *(b)* process are for the release of her Department's pledged funds to Burundi; and if she will make a statement. [103112]

Clare Short: At the most recent Donors Roundtable Meeting on Burundi held in Geneva last November 2002 we reconfirmed that although the UK would not become a substantial bilateral donor to Burundi we would play our part in support of others, particularly the multilateral agencies. This includes continuing our existing bilateral assistance (mainly humanitarian assistance, work with the media, HIV/AIDS prevention and peace building). We also agreed to consider an additional contribution of US$1 million to the World Bank Multilateral Debt Trust Fund. We are in the process of releasing these funds to the World bank. Our total support to Burundi in the current financial year will be some £2.2 million.

Democratic Republic of Congo

Mrs. Spelman: To ask the Secretary of State for International Development what her Department is doing to promote peace in the Democratic Republic of Congo. [102744]

Clare Short: I have been closely involved in supporting the peace process in the Democratic Republic of Congo. In addition DFID has provided support to a number of peace-building initiatives in support of the Lusaka and Pretoria agreements. We have committed $25 million to the $330 million World Bank Multi-Country Demobilisation and Reintegration Programme for the Great Lakes region. We are assisting the UN's peacekeeping interventions through support to Radio Okapi, the MONUC linked radio station in the DRC. We have supported community based peace-building projects managed by the Christian Aid and CAFOD in Eastern DRC, and provided funds for the peace-building work of Life and Peace Institute and International Alert. We have also provided some limited technical assistance to the office of the Facilitator in the Inter-Congolese Dialogue.

Empowering Women

Keith Vaz: To ask the Secretary of State for International Development how much development aid was paid by her Department to schemes aimed at empowering women in *(a)* 1998, *(b)* 2000 and *(c)* 2002; and if she will list the projects concerned. [102236]

Clare Short: Because women make up 70 per cent. of the world's poor DFID puts women's empowerment at the heart of its work, actively pursuing it in the mainstream of all development activities. It begins with girls' access to basic education and completion of primary schooling; support for civil society organisations that represent women's needs and advocate for women in decision-making roles; and education of the whole community about the rights of women and girls.

DFID expenditure on support including women's empowerment and gender equality as a principal or significant objective is available by financial year:

	£ million
1998–99	26.4
1999–2000	56.9
2000–01	90.7
2001–02	166.9

A project list cannot be provided without incurring disproportionate cost.

Global Health Fund

Mr. Key: To ask the Secretary of State for International Development (1) if she will list the sources of money allocated to the Global Health Fund; and if she will make a statement; [103107]

(2) what discussions her Department has had with other international donors regarding the shortfall of the $10 billion a year required by the Global Health Fund; and if she will make a statement. [103108]

Clare Short: The primary role of the fund is to provide drugs and commodities for the prevention and treatment of AIDS, TB and Malaria. DFID have pledged $200 million over five years to the fund, $80 million of which has been disbursed. In addition DFID have committed over £1.5 billion since 1997 to support the development of health systems in poorer countries. Strengthening such systems is vital if drugs are to be safely and sustainably supplied to the poor. Wherever possible the Global Fund should be providing support behind strategies that help deliver sustainable improvements in health care. The fund has strong founding principles in this regard, but performance to date in this regard has been mixed. Our future support for the Global Fund will depend on its effectiveness. It is one of several possible instruments designed to improve basic health care in poor countries.

Sources of money allocated to the Global Fund can be found on its website: www.globalfundatm.org/contribute.html

My Department is in frequent contact with other international donors and has repeatedly stressed the need for others to make multi year funding pledges to the Global Fund to fight AIDS, TB and Malaria as DFID has done.

The figure of US $7–10 billion per annum is a UNAIDS estimate of the total additional resources required to tackle HIV/AIDS. As Kofi Annan has made clear it is not a target for the fund.

Overseas Aid

Norman Lamb: To ask the Secretary of State for International Development how much aid the British Government has disbursed *(a)* in each of the last two years and *(b)* so far this year to *(i)* Uganda, (ii) Rwanda and (iii) the Democratic Republic of Congo. [102347]

Clare Short: In each of the last two financial years, the British Government have distributed aid to Uganda, Rwanda and the Democratic Republic of Congo. Total UK expenditure for each country, including the estimates for 2002–03, is as follows. As the hon. Gentleman will know, long-term expenditure in DRC is confined to humanitarian and conflict resolution interventions. Development is impossible without the establishment of peace and legitimate government. We are pressing President Kabila to agree to the installation of the Transitional government so that debt relief can be agreed and reconstruction can begin.

Country/year	*£ million*
Uganda	
2000–01	97,572
2001–02	68,724
2002–03 Estimate	62,500
Rwanda	
2000–01	32,878
2001–02	27,189
2002–03 Estimate	35,800
DRC	
2000–01	6,752
2001–02	10,262
2002–03 Estimate	14,500

South America

Keith Vaz: To ask the Secretary of State for International Development how much development aid was paid to the South American continent in *(a)* 1998, *(b)* 2000 and *(c)* 2002; and which country was the main receiver of this aid in each of those years. [102235]

Clare Short: DFID's statistics are available by financial year only. The latest year available is 2001–02. EC statistics are by calendar year.

Financial year	*UK bilateral assistance to South America (£ million). Includes DFID programmes, CDC investments and debt relief*	*Largest financial recipient of UK bilateral assistance in South America*	*DFID share of EC assistance to South America (£ million)*	*Largest financial recipient of EC assistance in South America*
1997–98	52.406	Bolivia	12.6 (1997)	Bolivia (1997)
1999–2000	75.355	Bolivia	20.5 (1999)	Peru (1999)
2001–02	51.238	Bolivia	38.4 (2001)	Argentina (2001)

LORD CHANCELLOR

Correspondence

Dr. Tonge: To ask the Parliamentary Secretary, Lord Chancellor's Department when the hon. Member for Richmond Park will receive a reply to her letter of 14 January 2002 regarding the Pedler Family Judicial Trustee case. [99930]

Ms Rosie Winterton: The Lord Chancellor replied personally to Dr. Tonge's letter of 14 January 2002 on 28 April 2002.

Abducted Children

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps have recently been taken by her Department to provide and improve statistics of cases of child abduction. [102237]

Ms Rosie Winterton: I refer my hon. Friend to the answer I gave him on 7 January 2003, *Official Report*, column 66W. I would only add that the statistical information collected by the Child Abduction Unit is submitted to the Permanent Bureau of the Hague Conference annually for publication on their website.

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) what steps are taken by her Department to help parents with abducted children to gain access to their children held abroad; [102239]

(2) what assessment she has made of her Department's compliance with the recommendations established in Article 21 of the Hague Convention when advising parents who have had their children abducted to make an application for access; how those applications are handled; and what support is provided by her Department to ensure that the applications are successful. [102240]

Ms Rosie Winterton: Article 21 of the 1980 Hague Child Abduction Convention allows applications via the designated Central Authorities for arrangements to secure effective exercise of rights of access. The primary remedy, however, is the return of the child, and applications under Article 21 will generally be deferred until the return application is concluded. I am satisfied that the Child Abduction Unit discharges its functions on behalf of the Lord Chancellor as Central Authority for England, Wales and Northern Ireland in compliance with the requirements of the 1980 Hague Convention. The Child Abduction Unit ensures that all parents who have not obtained the child's return under the return provisions of the Convention, are advised of the possibility of seeking access through Article 21 of the Convention. The Unit will transmit any application made, whether for return of the child or for access rights, to its counterpart in the other country, monitor the case, liaise with all interested parties and assist as necessary. The Foreign and Commonwealth Office will also provide appropriate consular assistance. The decision on any application is a matter for the court to which the application is addressed.

Magistrates Courts

Mr. Ben Chapman: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress has been made in attaining performance targets for the collection of outstanding fines imposed by magistrates courts. [99871]

Yvette Cooper: Magistrates Courts Committees (MCCs) have responsibility for the collection of a range of debts imposed through the courts, including not only fines but also fees, compensation, confiscation orders, legal aid contributions and some maintenance orders.

The table sets out the latest figures for the payment rate for individual MCCs. Fine enforcement performance is too low and the variations are too wide and unacceptable ranging from over 80 per cent. to under 40 per cent.

MCCs set their own targets for improvement when they bid for a share of £9 million extra investment (netting off) for the financial year 2002–03. The aggregate of the local targets was an increase in fines collected of 7 per cent. The Government set out a target national performance level of 68 per cent. in the payment rate by end of March 2003.

The payment rate currently includes confiscation orders as well as fines, so individual areas can see their figures distorted by high confiscation orders imposed in one quarter and collected at a later date.

Some MCCs have demonstrated significant improvements in performance: Avon and Somerset (from 54 per cent. to 73 per cent.), Gloucestershire (from 42 per cent. to 73 per cent.) and South Wales (from 39 per cent. to 50 per cent.). Others have seen performance fall, such as GLMCA, which has deteriorated from 46 per cent. to 38 per cent.

The total amount of money collected in the 12 months to December 2002 has increased by £2.3 million (or 1 per cent.) compared to previous year. However the total new amount owed has increased by 6.9 per cent. The current rolling year payment rate is 56 per cent. compared to 59 per cent. a year ago. Excluding the Greater London Magistrates' Courts' Authority the payment rate is 62 per cent.

Fine enforcement performance is too low and the current variations in performance are unacceptable. That is why the Government have introduced a major program of work to tackle fine enforcement.

Funded pilots of different approaches to fine enforcement showing significant increases in enforcement.

Poorly performing MCCs must draw up action plans incorporating findings of the research in order to qualify for their share of next years funding.

Extra investment in fine enforcement of £9 million in current year rising to £18 million next year.

Introducing a unified courts administration with stronger management systems for tackling poor performance as part of the Courts Bill.

Vehicle clamping of defaulters, discount for prompt payment and increases if the offender fails to pay on time, registering the debt with the registry of judgments to prevent defaulters from getting credit as part of the Courts Bill.

Increasing support and advice for those who cannot pay as well as developing alternative sentence options in the community.

Debt analysis—Rolling year: January 2002 to December 2002

	Amount imposed total (£)	*Amount paid total (£)*	*Payment rate indicator (Percentage)*
Avon and Somerset	10,719,413	6,173,809	73
Bedfordshire	3,220,859	2,415,461	59
Cambridgeshire	4,454,102	3,466,611	33
Cheshire	5,876,836	3,502,782	56
Cleveland	3,259,970	1,882,948	50
Cumbria	3,952,757	2,683,011	76
Derbyshire	7,054,261	4,297,097	57
Devon and Cornwall	10,021,264	5,391,963	63
Dorset	3,341,820	2,488,518	75
Durham	3,694,282	2,864,660	73
Dyfed Powys	2,624,932	1,892,384	71
Essex	10,111,948	8,149,513	75
Gloucestershire	2,200,862	2,404,712	73
Greater London	63,701,896	40,166,205	38
Greater Manchester	22,135,048	14,473,929	65
Gwent	4,074,201	2,866,675	63
Hampshire and Isle of Wight	7,595,592	7,413,125	76
Hertfordshire	5,456,665	4,262,381	67
Humberside	4,659,538	3,800,992	71
Kent	11,381,351	5,825,408	62
Lancashire	12,583,526	6,998,720	66
Leicestershire	7,018,052	5,083,050	75
Lincolnshire	5,460,427	2,749,453	62
Merseyside	7,901,028	4,177,037	32
Norfolk	3,431,075	2,650,102	76
North Wales	5,389,241	2,790,064	61

Debt analysis—Rolling year: January 2002 to December 2002

	Amount imposed total (£)	*Amount paid total (£)*	*Payment rate indicator (Percentage)*
North Yorkshire	2,838,382	2,442,514	80
Northamptonshire	7,889,295	3,495,245	57
Northumbria	7,415,623	5.200,127	60
Nottinghamshire	5,746,751	4,519,728	64
South Wales	8,721,806	4,805,327	50
South Yorkshire	7,918,784	5,288,728	60
Staffordshire	7,330,713	4,279,018	68
Suffolk	3,256,469	2,377,724	66
Surrey	7,044,726	4,478,625	79
Sussex	8,229,910	3,944,435	60
Thames Valley	10,318,717	7,323,217	75
Warwickshire	4,127,276	2,631,531	85
West Mercia	6,128,518	4,640,320	72
West Midlands	21,847,735	12,268,003	53
West Yorkshire	11,758,544	8,448,270	54
Wiltshire	4,802,573	3,588,043	74
England and Wales	356,696,768	230,601,465	56

Note:

The payment rate also includes the net amount transferred in which over this rolling year was £54 million

Ministerial Travel

Norman Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department how much has been spent, in each year from 1 May 1997 to date, on the Lord Chancellor's personal travel arrangements on official business, broken down by *(a)* provision and running costs of vehicular transport, *(b)* first class travel by rail, *(c)* standard class travel by rail, *(d)* first class travel by air, *(e)* club or equivalent class travel by air and *(f)* economy class travel by air. [96418]

Ms Rosie Winterton: The information available without disproportional cost is as follows: the table sets out departmental expenditure on all ministerial car use since 1 May 1997 (the number of Ministers in the Department increased from two to three during 1999–2000; and from three to four during 2000–01). For other travel, I refer the hon. Member to the answer given by the Minister of State, Cabinet Office, my hon. Friend the Member for Paisley, South (Mr. Alexander) on 22 January 2003, *Official Report*, column 334W.

	£000
1 May 1997–98	*
1998–99	*
1999–2000	172
2000–01	216
2001–02	271
2002–31 January 2003	216

* Reliable data not available without disproportionate cost

Overseas Trips

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will list each of the overseas trips made by herself and other members of her ministerial team in 2002; and what the *(a)* purpose and *(b)* cost of each trip was. [101843]

Ms Rosie Winterton: I refer the hon. Member to the answer given by the Minister of State, Cabinet Office, my hon. Friend the Member for Paisley, South (Mr. Alexander) on 22 January 2003, *Official Report*, column 334W.

PRIME MINISTER

Gifts

Mr. Jim Cunningham: To ask the Prime Minister if he will list gifts received by Ministers in the last 12 months. [103556]

The Prime Minister: I have today published a list of gifts received by Ministers. The list provides details of gifts received since June 2001 valued at more than £140. Copies of the list have been placed in the Libraries of the House.

GM Technology

Norman Baker: To ask the Prime Minister if he will list the occasions since June 2001 when he has received representations from the US administration in favour of GM technology; and when he last discussed the issue with President Bush. [102817]

The Prime Minister: I have received no representations from the US administration in favour of GM technology. However, I have regular discussions with President Bush on a wide range of issues, including agriculture. The Government and representatives of the US administration are in regular contact and have exchanged views on GM issues.

Iraq

Mr. Cash: To ask the Prime Minister if he will make a statement on the legal basis for military intervention against Iraq. [102902]

The Prime Minister: There is a longstanding convention, followed by successive Governments and reflected in the ministerial code, that legal advice to the Government remains confidential. This enables Government to obtain frank and full legal advice in confidence, as everyone else can.

We always act in accordance with international law. At the appropriate time the Government would of course explain the legal basis for any military action that may be necessary.

Mr. Gordon Prentice: To ask the Prime Minister if he has consulted previous prime ministers to secure their consent to commit British forces to battle in Iraq. [103051]

The Prime Minister: No decision to launch military action against Iraq has been taken.

Mr. Webb: To ask the Prime Minister how many Christian Aid postcards urging action on Middle East peace and a peaceful resolution to the Iraq crisis he has received at Downing Street. [103170]

The Prime Minister: The Government have received over 45,000 postcards since the campaign began. The Foreign Secretary will be writing to Christian Aid, and will ask that the letter is placed on their website so that people can read it.

Adam Price: To ask the Prime Minister (1) what discussions he has had with the US Government concerning the exploitation of Iraqi oil following a conflict which leads to regime change; [102752]

(2) what *(a)* discussions he has held with and *(b)* representations he has received from multinational oil companies concerning the exploitation of Iraqi oil following any conflict in the Middle East; [102753]

(3) what discussions he has had with ministerial colleagues concerning the exploitation of Iraqi oil following any conflict in the Middle East. [102756]

The Prime Minister: No decision to launch military action against Iraq has been taken. It is our position that Iraqi oil is owned by the Iraqi people. Its revenues should be used for the good of the people. We make this clear in all our contacts on the subject.

However, the current situation is not about oil, it is about weapons of mass destruction and the Iraqi regime deliberately flouting the will of the United Nations.

TRADE AND INDUSTRY

Auditing

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what plans she has to restrict the number of quoted companies which a single audit firm can audit at the same time. [100903]

Miss Melanie Johnson: We have no plans to do so.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will list the auditors of the public bodies sponsored by her Department. [100904]

Miss Melanie Johnson: The auditors in 2001/2002 of the public bodies sponsored by DTI are listed in the Cabinet Office publication Public Bodies 2002. The same auditors will be used in 2002–2003.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will require the Auditing Practices Board to hold public hearings before setting any auditing standard. [100906]

Miss Melanie Johnson: No. The Report of the Review of the Regulatory Regime of the Accountancy Profession, published on 29 January, recommended that the Financial Reporting Council, of which the Auditing Practices Board (APB) is a subsidiary body, should improve arrangements for transparency including ensuring easy access to clear information about the purpose of the organisation, its place in the regulatory framework and its work programme and performance, and that this should extend to the publication of summary board minutes and papers. The APB already publishes the minutes of its meetings.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will require UK companies to disclose reasons for setting up operation in offshore financial centres whose laws do not require them to publish audited accounts. [100911]

Miss Melanie Johnson: I have no plans to do so. Companies are required to consolidate the activities of such vehicles in the UK parent's audited accounts if they are subsidiary undertakings.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what plans she has to give audit committees of companies full access to the working papers of their auditors. [100912]

Miss Melanie Johnson: Auditors' conclusions should be shared in full with audit committees and with all company directors. Sir Robert Smith's review of the Combined Code Guidance, published on 20 January, clarifies and expands upon the existing guidance on the audit committee's role in reviewing the work of the auditor throughout the audit cycle. Copies of that report have been placed in the Libraries of the House. I have no plans to introduce a requirement on auditors to disclose all their working papers.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what plans she has to require the auditors of public limited companies to file copies of the audit tender with a designated regulator. [100914]

Miss Melanie Johnson: I have no plans to do so.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what plans she has to ban auditing firms from selling off-balance sheet financing schemes to their audit clients. [100978]

Miss Melanie Johnson: There are no plans to introduce such a ban. The provision of non-audit services by auditors to their clients is covered in chapter 1 of the Final Report of the Coordinating Group on Audit and Accounting Issues, published on 29 January. Copies of the Report have been placed in the Libraries of the House.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what plans she has to give incoming auditors a right of access to the outgoing auditor's working papers. [100979]

Miss Melanie Johnson: We have no plans to do so.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will give the Financial Services Authority an unrestrained right of access to the working papers of auditors. [100980]

Miss Melanie Johnson: The Financial Services Authority already has powers to obtain information from auditors.

Enron

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what inquiries her Department has made into the UK operations of Enron. [100756]

Miss Melanie Johnson: Conduct reports pursuant to the Company Directors Disqualification Act 1986 have been received from the joint Administrators or joint Liquidators (all PriceWaterhouseCoopers) in Enron Europe Ltd. and 21 other subsidiary companies.

The Disqualification Unit of The Insolvency Service is making inquiries into those failures from the viewpoint of disqualification of the directors No decision as to whether disqualification proceedings are warranted has, however, been made.

EU Accountants

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry how many professional accountants there are in each member state of the European Union. [100902]

Miss Melanie Johnson: Figures are not available for accountants in general as there is no statutory requirement for them to be registered with a professional body.

Industrial Development Schemes

Mr. Weir: To ask the Secretary of State for Trade and Industry how many schemes under section 8 of the Industrial Development Act 1982 in each of the last six years have covered a specific geographical area within the UK. [102803]

Alan Johnson: 14 schemes cover or have covered regional or national areas over the last six years, as follows:

- Regional Enterprise Grant Scheme:
  - Regional Innovation Grant Scheme (Wales)—1988 to date
  - Regional Investment Grants (Scotland and Wales)—1988 to 1997
- Wales Trade International Trade Promotion Schemes—2001
- Assembly Investment Grant Scheme (Wales)—from 2002
- Rover Task Force: an element of the modernisation and diversification programme (West Midlands)—2001 to date
- One off payment to Atlantic Telecom's Administrators to maintain services for sufficient time to allow customers in Aberdeen, Dundee, Edinburgh, Glasgow and Manchester to switch to alternative suppliers—2001
- Support for redundancy payments at Scottish Coal (Deep Mine) Ltd.'s Longannet Colliery—2002 to date
- Support for redundancy payments at UK Coal's Selby Complex, in Yorkshire (subject to negotiation with the European Commission)—from 2003

Schemes administered by the Small Business Service that are available only in England:

- Enterprise Fund—Early Growth Funding, from 2002
- Enterprise Fund—Regional Venture Capital Funds, from 2002
- Enterprise Grant Scheme, from 2000
- Phoenix Fund—Community Development Finance Institutions, Challenge Fund, from 2001
- Phoenix Fund—Community Development Venture Capital Fund, from 2002
- Business Incubation Fund, from 2003

Mr. Weir: To ask the Secretary of State for Trade and Industry how many schemes under section 8 of the Industrial Development Act 1982 in Scotland have been funded *(a)* wholly and *(b)* partly by her Department. [102801]

Alan Johnson: Seven UK wide programmes operating in Scotland over the last six years were funded wholly by my Department, as follows:

- Enterprise Fund—Small Firms Loan Guarantee Scheme
- Enterprise Fund—UK High Technology Fund
- Phoenix Fund—support for Community Development Finance Institutions, Loan Guarantees
- UK Coal Operating Aid Scheme
- New ISERBS—Iron and Steel Re-adaptation Benefit Scheme
- Urban Post Office Reinvention Programme
- Support for redundancy payments at Scottish Coal (Deep Mine) Ltd.'s Longannet Colliery

The Department and the Scottish Executive provided a joint package of support in 2001 to Atlantic Telecom's administrators to maintain a fixed wireless network for sufficient time to allow customers to switch to alternative suppliers.

Mr. Weir: To ask the Secretary of State for Trade and Industry how many schemes in Scotland have been funded under section 8 of the Industrial Development Act 1982 in each of the last six years. [102802]

Alan Johnson: The use of Section 8 for schemes in Scotland only is a matter for the Scottish Executive. Eight UK wide schemes available in Scotland have been funded by my Department, or by the former Department for the Environment, Transport and the Regions, over the last six years. Three other schemes have been funded by the Scottish Executive, one of them jointly with my Department. A number of the schemes were introduced more than six years ago. The schemes or single payments were:

Small Business Service:

- Enterprise Fund—Small Firms Loan Guarantee Scheme—1981 to date
- Enterprise Fund—UK High Technology Fund—from 2001
- Phoenix Fund—support for Community Development Finance Institutions, Loan Guarantees—from 2000

Department of the Environment, Transport and the Regions:

- Small Company Environmental and Energy Management Assistance Scheme (SCEEMAS)—1995 to 1999

Regional Enterprise Grant Scheme:

- Regional Innovation Grants (Scotland)—1988 to 1995
- Regional Investment Grants (Scotland)—1988 to 1997
- UK Coal Operating Aid Scheme—2000–02
- New ISERBS—Iron and Steel Employees Re-adaptation Benefit Scheme—

  2001 to date
- One off payment to Atlantic Telecom Administrators—2001
- Urban Post Office Reinvention Programme—2002 to date
- Support for redundancy payments at Scottish Coal (Deep Mine) Ltd.'s Longannet Colliery—2002 to date

Information about section 8 schemes and payments can be found in the annual reports laid before Parliament as required by the Industrial Development Act 1982. The most recent Annual Report for the year ending 31 March 2002 was published on 30 September

2002 and is available in the Library of the House, and on the Stationery Office's website at: http://www.official-documents.co.uk/document/deps/hc/hc1007/1Q07.pdf. The Report includes information on the individual section 8 schemes.

Ministerial Meetings

Dr. Cable: To ask the Secretary of State for Trade and Industry when she last met representatives of the *(a)* Trading Standards Institute, *(b)* Local Authorities Co-ordinators of Regulatory Services, *(c)* National Consumer Council and *(d)* National Association of Citizens Advice Bureaux; how often she meets each group; if she will make it her policy to place the minutes and agendas in the Library; and if she will make a statement. [102783]

Miss Melanie Johnson: My right hon. Friend the Secretary of State or I have met with Trading Standards Institute, Local Authorities Co-ordinators of Regulatory Services, National Consumer Council and Citizens Advice (including Citizens Advice Scotland) within the last six months.

Formal meetings with most of these organisations are held on a regular footing to discuss matters of mutual interest. We also meet all of them at key events throughout the year.

Minutes and agendas of these groups are not placed in the Libraries of the House and I do not intend changing that policy.

Nuclear Industry (Skills Council)

Llew Smith: To ask the Secretary of State for Trade and Industry what plans she has to create a skills council for the nuclear industry. [101997]

Mr. Wilson: The British Nuclear Industries Forum, the trade association for the nuclear sector, and Cogent, the Sector Skills Council for oil and gas extraction, chemicals manufacture and petroleum, are in discussion about creating Cogent Plus, a Sector Skills Council serving these four sectors plus polymers.

Like other applications for Sector Skills Council (SSC) status, the application will be subject to approval by the Sector Skills Development Agency, but this initiative has my full support. There are strong synergies between the nuclear sector and the proposed elements of Cogent Plus, and it offers a solid base for ensuring that the skills needed by the sector will be maintained and updated over the long term.

Assuming Cogent Plus is formally approved as an SSC it will take forward implementation of the recommendations set out in the report on nuclear skills published by the Department last year. These related in particular to the promotion of science and engineering to young people, the provision of support to teachers, the development of national occupational standards, the wider adoption of modern apprenticeship schemes within the nuclear sector and the building of alliances with universities with a view to the development of customised courses and academic centres of excellence capable of servicing the future needs and requirements of the nuclear sector.

Office of Fair Trading

Dr. Cable: To ask the Secretary of State for Trade and Industry if she will make a statement on the OFT's long term target to clear all cases over two years old. [102797]

Miss Melanie Johnson: The OFT has set internal targets for dealing with complaints about unfair terms in consumer contracts under the Unfair Terms in Consumer Contracts Regulations 1999. The National Audit Office notes in its recently published report, 'The Office of Fair Trading: Progress in Protecting Consumers' Interests', that the OFT has increased the size of the team dealing with unfair contract terms and has given senior managers more autonomy in order to speed up its investigations.

The NAO confirm that the OFT 'is making good progress in reducing the number of cases over two years old'.

Patent Law

Mr. Allen: To ask the Secretary of State for Trade and Industry what plans she has to reform patent law to enhance the rights of inventors in relation to their employers. [102529]

Miss Melanie Johnson: The possibility of enhancing the provisions in the Patents Act 1977 on compensation for employee-inventors for inventions of outstanding benefit to the employer was explored in the recent consultation on our proposed Patents Act (Amendment) Bill. We will be developing our plans in the coming months in the light of responses to that consultation.

Political Donations

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what plans she has to propose legislation that will require companies to disclose financial donations in kind to political parties. [100909]

Miss Melanie Johnson: There are already such requirements under sections 347A to K and paragraphs 3 to 5 of Schedule 7 to the Companies Act 1985, as amended by the Political Parties, Elections and Referendums Act 2000.

Public Bodies (Non-auditing Services)

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will list the non-auditing services bought by public bodies sponsored by her Department from their auditors. [100760]

Miss Melanie Johnson: The following public bodies sponsored by DTI have bought non-auditing services from their auditors:

Coal Authority

Accounting policy and taxation advice.

National Consumer Council

Reporting to NAO on compliance with Whole of Government Accounts.

Preparation of tax computations and returns.

Reviewing financial information for the Council's Annual Review.

British Hallmarking Council	Advice on tax liability DTI Department of Trade and Industry

Rural Pharmacists

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry if she will make a statement on representations by the Scottish Executive on her policy on rural pharmacists. [101743]

Miss Melanie Johnson: The policy on rural pharmacists in Scotland is the responsibility of the Scottish Executive.

US Sarabaness-Oxley Act

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what study she has made of the effect of the US Sarbanes-Oxley Act 2002 on British companies operating in the USA; and what representations she has made to US authorities on this issue. [100755]

Miss Melanie Johnson: There has been dialogue with the major business representative organisations and with various individual companies on the impact of the US Act on British companies. We have made representations at Ministerial and official levels on all aspects of the Act to the US authorities, and I raised the issue with Senators, the Securities and Exchange Commission, the Public Company Accounting Oversight Board and the New York Stock Exchange during a visit to Washington and New York last month. We have also supported the European Commission in their representations to the US on the issue.

TRANSPORT

London Underground

Sir Michael Spicer: To ask the Secretary of State for Transport when he expects the Central Line to re-open. [102903]

Mr. Spellar: I understand that the first services to the eastern part of the line are due to be reintroduced today. London Underground are now working to bring services back to the western part of the line, before extending them to the line as a whole.

Railways

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) if he will list railway vehicles ordered for the railway network and their date for delivery; [101195]

(2) when Bombardier will deliver their Electrostar trains to South Central; [101198]

(3) if he will list the orders Bombardier has with British train operating companies. [101181]

Mr. Jamieson: The table lists all orders for railway vehicles since 1997, including orders from Bombardier:

TOC	*Manufacturer*	*Date of order*	*Number of vehicles*	*Status of order*
Anglia Railways	Adtranz	March 1998	24	Completed
Anglia Railways	Bombardier	January 2002	8	Completed
Arriva Trains Northern	Siemens	February 1998	48	Completed
Arriva Trains Northern	Siemens	May 2000	8	Completed
Arriva Trains Northern	Siemens	November 2001	8	Delivery to start from July 2003
C2c	Adtranz	June 1997	184	Completed
C2c	Bombardier	June 2000	112	Completed
Central Trains	Adtranz	May 1998	26	Completed
Central Trains	Adtranz	May 1998	29	Completed
Central Trains	Adtranz	August 1998	21	Completed
Chiltern Railway	Adtranz	August 1996	12	Completed
Chiltern Railway	Adtranz	April 1998	8	Completed
Chiltern Railway	Adtranz	June 1999	10	Completed
Chiltern Railway	Adtranz	August 2000	9	Completed
Chiltern Railway	Bombardier	September 2001	7	Completed
Connex South Eastern	Bombardier	July 1997	120	Delivery begun
Connex South Eastern	Bombardier	July 1998	60	Delivery begun
Connex South Eastern	Bombardier	July 1998	30	Delivery begun
Connex South Eastern	Bombardier	June 2002	228	Delivery to start From July 2003
Connex South Eastern	Bombardier	July 2002	180	Delivery to start from July 2004
First Great Eastern	Siemens	May 2001	84	Delivery to start from April 2003
First Great Western	Alstom	April 1998	40	Completed
First Great Western	Alstom	June 1999	30	Delivery begun
First North Western	Alstom	April 1998	70	Completed
Gatwick Express	Alstom	January 1998	64	Completed
Midland Mainline	Adtranz	October 1997	34	Completed
Midland Mainline	Adtranz	February 2001	10	Completed
Midland Mainline	Bombardier	January 2002	127	Delivery to start from April 2004
ScotRail	Adtranz	March 1998	27	Completed
ScotRail	Adtranz	April 1998	18	Completed
ScotRail	Adtranz	August 1999	27	Completed
ScotRail	Adtranz	August 1999	6	Completed
ScotRail	Alstom	March 1998	120	Completed
South Central	Bombardier	August 2001	84	Delivery begun
South Central	Bombardier	August 2001	156	Delivery to begin April 2003
South Central	Bombardier	March 2002	460	Delivery to begin April 2004

TOC	*Manufacturer*	*Date of order*	*Number of vehicles*	*Status of order*
South West Trains	Alstom	May 1997	120	Delivery begun
South West Trains	Adtranz	October 2000	16	Completed
South West Trains	Siemens	April 2001	785	Delivery to begin April 2003
Virgin Cross Country	Bombardier	December 1998	136	Completed
Virgin Cross Country	Bombardier	December 1998	216	Delivery begun
Virgin West Coast	Alstom	February 1999	477	Delivery begun

Delivery of the Electrostars has already started and is expected to be completed in late April 2004.

Tom Brake: To ask the Secretary of State for Transport if he will place in the Library a copy of *(a)* the inspection regime protocols covering the inspection of motor retaining bolts and brackets on the Waterloo and City Line and the Central Line and *(b)* protocols covering the withdrawal of Underground trains on safety grounds for each Underground line. [102397]

Mr. Jamieson: These matters are currently subject to a full investigation by LUL, with a team chaired by an independent expert and to a separate investigation by the Health and Safety Executive. The investigation results will be made public.

TREASURY

Crown Estate

John Thurso: To ask the Chancellor of the Exchequer what directions he has given to the Crown Estate Commissioners in respect of application of section 4(1) of the Crown Estate Act, 1961; and if he will make a statement. [103131]

Mr. Boateng: None.

ECOFIN Council

Mr. Connarty: To ask the Chancellor of the Exchequer what the outcome was of the ECOFIN Council held in Luxembourg on 7 March; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [102511]

Mr. Gordon Brown: I attended the ECOFIN meeting on 7 March. In preparation for the Spring Council on 21–22 March, ECOFIN adopted a Presidency Key Issues Paper on the Broad Economic Policy Guidelines and a related Economic Policy Committee report on structural reforms. Ministers also agreed joint reports by the Commission and the Council on pensions systems and on the future of healthcare and care for the elderly. These reports will also be sent to the Spring Council.

ECOFIN also adopted a report to the Spring Council on strengthening economic policy co-ordination. The report emphasizes the importance of the economic cycle, sustainability, and the quality of public investment and of taking a country-by-country approach to the assessment of member states' compliance with the medium-term close to balance requirement. It is therefore in line with key aspects of the UK's prudent interpretation of the Stabilityand Growth Pact.

ECOFIN agreed Council Opinions on the Stability Programmes of Portugal and Luxembourg. It also took note of a legislative text on a Recommendation on the voting modalities of the ECB's Governing Council and noted reservations by Finland and the Netherlands. The Council approved a draft statement to be entered in the minutes of the Council at the adoption of the Decision, which confirms that the reform of ECB governance arrangements should not be seen as setting a precedent for other Community institutions.

The Presidency indicated that they would seek final agreement on the tax package at an additional ECOFIN to be held on 19 March. They also indicated that agreement on energy taxation would be postponed to the ECOFIN on 19 March.ECOFIN adopted a Recommendation on the discharge of the 2001 Community Budget and adopted conclusions on priorities for the 2004 Budget.

Under any other business, the German delegation indicated that they had presented a proposal to their Parliament to levy VAT on all flights over German airspace. This was noted by other delegations.

No votes were taken at the meeting.

NHS Foundation Trusts

Mr. Flight: To ask the Chancellor of the Exchequer what discussions officials from his Department have had with officials from the Department of Health concerning the borrowing limits on NHS foundation trusts. [102584]

Mr. Boateng: Treasury and Department of Health officials have meetings on a regular basis to discuss matters of mutual interest

Offshore Tax Havens

Mr. Laws: To ask the Chancellor of the Exchequer what recent guidelines and guidance have been given to the Inland Revenue by Ministers in respect of transactions between the Inland Revenue and entities which are operating out of offshore tax havens; and if he will make a statement. [95827]

Norman Lamb: To ask the Chancellor of the Exchequer what action he has taken to prevent public assets being transferred to companies based in tax havens. [99080]

Mr. Boateng: A number of reforms have already been introduced relating to the project management of major procurement exercises.

The Government are currently reviewing existing guidance on tax aspects of Government procurement to safeguard value for money for Government as a whole.

Public Service Agreements

Matthew Taylor: To ask the Chancellor of the Exchequer which Public Service Agreement targets will be reported on as part of the web-based reporting of targets; in what month the first data will be published; and if he will make a statement. [102882]

Mr. Boateng: The Government plan to introduce web-based reporting from April 2003. This will cover the targets published in Spending Review 2002: Public Service Agreements 2003–06 (Cm 5571).

Sterling Valuation

Mr. Prisk: To ask the Chancellor of the Exchequer what the *(a)* highest and *(b)* lowest value of the pound has been with respect to *(i)* the euro and (ii) the dollar in each year that is applicable since 1997; and if he will make a statement. [102927]

Ruth Kelly: Data on bilateral exchange rates can be obtained from the Office for National Statistics, or from the Bank of England website.

The Government do not comment on day-to-day movements in the foreign exchange markets. The Government's objective for the exchange rate remains a stable and competitive pound in the medium term.

WORK AND PENSIONS

Benefit Recipients

Mr. Heald: To ask the Secretary of State for Work and Pensions how many recipients of *(a)* disability living allowance and *(b)* incapacity benefit there were, broken down by (i) region, (ii) age and (iii) type of disability in each of the last 10 years. [101766]

Maria Eagle: The information has been placed in the Library.

British Sign Language

Malcolm Bruce: To ask the Secretary of State for Work and Pensions what steps his Department has taken to *(a)* recognise British Sign Language and *(b)* improve access to public services for British Sign Language users; and if he will make a statement. [102900]

Mr. Andrew Smith: We have held discussions with various interested organisations, the Disability Discrimination Act (DDA) requires service providers to consider making reasonable adjustments to the way they provide their services so they are accessible to disabled people. The provision of a BSL interpreter could be considered a reasonable adjustment. The DRC's Code of Practice (Rights, Goods, Facilities, Services and Premises) includes examples of situations where providing a BSL interpreter might be a reasonable adjustment.

The Government have funded projects with the Council for the Advancement of Communication with Deaf People and the Royal National Institute for Deaf People to increase the number of BSL interpreters and to improve the infrastructure for interpreter training and assessment.

Disability Living Allowance

Mr. Webb: To ask the Secretary of State for Work and Pensions what assessment he has made of the implications of recent developments in paediatric medicine requiring intensive nursing support by parents for the start date of disability living allowance payments for children being discharged from hospital; and if he will make a statement. [101345]

Maria Eagle: Developments in paediatric medicine do not alter the rules for the start date of Disability Living Allowance (DLA) for children being discharged from hospital. For all rates and components of DLA, the qualifying rules must have been satisfied for a period of at least three months before DLA can be paid. Where that qualifying period has been completed, the payment of DLA claimed and awarded while children are in hospital starts when they are discharged to their home address. Payments of DLA are reinstated on discharge for children who were receiving the allowance before they went into hospital for more than 12 weeks.

Employers' Liability

Sir Teddy Taylor: To ask the Secretary of State for Work and Pensions which organisations were invited to submit evidence to the Review on employers' liability; and which organisations submitted evidence. [102377]

Mr. Nicholas Brown *[holding answer 11 March 2003]*: The following organisations were invited to contribute to the review of employers' liability insurance:

Association of British Insurers
Association of Personal Injury Lawyers
British Chambers of Commerce
British Insurance Brokers' Association
Confederation of British Industry
Engineering Employers Federation
Federation of Small Businesses
Forum of Insurance Lawyers
Forum of Private Business
Institute of Directors
Institute of Insurance Brokers
Lloyd's Non Marine Association
Trades Union Congress

A range of trade associations were contacted. In addition all interested stakeholders were invited through the website of the Department for Work and Pensions to submit their views to the review team.

A list of the organisations that submitted evidence will be made available after the report of the review has been published.

Sir Teddy Taylor: To ask the Secretary of State for Work and Pensions which sources of statistical evidence were used in connection with the review of employers' liability; and if he will publish the statistical evidence presented to the review. [102379]

Mr. Nicholas Brown *[holding answer 11 March 2003]*: A list of the organisations and the statistical evidence they submitted will be made available after the report of the review has been published.

Fairground Safety

Ms Atherton: To ask the Secretary of State for Work and Pensions pursuant to his answers of 19 December 2002, *Official Report*, columns 999–1000W, on fairground safety, when the National Fairground Inspection Team was established; what its terms of reference are; how many members it has; to whom it reports; and what recommendations it has made since its establishment. [100770]

Mr. Nicholas Brown: The National Fairground Inspection Team was established in April 2002.

The terms of reference and purpose of the National Fairground Inspection Team are to provide the operational contribution to the Health and Safety Executive's (HSE's) strategy and workplan for fairground safety. This involves inspection, investigation and other initiatives to address significant risks. It also secures compliance with health and safety law and improves safety management in the industry. The team provides a focus for fairground inspection and ensures continuity of expertise.

The team is made up of local inspectors from HSE's Field Operations Directorate (FOD) located at HSE offices throughout the country. There are currently 37 inspectors and 12 principal inspectors who are nominated members of the National Fairground Inspection Team. Inspectors are not dedicated full time to the team but carry out their fairgrounds work in a planned way as part of their normal range of work. In addition, the Team may call on specialised disciplines (e.g. mechanical, structural, electrical, medical etc.) within HSE, and use the services of specialist contractors should the need arise.

The team is directed and coordinated by HSE's Food and Entertainment Sector and reports through the HSE Director Scotland to the Director of Field Operations.

The National Fairground Inspection Team does not make direct recommendations but provides operational intelligence to inform the HSE strategy and how it can best be taken forward.

Parliamentary Questions

Mr. Burstow: To ask the Secretary of State for Work and Pensions how many named day written questions were tabled to the Department between 15 October 2002 and 24 February 2003; how many that received a holding answer were given a substantive answer *(a)* within three days, *(b)* within seven days, *(c)* within 14 days, *(d)* within 28 days and *(e)* over 28 days later; and what procedures the Department has in place to monitor performance on answering (i) parliamentary questions and (ii) ministerial letters. [99425]

Maria Eagle: 331 questions for answer on a named day were received from 15 October and 24 February. 199 were given holding replies, of which 54 were given substantive replies within three days, 42 within seven days, 69 within 14 days, 19 within 28 days and eight over 28 days. Many of these named day questions sought information of a detailed nature which required further analysis and work by officials in order to provide an answer.

With regard to monitoring performance of parliamentary questions, I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State to the hon. Member for Northavon (Mr. Webb) on 13 February 2003, *Official Report*, column 966W.

The Cabinet Office, on an annual basis, publishes a report to Parliament on the performance of Departments in replying to ministerial correspondence. The report for 2001 was published on 24 May 2002, *Official Report*, column 674W. The report for 2002 will be published in due course.

Pollution

Norman Baker: To ask the Secretary of State for Work and Pensions (1) how much has been levied in fines by the Health and Safety Executive against *(a)* companies, *(b)* local authorities and *(c)* individuals with regard to incidences of pollution broken down by the type of pollution incidence, (i) in total, (ii) in each region and (iii) per fine in each year since 1995; [99258]

(2) what assessment has been made or is planned of the effectiveness of fines levied by the Health and Safety Executive on polluters in preventing *(a)* further incidences of pollution by the polluters and *(b)* incidences of pollution from others who have not previously polluted; what changes are planned; and if he will make a statement. [99259]

Mr. Nicholas Brown: The Health and Safety Executive (HSE) does not levy fines. When appropriate, HSE brings, or in Scotland recommends, prosecutions so that the courts may consider imposing fines following any conviction.

Responsibility for regulating environmental pollution does not reside with HSE. The Health and Safety Commission (HSC) and HSE have limited statutory responsibility in respect of the environment. Where they do have environmental involvement, HSE's activity is defined by the scope of the Health and Safety at Work etc. Act 1974. These matters include legislation involving control of major accident hazards, licensing and decommissioning of nuclear reactors, carriage of dangerous goods, notification of new substances, biocidal products, non-agricultural pesticides and Genetically Modified Organisms (GMOs).

HSE does have an enforcement role in these areas, and the boundaries between its role and those of the Environment Agency (EA) and Scottish Environment Protection Agency (SEPA), are set out in Memoranda of Understanding. These can be viewed on the HSE's website at www.hse.qov.uk.

Smoking

Mrs. Calton: To ask the Secretary of State for Work and Pensions what advice is given to employers about provision of smoke free working and rest areas for employees. [99981]

Mr. Nicholas Brown: All employers have a duty under the Health and Safety at Work etc Act 1974 to protect the health, safety and welfare of their employees, and this duty includes any risks arising from passive smoking.

More specifically, the Workplace (Health Safety and Welfare) Regulations 1992 require employers to protect non-smokers from discomfort caused by tobacco smoke in rest rooms and rest areas. This means that employers must either provide separate rest rooms/areas for smokers and non smokers or prohibit smoking in rest rooms/areas.

Free guidance published by HSE provides advice to employers on introducing effective smoking policies in the workplace. The guidance advises that employers must ensure that there are arrangements to protect non-smokers from discomfort caused by tobacco smoke in rest rooms or rest areas.

The guidance recommends that smoking policies in the workplace should give priority to the needs of non-smokers who do not wish to breathe tobacco smoke.

Chris Grayling: To ask the Secretary of State for Work and Pensions what policy his Department has adopted on smoking in the workplace. [100928]

Mr. Nicholas Brown: In all our businesses, smoking is banned within all public areas and also within open plan working areas.

Arrangements are made locally on a site by site basis in consultation with staff the procedures for those who smoke. Smoking rooms are provided where space allows.

Chris Grayling: To ask the Secretary of State for Work and Pensions if he will make a statement on the introduction of an Approved Code of Practice for smoking in the workplace. [100947]

Mr. Nicholas Brown: The Government are currently looking at possible options to reduce the exposure of people to tobacco smoke.

We will announce our conclusions in due course about how best we will achieve further progress in this area.

Written Answers to Questions

Monday 17 March 2003

CABINET OFFICE

Advertising Expenditure (Scotland)

Pete Wishart: To ask the Minister for the Cabinet Office how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102325]

Mr. Alexander: Due to the format in which advertising information is held, to provide the information as requested would result in disproportionate costs.

Public and Advisory Bodies

Tony Wright: To ask the Minister for the Cabinet Office what the criteria are for classifying public and advisory bodies as *(a)* executive non-departmental public bodies, *(b)* advisory non-departmental public bodies, *(c)* task forces, *(d)* ad hoc advisory groups and *(e)* reviews; and what particular qualities or characteristics distinguish these bodies from each other. [102521]

Mr. Alexander: Generally, executive non-departmental public bodies (NDPBs) operate under statutory provisions and are legally incorporated; their functions cover a national remit (including the devolved assemblies); appointments to the Board of the NDPB are made by Ministers, or by the Queen on ministerial advice; such appointments must be made in accordance with the Code of Practice of the Commissioner for Public Administration (OCPA); the chief executive is accountable to the Board; the NDPB has its own budget; staff are employed directly by the body itself (and are not civil servants); and Ministers are answerable to Parliament for the NDPB and have the powers to wind it up subject to, where appropriate, the approval of Parliament or, where a Royal Charter has previously been granted, of the Queen.

Advisory NDPBs are usually set up administratively by Ministers, or by the Queen on ministerial advice, without the need for legislation; those appointed to the Board are independent of Government and drawn from outside the public sector; the NDPB should be a standing body existing for more than one year and meeting at least annually; the Board has a defined membership and clear terms of reference; as with executive NDPBs, appointments are subject to the OCPA Code of Practice and the remit tends to have a national focus; the Board is usually supported by staff from within the sponsoring department but is not part of a department or agency; generally the NDPB does not prepare its own accounts and instead is accounted for through the books of the sponsoring department; and Ministers are answerable to Parliament for the body and may wind it up.

There is little to distinguish between task forces, ad hoc advisory groups and reviews. These bodies can be defined in various ways. However, the Government's response to the Sixth 'Report of the Committee on Standards in Public Life' gave 3 criteria as a definition:

Membership drawn from the wider public sector and/or voluntary organisations and/or the private sector

A lifetime normally of less than 2 years;

A remit focused on a single issue.

Some of these bodies may go on to become classified as NDPBs where the need for the body's advice continues beyond its original life span e.g. the Better Regulation Task Force, Skills Task Force and the New Deal Task Force.

Finally, as their name indicates executive NDPBs will be largely concerned with an operational or executive function while an advisory NDPB would be more likely to provide specific advice in a specialised field. Both executive and advisory NDPBs tend to be more formal and likely to run for longer than task forces, ad hoc advisory groups and reviews. The choice of the most appropriate body to be set up in a given situation will depend upon all of the criteria described here, and ministerial judgment about what would be most suitable for the intended purpose.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture/Horticulture

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to raise public understanding of agriculture and horticulture in the UK; and how much her Department has spent, broken down by category, on such measures since 1997. [102439]

Alun Michael: The Department for Environment, Food and Rural Affairs is responsible for policies on sustainable farming and food, including plant health, plant variety rights and all aspects of horticulture. The activities and actions of the Department and its Ministers are aimed at developing and promoting these policies as cost-effectively and efficiently as possible. Defra aims to promote sustainable, diverse, modern and adaptable farming through domestic and international actions and to promote a sustainable and safe food supply chain which meets consumers' requirements.

Defra produces a number of agricultural publications, including "Agriculture in the United Kingdom", which is published annually in association with the devolved administrations. In response to a recommendation of the EFRA Select Committee in its recent report "The Future of UK Agriculture in a Changing World", Defra will publish an annual assessment of the state of the agriculture industry and its future prospects in an international context.

Defra was formed in June 2001. The Department does not maintain records of its publicity expenditure in the categories set out in the hon. Gentleman's question. To undertake attempts to identify the closest equivalents to them would incur disproportionate cost.

Capita

Mr. Paul Burstow: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the reply of 20 February, *Official Report*, column 83W, on Capita, if she will list for each of the contracts awarded by her Department to Capita since 8th June 2001 *(a)* start and finish date of contract, *(b)* value of contract, *(c)* evaluation mechanism for successful delivery of contract, *(d)* penalty charges for failure to deliver, *(e)* penalty charges incurred, *(f)* service level agreements and *(g)* contract numbers; and if she will make a statement. [100458]

Alun Michael: Between June 2001 and December 2002 the Department made payments of £1,551,203 to the Capita Group in connection with the services identified in the *Official Report*, column 83W of 20 February. From information held centrally the Department is not aware that any contractual or legal remedies for specific non-performance have needed to be invoked and considers that the Capita Group has delivered the contracted services to the standards required.

The terms of contracts between the Department and its suppliers are commercially confidential.

Further information can be provided only at disproportionate cost.

Chewing Gum

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what plans her Department has to tackle discarded chewing gum. [102598]

Alun Michael: Defra's consultation document "Living Places—Powers, Rights, Responsibilities", includes two options relating to chewing gum: R8—to include discarded chewing gum as litter to which existing litter duties and powers apply, and; F3—restricting the availability of chewing gum in areas degraded by persistent littering. The consultation closed on 14 February 2003. We are now in the process of assessing all the comments and considering, with other Government Departments and stakeholders as necessary, how best to take matters forward, including, where appropriate, proposals for legislation.

English Rural Development Programme

Mr. Jack: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish her proposed expenditure for each of the next three years under the English rural development programme, broken down by scheme. [103146]

Alun Michael: The proposed expenditure on schemes under the England rural development programme is:

£ million

Scheme	*2003–04*	*2004–05*	*2005–06*
Countryside Stewardship Scheme	81	96	111
Environmentally Sensitive Area Scheme	48	48	48
Organic Farming Scheme	22	23	23
Farm Woodland Premium Scheme	11	12	13
Woodland Grant Scheme	21	22	22
Hill Farming Allowance	35	27	27
Rural Enterprise Scheme	24	36	36
Processing and Marketing Grant	8	8	8
Vocational Training Scheme	4	4	4
Energy Crops Scheme	5	5	5

The table does not include possible new schemes that would require modification of the ERDP and are subject to Commission approval. For example, we recently launched a pilot entry level agri-environment scheme and we have said that if this pilot is successful we intend to introduce the full scheme in England in 2005. Additional funding would have to be made available in 2005–06 to operate the scheme.

Scheme	*Total Number of agreements approved*	*Number of agreements approved between 2000–02*[1,2]	*Scheme budget 2000–06 (£ million)*
Countryside Stewardship Scheme	13,858	6,290	481
Environmentally Sensitive Areas	12,300	1,677	330
Organic Farming Scheme	N/a	1,085	141
Woodland Grant Scheme	32,748	7,058	139
Farm Woodland Premium Scheme/Farm Woodland Scheme	10,059	2,389	77
Energy Crops Scheme	N/a	31	32
Hill Farm Allowance[2]	N/a	9,953	254

Note:

Figures for number of approved agreements are provisional as some agreements for 2002 remain to be processed. Agreements entered into before 2000 are excluded.

For Hill Farm Allowance, figure relates to number of payments made on claims received in 2002 rather than agreements approved over the years 2000 to 2002.

It is not possible directly to compare the value of approved agreements in a givenyear with the budget for that year, because *(a)* the majority of agreements under the land-based schemes are for commitments lasting ten years or more and with payments made annually; *(b)* first payments under individual agreements may not always be made in the same year as the agreement is approved; and *(c)* much of the current budget for land-based schemes is expended on commitments entered into before the ERDP began in 2000.

In financial year 2000–01, 83 per cent. of the total budget available for the ERDP land-based schemes was spent, and in financial year 2001–02, 89 per cent. of the total budget available for the ERDP land-based schemes was spent.

GM Crops

Mr. Key: To ask the Secretary of State for Environment, Food and Rural Affairs against what criteria the outcome of the public debate on genetically modified crops will be judged. [103053]

Mr. Meacher: The Government will judge the outcome of the public debate on the opportunities that it has presented people to gain a fuller understanding of the wider issues surrounding genetic modification and to reach their own judgement. The Government set up an independent public debate steering board that announced its own indicators against which it would assess the success of the debate. These include the extent to which people felt they were able to participate, their awareness of the debate, whether it was credible and innovative, and whether it improved the present understanding of public views.

GMOs

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to prepare draft legislation on *(a)* health, *(b)* environmental and *(c)* economic liability arising from the release of GMOs. [103052]

Mr. Meacher: The European Commission has issued proposals, which are being considered by the Council and the European Parliament, for an EU environmental liability regime covering the release of GMOs. This focuses on potential damage to biodiversity. The Government will consider whether domestic rules on GMO liability might be needed after it is has received a report due this summer from the Agriculture and Environment Biotechnology Commission.

Greenhouse Gas

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department is taking to reduce greenhouse gas emissions in the form of methane from disused coal mines; and what estimate she has made of the cost of tackling such pollution. [102069]

Mr. Meacher: As yet there is no reliable measure of the amount of methane escaping from disused coal mines. Current estimates vary from 0.3 per cent. to 2 per cent. of UK greenhouse gas emissions. My Department, in consultation with the industry, have commissioned an independent study to provide an accurate estimate of methane emissions from this source which will report in two years time.

Defra supported the coal mine methane industry in its application for exemption from the climate change levy. This application was successful, and secured for the industry an 80 per cent. discount on the levy subject to state aid approval from the European Commission. This will improve the viability of the industry.

Since the launch of the UK emissions trading scheme in April 2002 Defra has worked with the industry to overcome obstacles to their entry into the scheme. Defra is also engaging with the European Commission on their proposal for extending the EU emissions trading scheme to include a project mechanism in due course, which may allow credits to be claimed for coal mine methane projects.

The Government consider that extending the renewables obligation to include coal mine methane would not be consistent with the objectives of the obligation, since coal mine methane is, self-evidently, not a renewable. However, we are very supportive of this industry and are keen to help it expand so that it can continue to reduce emissions throughout the UK.

Until there is an accurate estimate of what is actually being emitted from disused mines in the UK, it is not possible to make an accurate estimate of the cost of tackling the issue.

Nappies

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will estimate the total *(a)* energy, *(b)* resource use, *(c)* volume of waste and *(d)* water use; from (i) a real nappy and (ii) a disposable nappy; and if she will make an assessment of their overall relative environmental impacts. [99246]

Mr. Meacher: The environmental impact of disposable nappies is adverse; however we don't at present have quantifiable data on this.

The Environment Agency is currently carrying out a life cycle analysis which compares the environmental impact of re-usable and disposable nappies and clarifies information already contained in the existing life cycle analysis. We expect the work to be completed in early summer.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of *(a)* how many disposable nappies would be used if all those who used real nappies were to switch to the use of disposable nappies and *(b)* the overall environmental impact of such a change. [99248]

Mr. Meacher: Assuming that 10 per cent. of parents use re-usable nappies (current estimates give a figure of 5 per cent. to 15 per cent.), a switch to disposable nappies is estimated to lead to a 0.2 per cent. to 0.3 per cent. increase in the proportion of the municipal waste stream constituted by nappies. This would increase the current level from 2 per cent. to 3 per cent. to approximately 2.2 per cent. to 3.3 per cent., and worsen the overall environmental impact, although the effects cannot at present be quantified.

The Environment Agency is currently carrying out a life cycle analysis which compares the environmental impact of re-usable and disposal nappies and clarifies information already contained in existing life cycle analysis. We expect the work will be completed in the early summer.

Ruddy Ducks

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what the estimated cost is of her Department's plans to reduce the numbers of the ruddy duck. [102339]

Margaret Beckett: The Department has completed the ruddy duck control trial and will spend an additional £100,000 this financial year on research work into refining control methods for the ruddy duck. Further research will be undertaken in 2003–04. Final decisions have not yet been taken on the allocation of the research budget, but the expected expenditure is around £¼ million. We also propose to participate in a white-headed duck workshop to be held later this year in Morocco. The workshop will consider various control methods used on ruddy ducks throughout Europe and North Africa. Expenditure in future years has not been decided.

Secondments

Mr. Blunt: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the reply of 11 March, *Official Report*, column 150W, on secondments, if she will list the NGOs who have seconded staff to her Department. [103438]

Alun Michael: *[pursuant to his answer, 11 March 2003, Official Report, column 150W]*, the NGOs concerned are:

Chemical Industrial Association
Envirowise
Forum for the Future
Groundwork
Global to Local
Imperial College
Royal Society for the Protection of Birds (2)
Tidy Britain Group (Environmental Campaigns)
TXU Warm Front
Warwick University
World Wildlife Fund (2)

Tyres

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the environmental impact of *(a)* retread and *(b)* new tyres, using a life-cycle analysis approach. [99235]

Mr. Meacher: In 2001, BLIC (the liaison office of the European rubber industry) produced a life cycle analysis of car tyres. The report did not specify the environmental load of retreaded tyres, but did highlight the importance of rolling resistance as a factor in determining its benefits.

Retreaded tyres, nevertheless, would seem to offer a number of advantages as an end-of-life recovery option because of the reduced requirement for raw materials in their manufacture, as compared with new tyres, and by providing the tyre with another life, thereby reducing the numbers of new tyres needed, and subsequently requiring disposal.

The Department of Trade and Industry has recently commissioned a further study to examine the environmental credentials of tyre retreading.

Waste Management

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the Government's policy is on building new *(a)* incinerators and *(b)* waste to energy plants; [100475]

(2) what guidance she has issued to local authorities about building new *(a)* incinerators and *(b)* waste to energy plants; [100476]

(3) what percentage of UK waste the Government expect to dispose of through *(a)* incinerators and *(b)* waste to energy plants in the next five years. [100474]

Mr. Meacher: Waste Strategy 2000 (Cm4693–2) sets out our policies for sustainable waste management and the steps to achieving them. Minimising waste production and maximising re-use and recycling of waste are central to that policy.

Our policy on municipal waste incinerators or other energy from waste facilities is that they should only be considered where it can be shown that they are appropriately sized so that they would not "crowd out" recycling. They should also include, wherever possible, combined heat and power systems which produce electricity and provide effective heating for homes and businesses.

The Government have no plans for the number of incinerators or other energy from waste facilities that local authorities should provide, nor are there any targets for the production of energy from waste. The Regulatory Impact Assessment of Waste Strategy 2000 (published in Annex C of Part 2 of the strategy) assessed a variety of waste management scenarios and provided broad ranges for numbers of required facilities. Variables included different projections for waste growth, different mixes of waste management facilities, and differing levels of participation in recycling schemes. A similar exercise was carried out by the Strategy Unit and published in their report "Waste not, Want not" in November last year.

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the self-reported breaches of emissions regulations by waste incinerator operators for *(a)* 2001 and *(b)* 2002. [102204]

Mr. Meacher: The numbers of breaches of emission limits recorded by the Environment Agency for municipal waste incinerators in *(a)* 2001 and *(b)* 2002 are shown in the table.

1 January to 31 December 2001	*HCl*	*SO2*	*NOx*	*CO*	*PM*	*Cd and Tl*	*Hg*	*Other Metals*[1]	*HF*	*Dioxins*	*VOCs*[2]	*NH_3*[2]	Total
Dudley (MES)	10	1	1	0	1	0	0	0	0	0	-	-	13
Wolverhampton (MES)	4	0	1	2	2	0	0	0	0	0	-	-	9
Billingham (SITA)	1	1	2	20	1	0	0	0	0	0		-	25
Coventry (C and S WDC)	29	2	3	57	3	0	0	0	0	0	-	-	94
Tyseley (Onyx)	0	0	1	2	0	0	0	0	0	0	-	-	3
Nottingham (WRE)	2	0	4	0	0	0	0	0	0	0	-	-	6
Sheffield (Onyx)	14	1	0	21	0	0	0	0	0	0	-	-	36
Stoke (MES)	12	1	1	1	0	0	0	0	0	0	-	-	15

1 January to 31 December 2001	*HCl*	*SO2*	*NOx*	*CO*	*PM*	*Cd and Tl*	*Hg*	*Other Metals*[1]	*HF*	*Dioxins*	*VOCs*[2]	*NH_3*[2]	Total
Edmonton (LW)	2	0	6	29	2	0	0	0	0	0	-	-	39
Lewisham (Onyx SELCHP)	0	0	0	0	1	0	0	0	0	0	-	-	1
Bolton (GMW)	5	0	0	3	1	0	0	0	0	0	-	-	9
TOTAL	79	6	19	135	11	0	0	0	0	0	-	-	250

1 January to 31 December 2002	*HCl*	*SO2*	*NOx*	*CO*	*PM*	*Cd and Tl*	*Hg*	*Other Metals*[3]	*HF*	*Dioxins*	*VOCs*	*NH_3*	*Total*
Dudley (MES)	9	0	1	0	0	0	0	0	0	0	0	0	10
Wolverhampton (MES)[4]	1	0	0	0	0	0	0	0	0	0	0	0	1
Billingham (SITA)	2	11	3	11	2	0	0	1	0	0	0	0	30
Coventry (C and S WDC)[4]	2	1	0	2	0	0	0	0	0	0	4	0	9
Tyseley (Onyx)	0	0	0	2	0	0	0	0	0	0	0	0	2
Nottingham (WRE)[4]	1	0	4	1	3	0	0	0	0	0	0	0	9
Sheffield (Onyx)[4]	1	0	0	15	0	0	0	0	0	0	0	0	16
Stoke (MES)[3]	1	0	0	0	0	0	0	0	0	0	0	0	1
Edmonton (LW)	2	0	0	8	0	0	0	0	0	0	0	0	10
Lewisham (Onyx SELCHP)	0	0	0	0	0	0	0	0	0	1	0	0	1
Bolton (GMW)	1	2	0	0	0	0	0	0	0	0	0	0	3
Huddersfield(SITA)[4,5]	3	2	0	8	0	0	0	0	0	0	0	0	13
TOTAL	23	16	8	47	5	0	0	1	0	1	4	0	105

Notes

[1] Antimony, arsenic, lead, chromium, cobalt, copper, manganese, nickel, vanadium and their compounds taken together in total

[2] VOC and ammonia breaches recording commenced in 2002

[3] 1 January to 30 September 2002

[4] January to 30 June 2002

[5] Commenced operation in 2002

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs where *(a)* incinerators and *(b)* waste to energy plant, feature in the Government's waste hierarchy. [100692]

Mr. Meacher: The waste hierarchy, in Waste Strategy 2000 (Cm 4693–1) sets out the order in which options for waste management should be considered based on environmental impact. Following the hierarchy the best option is reduction (waste minimisation) followed in order by re-use, recycling, composting, energy recovery, and disposal.

Wood (Fuel)

Mr. Lindsay Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the environmental impact of *(a)* burning wood as a fuel and *(b)* increasing the use of wood as fuel. [101292]

Alun Michael: Burning of wood from sustainably managed forests for energy production does not contribute to the UK's carbon dioxide emissions as the gas released through combustion will be absorbed by new tree growth. Wood combustion does contribute to the UK's emissions of methane and nitrousoxide. These gases have a global warming potential, but even when this is taken into account, the overall impact, in terms of greenhouse gas emissions per unit of energy input, is unlikely to exceed 15 per cent. of the impact of fossil fuel combustion for wood burnt domestically in open grates, or 5 per cent.of the impact of fossil fuel combustion for wood burnt in combustion plant.

Emissions associated with the management, harvesting and transportation of wood are small relative to total energy content of the wood. Nevertheless minimising transportation distances and improving the efficiency of transportation should be included as factors in the evaluation of proposals for new wood fuel developments.

The combustion of wood, as opposed to coal or oil, produces low emissions of sulphur dioxide as wood has a lower sulphur content. Wood also tends to be burnt at lower temperatures than coal or oil which, in general, results in lower emissions of oxides of nitrogen compared to those from other fuels. Burning wood can also produce small amounts of benzene, particles, lead and polycylic aromatic hydrocarbons. Estimates of emissions of the main air pollutants from domestic and industrial wood combustion, compared with the UK totals, are set out in the Appendix.

Depending on the soil in which the biomass is grown, wood can contain heavy metals which on burning are retained in the ash. Inefficient burning can leave some carbon in the ash therefore polyaromatic hydrocarbons must also be considered. If concentration thresholds for either are exceeded, ash should be disposed of in a controlled manner. However a recent compilation of data on UK wood suggests that heavy metal concentration in ash will not constitute a hazard to human health or the environment. Since ash contains a range of important nutrients there is the possibility of returning it as a fertiliser to forests.

An overall assessment of the emissions impact from an increase in the use of wood as fuel depends on the fuel it replaces, the efficiency of the combustion systems and the abatement technology used.

Greater use of wood fuel can assist in limiting CO_2 emissions, and other emissions can be minimised by maximising the efficiency of the combustion process, and by installing appropriate abatement control. Increases in the use of wood will be largely based on efficient and environmentally friendly systems developed to meet stringent emission standards. Grant schemes introduced recently to encourage greater use of biomass specify highly efficient combustion and abatement systems.

Additional markets for wood will encourage more active management of forests which in turn will encourage their regeneration whilst improving structural diversity and biodiversity.

Appendix estimates of emissions of main air pollutants from domestic and industrial wood combustion compared with UK total (National Atmospheric Emission Inventory 2000):

Pollutant	*Unit*	*Domestic*	*Industrial*	*National total*	*Domestic as percentage of national total*	*Industrial as percentage of national total*
Benzo[a]pyrene	Kg	1,170	0.0518	10,800	10.8	0
Dioxins	Grams	0.216	9.3	360	0.06	2.58
Cadmium	Tonne	0.072	0.074	5.2	1.38	1.42
Mercury	Tonne	0.027	0.074	8.5	0.32	0.871
Lead	Tonne	0.82	0.037	496	0.17	0.007
Benzene	Kilotonne	1.44	0.182	16.4	8.75	1.11
Carbon monoxide	Kilotonne	89.3	5.23	4,170	2.14	0.125
Nitrogen oxides	Kilotonnes	0.650	2.38	1,510	0.04	0.157
Particles (PMio)	Kilotonnes	7.11	0.326	172	4.13	0.189
Sulphur dioxide	Kilotonnes	0.0333	0.0274	1,170	0	0.002
Volatile organic compounds	Kilotonne	4.87	0.594	1,680	0.29	0.035
Methane	Kilotonnes	3.25	0.357	2,430	0.13	0.015
Nitrous oxide	Kilotonne	0.0349	0.0511	141	0.02	0.036

INTERNATIONAL DEVELOPMENT

Afghan Refugees

Mrs. Spelman: To ask the Secretary of State for International Development what assessment her Department has made of the number of Afghan refugees in *(a)* Pakistan and *(b)* Iran; and what financial support she is giving to each group. [102741]

Clare Short: The numbers of refugees still in exile fluctuate constantly. At the beginning of this year, UNHCR estimated that two million refugees remained in Iran and 1.5 million in Pakistan.

DFID is supporting refugee programmes through various UN agencies and NGOs. Overall we have contributed over £5.8 million for refugee programmes administered by UNHCR and a further £1 million to a variety of other agencies also involved in refugee assistance.

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on levels of *(a)* malnutrition and *(b)* violence against women among Afghan refugees in refugee camps in (i) Pakistan and (ii) Iran. [102743]

Clare Short: Neither DFID nor its implementing partners that assist refugees (UNHCR, WFP, ICRC) have specific information on malnutrition or levels of violence in refugee camps.

WFP estimates that over 50 per cent. of children under five in Afghanistan are chronically malnourished while acute malnutrition affects less than 10 per cent. of the population. I have just approved a further £700,000 for WFP's operations in Afghanistan that include food assistance to vulnerable people still in camps.

We have contributed £5.8 million this financial year to UNHCR's programmes for refugees in Pakistan and Iran. These include a component for monitoring of camps, protection officers and funding for legal aid for vulnerable people including women.

Mrs. Spelman: To ask the Secretary of State for International Development what assessment her Department has made of the number of internally displaced people in Afghanistan; and what support she is providing for them. [102742]

Clare Short: According to UNHCR reports there are still around 700,000 internally displaced people (IDPs) in Afghanistan. The continuing drought in the South is I understand, causing further displacement.

During 2002, international agencies helped over 250,000 IDPs to return home. And a further 200,000 are estimated to have returned home on their own. In the current financial year we have contributed £5.8 million to UNHCR's programmes for IDPs and returnees, including £1.8 million this month. The continuing challenge in Afghanistan is to help meet the basic needs of the most vulnerable people, whilst building Government capacity for sustainable reconstruction. We remain fully committed to these ends.

Democratic Republic of Congo

Mr. Key: To ask the Secretary of State for International Development what discussions her Department has had with leaders in the Democratic Republic of Congo regarding allowing the UN Mission in the Democratic Republic of Congo unlimited access to *(a)* areas and *(b)* evidence for its investigations. [103114]

Clare Short: The Government have made repeated calls for all parties in the DRC to allow free access to MONUC to fulfil its mandate. We have interceded with different authorities on a number of specific occasions to support the work of MONUC in humanitarian and peace-keeping operations. This has included pressing the Forces Armees Congolaises (FAC) to allow inspectors access to military airports; the Rassemblement Congolaise pour la Democratie-Goma (RCD-G) to allow humanitarian access to the conflict afflicted Haut Plateau; and the Mouvement pour la Liberation du Congo (MLC) to assist investigation into alleged human rights abuses committed by its forces. We continue to press all parties to facilitate MONUC's access to all areas of the DRC and to co-operate fully with its investigations.

Drugs Re-selling

Mr. Key: To ask the Secretary of State for International Development what assessment her Department has made of re-selling low-priced drugs from the developing world back to the developed world; and what steps are being taken to address this issue. [103085]

Clare Short: The high cost of drugs is a key barrier to poor people's ability to access essential medicines. The pharmaceutical industry, in partnership with the international community and donor governments, provide some medicines at preferential prices to the developing world. The Government have been working with partners to make a major advance towards the widespread and sustainable access to medicines to the world's poor, including through pharmaceutical companies providing medicines for HIV/AIDS, TB and Malaria at close to the cost of manufacture. However there is a risk that such medicines can be diverted and sold by 'middle men' back to developed country markets where they can be sold at a higher price. The extent of this problem can vary. Last year one company reported that roughly 25 per cent. of its preferentially priced AIDS medicines were diverted back to the EU.

Our High Level Working Group on increasing Access to Essential Medicines examined ways of minimising the problem. In the long-term, strengthening developing country health systems will better equip countries to minimise product leakage. DFID has committed over £1.5 billion since 1997 to health systems strengthening in poorer countries. Other strategies to minimise diversion include, developing distinctive packaging and labelling of preferentially priced medicines, and implementing customs regulations in wealthier markets which prohibit re- importation. The European Union is currently discussing a regulation which would include such measures.

Global Health Fund (Malawi)

Mr. Key: To ask the Secretary of State for International Development what assessment her Department has made of Malawi's proposal to the Global Health Fund, with particular reference to the issue of an upper limit on proposals; and if she will make a statement. [103106]

Clare Short: US$196 million was awarded to the Malawi Global Fund Coordinating Committee in August 2002 for HIV/AIDS. This is currently the largest GFATM award in Africa. A further USD 40 million was approved in February 2003 for scaling up prevention and treatment of Malaria.

A review of Global Fund proposals in five countries, including Malawi, was undertaken in August 2002. It highlights the challenge in Malawi to absorb the additional finance given the prevailing health service infrastructure. There are major shortages of appropriately trained staff. The public sector is experiencing high attrition both from dissatisfaction with terms and conditions of service and as a direct result of AIDS. The GFATM proposal also requires extensive laboratory facilities which are currently lacking and qualified technicians and are in short supply.

Accordingly the Global Fund is phased so that initial stages concentrate on building capacity for service delivery. The Global Fund proposal is complemented by several other initiatives in the health sector, including work supported by my Department in strengthening essential medical laboratory services, medical supplies management, and improved mechanisms for coordinating donor support. The DFID mainstreaming strategy will help strengthen the institutional framework for a multi-sectoral HIV response by supporting posts in government and key institutions including WHO, UNAIDS and the World bank.

Intellectual Property Rights

Mr. Key: To ask the Secretary of State for International Development what her policy is on the recommendations of the report of the Commission on Intellectual Property rights; and if she will make a statement. [103096]

Mrs. Spelman: To ask the Secretary of State for International Development what assessment she has made of the report of the Commission on Intellectual Property Rights in respect of patents. [103634]

Clare Short: The Government will publish its response to the report of the Commission on Intellectual Property Rights very shortly and will be available at www.dfid.gov.uk. A written statement will also be made to the House.

International Organisation for Migration

Dr. Tonge: To ask the Secretary of State for International Development what financial resources her Department has allocated to the International Organisation for Migration in each year since 1997. [101734]

Clare Short: DFID's funding for IOM's operational budget since 1997 is as follows (figures in US dollars):

	US $
1997	300,000
1998	1,203,482
1999	2,977,297
2000	3,120,757
2001	5,504,559
2002	8,147,087

The above figures exclude reimbursable services and projects jointly funded with the Home Office that can not be separately disaggregated from other UK Government funding.

In addition DFID has contributed 50 per cent. of the UK's membership fees to IOM since the UK rejoined IOM in June 2001. These amounted to £517,242 (DFID share £258,621) in 2001 and £952,470 (DFID share £476,235) in 2002.

Iraq

Dr. Tonge: To ask the Secretary of State for International Development what percentage of people in Iraq she estimates had access to clean water in *(a)* 1980, *(b)* 1990, *(c)* 1996, *(d)* 1998 and *(e)* 2000. [101733]

Clare Short: It is difficult to find clear statistics on access to clean water in Iraq. The WHO/UNICEF Joint Monitoring Programme for Water Supply and Sanitation Coverage, the official UN reference system for monitoring water coverage statistics, provides figures for most of the years in question. (Given the difficulties in routinely measuring safe water, their surveys measure the presence of water facilities of different technology types. Improved water supplies are defined as those inherently safer than other types of supplies. They include: household connection; public standpipe; bore hole; protected dug well; protected spring; or rainwater collection. Not improved water supplies include: unprotected well; unprotected spring; vendor-provided water; bottled water; tanker truck-provided water.) In their estimates for 1980–2000, the following figures for access to improved water supplies in Iraq are provided:

Percentage

Year	*Urban*	*Rural*
1985	100	54
1988	100	72
1990	93	41
1996	96	48
2000 (estimate)	96	48

DFID cannot confirm the reliability of these figures. It should be noted that, while water is supplied to most urban households (and therefore classified as 'improved'), a high proportion of this water is not treated. There are also understood to be significant regional disparities in supply coverage within Iraq.

Mrs. Spelman: To ask the Secretary of State for International Development what proportion of UN personnel in Iraq are Iraqi nationals. [102739]

Clare Short: Until recently, Iraqi nationals comprised around 80 per cent. of UN personnel in Iraq. However, over recent weeks the numbers of UN international staff have been reducing, resulting in an increase to the proportion of national staff.

South America (Development Aid)

Keith Vaz: To ask the Secretary of State for International Development if she will list the three largest development projects on the South American continent supported by her Department. [102234]

Clare Short: DFID has country programmes in Bolivia, Brazil and Peru in South America reflecting the severity and depth of poverty in these countries. They form part of our regional strategy in Latin America that aims to reduce poverty by working with governments, civil society and the international community in the areas of pro-poor growth, social inclusion and pro-poor governance.

Details (DFID figures available by financial year, EC figures by calendar year):

£ million

Country	*UK bilateral assistance 2001–02 Includes DFID programmes, CDC investments and debt relief*	*DFID share of EC assistance 2001*
Bolivia	31.5	3.5
Brazil	7.0	9.2
Peru	8.9	2.8

Further details are available in DFID's Country Strategy Paper for Bolivia which is available in the Libraries of the House. DFID's Country Strategy Paper for Brazil and Country Assistance Plan for Peru are currently being finalised. I will place copies in the House Libraries when they become available.

West Africa

Dr. Tonge: To ask the Secretary of State for International Development what financial resources her Department has allocated to the UN agencies and NGOs that are providing assistance to third country nationals, refugees and returnees in West Africa. [102265]

Clare Short: I have recently approved £5 million for several humanitarian interventions in response to the United Nations Consolidated Appeals for West Africa. This comprises contributions to UN organisations, the International Committee for the Red Cross programmes in Cote D'Ivoire, Guinea, Liberia and Sierra Leone; to Medicins Sans Frontiere (B) for a health project in Liberia and to Merlin for a health intervention in Cote D'Ivoire. This is in addition to substantial contributions from DFID last year.

World Water Assessment Programme

Mrs. Spelman: To ask the Secretary of State for International Development what her Department's response is to the World Water Assessment Programme's recent report. [102811]

Clare Short: Nearly two thirds of the world's population will be living in countries of significant water stress by the year 2025, with the increasing possibility of conflicts over water becoming more common. One in five people in the world lack access to safe drinking water and nearly half lack access to sanitation. Misuse of resources and poor management have resulted in depleted supplies, falling water tables, shrinking inland lakes and stream flows reduced to ecologically unsustainable levels. In addition water pollution, from mainly human activities, is decreasing the amount of water suitable for many uses. At the Johannesburg World Summit on Sustainable Development strong commitments were made for better management of water resources and improved access to drinking water and sanitation and these must now be implemented.

In this context, initiatives that support the assessment of water resources and build capacity for the sustainable management of available resources are increasingly important. The UNESCO led World Water Assessment

Programme (WWAP), has been supported by DFID, from its outset in mid-2000. It is an effective long-term Programme providing assessment, monitoring and reporting of the people-centred status of the world's water. The UN World Water Development Report (WWDR)—'Water for People Water for Life' which has just been released, is the first major output from the programme and will be presented at the 3rd world water forum in Kyoto, Japan, this week. The report represents the combined efforts of 23 UN agencies and convention secretariats and is now the most comprehensive and up-to-date information on the state of the world's freshwater resources. The availability of rigorous and authoritative water information at appropriate scales in the public domain will influence actions by others and allow critical issues to be identified.

SOLICITOR-GENERAL

Iraq

Mr. Cash: To ask the Prime Minister if he will make a statement on the legal basis for military intervention against Iraq. [102902]

The Solicitor-General *[pursuant to the Prime Minister's answer, 14 March 2003, c. 482W]:* The Attorney-General has given a written answer to a question from Baroness Ramsey in the House of Lords today in the following terms:

Authority to use force against Iraq exists from the combined effect of resolutions 678, 687 and 1441. All of these resolutions were adopted under Chapter VII of the UN Charter which allows the use of force for the express purpose of restoring international peace and security:

> 1. In resolution 678 the Security Council authorised force against Iraq, to eject it from Kuwait and to restore peace and security in the area.
>
> 2. In resolution 687, which set out the ceasefire conditions after Operation Desert Storm, the Security Council imposed continuing obligations on Iraq to eliminate its weapons of mass destruction in order to restore international peace and security in the area. Resolution 687 suspended but did not terminate the authority to use force under resolution 678.
>
> 3. A material breach of resolution 687 revives the authority to use force under resolution 678.
>
> 4. In resolution 1441 the Security Council determined that Iraq has been and remains in material breach of resolution 687, because it has not fully complied with its obligations to disarm under that resolution.
>
> 5. The Security Council in resolution 1441 gave Iraq "a final opportunity to comply with its disarmament obligations" and warned Iraq of the "serious consequences" if it did not.
>
> 6. The Security Council also decided in resolution 1441 that, if Iraq failed at any time to comply with and co-operate fully in the implementation of resolution 1441, that would constitute a further material breach.
>
> 7. It is plain that Iraq has failed so to comply and therefore Iraq was at the time of resolution 1441 and continues to be in material breach.
>
> 8. Thus, the authority to use force under resolution 678 has revived and so continues today.
>
> 9. Resolution 1441 would in terms have provided that a further decision of the Security Council to sanction force was required if that had been intended. Thus, all that resolution 1441 requires is reporting to and discussion by the Security Council of Iraq's failures, but not an express further decision to authorise force.

I have lodged a copy of this answer, together with resolutions 678, 687 and 1441 in the Library of both Houses.

CULTURE, MEDIA AND SPORT

Arts Council of England

Mr. Edward Davey: To ask the Secretary of State for Culture, Media and Sport what the administrative cost of the Arts Council of England to each Government Office of the Region was in *(a)* 1999–2000, *(b)* 2000–01, *(c)* 2001–02 and *(d)* 2002–03. [103014]

Dr. Howells: There is no cost to the regional Government offices for the running of the Arts Council of England. The full administrative cost is met out of the annual grant-in-aid allocation made to it by the Department for Culture, Media and Sport.

English Heritage

Mr. Hunter: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the security implications of English Heritage's placing of photographs of private buildings on the internet under its Images of England project. [102146]

Dr. Howells: My right hon. Friend the Secretary of State has a legal duty to compile and publish lists of buildings of special architectural or historic importance. These lists are in the public domain, and can be accessed through local authorities, records offices, libraries, English Heritage and DCMS. Many other groups will also hold information on listed buildings, including amenity societies and local interest groups.

English Heritage undertook a security review in 2000 which looked into the implications of placing photographs of private buildings on the internet. The review consulted with the police, insurers and technical experts and concluded that no evidence could be found to support a link between the kind of information English Heritage is publishing on the internet and any physical threats to property security.

Television Licensing

Mr. Peter Duncan: To ask the Secretary of State for Culture, Media and Sport what percentage of eligible people were in receipt of a free television licence in the last year for which figures are available. [103048]

Dr. Howells: In 2001–02, an estimated 95 per cent. of the eligible population were in receipt of a free television licence.

Mr. Cousins: To ask the Secretary of State for Culture, Media and Sport when she intends to publish the draft guidance on licensing authorities' statement of policy that will be required under the new licensing bill. [102650]

Dr. Howells *[holding answer 14 March 2003]:* The Department published a rough draft of the guidance to local authorities and the police that will accompany the Licensing Bill on 13 February. Section 4 of this rough draft provides guidance to local authorities on the development and preparation of local statements of licensing policy, the general principles that should underpin them, and core content to which licensing authorities would be free to add. The draft guidance was placed in the Libraries of both Houses and is available on the Department's website: www.culture.gov.uk.

Regional Museums

Mr. Colman: To ask the Secretary of State for Culture, Media and Sport what progress her Department has made in implementing the recommendations on making regional museums sustainable in the report "Renaissance in the Regions". [102857]

Dr. Howells: We will be providing £70 million for regional museums from this year until 2005–06. Resource: The Council for Museums, Archives and Libraries will put their recommendations to Ministers on funding allocations for all nine regional hubs ready for announcement in April. All regional hubs will then be asked to submit a detailed business plan by January 2004, setting out their programme of work for 2004–06.

PRIVY COUNCIL

Pensions

Miss McIntosh: To ask the President of the Council if he will make a statement about the Lord Chancellor's pension arrangements. [102849]

Mr. Robin Cook: The Lord Chancellor's pension arrangements are set out in the Lord Chancellor's Pension Act 1832 and the Parliamentary and other Pensions Act 1972 as amended by the Ministerial and other Pensions and Salaries Act 1991. The Judicial Pensions Act 1981 additionally makes provision for lump sum benefits and for pensions for dependants.

The Lord Chancellor's pension is based on his salary at the time of leaving office. At present, this salary is linked to that of the Lord Chief Justice, but the Senior Salaries Review Body has been asked to review the remuneration of the office of Lord Chancellor.

TRADE AND INDUSTRY

Award Schemes

Annabelle Ewing: To ask the Secretary of State for Trade and Industry if she will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by the Department; what their scope was; when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102061]

Ms Hewitt: The Department of Trade and Industry promotes the following awards:

BAFTA Interactive Awards

DTI has, in the past two years, sponsored categories at the annual BAFTA Interactive Awards. These awards recognise and reward creative talent in interactive media. In 2001. DTI sponsored the category for the BAFTA Award for Online Game and in 2002, sponsored the BAFTA Award for Console Game.

The Department has also sponsored awards at smaller trade association events over the past two years. For example, the International Visual Communications Association (IVCA) Awards and the British Interactive Media Association Awards, as well as the Best use of Broadband Award at the annual BizNet Awards run by the IVCA.

The British Computer Society Awards

The DTI has, for the last 10 years, sponsored the British Computer Society (BCS) awards. The BCS Annual IT awards recognise both IT excellence and benefit to business and society. The awards are open to any project developed in the field of IT in the UK, and participating organisations who make the final are notified some two to three weeks in advance of the awards ceremony. The overall winners are then announced at the annual awards ceremony. The 38,000 members of the BCS are notified of the entrants, finalists and winners and there is coverage in the press and IT journals.

The Castle Award

The DTI run the Castle Award scheme for employers who have made significant progress in bridging the pay gap between the sexes. The award, in the form of a trophy, was given for the first time in December last year. The next presentation will take place this year in December.

e-Commerce Awards

The DTI, though UK online for business, is a sponsor of the annual e-Commerce Awards run by Interforum over recent years. The Awards celebrate innovative business uses of Information and Communications Technology.

Nominations and applications begin in the spring each year. National coverage is achieved through regional awards that lead to a national award event in the autumn when category winners are publicly announced—all competitors attend that event to hear the results. Web and local media coverage has been enhanced by sponsorship from the Daily Express (2001 and 2002) and the Sunday Times Enterprise Network (2003).

Employer of the Year 2001

The DTI co-sponsored an award for Employer of the Year 2001 (together with the charity Parents at Work and Lloyds TSB). This award "recognised employers who help their employees juggle their work and home life". The awards covered the UK as well as separate categories for regions and nations; there were separate awards for small, medium and large employers. Winners were announced on 28 November 2001.

ITBeat Competition

ITBeat is a competition designed for girls 11–16 years of age to engage them in information technology. The intention behind the competition is to help overcome the often negative perceptions of IT which deter many girls from pursuing the subject in education or as a potential career path. More details can be found at www.itbeat.com.

ITBeat is managed by e-Skills UK, the former national training organisation for IT and telecoms. The DTI has provided a £40,000 contribution to the costs of running ITBeat. The rest of the costs were to be met by industry sponsorship. The Secretary of State for Trade and Industry helped to launch ITBeat in November 2002 through a contribution to the launch press notice.

In total 852 girls registered for the competition, with 300 finalists being invited to attend the event. The finalists come from around the country including Yorkshire, Lancashire, Suffolk, Wales and Scotland. The event took place on 7 March at the Science Museum.

Metrology for world class manufacturing

In 2001 the DTI sponsored Measurement awards within "Metrology for world class manufacturing", with the themes:

Frontier Science and Measurement

Innovative Metrology

Measurement for Manufacturing Excellence

Champions of Metrology

Materials Measurement

These awards were made to the winning participants at the September 2001 award ceremony and also made public in that year. There were no awards made within 2002.

The Queen's Award for Enterprise

The DTI supports the Queen's Awards for Enterprise. The Queens Awards is an interdepartmental scheme and the responsible minister is the Prime Minister, advised by an Advisory Committee chaired by the Head of the Home Civil Service. The Queen's Awards were instituted by Royal Warrant in 1965, as "The Queen's Awards to Industry". All organisations—large, medium or small—which operate regularly as a 'business unit' of the UK economy, and which can meet the criteria, are eligible to apply; they do not need to be sponsored or nominated and usually apply on their own behalf.

The Queen's Award has three separate categories: International Trade, which recognises and rewards not only export earnings but any return on overseas investment; Innovation, which covers marketing, sales and support associated with technological innovation; and Sustainable Development, which spans environmental, social, and economic sustainability. The common theme across all three categories is that successful applicants must be able to demonstrate commercial success.

Successful applicants are notified in March to allow the media to prepare publicity, under embargo, ahead of the public announcement on 21 April; The Queen's personal birthday. In early April, all unsuccessful applicants receive feedback on the assessment of their applications. The names of all the winners are published in a supplement to the London Gazette, they appear on The Queen's Awards website (www.queensawards.org.uk), and are listed in special supplements in The Times, Financial Times, and other broadsheet newspapers.

Following the announcement, in April, winners are usually invited to a celebratory reception, attended by a member of the Royal family, to mark their success. Later in the year, winners are invited to send three representatives to a reception given by HM The Queen at Buckingham Palace. There is also a formal presentation ceremony, usually during the summer, at the winners' premises by the Lord-Lieutenant of the County as The Queen's representative. All of these events help to generate national and regional coverage. The Awards consist of a Grant of Appointment and a presentational crystal bowl engraved with the Award Emblem.

The Rosalind Franklin Award

The DTI is promoting the Rosalind Franklin Award competition, which was announced last year by the Secretary of State for Trade and Industry to recognise the contribution of Rosalind Franklin to 20th century science. The Secretary of State officially launched the competition on 13 September 2002. It is being run by the Royal Society and encompasses all areas of science, engineering and technology. The Award consists of a medal and a cash award of £30,000 to be spent by the recipient on equipment, study tours or other research related activities. The winner of the first Award will be announced in the early part of 2003.

The competition is open to both men and women who achieve excellence in their field. Therefore, the Award will help further the aims of the Department in:

Increasing the participation of women in SET

Improving the overall international ranking of the UK's science and engineering base

STEP Solutions: Best Electronic Engineer (BEE) Awards 2002

The DTI, in conjunction with STEP (Shell Technology Enterprise Programme) promoted the competition for the Best Electronic Engineer, 2002. The BEE final was in three key stages:

agencies who had arranged electronic engineering projects nominated one candidate for consideration;

Ten candidates were selected to present their achievements at an event in Newcastle on 10 October;

Five students were selected to run an exhibition at the UK final at Church House, one of which was awarded the BEE prize.

The cost of the Newcastle Final and the UK Final exhibition was £6,000. New Electronics sponsored the BEE prize of £1,000 and gave extensive coverage to the events in its Campus Edition. DTI tied in the events to the Department's overall promotion strategies, including the launch of the Accesstoknowledge website (www.accesstoknowledge.co.uk).

Sunday Times 50 Best Companies to Work for 2001 and the Sunday Times 100 Best Companies to Work for 2002

DTI supports the research for this annual list and allocated £370,000 over three years in 1999. The DTI renewed its funding for the research for the 2003 list and is exploring options for 2004.

All organisations employing over 250 employees are eligible and, depending on size, approximately 10 per cent. of the work force will be surveyed. Results are announced at the Gala Winner Event hosted in February or March and a press release is produced post event, with a colour supplement circulated in the Sunday Times following the event.

Young Electronics Designer Awards (YEDA).

YEDA is aimed at young people between the ages of 12–25, at school, college or university. Students are invited to design and develop a commercially viable electronics-based device or system for use in an everyday context. Entries are judged on originality, satisfying a genuine need and market and manufacturing potential.

The proposed targets for this year's competition as a result of DTI support is expected to be:

3,500 schools registering

500 projects entered

750 students participating (23 per cent. girls)

350 projects qualifying for regional awards finals

The DTI has supported YEDA financially for three years, support for YEDA 2001 amounted to £30,000, for YEDA 2002 amounted to £36,500, for 2003 contributing £25,000.

Cotton Importation

Mr. Menzies Campbell: To ask the Secretary of State for Trade and Industry what steps her Department is taking to establish a certification process for the import of cotton from the Democratic Republic of the Congo. [99715]

Ms Hewitt *[holding answer 3 March 2003]:* No steps are being taken to establish a certification process for the import of cotton from the Democratic Republic of the Congo. Trade measures such as the introduction of a certification regime on imported products fall within the competence of the European Community and not at UK level.

Export Credit Guarantees

Malcolm Bruce: To ask the Secretary of State for Trade and Industry which UK companies have received Export Credit Guarantees Department support relating to aviation development in Africa since 1997; and what the *(a)* location and *(b)* project type was in each case. [102795]

Ms Hewitt *[holding answer 14 March 2003]:* ECGD has provided support for one project relating to aviation development in Africa since 1997. Support was provided to Skanska Africa who were part of a consortium upgrading Kotoka International Airport in Accra, Ghana.

ECGD has also supported a number of other aerospace related projects in Africa, including civil airliners and flight simulators.

Import Controls (Congo)

Mr. Menzies Campbell: To ask the Secretary of State for Trade and Industry what steps are being taken to implement effective regulatory import controls on natural resources from the Democratic Republic of the Congo *(a)* directly and *(b)* via other states, to the UK; and if she will make a statement. [99716]

Ms Hewitt *[holding answer 3 March 2003]*: No steps are being taken to implement regulatory import controls on natural resources from the Democratic Republic of the Congo received into the UK directly or via other states. Trade measures such as regulatory import controls fall within the competence of the European Community and not at the UK level.

Iraq (Falluja Chemical Plant)

Mr. Laws: To ask the Secretary of State for Trade and Industry what *(a)* financial and *(b)* other assistance was given by the UK Government between 1980 and 1990 for the construction of the Falluja 2 chemical plant in Iraq; and if she will make a statement. [102434]

Ms Hewitt *[holding answer 12 March 2003]:* In 1985 the Export Credits Guarantee Department (ECGD) provided export credit insurance in support of a £15 million contract by UHDE Ltd., a UK subsidiary of a West German company, for the design supply and supervision of the erection and commissioning of a Chlorine-Alkali-Electrolysis plant at Falluja, Iraq.

This contract was fully investigated in the 1996 report on the inquiry into the export of defence equipment and dual-use goods to Iraq and related prosecutions by the then Sir Richard Scott (now Lord Scott of Foscote) which concluded that "a unilateral ban by the UK on the export of such plant or chemicals to Iraq would have achieved nothing useful".

Official Visits

Dr. Ian Gibson: To ask the Secretary of State for Trade and Industry pursuant to her answer of 3 March, ref. 99985, if she will list the official visits to *(a)* companies, *(b)* universities and *(c)* organisations by (i) the Minister for Science and (ii) the Chief Scientific Adviser in the last six months. [101709]

Ms Hewitt: My noble Friend the Minister for Science, regularly meets representatives from various companies and institutions at his office in the Department of Trade and Industry and at other neutral venues, for example conference centres. We have defined the term 'visit' to mean an occasion when the event was hosted, wholly or in part, by the organisation at whose venue the event was held. This could mean that the Minister met at least one representative from the host organisation as part of the visit even if the actual event was for a different purpose.

For example:

10 September: University of Leicester (British Association Science Festival)—Leicester

In the last six months, the Minister for Science has visited the following:

Companies:

11 September: TAG McLaren Group—Woking, Surrey

13 September: Micro Chemicals Systems Ltd.—Hull

13 September: Reckitt Beckinser Healthcare Ltd.—Shine Knowledge and Innovation Park—Hull

13 September: Europarc Innovation Centre—Hull

19 September: Airbus UK—Filton, Bristol

26 September: Peakdale Molecular Ltd.—Peakdale Science Park, High Peak

16 October: Kent Innovation Centre—Broadstairs, Kent

22 October: Panda Electronics Group—Nanjing, China

28 October: SK Telecom—Seoul, South Korea

8 November: Inmarsat Ltd.—London EC1

22 November: COM DEV Europe Ltd.—Triangle Business Park, Aylesbury, Bucks

23 January: Manchester Incubator Ltd.—Manchester Innovation Ltd.—Manchester

23 January: Renovo Ltd.—Manchester

23 January: Kaiku Ltd.—Manchester Science Park

Universities:

6 September: City University (International Spinal Research Trust's Conference)—London EC1

10 September: University of Leicester (British Association Science Festival)—Leicester

18 September: Imperial College (AURIL Conference)—South Kensington, London

7 October: University of Surrey—Advanced Technology Institute and Centre for Vision—Guildford, Surrey

10 October: Queen Mary College, University of London—Medical Engineering Laboratories—London, E1

23 October: Nanjing South East University—China

23 October: Nanjing University—China

20 November: University of Cambridge—Cambridge

8 January: University of Surrey (Higher Education Working with Business and the

Community Conference)—Guildford, Surrey

13 January: Institute of Education, University of London—London, WC1

16 January: London School of Hygiene and Tropical Medicine—London, WC1

7 February: Cranfield University—Cranfield Innovation Centre—Cranfield, Bedfordshire

12 February: University of Birmingham—School of Engineering—Birmingham

17 February: London Metropolitan University—London E1 and N7

26 February: University of Cambridge—Centre of Molecular Materials for Photonics and Electronics—Cambridge Science Park

Organisations:

6 September: Engineering and Techonlogy Board—London, WC2

9 September: Institute of Electrical Engineers—London, WC2

20 September: The British Library—London, NW1

24 September: Darwin Centre—Natural History Museum, London, SW7

25 September: The Carbon Trust—London, WC2

4 October—The Ministry for Young People, Education and Research, with Mme Haignere, Minister for Space, Technology and Research—Paris, France

14 October: Universities UK—London, WC1

22 October: Jiangsu Software Park—Nanjing, China

29 October: Korea Games Development Institute—Seoul, South Korea

29 October: Seoul Metropolitan City Government—Seoul, South Korea

31 October: The Royal Society (The Ninth Zuckerman Lecture)—London, SW1

5 November: The British Bankers Association—London, EC1

7 November: The Royal Society (Content Management Network Meeting)—London, SW1

13 November—The Royal Aeronautical Society—London NW1

20 November: Medical Research Council: Cognition and Brain Sciences Unit—Cambridge

29 November: Culham Science Centre—Abingdon, Oxfordshire

13 December: Daresbury Laboratory—Daresbury, Cheshire

17 January: *Nature Magazine*—Exterior of founding Editor's house, London, SW5

27 January: The Royal Society/*The Daily Telegraph*/Novartis 'Scientists meet the media' reception at The Royal Society—London, SW1

11 February: Institute of Electrical Engineers—London, WC2

14 February: Institute of Electrical Engineers—London, WC2

21 February: The Royal Society (The Engineer of the 21st Century Inquiry launch)—London, SW1

26 February: The Royal Society (Athena Awards)—London, SW1

The visits undertaken by Professor Sir David King during the period 5 September 2002 to 5 March 2003 were:

Place	*Date*	*Nature of visit*
Stockholm	5–7 September 2002	Speech—The Royal Institute of Technology: 175 year Jubilee
Rayne Institute, 5 University Street, London WC 1E 6JJ	9 September 2002	Speech—Biomedical Society
University of Leicester, University Road, Leicester	12 September 2002	Speech—BA Science Festival and tour
Royal Society	24 September 2002	Lunch meeting with Lord May
Washington DC, Boston, USA	3–8 October 2002	Speech: "Science in the UK Government—A View from the Centre", meet with key science figures in Washington
University of Sussex	9 October 2002	Speech—"The Marie Jahoda Lecture" at SPRU
Imperial College London	28 October 2002	Speech—Graduate School at Imperial College—"Science in the UK today"
Unilever House, London	27 November 2002	Chairman's annual reception, Unilever
South Africa	3–8 December 2002	Speech—"Public Communication of Science and Technology Conference", S&T promotion
Royal Society, London	9 January 2003	Breakfast meeting with Lord May
Cambridge	6 February 2003	Tour of the British Antarctic Survey
London	10 February 2003	IEE board of Trustees' dinner
Linacre College, Oxford	13 February 2003	Speech—"Linacre lecture"
Federation House, London	18 February 2003	Speech—and dinner at the Food Association
Belfast and Dublin	19–20 February 2003	Speech—"Science at a Nation's Core: A View From The Centre of Government"
Chicago, St. Louis, Los Angeles, Santa Barbara, Washington DC, USA	23–27 February 2003	Speech, meeting government officials, promoting UK S&T and visiting major research facilities
Brussels, Belgium	4–5 March 2003	Speech: "Fusion and the Energy Choices" for Europe Conference at the European Parliament, meeting the European Research Commissioner

Dr. Gibson: To ask the Secretary of State for Trade and Industry pursuant to her answer of 3 March, if she will list the official visits to *(a)* companies, *(b)* universities and *(c)* organisations by (i) the Minister for Science and (ii) the Chief Scientific Adviser in each of the last three months. [102996]

Ms Hewitt: I refer my hon. Friend to the answer I gave him today to question No. 101709.

Overseas Trips

Mr. Bercow: To ask the Secretary of State for Trade and Industry if she will list each of the overseas trips made by herself and other members of her ministerial team in 2002; and what the *(a)* purpose and *(b)* cost of each trip was. [101840]

Ms Hewitt: Since 1999 this Government have published an annual list of all visits overseas undertaken by Cabinet Ministers costing £500 or more during each financial year. The Government have also published on an annual basis the cost of all Ministers' visits overseas. Copies of the lists are available in the Libraries of the House.

Information for 1997–98 was included in the 1999 list. The overall cost of Minister's visits for the years 1995–96 and 1996–97 was most recently provided with the 2001 list. The information for 2002–03 will be published as soon as possible after the end of the financial year.

Detailed information requested in respect of UK travel is not held centrally and could be provided only at disproportionate cost.

All travel is undertaken fully in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are available in the Libraries of the House.

Perchloroethylene

Norman Baker: To ask the Secretary of State for Trade and Industry what plans she has to phase out the use of perchloroethylene by businesses and industries, with particular reference to dry cleaners. [99209]

Alun Michael: I have been asked to reply.

A risk assessment of perchloroethylene (tetrachloroethylene), conducted under the Existing Substances Regulation (European Community Council Regulation No. 793/93) is being led by the United Kingdom. The Health and Safety Executive acts jointly with my Department to form the United Kingdom Competent Authority for these activities. The risk assessment will critically evaluate the risks to the environment, workers, consumers and the general public from exposure to perchloroethylene. The risk assessment includes exposure as a result of dry cleaning operations.

At present, the human health sections of the draft report are being updated to take account of new information. Once the risk assessment is finalised, the United Kingdom Competent Authority will consider whether further measures beyond those currently in place are required to control exposure to perchloroethylene. Proposals for marketing and use restrictions are one of a number of further measures that can be considered under the Existing Substances Regulation.

The Solvents Emissions Directive (1999/13/EC) places limits on emissions of solvents used in a number of processes, including dry cleaning. It also sets timetables for the replacement by less harmful substances of those solvents used in these processes that have been assigned to a risk phrase of R45, R46, R49, R60, or R61. The Directive has already been partly transposed. I expect to begin consultations soon on how the remaining parts of this Directive will be transposed, including the provisions applying to the dry cleaning sector.

Post Offices

Mr. Coleman: To ask the Secretary of State for Trade and Industry how many *(a)* Crown Post Offices and *(b)* sub post offices have closed in London in the past 12 months. [103030]

Mr. Timms: I understand from Post Office Ltd. that there were 2 Crown Post Offices closures and net closures of 34 sub post offices in London in the 12 months to December 2002.

Mrs. Lait: To ask the Secretary of State for Trade and Industry (1) how many post office robberies have been committed since 1997 where the post master's hatch has been open; and what advice has been given to the Post Office by *(a)* the police and *(b)* the Department on the security of the hatches in sub post offices; [103099]

(2) how many sub post masters have been disciplined for contributory negligence in relation to robberies since 1997; [103097]

(3) what concerns have been expressed by unions about the design of safety doors and hatches in sub post offices; and what advice has been given to the Post Office since 1980 on possible design faults in sub post office hatches and doors. [103098]

Mr. Timms: These are matters that fall within the day-to-day responsibility of Post Office Ltd. I have therefore asked the Chief Executive to reply direct to the hon. Member.

Scotland

Pete Wishart: To ask the Secretary of State for Trade and Industry how many special advisers in the Department *(a)* have left and *(b)* will be leaving to work in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections. [103613]

Ms Hewitt: None.

DEFENCE

Aberporth Airfield

Mr. Simon Thomas: To ask the Secretary of State for Defence how many incidents have occurred in each year since 1990 of private pilots intruding into the range area at Aberporth Airfield while the range was active and being used on behalf of the MOD. [102825]

Dr. Moonie: The following table sets out the number of incidents that have occurred since 1990 of private pilots intruding into the Aberporth Range danger area while the range was active and being used for Ministry of Defence trials.

Year	*Number of incidents*
1990	3
1991	1
1992	5
1993	3
1994	5
1995	8
1996	5
1997	1
1998	5
1999	2
2000	5
2001	5
2002	3

Appropriate safety measures were put into action and worked satisfactorily in each case.

Mr. Simon Thomas: To ask the Secretary of State for Defence what safety measures are in place at Aberporth Airfield to ensure that private pilots do not intrude on the range area while it is being used on behalf of the MOD; and if he will make a statement. [102826]

Dr. Moonie: All trials at Aberporth Range are carried out under radar surveillance from fully qualified air traffic controllers. In the event of an infringement which could potentially compromise safety, the trial would be stopped until the incident was resolved. Any such infringements are reported to the regulatory authority for review. In addition, there are arrangements, agreed between the Aberporth Range and the nearby West Wales Airport, which set out the procedures to be used by both parties concerning operations at and around the range.

Animal Experiments

Norman Baker: To ask the Secretary of State for Defence what factors underlay his recent conclusion that the information which could be derived from an analysis of the actual effect of wounds to humans required to be supplemented with animal experiments inflicting wounds on animals. [100404]

Dr. Moonie: It is unclear as to the recent conclusion that the hon. Member refers.

However, I will address the necessity to supplement the analysis of the effects of human wounds with vital information gained from scientific research involving the use of animals, which is undertaken at Dstl Porton Down.

The analysis of the actual effects of wounds to humans is one important facet of developing improved procedures for the medical management of the injured. Studies involving animals enable rational, objective and evidence-based medical management strategies to be developed, which can proceed into clinical trials if appropriate.

Research involving the use of animals is undertaken only if absolutely necessary. Additionally, we are continuing to invest in the development of alternatives to the use of animals for the development of medical management strategies for injury and disease caused by conventional, chemical and biological weapons.

Anti-personnel Mines

Norman Lamb: To ask the Secretary of State for Defence whether it is the intention of the US to bring anti-personnel mines ashore onto Diego Garcia in order for them to be used in any attack on Iraq. [102350]

Mr. Mike O'Brien: I have been asked to reply.

The US authorities have been informed that HMG would be unable to allow the US to bring anti-personnel land mines ashore onto Diego Garcia because that would place the United Kingdom in breach of its obligations under the Ottawa Convention.

Norman Lamb: To ask the Secretary of State for Defence what representations he has received from the US Government concerning *(a)* the basing at Diego Garcia of US Navy vessels carrying anti-personnel mines and *(b)* the possible use in a conflict with Iraq of anti-personnel mines by US military using stocks held in vessels at or near Diego Garcia. [102353]

Mr. Mike O'Brien: I have been asked to reply.

HMG has received no representations from the US Government concerning either the basing at Diego Garcia of US vessels carrying anti-personnel mines or the use of any such mines in a conflict with Iraq.

Defence Diversification Industry

Mr. Lazarowicz: To ask the Secretary of State for Defence pursuant to his Answer of 13 February, *Official Report*, column 867W, on the Defence Diversification Industry, where the 18 offices of the Defence Diversification Agency are located. [102406]

Dr. Moonie: The 18 offices of the Defence Diversification Agency are located as follows:

Area	
Aberporth	Ministry of Defence
Barrow	Furness Business Park
Bromley	Aquila, QinetiQ
Cardiff	Welsh Development Agency
Doncaster	Beta Technology Ltd.
Enfield	Innova Science Park
Farnborough	Cody Technology Park, QinetiQ
Glasgow	West of Scotland Science Park
Lisburn, NI	Invest Northern Ireland
Loughborough	University Business Innovation Centre
Malvern	Malvern Hills Science Park
Manchester	Quay West
Melbourn	Cambridge Technology Centre
Nelson	The Innovation Centre
Porton Down	DSTL
Plymouth	Tamar Science Park
Rosyth	Europarc Business Innovation Centre
Sunderland	Regional Technology Centre North

Defence Medical Services

Mr. Keith Simpson: To ask the Secretary of State for Defence how many members of the Defence Medical Services are available for operational duty within the United Kingdom. [82157]

Dr. Moonie *[holding answer 21 November 2003]:* As of July 2002, there were 6,489 regular personnel in the Defence Medical Services (DMS) excluding student nurses and other new entry trainees. Of these, at any one time some will be unavailable for operational duty within the United Kingdom as a result of medical downgrading. As of November 2002, the latest date for which figures are available, 131 were unavailable for such duty as a result of medical downgrading. In practice, the number of DMS personnel available for operational duty in the United Kingdom will depend on other commitments including deployment on overseas operations, training and exercises, and retained tasks.

Diego Garcia

Norman Lamb: To ask the Secretary of State for Defence how far British territory extends around Diego Garcia. [102349]

Mr. Mike O'Brien: I have been asked to reply.

Diego Garcia has a territorial sea of three nautical miles.

Field Hospital Volunteers

Ms Walley: To ask the Secretary of State for Defence pursuant to his answer of 16 January, *Official Report*, column 7050, on field hospital volunteers, if he will give the most recent available figures. [102563]

Dr. Moonie: As of Tuesday 11 March 2003, 167 members of 202 (Volunteer) Field Hospital have been called up. Of those, 83 individuals do not work for the National Health Service (NHS), instead working either in private health care, or in areas unrelated to health. The remaining 84 individuals are currently employed by the NHS, in the following facilities:

Berkshire Healthcare Trust; Birmingham Children's Hospital; Birmingham Heartlands; Teaching; Birmingham Women's Hospital; N Birmingham Mental Health; Christie Hospital Trust; City Hospitals Trust; Dorset Healthcare Trust; Frimley Park Hospital Trust; George Eliot Hospital Trust; Good Hope Hospital Trust; Kingston Hospital Trust; Lothian University Hospitals; Medical Staff Agency; National Blood Service; Newcastle Upon Tyne Hospitals; Oxford Radcliffe Trust; Palliative Care; Primary Care Trust; Princess Royal Hospital; Royal Berkshire Trust; Royal Shrewsbury Trust; Royal Wolverhampton NHS Trust; Sandwell and West Midlands; Staffordshire Trust; N Staffs Hospitals Trust; University Hospital Trust; W Midland Ambulance Trust; Walsall Hospitals Trust; New Cross Hospital; West Heath Hospital; Alexandra Hospital; Beccles War Memorial Hospital; Wycombe General Hospital; Walsgrave Hospital.

The 84 individuals called up work in a variety of roles within the NHS, including:

Nurses; Biomedical Scientist; Midwifes; Medical Officers; Medical Technicians; Doctor; Surgeons; Acting Chef Executive; Consultants; Surgeons; Physicians; Physiotherapists; Senior House Officers; Driver; Radiographer; Pharmacist.

Gulf Forces (Equipment)

Mr. Laws: To ask the Secretary of State for Defence how many sets of sand goggles have been sent to troops serving in the Gulf; and if he will make a statement. [103018]

Mr. Ingram: 25,000 pairs of desert goggles have been ordered to meet the requirements of troops deployed to Kuwait with 21,380 pairs having so far been issued. Sufficient stocks of the full desert ensemble have been ordered to meet requirements.

Iraq

Dr. Fox: To ask the Secretary of State for Defence how many *(a)* British field hospitals and *(b)* other British medical facilities will be established in the Gulf in the event of conflict in Iraq. [102374]

Dr. Moonie *[holding answer 11 March 2003]:* There has been no decision to take military action against Iraq. However, in the event of conflict, there are currently two British Field Hospitals in the Gulf and this will shortly increase to three. These will be supported by a range of medical facilities in the region, including a primary casualty receiving facility, the RFA Argus and The Princess Mary's Hospital in Cyprus.

Land Sales (Ashford)

Matthew Green: To ask the Secretary of State for Defence pursuant to his answer of 24 February 2003, *Official Report*, columns 138–39W, on Land Sales (Ashford), when each sale took place; what area of land was sold; who the land was sold to; and how much the land was sold for in each case. [102658]

Dr. Moonie: Oil Pipeline Agency Wye was sold to Folkestone Development Company Limited on 21 November 2001. The price paid was £605,000 plus clawback on receipt of a planning consent. The land measured 7.3acres/2.954 hectares.

The A20/A28 link road land, which was part of Ashford barracks, was sold on 28 July 1998 to Kent County Council. The price paid was a nominal sum plus the right to construct a roundabout to open up Ashford barracks for improved development. The area measured 5.48 acres/2.219 hectares.

The land in Ashford barracks that was needed for the channel tunnel rail link was transferred to Union Rail. Payment of £1.4 million compensation has been received. The "sale" was deemed to be completed in 1998 when the site was handed over to Union Rail and the site measured 30 acres/12 hectares.

The remainder of Ashford barracks was sold to a house builder consortium of Westbury Homes/Wimpy in April 2002. The price was £17 million plus potential clawback. The site area was 95.13 acres/38.5 hectares.

Low Flying

Mr. Peter Duncan: To ask the Secretary of State for Defence how many complaints regarding low flying have been received from residents of Dumfries and Galloway in each of the last six months. [103049]

Dr. Moonie: During the period 1 September 2002—28 February 2003, a total of 40 complaints were received from residents of Dumfries and Galloway by the Ministry of Defence. Of these, 22 were from members of the public who complained on more than one occasion during this period. Broken down on a monthly basis, the figures are as follows:

Month	*Complaints*
September 2002	11
October 2002	16
November 2002	2
December 2002	6
January 2003	3
February 2003	2

MOD Ranges (Security)

Mr. Peter Duncan: To ask the Secretary of State for Defence what his policy is on minimum standards of security for part-time MOD ranges. [103050]

Dr. Moonie: In general, security at Ministry of Defence (MOD) ranges is provided in accordance with their use and purpose, taking account of the prevailing threat assessment. When ranges are temporarily in use by military personnel, the standards for security of personnel and their equipment, is the same as those which apply at permanent MOD establishments and sites. Some ranges, for example the one at West Freugh, are MOD owned but managed by QinetiQ, a commercial company. Security at these sites is the responsibility of the contractor, and is normally implemented by a civilian guard force, supported by the local constabulary. As a commercial company, QinetiQ complies with Government-wide security regulations issued by the Cabinet Office, rather than with MOD security procedures. MOD reserves the right, however, to take such additional measures as we consider necessary to protect our Service personnel and materiel when making use of these ranges.

I am withholding details of security measures implemented within the MOD, under Exemption 1 of Part II of the Code of Practice on Access to Government Information.

NBC Suits

Mr. Laws: To ask the Secretary of State for Defence whether the respirators on NBC suits issued to UK servicemen in the Gulf have been checked for effectiveness; and if he will make a statement. [103017]

Mr. Ingram: All NBC respirators issued to service personnel are periodically tested during training in a Hazardous Environment Chamber to ensure they function correctly and are the correct size for the individual concerned. A new Respirator Test System is being delivered into service. It allows respirators—including those issued to deployed personnel—to be tested to an even higher standard.

Operational Welfare Package

Mr. Gray: To ask the Secretary of State for Defence what arrangements have been made for *(a)* mail and *(b)* parcel deliveries for troops in Kuwait; and what arrangements have been made for *(a)* telephone and *(b)* email availability for these troops. [102697]

Dr. Moonie *[holding answer 13 March 2003]:* All elements of the Operational Welfare Package (OWP) listed by the hon. Member are provided to all United Kingdom military personnel already deployed to the Gulf in support of Operations RESINATE and ORACLE. We are building up the OWP as quickly as possible for UK military personnel deploying overseas in preparation for possible operations against Iraq.

QinetiQ

Llew Smith: To ask the Secretary of State for Defence if he will make a statement on the proposed sale by QinetiQ of Longcross Tanklands to Crest and Mowlem Ltd. [101653]

Dr. Moonie: We understand that Longcross Tanklands is an informal local term used to describe a former test track, which forms part of what the Ministry of Defence and QinetiQ know as the Chertsey South site. The freehold of the Chertsey site was transferred to QinetiQ when the company was vested as a Plc in July 2001 and is scheduled for disposal. Negotiations are currently underway with potential purchasers.

Under the terms of the deal signed with The Carlyle Group to acquire a stake in QinetiQ, the Chertsey site forms security against an outstanding loan note from QinetiQ to MOD. QinetiQ will receive no proceeds from the sale of the site until the loan note is repaid in full.

Norman Baker: To ask the Secretary of State for Defence if he will list the financial contracts entered into by his Department since 1 January 2002 where QinetiQ have acted as advisors to the Government. [102483]

Dr. Moonie: The Department places a large number of contracts each year with QinetiQ—in excess of 1,000 in calendar year 2002. These contracts typically cover a number of tasks, which may include the provision of impartial specialist technical and scientific advice, conducting independent research and the supply of testing and evaluation services. There is no centrally held list identifying all the specific instances in which QinetiQ has acted as advisers and such information could be provided only at disproportionate cost.

Recruitment and Retention

Mr. Paul Keetch: To ask the Secretary of State for Defence what methods are used by the Ministry of Defence to forecast *(a)* social trends and *(b)* risks in relation to (i) recruitment and (ii) retention; and if he will make a statement. [100173]

Dr. Moonie: The armed forces employ a number of methods to identify and assess factors—including social trends and risks—that impact on recruitment and retention. The Department has its own analytical capability situated in the Defence Analytical and Services Agency, where much of this groundwork is undertaken. Social trends are identified primarily through commissioned research. This provides access to a wide range of research information across Government Departments, for example labour trends, demography, and census statistics. Targeted research contracts are also placed, as necessary, to improve our understanding of the employment market in which we compete. Recruiting risks are identified from this research and from very close scrutiny of the emerging performance of the recruiting machine.

As far as retention is concerned, a key part of the pay and workforce strategy for the armed forces is the identification of high level risks and the levers that can be used to ameliorate those risks. Within that strategy, underpinning policies are reviewed in the light of evidence obtained both from routine surveys (for example Continuous Attitude Surveys) and from discrete research on specific topics.

Security Vetting

Mr. Jenkin: To ask the Secretary of State for Defence what security vetting is carried out on consultants employed by MoD. [102549]

Dr. Moonie: Consultants employed by the Ministry of Defence to work with protectively marked information or materials, or who will require access to Defence facilities, are security cleared in accordance with the Government's vetting policy. The level of security clearance will depend on the nature of the work involved, as judged by the sponsor.

Wage Bill

Mr. Hancock: To ask the Secretary of State for Defence (1) what financial savings were made to the overall wage bill between 1 April 2001 and 1 April 2002 due to the introduction of Pay 2000 for soldiers, sailors and airmen; and if he will make a statement; [102612]

(2) what the projected savings are in the period 1 April 2001 to 1 April 2010 in the wage bill due to the introduction of Pay 2000 for soldiers, sailors and airmen; and if he will make a statement. [102610]

Dr. Moonie: There are no actual or projected savings for the period 1 April 2001 to 1 April 2010 in the wage bill of the armed forces as a result of the introduction of Pay 2000 for Service personnel. Pay 2000 was introduced in April 2001 to provide a more responsive pay system for the needs of Service personnel—up to and including one-star level—serving in the 21st century. It was not intended to be a cost saving measure.

TRANSPORT

Congestion Charging

Miss McIntosh: To ask the Secretary of State for Transport what assessment he has made of the impact of the London congestion charge on economic activity in London; and if he will make a statement. [101907]

Mr. Jamieson: The Mayor and Transport for London (TfL) will monitor the scheme's effects, including its impact on business and the economy, and the Department will consider fully the results of this work.

Airports

Mr. John Taylor: To ask the Secretary of State for Transport what implications the inclusion in his re-issued airport consultation document of possible expansion of Gatwick airport has for prospective levels of demand for civil aviation services out of Birmingham airport. [102899]

Mr. Jamieson: It is the number of runways in the south east of England, rather than their location, which significantly affects the levels of demand at Birmingham International Airport.

Therefore, the inclusion of Gatwick options in the on-going consultation does not alter the forecast levels of demand for Birmingham.

Mr. John Taylor: To ask the Secretary of State for Transport what guidance he plans to issue to residents of the Midlands region on the account they should take of his re-issued airports consultation document for the south east in returning their revised questionnaires in respect of airports in the midlands. [102898]

Mr. Jamieson: We are writing to all consultees previously contacted directly, and those who have submitted responses, to inform them of minor revisions to the midlands consultation paper. The sole revision to the midlands questionnaire is the addition of 'Gatwick airport' to question 4(b).

All responses received so far will continue to be regarded as responses to the consultation. Respondents have the option to add to, replace or amend their responses, if they wish to.

Automated Traffic Management

Mr. David Kidney: To ask the Secretary of State for Transport what progress he has made in establishing the proposed automated traffic management system for the west midlands motorways *(a)* M5, *(b)* M6, *(c)* M40, *(d)* M42 and *(e)* M54. [102855]

Mr. Jamieson: The west midlands area multi modal-study, which is currently being considered by the Secretary of State, recommends the use of active traffic management (ATM) on the west midlands motorway box (M42 junctions 1–7, M5 junctions 1–4A and M6 junctions 4–10A) as part of the overall strategy. I refer to the announcement made by my right hon. Friend the Minister for Transport, on 27 July 2001 that junctions 3A to 7 of the M42 have been chosen as a trial site for active traffic management (ATM). The outcome of the trial will be assessed very thoroughly before any decision is taken about application to other motorway links on the west midlands motorway box.

Bus Services

Mr. Grogan: To ask the Secretary of State for Transport how many bus services were operated from *(a)* Tadcaster and *(b)* Selby on the most recent date for which figures are available. [103139]

Mr. Jamieson: On Thursday 13 March 2003 104 bus services were scheduled to operate from Tadcaster and 176 from Selby.

Car Number Plate Reader Project

Mr. Don Foster: To ask the Secretary of State for Transport if he will make a statement on the Driver and Vehicle Licensing Agency's automatic number plate reader project. [102787]

Mr. Jamieson: DVLA currently has 11 automatic number plate reader vans in operation across the UK, with a further four becoming available by mid 2003. They form part of the Agency's deterrent to combat vehicle excise duty (VED) evasion and were first introduced on a phased basis in October 2001.

The vans are continually involved in joint police/DVLA VED enforcement campaigns. They attract useful media coverage and receive positive support from the motoring public.

Over the last year the automatic number plate readers have provided DVLA with 30,000 VED offence reports.

Departmental Spending

Mr. Laws: To ask the Secretary of State for Transport what his latest estimate is of the spending funded by his Department and its predecessors on *(a)* railways, *(b)* trunk roads (maintenance), *(c)* trunk roads (new build), *(d)* local roads, *(e)* London Transport, *(f)* aviation and *(g)* buses, in each year from 1990–91 (planned) to 2005–06 (planned); and if he will make a statement. [101638]

Mr. Jamieson: Information on these programmes between 1990–91 and 2003–04 is set out in the relevant expenditure tables of the annual departmental reports for the Department of Transport, the Department of Environment, Transport and the Regions, and the Department of Transport, Local Government and the Regions, although not on a comparable basis across the entire period. Updated information for the Department for Transport, with plans to 2005–06, will be published in the 2003 departmental report shortly.

Hydraulic Tail Lifts

Bob Russell: To ask the Secretary of State for Transport if he will make it a requirement *(a)* that vehicles with hydraulic tail lifts should clearly display the weight of such lifts and *(b)* that notices should be displayed on vehicles warning that the weight of such lifts has to be included in the calculation for the legal permitted weight load capacity; and if he will make a statement. [103091]

Mr. Jamieson: The Road Vehicles (Construction and Use) Regulations 1986 require that the maximum weight that a vehicle can operate at is to be displayed on a plate fixed to it. This weight will include that of any equipment fitted to the vehicle and load carried on it. The Lifting Operations and Lifting Equipment Regulations 1998 require all lifting equipment and lifting accessories to be marked with a safe working load. Tail lifts do not normally carry any load while the vehicle is travelling on a road.

London Underground

Harry Cohen: To ask the Secretary of State for Transport what the main problems are which the shadow running of the London Underground PPP has highlighted; and if he will make a statement. [101320]

Mr. Jamieson: The Government understand that London Underground Ltd. has made some limited changes to the contracts, including in respect of performance management and the way access is granted to the infrastructure, as a result of shadow running.

Harry Cohen: To ask the Secretary of State for Transport pursuant to his answer of 10 March, ref 101751, what indirect role the Government have played in assisting London Underground PPP consortia to obtain *(a)* grants and *(b)* loans from (i) the European Investment bank and (ii) other financial institutions; and if he will make a statement. [102816]

Mr. Jamieson: As I said in my earlier reply, the method by which the consortia finance their obligations under the PPP, and how they raise the necessary funding, is a matter for them.

The minutes that my right hon. Friend the then Secretary of State for Transport, Local Government and the Regions presented to Parliament on 20 March last year and that my right hon. Friend the Secretary of State for Transport made to Parliament on 4 December drew Parliament's attention to certain letters to be issued and steps to be taken in order to enable the PPP contracts to proceed. Factual explanations of the matters set out in the letters have been given to some financial institutions, including the EIB, in response to requests.

M60 (Compensation)

Andrew Bennett: To ask the Secretary of State for Transport whether all the compensation to householders resulting from the construction of the M60 has been paid; what steps are in place to reduce the fees for agents involved in these pay outs; and whether claimants will be paid interest on late pay outs. [102642]

Mr. Jamieson: I have asked the Chief Executive of the Highways Agency, Tim Matthews, to write to my hon. Friend.

Letter from Tim Matthews to Andrew Bennett, dated 17 March 2003:

I have been asked by the Transport Minister, David Jamieson, to reply to your recent Parliamentary Question asking if all the compensation to householders resulting from the construction of the M60 had been paid; if there are any steps in place to reduce fees for agents and if claimants are being paid interest for late pay outs.

I believe that you are referring primarily to compensation under Part I of the Land Compensation Act 1973 (as amended). Such claims, for the depreciation in the value of property arising from the use of a new or altered highway, can be made for a period of 6 years from the first claim date which falls 12 months after the road is opened to traffic. In the case of the M60 Manchester Outer Ring Road construction was undertaken in four contracts, resulting in a variety of claim periods.

The main body of construction work (Contracts 1& 3) led to the road being opened on 30 October 2000 and a first claim date of 30 October 2001. We have received over 14,000 claims to date and continue to receive them at the rate of approximately 300 per month Around 1,000 claims have been settled so far. On Contract 4, for which the claim period closed last month, we have 22 cases awaiting settlement. Another 322 cases remain unsettled on Contract 2, for which the claim period remains open until December 2004. In all cases interest, calculated from the date the claim is received (or the first claim date, if later) until the date that compensation is paid, is added to the compensation.

In addition to Part I compensation, we have also compensated people for the acquisition of land and property in connection with the construction of the road. Around 200 such cases have yet to be finalised. In these types of cases interest, calculated from the date of entry on to the land until the date that compensation is paid, is added to the compensation.

Following the abolition of the non statutory Ryde's Scale, which fixed surveyors fees in proportion to the level of compensation paid, claimants' surveyors must now demonstrate that the fees proposed have been properly incurred, are reasonable and proportionate to both the compensation at stake and the complexity of the claim, and commensurate with the time, effort and expertise required to deal with the case.

Railways

Chris Grayling: To ask the Secretary of State for Transport when he expects to announce his decision on the Central Railway Project. [103060]

Mr. Jamieson: I refer the hon. Member to the answer given to him on 11 March, *Official Report*, column 120W.

Mrs. Dunwoody: To ask the Secretary of State for Transport what the credit rating is of Network Rail. [101196]

Mr. Jamieson: Network Rail expects to secure ratings later this year.

Tom Brake: To ask the Secretary of State for Transport when safety liaison meetings between ASLEF, management and other partners took place in each of the last five years; and what the normal frequency of such meetings should be. [102395]

Mr. Jamieson: The Health and Safety Executive (HSE) advise that meetings between managers, safety representatives and trade union representatives are important in ensuring the discharge of the legal duty under the Health and Safety at Work Act 1974 requiring employers to provide such information, instruction, training and supervision as is necessary to ensure the health and safety of their employees. HSE however do not hold details of the dates of such meetings.

Senior management of the HSE Railway Inspectorate (HMRI) hold regular meetings with the general secretaries of all the principal rail unions to discuss issues of strategic safety importance. These meetings are held 2–3 times a year. These high level meetings are complemented by a wide range of local liaison initiatives with ASLEF officials and Trade Union members, including regular local meetings between HMRI inspectors and trade union officials. Details of local liaison meetings are not held centrally.

Tom Brake: To ask the Secretary of State for Transport what discussions he has had with LUL about the restoration of services on the *(a)* Waterloo and City line and *(b)* Central line. [102396]

Mr. Jamieson: My right hon. Friend and ministerial colleagues meet London Underground representatives on both a regular and ad hoc basis, to discuss a variety of relevant matters.

Mr. Grogan: To ask the Secretary of State for Transport if he will make a statement on the *(a)* Trans-Pennine rail franchise and *(b)* Northern franchise. [103137]

Mr. Jamieson: The Strategic Rail Authority is replacing the existing First North Western and Arriva Trains Northern franchises by reconfigured TransPennine Express and Northern franchises. Connex Transport UK Limited and a consortium of FirstGroup and Keolis SDA have been short-listed as bidders for the TransPennine Express franchise. Expressions of interest have been invited for the Northern franchise and the firms pre-qualified to receive invitations to tender will be announced later this year.

Mr. Dhanda: To ask the Secretary of State for Transport what steps the Strategic Rail Authority plans to take regarding Virgin Trains' recent announcement on changes to the timetable in services in Gloucester; and whether this is in breach of the passenger service requirements. [103345]

Mr. Jamieson: The increased timetable which Virgin Cross Country introduced in October 2002 has proved to be unworkable in various respects. The Strategic Rail Authority has agreed timetable changes, including changes affecting Gloucester, and is granting the necessary derogations from the passenger service requirements. The aim is to improve the performance and reliability of services overall. At Gloucester the withdrawal of Virgin Cross Country services (save for one morning and one evening peak service to Birmingham) will be offset by a new, more reliable pattern of services operated variously by Central Trains, Wessex Trains and Wales and Borders.

Road Building

Mr. Laws: To ask the Secretary of State for Transport what his estimate is of the total cost to the Government of all central Government funded new road building in each year from 2001–02 to 2010–11; and if he will make a statement. [101532]

Mr. Jamieson: The 10-Year Plan for Transport provided for investment of £15 billion over 10 years for roads in England. This investment is for new roads and the improvement of existing roads through widening and junction improvements. It is funded directly and indirectly by central government through the Highways Agency, local authorities and makes use of private finance.

A year by year breakdown is as follows:

Investment in new roads

£ million

	Public	*Private*
2001–02	714	73
2002–03	1,005	73
2003–04	1,001	62
2004–05	1,332	150
2005–06	1,084	325
2006–07	1,217	425
2007–08	1,366	400
2008–09	1,693	300
2009–10	1,778	200
2010–11	1,825	200
Total	13,015	2,208

Actual expenditure will depend upon the schemes that come forward as well as the planning process.

Roads in Scotland, Wales and Northern Ireland are the responsibility of the devolved Administrations.

Road Safety (Traffic Counters)

Mr. Todd: To ask the Secretary of State for Transport what representations he has received concerning the road safety implications of the use of Nu-Metrics Hi-Star traffic counters installed in road surfaces. [102838]

Mr. Jamieson: The British Motorcyclists Federation has written to my Department expressing concern for the safety of powered two wheel vehicles passing over this device, asking in particular whether it needed "type approval". My officials have met the importers of the device. Having examined a sample, they consider that it does not require type approval. It is for the relevant highway authority to consider whether and how such counters should be used on their roads.

Vehicle Emmissions

Dr. Andrew Murrison: To ask the Secretary of State for Transport (1) what assessment he has made of the effectiveness of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002; [103552]

(2) how many fixed penalty notices have been issued under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002. [103553]

Mr. Jamieson: It is too early to determine the effectiveness of these regulations. However we will review them in July 2004, after which I will report our conclusions to the House.

We do not keep records of fixed penalties that have been issued. However I understand that none has been issued under these regulations for idling engine offences and only five for illegal emissions offences. The intention of the regulations was that the fixed penalties should provide a deterrent.

TREASURY

Al-Qaeda

Mr. Flight: To ask the Chancellor of the Exchequer what funds belonging to al-Qaeda network have been frozen since September 2001. [102690]

Ruth Kelly: As I indicated in my written answer of 18 February 2003, *Official Report,* column 184W, to the hon. Member for Hertford and Stortford (Mr. Prisk), more than £10 million has been frozen by UK financial institutions since 11 September 2001 under Orders applying United Nations Security Council Resolutions 1267 and 1390. Funds used by the Taliban have since been made available to the legitimate Government of Afghanistan. However the al-Qaeda and Taliban (United Nations Measures) Order provides for the continued freezing of accounts belonging to al-Qaeda. UK financial institutions indicate that amounts totalling £337,900 remain frozen under that Order.

Charities (VAT)

Annabelle Ewing: To ask the Chancellor of the Exchequer what plans he has to introduce VAT recovery relief for charities. [103554]

John Healey: Charities benefit from special VAT zero rates and exemptions worth around £200 million a year. However, long-standing formal agreements with our European partners mean there is no scope to extend the range of these reliefs or introduce any new ones.

The Government recognise the valuable contribution that voluntary groups and charities make in delivering services, and realise that the question of irrecoverable VAT provides difficulties for some charities. The Review of Charity Taxation looked carefully at the problem of irrecoverable VAT and concluded, for reasons of principle and affordability that no changes should be made. In response to representations during the recent Cross-Cutting Review of the Role of the Voluntary and Community Sector in Service Delivery, the Government considered the issue afresh to determine once and for all whether the obstacles presented by irrecoverable VAT could be overcome. Having considered all the options available, including a targeted compensation fund, the Government concluded that no fundamental change should be made to the way the VAT system operates and the available resources would be better deployed through the new investment fund, 'futurebuilders'. This is a one-off £125 million investment, over the three years of the 2002 Spending Review, specifically to assist voluntary and community sector service-providing organisations in their public service work. The Treasury is leading on the design of 'futurebuilders' in close co-operation with the voluntary and community sector, and the Government intend to conduct wide consultation between April and June this year.

Earnings

Mr. Adrian Sanders: To ask the Chancellor of the Exchequer what his estimate is of the percentage of the workforce earning below *(a)* £75, *(b)* £100, *(c)* £120, *(d)* £150, *(e)* £175, *(f)* £200, *(g)* £225, *(h)* £250, *(i)* £275, *(j)* £300, *(k)* £325, *(l)* £350, *(m)* £375 and *(n)* £400 per week within each parliamentary constituency. [100398]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr Adrian Sand[illegible] dated 17 March 2003:

As National Statistician, I have been asked to reply to your recent question on the percentage of the workforce earning below various levels within each parliamentary constituency.

I am placing the requested information in the House of Commons Library. The tables provided show the proportion of people earning below the different thresholds you listed. Some of the data requested have been suppressed in the answer. This is because the New Earnings Survey (NES) has not been designed to provide estimates at this very detailed level.

The NES can provide earnings data for small geographical areas. The release of NES data is restricted to figures that are derived from a sufficiently large sample of employees, and have an acceptable level of accuracy. I have provided the available data only for the constituencies where the samples are large enough. These are based on the 2002 NES, the latest survey for which data are available.

Annabelle Ewing: To ask the Chancellor of the Exchequer what percentage of full-time workers in *(a)* Scotland, *(b)* each of the unitary local authority areas in Scotland and *(c)* Great Britain have hourly earnings gross pay (i) including and (ii) excluding overtime below (A) £7.97, (B) £7.32, (C) £5.38 and (D) £4.10 for the categories (1) male manual, (2) male non-manual, (3) all male workers, (4) female manual, (5) female non-manual, (6) all female workers, (7) all manual, (8) non-manual and (9) all workers. [99977]

Ruth Kelly *[holding answer 3 March 2003]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Annabelle Ewing dated 17 March 2003:

As National Statistician, I have been asked to reply to your recent question on the distribution of average hourly earnings for workers in Great Britain, Scotland and the unitary authorities in Scotland. (99977)

I am placing the requested information in the House of Commons Library. The tables provided show the proportion of people earning below the different thresholds you listed, both including overtime (Table 1) and excluding overtime (Table 2). Some of the data requested have been suppressed in the answer. This is because the New Earnings Survey (NES) has not been designed to provide estimates at this very detailed level.

The NES can provide earnings data for small geographical areas. The release of NES data is restricted to figures that are derived from a sufficiently large sample of employees, and have an acceptable level of accuracy and I have provided the available data for Scotland, the unitary authorities in Scotland and Great Britain only for those areas where the samples are large enough. These are based on the 2002 NES, the latest survey for which data are available.

Annabelle Ewing: To ask the Chancellor of the Exchequer if he will list for *(a)* Scotland and *(b)* each of the unitary local authority areas in Scotland (i) weekly median earnings and (ii) the per cent. distribution of earnings for those earning (A) under the point below which 10 per cent. of earners fall and (B) the point above which 10 per cent. of earners exceed, broken down by the categories (1) all manual, (2) all non-manual, (3) all workers, (4) male manual, (5) male non-manual, (6) all male workers, (7) female manual, (8) female non-manual and (9) all female workers. [99978]

Ruth Kelly *[holding answer 3 March 2003]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Annabelle Ewing dated 17 March 2003:

As National Statistician, I have been asked to reply to your recent question on the distribution of weekly earnings for workers in Scotland and the unitary authorities in Scotland. (99978)

I am placing the requested information in the House of Commons Library. The tables provided show median weekly earnings including and excluding overtime and the earnings at which 10 per cent. of people earn more and 10 per cent. earn less. Some of the data requested have been suppressed in the answer. This is because the New Earnings Survey (NES) has not been designed to provide estimates at this very detailed level.

The NES can provide earnings data for small geographical areas. The release of NES data is restricted to figures that are derived from a sufficiently large sample of employees, and have an acceptable level of accuracy and I have provided the available data for Scotland and the unitary authorities in Scotland only for those areas where the samples are large enough. These are based on the 2002 NES, the latest survey for which data are available.

Euro

Matthew Taylor: To ask the Chancellor of the Exchequer pursuant to his answer of 20 January 2003, *Official Report*, column 54W, on the euro, when his Department plans to conduct the next survey of small and medium-sized companies; and if he will make a statement. [102891]

Ruth Kelly: I refer the hon. Gentleman to the answers I gave him on 13 January 2003, *Official Report*, columns 414–15W, 20 January 2003, *Official Report*, column 54W and 3 February 2003, *Official Report*, column 29W.

Mr. Prisk: To ask the Chancellor of the Exchequer whether he has made or plans to make an assessment of the optimum exchange rate for the United Kingdom to join the euro. [102925]

Ruth Kelly: The Government have consistently made clear that they will complete a comprehensive and rigorous assessment of the five economic tests within two years of the start of this Parliament.

As set out in the paper of 6 September 2002 for the Treasury Committee on the Treasury's approach to the preliminary and technical work, a number of supporting studies will be published alongside the assessment of the five economic tests. A supporting study will be published "Analysing different approaches to the sustainable real exchange rate".

Mr. Prisk: To ask the Chancellor of the Exchequer whether the level of European economic reform described in the report Meeting the Challenge: Economic Reform in Europe will be taken into consideration when making an assessment of the second test for euro entry. [102929]

Ruth Kelly: I refer the hon. Member to the answer I gave him on 11 March 2003, *Official Report*, column 126W.

House Price Inflation

Mr. Prisk: To ask the Chancellor of the Exchequer what estimate he has made of house price inflation in each year since 1997. [102924]

Ruth Kelly: HM Treasury do not estimate house price inflation. National house price indices are available from the Office for the Deputy Prime Minister, the Nationwide and the Halifax. ODPM: http://www.housing.odpm.gov.uk/statistics/live/index.htmtthm Nationwide: http://www.nationwide.co.uk/hpi/ Halifax: http://www.hbosplc.com/view/housepriceindex/historicaldataspreadsheet.asp

Mr. Prisk: To ask the Chancellor of the Exchequer what recent discussions officials from his Department have had with representatives of *(a)* building societies, *(b)* the estate agent industry and *(c)* consumer groups on (i) the state of the housing market and (ii) future estimates of house price inflation; and if he will make a statement. [102928]

Ruth Kelly: The Chancellor regularly meets representatives of a wide range of organisations to discuss important economic issues.

Iraq

Annabelle Ewing: To ask the Chancellor of the Exchequer what provision he has made for the cost of war with Iraq. [103450]

Mr. Boateng: I refer the hon. Lady to the answer I gave to the hon. Member for Blaenau Gwent (Llew Smith) on 12 March 2003, *Official Report*, column 283W.

Personal Income

Mr. Willetts: To ask the Chancellor of the Exchequer what *(a)* the average gross income and *(b)* the average annual net disposable income has been for each quintile of the income in distribution in each year since 1996. [102986]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter to David Willetts from Len Cook, dated 17 March 2003:

As National Statistician I have been asked to reply to your recent question asking for the average annual gross and net household income for each quintile of the income distribution since 1996. (102986)

Estimates for 1996–97 to 2000–01 are shown in the following tables. They are based on the analysis "The effects of taxes and benefits on household income 2000–01", published on the National Statistics (ONS) website on April 19th 2002 and in Economic Trends for May 2002. The analysis and those for earlier years can be obtained from the House of Commons library. They include measures of income inequality for the United Kingdom as a whole based on data from the Family Expenditure Survey.

Estimates are given for all households in the United Kingdom and split by quintile groups ranked by disposable household income. Gross income includes income from employment, investment and cash benefits. Net disposable income is obtained by deducting income tax and national insurance contributions and local taxes. Local taxes include council tax, domestic rates, water and sewerage charges and are net of discounts, benefits and rebates.

Table A: Average annual gross household income:

United Kingdom *£ per year*

	Quintile group of all households[1]					*All*
	Bottom	*2nd*	*3rd*	*4th*	*Top*	*Households*
1996–97	7,080	11,250	18,070	26,180	45,870	21,690
1996–97	7,080	11,250	18,070	26,180	45,870	21,690
1997–98	7,300	11,780	19,120	28,000	48,720	22,980
1998–99	7,740	12,430	20.010	28,720	52,340	24,250
1999–2000	7,720	12,810	21,010	30,040	55,540	25,420
2000–01	8,420	14,290	22,080	32,000	56,850	26,730

[1] Quintile groups of all households randed by equivalised disposable income before deducting housing costs.

Source:

Office for National Statistics, 'The effects of taxes and benefits and on household income,' published annually on the ONS website and in Economic Trends

Table B: Average annual net disposale household income 1996–97 to 2000–01:

United Kingdom *£ per year*

	Quintile group of all households[1]					*All*
	Bottom	*2nd*	*3rd*	*4th*	*Top*	*Households*
1996–97	6,360	9,810	14,890	20,770	35,150	17,400
1997–98	6,550	10,280	15,760	22,140	37,280	18,400
1998–99	6,830	10,730	16,330	22,590	39,680	19,230
1999–2000	6,830	11,000	17,210	23,640	42,450	20,230
2000–01	7,440	12,200	17,960	25,060	43,550	21,140

[1] Quintile groups of all households ranked by equivalised disposable income before deducting housing costs.

Source:

Office for National Statistics, 'The effects of taxes and benefits and on household income,' published annually on the ONS website and in Economic Trends

Public Sector Pensions

Mr. Heald: To ask the Chancellor of the Exchequer if he will list the public sector pension schemes which are funded; when was the last actuarial valuation of each scheme; what the value was of the assets at the last actuarial valuation of each scheme; and what deficit is disclosed by the last actuarial valuation of each scheme. [103346]

Mr. Boateng: Of the major public service schemes, only the Local Government Pension Scheme is funded. That scheme is the responsibility of the Office of the Deputy Prime Minister.

In addition some of the small public service schemes are funded. In the wider public sector, corporations such as the BBC and the Post Office have their own funded schemes. Responsibility for these schemes rests with the relevant sponsoring department.

Detailed information on the valuations of funded public sector pension schemes is not held centrally.

Recycling

Tony Cunningham: To ask the Chancellor of the Exchequer what plans he has to encourage recycling initiatives through exemptions for recycling plants from landfill tax. [103140]

John Healey: Landfill tax is a tax on waste, and is applied to all waste disposed of by way of landfill at a licensed landfill site, unless that waste is specifically exempted. Recycling plants are therefore not liable to tax. Indeed, landfill tax is designed to encourage recycling—by making the disposal of waste to landfill more expensive, it encourages waste producers to recover more value from waste, for example through recycling or composting. Landfill tax also contains provisions for tax-free areas on landfill sites to encourage site operators to recycle material sent to their sites for disposal.

Stamp Duty

Mr. Flook: To ask the Chancellor of the Exchequer when stamp duty on share transactions was reduced from *(a)* 2 per cent.and *(b)* 1 per cent. [103626]

Ruth Kelly: The rate of stamp duty on share transactions was reduced from 2 per cent. to 1 per cent. in 1984. At that time the scope of stamp duty was widened to include bearer instruments.

In 1986 the rate was further reduced to 0.5 per cent. which is when Stamp Duty Reserve Tax was enacted. The Finance Act 1986 also introduced a 1.5 per cent. charge for shares entering a clearance service or depository bank.

Mr. Flook: To ask the Chancellor of the Exchequer when the financial secretary to the Treasury will reply to the letter of the honourable Member for Taunton which referred to her comments on reduction of stamp duty on share transactions, *Official Report*, 23 January, column 425. [103627]

Ruth Kelly: I have already done so.

LORD CHANCELLOR'S DEPARTMENT

Abducted Children

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will consult parents who have had their children abducted on ways to improve the services provided by her Department in such cases. [102238]

Ms Rosie Winterton: Parents are consulted through our work with reunite—International Child Abduction Centre which works closely with the parents involved. We consult reunite regularly. My Department also receives information from parents through meetings and correspondence from them and hon. Members, which all inform our consideration of service provision. Consultation takes place before Special Commissions of the Hague Conference, as they occur.

Domestic Violence

Stephen Hesford: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the Lord Chancellor's Department's policy on reducing domestic violence. [102182]

Ms Rosie Winterton: The Government are committed to tackling domestic violence. My Department's main responsibility as a member of the Inter-Ministerial Group on Domestic Violence is to develop co-ordination between the criminal, civil and family courts to make sure that victims of domestic violence and their families have a swift and effective route to protection, and perpetrators of violence are brought to justice. We intend to do this through improving training and raising awareness amongst the professional judiciary and magistrates.

My Department recently launched a guide on civil remedies and criminal sanctions against abusers aimed to assist those who advise victims of their options.

Where necessary we will improve court processes through legislation, as we did with the Adoption and Children Act 2002 (ACA 2002) and the Children Act 1989. As a consequence of the ACS 2002, the application form used to apply for contact or residence will be amended so that the applicant can indicate, and give details about, whether abuse has taken place. The respondent will then also have a chance to comment. This will mean that judges will be aware early in the proceedings; that domestic abuse is alleged and findings of fact can be made before contact or residence are considered.

We have also published guidelines for the courts and other professionals which provide a structured and consistent approach for all court users in how to deal with contact cases where domestic violence is an issue. Their effectiveness is being monitored and evaluated.

A safety stakeholder group was set up to advise on how to improve our handling of domestic violence in proceedings involving children, and promote safe contact. Representatives from the judiciary, academics, practitioners and parents' and children's organisations are involved.

We have carried out a mapping exercise of the provision of child contact services, including centres where supervised contact is available, to help us to develop a national network of child contact centres that work to agreed standards. We are supporting child contact centres on their strategy for expanding and improving their services by putting in extra Government funding [over £1.7 million over the past two years] and an additional £2.5 million from Children's Fund announced in February 2003.

We will be working closely wi;th colleagues in the Home Office and other Departments to take various issues forward through the forthcoming domestic violence consultation paper and proposed subsequent draft bill later in the year.

With the help of our key stakeholder advisory groups we will continue to identify further action in every area of our responsibilities, and in those areas of responsibility that we share with other Government Departments, to make sure that tackling domestic violence and protecting its victims (adults and children) are given the priority they deserve.

Special Advisers

Mr. Cash: To ask the Parliamentary Secretary, Lord Chancellor's Department how much was spent by the Department on *(a)* special advisers and *(b)* external contracts in each year since 1997; if she will name the advisers and contractors; and if she will place copies of the relevant contracts in the Library. [100843]

Ms Rosie Winterton: For information on special advisers, I refer the hon. Member to the answer given by the Minister of State for the Cabinet Office (Mr. Alexander), on 31 January 2003, *Official Report*, column 1056W.

For information on external consultancy expenditure I refer the hon. Member to the answers given to the right hon. Member for Haltemprice and Howden (David Davis) on 28 October 2002, *Official Report*, column 600W and the hon. Member for Yeovil (Mr. Laws) on 24 February 2003, *Official Report*, column 16W.

The Department places very many contracts for a wide range of goods and services including products such as all office furniture, transcription tapes, office supplies and stationary. Services range from the provision of IT, office cleaning, court reporting, postage through to utilities.

Purchasing of such items is generally devolved, so the information requested cannot be readily provided.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with representatives of the US Government regarding *(a)* compensation and *(b)* other assistance for the Afghan woman, Orfa, whose house in Bibi Mahru was accidentally bombed by a US F-16; on what date he raised the matter with the US; and what response he has received. [102904]

Mr. Mike O'Brien: We have discussed the case referred to a number of times with the US since it was first reported in the Guardian in October 2002. The US have indicated that they do not pay claims for compensation arising from combat activities. The US have assisted Afghanistan as a whole with development funding on a substantial scale. We are still discussing this matter with the US authorities and I will seek to keep my hon. Friend informed if there are any developments.

Antarctica

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the number of tourists visiting Antarctica in each of the past five years by *(a)* cruise ship and *(b)* air, and their environmental impact; and if he will make a statement. [103448]

Mr. Mike O'Brien: The International Association of Antarctic Tour Operators (IAATO) presents annually a report on tourism in Antarctica at the Antarctic Treaty Consultative Meeting (ATCM). These reports detail tourist visits by cruise ship and air. Scientific monitoring of sites visited by tourists show that there has been no significant impact on the Antarctic environment from tourism.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what the total UK expenditure on the Antarctic Environmental Protocol Secretariat is for 200–03; and how much is projected for 2003–04. [103449]

Mr. Mike O'Brien: There is no Antarctic Environmental Protocol Secretariat as such. However it was agreed in principle at the Antarctic Treaty Consultative Meeting in 2001 that an Antarctic Treaty Secretariat should be set up. Given that this has yet to be established there has been no UK expenditure to date.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions have been held with the Governments of *(a)* Chile, *(b)* Argentina, *(c)* South Africa, *(d)* Australia and *(e)* New Zealand concerning the funding of the Antarctic Environmental Protocol Secretariat; and if he will make a statement. [103451]

Mr. Mike O'Brien: We are in regular discussions with the Argentineans regarding the proposed Antarctic Treaty Secretariat to be located in Buenos Aires.Negotiations on setting up the Secretariat, including its funding, continue with the Governments of Chile, South Africa, Australia and New Zealand, as with all other Antarctic Treaty Parties, at annual Antarctic Treaty Consultative Meetings (ATCM). The next of these will be held in Madrid (June 2003). Separately, an informal intersessional meeting is scheduled for 1 to 4 April in Buenos Aires to discuss matters relating to the Treaty Secretariat.

Arms Sales

Joyce Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of the EU code of conduct on arms sales, with reference to sales to Iraq; and if he will make a statement. [101954]

Mr. Rammell: The sale of military listed items and dual use items to Iraq is restricted by sanctions. Those which are not automatically prohibited require approval from the UN Iraq Sanctions Committee, of which we are a member. As a member of the Sanctions Committee our evaluation of any application for permission to export such goods, including applications from EU partners, would involve consideration against the criteria of the Code. We consider the Code to be an effective tool to apply when making such decisions.

Burma

Mr. Peter Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in Burma. [103045]

Mr. Mike O'Brien: The human rights situation in Burma is poor and a matter of grave concern. The UK Co-sponsored a resolution at the United Nations General Assembly in November 2002 that condemned the Burmese regime's record and I issued a public statement on 20 November giving my strong support for the resolution. On 18 February, the European Union issued a statement expressing concern over the deteriorating situation in Burma, including further politically inspired detentions and arrests. With EU partners, we are preparing a resolution for the United Nations Commission on Human Rights in April that will again press for action to address the human rights abuse in Burma.

China (North Korean Refugees)

Alistair Burt: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he will make to the Chinese authorities concerning *(a)* the repatriation of North Korean refugees in China, *(b)* the refusal by the Chinese Government to allow the UNHCR access to the North Koreans who have fled into China and *(c)* China's obligations under the 1951 UN Convention on the Treatment of Refugees. [102594]

Mr. Rammell: We regularly raise the issue of North Korean refugees with the Chinese, including at the biannual UK/China Human Rights Dialogue. At the last round of the Dialogue, on 21 November 2002, we urged China to allow the UNHCR access to the border areas and to observe its obligations under the 1951 Refugee Convention. We will continue to encourage greater co-operation between China and UNHCR on this issue.

Entry Clearance Officers

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs when entry clearance officers in *(a)* New Delhi, *(b)* Mumbai, *(c)* Dhaka, *(d)* Tehran and *(e)* Nairobi ceased using the pre-assessment procedure for visa applications. [103145]

Mr. Rammell: Use of the pre-assessment procedure was ceased in: *(a)* New Delhi in August 2002; *(b)* Mumbai in February 2003; *(c)* Dhaka in January 2003 (but during January to March 2003 Dhaka has been operating a pre-assessment procedure for settlement applications to help accustom applicants to its withdrawal); *(d)* Tehran in July 2002; and *(e)* Nairobi in October 2002.

Family Visitor Visas

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives to increase family visitor visa applicants' awareness of their appeal rights have been undertaken since 1 January 2002. [103144]

Mr. Rammell: All unsuccessful applicants receive at the time of refusal written notices informing them about their right to appeal, and the procedure they need to follow should they choose to exercise this right. So all applicants are aware of their appeal rights.

India (Nuclear Tests)

Mr. Purchase: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Indian Government on their intentions towards signing the nuclear test ban treaty. [103036]

Mr. Mike O'Brien: We regularly raise the issue of Indian accession to the Comprehensive Nuclear Test Ban Treaty, and other international Treaties relating to non-proliferation, with the Indian Government.

Iraq

Adam Price: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Turkish Government regarding the administration of Northern Iraq following military conflict with Iraq. [102765]

Mr. Mike O'Brien: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs last met Turkish Foreign Minister Yakis at Copenhagen on 13 December. They did not discuss Iraq.

Adam Price: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what *(a)* discussions he has held with and *(b)* representations he has received from multinational oil companies in relation to the exploitation of Iraqi oil following a conflict in the middle east; [102767]

(2) what discussions he has held with the US Government concerning the exploitation of Iraqi oil following any conflict which leads to regime change in Iraq; [102766]

(3) what recent discussions he has had with the US Administration regarding the exploitation of Iraqi oil reserves following military conflict in the middle east; [102764]

(4) what agreements the UK Government has made with multinational oil companies regarding oil exploitation following a conflict in Iraq; [102769]

(5) what discussions he has had with other Ministers concerning the exploitation of Iraqi oil following a conflict in the middle east. [102758]

Mr. Mike O'Brien: It is our position that Iraqi oil is owned by the Iraqi people. Its revenues should be used for the good of the people. We make this clear in all our contacts on the subject.

However, the current situation is not about oil, it is about weapons of mass destruction and the Iraqi regime deliberately flouting the will of the United Nations.

Adam Price: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to protect the Kurds of Northern Iraq from any advance by the Turkish army, following a military attack on Baghdad by US and UK forces. [102768]

Mr. Mike O'Brien: I understand that both the Kurdistan Democratic Party and the Patriotic Union of Kurdistan in northern Iraq remain in close touch with the Government of Turkey about developments in the area. I am not aware of any decision by Turkey to advance against the northern Iraqi Kurds.

Adam Price: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent studies his Department has undertaken of Iraqi oil reserves. [102770]

Mr. Mike O'Brien: We have not undertaken any new studies of Iraqi oil reserves.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make the UNMOVIC Working Document of 6 March on Iraq's unresolved disarmament issues available *(a)* to hon. Members and *(b)* through major retail outlets in the UK. [103288]

Mr. Mike O'Brien: The document has already been placed in the library of the House. It is also available on the UNMOVIC web site, www.un.org/uniTiovic. Together with the most recent presentations by Dr. Blix and Dr. El Baradei to the UN Security Council and the twelfth UNMOVIC quarterly report it will also be published as a Command Paper (Cm 5785). It will be publicly available through The Stationery Office.

Khalid Sheikh Mohammed

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United States Administration in respect of its interrogation of the sons of Khalid Sheikh Mohammad about their father's alleged terrorist activities. [102728]

Mr. Mike O'Brien: None.

UN Security Council

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what visits are being undertaken by Ministers to non-permanent member countries on the UN Security Council; what visits have been undertaken in the last month; what issues of *(a)* aid and *(b)* trade are and have been on the agenda; what offers are and have been made to those countries by the UK Government which are favourable to them, with the financial value of each such offer; whether the communication of a favourable arrangement has been made to any of these countries on behalf of another nation; and if he will make a statement. [100994]

Mr. Rammell: My right hon. Friend the Prime Minister visited Spain on 27–28 February. My noble Friend Baroness Amos visited Guinea, Angola and Cameroon on 25–28 February and again on 10–12 March. My hon. Friend the Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office (Mr. Mike O'Brien) visited Syria on 4–5 March. My hon. Friend the Minister for Europe (Mr. MacShane) visited Bulgaria on 6 March.

No aid or trade issues have been discussed during the visits. They have not been used to communicate any offers from third countries.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what independent legal advice is available to the Secretariat of the United Nations Security Council. [102073]

Mr. Rammell: The Secretariat of the United Nations is advised by the Office of Legal Affairs, which forms part of the Secretariat.

West Africa

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the Baroness Amos had with the Government of Guinea regarding the present dispute between Liberia and Sierra Leone during her recent visit to Africa; what assessment he has made of the impact of this dispute on the region; what steps his Department is taking to address this situation; and if he will make a statement. [101774]

Mr. Rammell: During my noble Friend Baroness Amos's visit to Guinea on 25 February, she had discussions with President Conté about regional issues, including Liberia. The Government of Liberia continues to ignore the demands of the UN Security Council by sponsoring armed groups in the region and encouraging regional instability. Together with our international partners, our objective remains to contain these activities, including by maintaining effective UN sanctions against Liberia.

HOUSE OF COMMONS COMMISSION

Officers of the House (Travel)

Mr. Maples: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission which officers of the House of Commons are allowed to travel by air *(a)* first class and *(b)* business class at public expense when on official duties. [102895]

Sir Archy Kirkwood: The rules for air travel by officials on the business of the House are set out in the Staff Handbook which is available on the parliamentary intranet. Business class or first class travel is not normally allowed for flights within the UK. For flights outside the UK, officials are required to seek best value for money, including making use of discounted fares where possible. When travelling with Members, however, officials are normally allowed to book seats of the same class as the Members they are accompanying.

PRIME MINISTER

Government Legal Advice

Lynne Jones: To ask the Prime Minister what the Government's policy is on the publication of advice provided to the Government by *(a)* government law officers and *(b)* members of the private bar. [103471]

The Prime Minister: I refer the hon. Member to the answer I gave the hon. Member for Stone (Mr. Cash) on 14 March 2003, *Official Report*, column 482W, and the further answer my right hon. Friend, the Solicitor-General has given the hon. Member for Stone (Mr. Cash) today.

UNIKOM

Mr. Cousins: To ask the Prime Minister what UK military forces have been committed to UNIKOM;

and whether these forces are mandated to resist all violations of the demilitarised zone on the Iraq-Kuwait border. [103832]

The Prime Minister: The UK currently contributes 11 military observers to UNIKOM, one of whom also acts as Commander of the British Contingent.

UNIKOM is mandated to take physical action to prevent small-scale violations of the demilitarised zone.

HEALTH

Asylum Seekers

Mr. Wray: To ask the Secretary of State for Health pursuant to the answer of 3 March 2003, *Official Report*, column 823W, on asylum seekers, what measures are in place to ensure that unaccompanied child asylum seekers receive care and support from council social services under the Children Act 1989. [103400]

Jacqui Smith: When an unaccompanied child arrives at an English port or airport the immigration service will refer him/her immediately to the relevant local authority social services department, which will be responsible for providing him/her with support under the Children Act 1989. Unaccompanied children can also claim asylum in-country. In such cases, they will either already have presented to a social services department as a child in need, or will be referred on by the immigration service.

NHS Estates (PFI)

Matthew Taylor: To ask the Secretary of State for Health whether the public sector team of the fraud squad is investigating the NHS estates PFI scheme; and if he will make a statement. [97530]

Mr. Hutton *[holding answer 12 February 2003]:* NHS Estates is not directly involved in any private finance initiative transactions. NHS Estates is, however, in the process of a one-off sale of Retained Estate and its trading arm, Inventures. No suggestion of fraud has come to light concerning the proposed joint venture to derive the best value from the Retained Estate and Inventures.

Correspondence

Mr. Andrew Turner: To ask the Secretary of State for Health pursuant to his answers of 27 February, refs. 95076 and 98813, for what reasons the delay in replying to the letters of *(a)* 21 November and *(b)* 8 October 2002 occurred. [100941]

Mr. Lammy *[holding answer 5 March 2003]:* I apologise for the delays you have been experiencing in receiving replies to your correspondence.

Unfortunately, during the course of the year there have been several issues which have contributed to the overall delays in providing response and has led to outstanding correspondence. The introduction of a new information technology system to track correspondence throughout the Department took longer to bed in than expected.

The Customer Service Centre was established on 1 December to improve the Department's performance in handling telephone, written and e-mail inquiries from members of the public and their representatives. One of the first tasks of the Customer Services Centre has been to clear outstanding cases and to put systems in place to prevent this kind of backlog from building up again.

Emergency Medical Personnel

Mr. Burns: To ask the Secretary of State for Health (1) what plans his Department has to increase the number of emergency medical personnel *(a)* on motorbikes, *(b)* in ambulances and *(c)* in cars; [101314]

(2) how many ambulances serve Greater London; and how many paramedics there are *(a)* in cars, *(b)* on motorbikes and *(c)* in ambulances. [101315]

Mr. Lammy: Decisions of this nature are for each individual ambulance trust to determine locally. This information is not held centrally.

Foundation Hospitals

Mr. Gibb: To ask the Secretary of State for Health what the role is of the proposed regulator for foundation hospitals; and if he will make a statement. [102180]

Mr. Hutton: Our policy on the main functions of the Independent Regulator is set out in paragraph 3.28 of "A Guide to NHS Foundation Trusts". The Health & Social Care (Community Health & Standards) Bill makes provision for the Independent Regulator to authorise applications for national health service foundation trust status; set and revise the terms under which each NHS foundation trust operates and provides additional powers to intervene in the running of an NHS foundation trust in specified circumstances.

Hospital Amalgamations

Chris Grayling: To ask the Secretary of State for Health if he will list the hospital amalgamations that have taken place in the last five years; and what the total number of acute beds available in those hospitals was *(a)* before and *(b)* after the amalgamation. [91588]

Mr. Hutton: The information requested is not available.

Hospital Hygiene

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer to the hon. Member for East Worthing and Shoreham (Tim Loughton) of 26 February, 2003, *Official Report*, column 629W, on hospital hygiene, whether the handwashing provision in existing hospital buildings will be measured against the recommendations from NHS Estates for new buildings. [101950]

Mr. Lammy: National health service trust chief executives are responsible for ensuring adequate infection control measures. Infection control teams assist them in this; they will be actively involved in developing policies and monitoring practice. They will use their professional judgment to assess existing facilities and may use NHS Estates' guidelines to help them do so.

Learning Disability Boards

Mr. Boswell: To ask the Secretary of State for Health what action he is taking to ensure that local learning disability boards communicate their proceedings to local interested parties; and what plans he has to issue guidance to them on this matter. [103088]

Jacqui Smith: Learning disability partnership boards were set up as a key part of the arrangements for implementing the White Paper, "Valuing People: A New Strategy for Learning Disability for the 21st Century" (Cm 5086), published in March 2001. The role and functions of these boards were described in guidance issued in August 2001 (HSC 2001/016; LAC(2001)23).

The role of partnership boards is broadly to create strong local partnerships between providers of services, learning disabled people and family carers. Their aim is to develop local strategies to improve the opportunities for learning disabled people to be included as fully as possible in society and have greater independence and choice in their lives.

We hope that partnership boards will try to raise the profile of learning disability issues in their local areas, and to encourage their members, such as local authorities and primary care trusts, to do the same. This would support strongly the aim of greater inclusion of learning disabled people. We would therefore encourage boards to let local people know about their activities.

It would not be appropriate to issue specific guidance on this matter, which is clearly a matter for local decision. However, the valuing people support team, which has been set up to promote good practice and share practical experience across the country, has given practical advice to boards in its newsletters of July 2002 and February 2003 on making meetings available to the public. We support these messages. The support team website is at http://www.doh.qov.uk/vpst.

Mental Health

Tim Loughton: To ask the Secretary of State for Health what training is available to NHS staff responding to the mental health needs of *(a)* current and *(b)* former servicemen and women. [101074]

Jacqui Smith: The mental health needs of current servicemen and women are met under the auspices of the Ministry of Defence, who are also responsible for ensuring that military and medical personnel receive appropriate training. The national health service provides services, by trained staff, to former service personnel alongside the general public according to their needs. Recent additional investment in mental health services and a comprehensive programme of modernisation will ensure that all those who have mental health needs are able to access appropriate treatment more quickly. Further information about this is available on the Department of Health web site at www.doh.gov.uk/mentalhealth. Additional guidance for general practitioners first issued following the events in the USA on 11 September 2001 was re-issued last year; this specifically draws attention to the needs of service personnel.

Northwich Park Hospital

Mr. Gareth Thomas: To ask the Secretary of State for Health how many patients have been treated in *(a)* the accident and emergency unit at Northwick Park Hospital and *(b)* in total at Northwick Park Hospital, broken down by clinical speciality, in each of the last five years. [100597]

Mr. Hutton: The information requested is collected by National Health Service trust and not by individual hospital.

Northwick Park Hospital was part of Northwick Park and St. Marks NHS Trust until 1999, when the Trust merged with Central Middlesex Hospital NHS Trust to form North West London Hospitals NHS Trust. Figures for Northwick Park and St. Marks NHS Trust for 1997–98 and 1998–99 are shown in Table 1.

Table 2 shows figures for North West London Hospitals NHS Trust from 1999–2000 to 2001–02. For consistency, figures for 1997–98 and 1998–99 are shown for Northwick Park and St. Marks NHS Trust and Central Middlesex Hospital NHS Trust combined.

Table 1: Northwick Park and St. Marks NHS Trust only.

Main Specialty	*1997–98*	*1998–99*
Not known	456	410
General Surgery	7,050	8,096
Urology	2,717	2,865
Trauma and Orthopaedics	3,615	4,125
ENT	2,656	2,676
Ophthalmology	24	30
Oral Surgery	333	339
Orthodontics	—	—
Plastic Surgery	—	—
Accident and Emergency	581	1,109
Anaesthetics	307	41
Pain Management	—	421
General Medicine	5,982	5,818
Gastroenterology	4,243	4,666
Endocrinology	239	99
Rehabilitation	57	69
Cardiology	1,797	1,510
Dermatology	27	22
Thoracic Medicine	227	131
Infectious Diseases	1,070	1,169
Genito-urinary Medicine	—	—
Nephrology	—	—
Medical Oncology	—	—
Neurology	—	—
Clinical Neuro-Physiology	—	—
Rheumatology	404	238
Paediatrics	6,795	6,324
Geriatric Medicine	39	20
Obstet for Patients using a hospital bed or del facilities	6,071	5,691
Gynaecology	3,948	4,917
Midwife Episodes	—	—
Mental Illness	—	—
Child and Adolescent Psychiatry	—	—
Radiotherapy	—	—
Radiology	7	9
Blood Transfusion	—	—
Haematology	776	961

Table 2: Central Middlesex Hospital NHS Trust and Northwick Park & St. Marks NHS Trust 1997–98 and 1998–99
North West London Hospitals NHS Trust 1999–00 to 2001–02
Finished Consultant Episodes—Count of In Year Admissions

Main speciality	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Not known	457	413	[1]—	6	7
General Surgery	8,724	9,548	9,204	7,500	8,233
Urology	5,354	5,596	4,905	2,880	2,861
Trauma and Orthopaedics	4,825	5,374	5,013	4,088	3,844
ENT	3,281	3,244	3,201	2,526	2,956
Ophthalmology	1,203	1,625	2,196	411	120
Oral Surgery	1,484	1,604	1,426	594	389
Orthodontics	[1]—	[1]—	[1]—	[1]—	[1]—
Plastic Surgery	0	0	34	21	[1]—
Accident and Emergency	581	1,109	916	2,082	0
Anaesthetics	337	70	40	13	59
Pain Management	0	421	391	315	183
General Medicine	6,006	5,828	6,268	6,775	7,204
Gastroenterology	6,186	6,906	6,761	5,619	6,766
Endocrinology	320	185	177	68	45
Rehabilition	57	69	47	54	60
Cardiology	2,011	1,669	1,419	1,207	1,135
Dermatology	29	22	19	11	18
Thoracic Medicine	489	387	265	129	452
Infectious Diseases	1,070	1,169	1,094	1,074	1,364
Genito-urginary Medicine	14	13	10	[1]—	0
Nephrology	0	0	0	[1]—	0
Medical Oncology	7	[1]—	[1]—	[1]—	6
Neurology	67	82	89	17	7
Clinical Neuro-physiology	[1]—	[1]—	[1]—	0	0
Rheumatology	573	477	471	470	486
Paediatrics	9,012	8,476	8,361	5,755	2,109
Geriatric Medicine	205	108	93	17	12
Obstet for patients using a hospital bed or Del facilities	9,645	8,941	8,436	3,559	161
Gynaecology	5,469	6,627	5,602	4,255	4,074
Mid Wife Episodes	0	0	432	1689	287
Mental Illness	0	[1]—	0	0	0
Child and Adolescent Psychiatry	[1]—	[1]—	[1]—	[1]—	0
Radiotherapy	[1]—	0	0	0	[1]—
Radiology	7	12	[1]—	0	[1]—
Blood Transfusion	[1]—	0	0	0	0
Haematology	1,533	1,569	1,679	1,188	1,127

[1] Due to reasons of confidentiality, figures below 5 have been suppressed.

Note:

1. (RAU) Central Middlesex Hospital NHS Trust and (RFZ) Northwick Park and St. Marks Trust merged to form (RV8) North West London Hospitals NHS Trust with effect from the 1999–2000 data year.
2. A FCE is defined as a period of patient care under one consultant in one health care provider. The figures do not represent the number of patients, as one person may have several episodes within the year.
3. Hospital Episode Statistics (HES) are compiled from data sent by over 300 NHS Trusts in England. The Department of Health and I beg to move, liaise closely with these organisations in order to ensure that data quality is enhanced wherever possible. Inevitably, some shortcomings remain, but our goal is to minimise inaccuracies and bring about improvement over time.

Source:

Hospital Episode Statistics (HES), Department of Health

Oldchurch Hospital

Mr. Rosindell: To ask the Secretary of State for Health whether Oldchurch Hospital in the London Borough of Havering has been inspected by the Commission for Health Improvement. [101985]

Mr. Hutton: Oldchurch Hospital has not been inspected by the Commission for Health Improvement.

Patient Advice and Liaison Services

Dr. Richard Taylor: To ask the Secretary of State for Health whether the money held by NHS trusts for patient advice and liaison services is ring-fenced; and how many paid employees are working for the patient advice and liaison service in each trust. [102150]

Mr. Lammy: It is for local purchasers of treatment and care to decide upon the relative priorities of their allocations and assign funding accordingly. £10 million was included in the overall allocation for 2002–03, with the expectation that this would be used to support patient advice and liaison services (PALS) in national health service trusts and primary care trusts.

The Department does not hold details of the number of staff working within PALS. A recent mapping exercise completed in January 2003 showed that 94 per cent. of all trusts have established a PAL service.

Prison Healthcare

Dr. Evan Harris: To ask the Secretary of State for Health what changes are planned to the structure of prison healthcare; and if he will make a statement. [103069]

Jacqui Smith: On 25 September 2002, my right hon. Friends the Home Secretary and the Secretary of State for Health announced that funding responsibility for prison health services in England was to be transferred from the Home Office to the Department of Health with effect from April 2003. The Prison Service funding currently used to provide health care for prisoners will be transferred to the Department of Health from April 2003.

This is the first step in a process aimed at devolving funding and commissioning responsibility for prison health services to primary care trusts (PCTs) by 1 April 2006. PCTs will then become responsible for securing all health services for prisoners in their areas. During the transitional period of the next three years, the majority of funding for prison health services will be passed back to the prison service for allocation through prison establishments to ensure continuity of services.

Psychiatric Readmissions

Mr. Burstow: To ask the Secretary of State for Health how many emergency psychiatric readmissions there were in each of the last five years for *(a)* under 16s and *(b)* over 65s; and what the rate of readmission was in each case. [102840]

Jacqui Smith: This information is not collected.

Schizophrenia

Mr. Sanders: To ask the Secretary of State for Health if he will make a statement on the National Service Framework for Adult Mental Health and its subsequent implementation guidelines for schizophrenia; who is responsible for the implementation; and if he will make a statement. [102686]

Jacqui Smith: The national service framework (NSF) for mental health, published in 1999, is a 10-year programme of reform and investment in mental health services and is being implemented in accordance with its targets and milestones.

The implementation of the National Institute for Clinical Excellence (NICE) guideline on schizophrenia will build on the NSF and should form part of the service development plans for each local health community in England.

The priorities and planning framework for the national health service in England 2003–06 sets key targets for improvements in mental health services including compliance with relevant NICE technology appraisals and clinical guidelines.

Voting Qualifications (Mental Health)

Lynne Jones: To ask the Secretary of State for Health under what circumstances a person would be *(a)* eligible and *(b)* ineligible to vote under the provisions in the draft Mental Health Bill. [103147]

Jacqui Smith: There are no proposals in respect of voting rights in the Mental Health Bill. In fact there is no such provision in the Mental Health Act 1983.

My noble Friend the Lord Chancellor, is responsible for the policy on eligibility to vote under the Representation of the People Act 1983 (as amended by the Representation of the People Act 2000).

I understand that he is considering the implications of the proposals in the Mental Health Bill on his policy for enfranchisement.

Waiting Lists (Mid-Essex)

Mr. Burns: To ask the Secretary of State for Health how many people are waiting for in-patient treatment in the mid-Essex Hospital Trust area. [102538]

Mr. Lammy *[holding answer 13 March 2003]:* There were 9,352 patients waiting for inpatient treatment at mid Essex Hospital Services National Health Services Trust at the end of January 2003.

Source:

DHSC monthly fast track figures.

EDUCATION AND SKILLS

Advertising (Scotland)

Pete Wishart: To ask the Secretary of State for Education and Skills how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102328]

Mr. Stephen Twigg: The Department has not targeted any of its advertising specifically in Scotland. However, for some media it is impossible to remove coverage in Scotland. These include atellite TV, online, women's magazines, TV listings magazines, youth magazines and some national press titles who do not have Scottish editions.

Due to the format in which advertising information is collected and held, it will not be possible to provide the information requested without incurring disproportionate cost. Information at the level of detail requested is not available, and where it is possible to disaggregate figures for advertising in Scotland, the information could only be obtained at disproportionate cost.

Asylum Seeker/Refugee Children

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many *(a)* asylum seeker and *(b)* refugee children there were in schools, broken down by education authority, in each academic year since 1997–98. [102296]

Mr. Stephen Twigg: It is not possible to say how many asylum seeker and refugee children there were in schools in each local education authority (LEA), for the period specified, because there is no requirement on LEAs to provide the Department with this information.

The most recent information available indicates that there are about 82,000 children from asylum seeking and refugee backgrounds in the UK. Nearly 63,000 of them are resident in Greater London where it is estimated that they comprise 6.04 per cent. of the total school population. Over 14,500 are resident in LEAs in the Home Office designated dispersal areas in the north east, north west, Yorkshire and the Humber, east and west Midlands and south west regions of England.

Mr. Damian Green: To ask the Secretary of State for Education and Skills how much funding has been allocated for the education of *(a)* asylum seeker and *(b)* refugee children since 1997–98 in each education authority. [102297]

Mr. Stephen Twigg: It is not possible to say how much funding has been allocated to Local Education Authorities (LEAs) for the education of children from asylum seeking and refugee backgrounds for the period specified as no specific factors are used to take account of these pupils in the formula for calculating education formula spending shares. It is for LEAs to consider whether to include provision by including relevant factors in their funding formulae.

Additional funding has been made available to LEAs supporting the children of asylum seekers dispersed to the Home Office designated cluster areas through the asylum seeker grant. The attached table shows how much funding has been allocated to these LEAs from 2000 to 2003.

From April 2003 this grant will be subsumed into the vulnerable children grant (worth £84 million) which will provide support for a range of vulnerable children including those from asylum seeking backgrounds. Funding to support all children, including those from asylum seeking and refugee backgrounds, with English as additional language requirements is available to all LEAs through the ethnic minority achievement grant (worth £155 million).

Asylum Seeker Grant Allocations 2000–03

LEA Name	*Amount of funding(£)*
Barnsley	6,6000
Birmingham	40,1000
Blackburn	5,9000
Bolton	23,2000
Bradford	20,8000
Brighton	14,500
Bristol	75,500
Burnley	7,000
Bury	96,500
Calderdale	35,000
Cheshire	8,000
Coventry	182,000
Croydon (LB)	8,500
Darlington	2,500
Derby	146,500
Doncaster	101,000
Dudley	131,000
Exeter (Devon)	1,000
Gateshead	145,500
Greenwich (LB)	2,500
Hampshire	2,000
Hartlepool	9,000
Hasting/St Leonards	5,000
Hertfordshire	500
Ipswich	500
Kingston Upon Hull	98,500
Kirklees	122,500
Knowsley	4,000
Lancashire (Preston)	13,500
Leeds	345,000
Leicester City	110,500
Leicestershire	2,500
Lincolnshire	4,500
Liverpool	66,3000
Manchester	91,5000
Middlesbrough	94,000
Nelson	2,500
Newcastle	507,500
Newham (LB)	3,500
North Somerset	4,000
North Tyneside	90,500
Nottingham City	284,000
Oldham	42,000
Peterborough	23,500
Plymouth	37,000
Portsmouth	26,000
Redcar	101,000
Richmond (LB)	1,000
Rochdale	107,000
Rotherham	91,500
Salford	261,500

Asylum Seeker Grant Allocations 2000–03

LEA Name	*Amount of funding(£)*
Sandwell	97,000
Sefton	56,000
Sheffield	388,000
Solihull	2,500
South Gloucestershire	17,000
South Tyneside	52,000
Stockport	42,500
Stockton-on-Tees	65,000
Stoke-on-Trent	61,500
Sunderland	86,500
Tameside	56,500
Trafford	32,500
Wakefield	79500
Walsall	68,500
Wigan	103,000
Wolverhampton	183,500
Total	7,287,00009

Bologna Process

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on his Department's policy on the involvement of British higher education in the Bologna process. [101721]

Margaret Hodge: The Government welcome British higher education's involvement in the deliberations and process arising from the Bologna Declaration. We have been working closely with our UK higher education partners and the devolved administrations since we signed the Declaration in 1999 to assess the impact on UK higher education and its relationship with the rest of Europe, and to influence the debate on the way forward. Representatives of the UK higher educations sector are engaged in discussions on the Bologna process, and an official from my Department represents UK interests at the twice-yearly meetings of the inter-Governmental Bologna follow-up group. This will inform the ministerial conference in Berlin in September this year.

Circular Documents

Mr. Damian Green: To ask the Secretary of State for Education and Skills if he will list the circular documents that were sent by his Department to *(a)* primary schools and *(b)* secondary schools between 1 September 2001 and 31 August 2002; how many were on teacher workload; and how many pages each document contained. [102558]

Mr. Miliband: The following pages show the documents that were sent in the period 1 September 2001 and 31 August 2002 to *(a)* primary schools and *(b)* secondary schools. In total 76 documents were sent to all primary schools and 85 documents were sent to all secondary schools. On teacher workload one document was sent to all primary schools and one document was sent to all secondary schools in the period 1 September 2001 and 31 August 2002. Both of the documents on teacher workload contained three pages each.

Ministers are committed to reducing the bureaucratic burden on schools and the Department has aimed to reduce the number of mailings to schools by 50 per cent. in the current 2002–03 academic year.

Details of each document and how many pages each contained have been placed in the Library.

Closed Circuit Cameras

Mr. Gibb: To ask the Secretary of State for Education and Skills how many closed circuit cameras have been installed in school classrooms; and if he will make a statement. [101882]

Mr. Stephen Twigg: The use of closed circuit television cameras in classrooms is a matter for individual schools and no central record is kept of their number.

Earned Autonomy

Mr. Brady: To ask the Secretary of State for Education and Skills when he expects to publish his Department's consultation paper on the proposed criteria for earned autonomy. [102140]

Mr. Miliband: We are pursuing our plans to publish a consultation paper on Earned Autonomy. This will include proposals on the criteria for Earned Autonomy and on the kinds of flexibility that might be made available. I will write to the hon. Member when we have a firm date for its release and place a copy of the letter in the Library.

Free School Meals

Stephen Hesford: To ask the Secretary of State for Education and Skills if he will make a statement on his *(a)* current and *(b)* future policy on free school meals. [102858]

Mr. Stephen Twigg: Section 512 of the Education Act 1996 (amended by the School Standards and Framework Act 1998 and the Immigration and Asylum Act 1999), sets out our current policy on free school meals. Children whose parents receive Income Support, Income Based Jobseekers Allowance and support provided under Part VI of the Immigration and Asylum Act 1999 are currently eligible to receive free school meals.

From 6 April 2003, section 201 of the Education Act 2002 and its associated regulations will extend free school meals to children whose parents receive the Child Tax Credit, provided they are not entitled to receive the Working Tax Credit and have an annual income (as assessed by The Inland Revenue) that does not exceed £13,230. This change will protect an estimated 87,000 children in England who would otherwise lose their entitlement because of planned changes to the tax credit and welfare system from April 2003. We estimate that an additional 75,000 children will become entitled to free school meals as a result of this change.

Higher Education

Mr. Boswell: To ask the Secretary of State for Education and Skills what ratio of students on bachelor or higher degree courses to students on foundation degree courses he plans for the additional numbers of students entering higher education by 2010. [101735]

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Margaret Hodge: As set out in the Government's White Paper, 'The future of higher education' (Cm 5735), the emphasis in expanding student number will be on two year-work focussed foundation degrees.

Mr. Boswell: To ask the Secretary of State for Education and Skills if he plans to differentiate fee caps by type of higher education institutions. [100303]

Margaret Hodge: The Higher Education White Paper sets out the Government's intention to introduce variable fees in 2006–07. A university will be able to set its fee at any level between £0 and £3,000 per year. Universities will have to have Access Agreements approved by the independent Access Regulator before they are allowed to introduce a contribution higher than the current standard fee. We have no plans to apply these proposals differentially to higher education institutions.

Brian White: To ask the Secretary of State for Education and Skills if the funding mechanisms to deliver the proposals set out in the Future of Higher Education White Paper will encompass institutions whose students are not tied to a specific geographical location. [100022]

Margaret Hodge: The Graduate Contribution Scheme described in the White Paper 'The future of higher education' (Cm 5735) will apply to full-time undergraduate students only. The Open University is the main higher education institution providing distance learning for students who are geographically remote from its campus. The majority of such students are part-time and will not, therefore, be affected by the Graduate Contribution Scheme. For part-time students, the Open University will continue to set its own fee levels as now. However from 2004–05 students will benefit from a new package of support for part-time students. For those on courses which are equivalent to 50 per cent. or more of a full-time course, there will be means-tested tuition fee support, applied for through LEAs. This replaces the current discretionary fee waiver scheme and doubles the number of part-time students eligible for help with their fees. Students who get fee support will also be able to apply for a £250 grant from their LEA instead of a loan. And students entitled to fee support who have children will get help with their child care from the Access to Learning Fund. Also from 2004–05, we are extending discretionary fee waivers and hardship support for the first time to certain students on courses which are equivalent to at least 10 per cent. of a full-time course.

Individual Learners (EU Assistance)

Mr. Boswell: To ask the Secretary of State for Education and Skills which member states of the European Union assist individual learners by *(a)* tax relief, *(b)* government grants and *(c)* otherwise. [102389]

Margaret Hodge: This information is not collected centrally.

Language Teaching

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many children from refugee and asylum-seeking families in schools in England do not have English as a first language; if he will list the schemes to teach them English; and how much the Department has spent and will spend on such teaching in each year from 2001–02 to 2005–06. [102289]

Mr. Stephen Twigg: Approximately 632,000 (9.3 per cent.) of pupils in maintained schools in England are recorded as having a mother tongue other than English although it is not possible to determine how many of these have an asylum seeking or refugee background as Local Education Authorities (LEAs) are not required to provide such information.

Support for bilingual learners is through mainstream provision rather than separate schemes to teach English. There is no separate funding for teaching English as an additional language, but the Ethnic Minority Achievement Grant worth £154 million in 2001–02 and £155 million in 2002–03 and 2003–04 provides support for minority ethnic pupils at risk of underachievement and for those whose first language is not English. This includes British born children as well as those from asylum seeking and refugee families. From April 2003 the Vulnerable Children Grant worth £84 million for the next three years will provide support to help schools and LEAs meet the needs of a range of vulnerable pupils including those from asylum seeking backgrounds.

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many maintained secondary schools taught *(a)* French, *(b)* German, *(c)* Spanish, *(d)* Italian, *(e)* Latin and *(f)* Greek at (i) GCSE and (ii) A-level in each year since 1995. [102560]

Mr. Miliband: We do not collect data on how many maintained secondary schools taught French, German, Spanish, Italian, Latin and Greek at GCSE and A-level since 1995. We do hold information on the number of pupils in all maintained schools taking GCSE and A-level examinations in these subjects since 1995. They are as follows:

	GCSE					
	(a) *French*	*(b)* *German*	*(c)* *Spanish*	*(d)* *Italian*	*(e)* *Latin*	*(f)* *Greek*
2002	282,278	115,907	41,251	2,531	3,274	93
2001	290,992	121,441	38,877	2,397	3,503	77
2000	283,640	118,606	36,176	2,114	3,380	94
1999	281,218	120,495	33,823	1,989	3,303	97
1998	276,180	117,587	33,250	2,115	3,359	95
1997	273,255	116,944	29,013	1,819	3,830	117
1996	280,610	115,208	28,731	1,915	4,115	116
1995	280,266	109,469	26,526	1,928	4,119	205

	A level					
	(a) French	(b) German	(c) Spanish	(d) Italian	(e) Latin	(f) Greek
2002[1]	—	—	—	—	—	—
2001	7,613	4,081	1,777	219	252	10
2000	7,334	4,008	1,673	213	241	15
1999	8,416	4,480	1,792	185	269	11
1998	9,136	4,714	1,697	181	308	15
1997	9,842	4,555	1,677	181	312	26
1996	10,409	4,758	1,525	156	327	20
1995	10,407	4,606	1,276	154	377	29

[1] 2002 A level figures are not currently available.

Learning and Skills

Paul Holmes: To ask the Secretary of State for Education and Skills how long it takes for a new qualification to be approved under Section 9 of the Learning and Skills Act 2000; what measures he has taken to reduce this period; and if he will make a statement. [102423]

Margaret Hodge: Since August 2002 the approval of external qualifications under Section 96 of the Learning and Skills Act 2000 are agreed monthly. Until then approvals were published on an annual basis. It currently takes, on average, fourteen working days from receipt of advice from the Qualifications and Curriculum Authority to approve new qualifications.

An examination of the approval process is currently under way to identify any scope for a further streamlining of the process while maintaining the necessary quality and rigour.

Mr. Jenkin: To ask the Secretary of State for Education and Skills when the Learning and Skills Council will provide Essex county council with the information to enable Essex county council to provide schools with their budgets for 2003–04; and if she will make a statement. [103326]

Margaret Hodge: Provisional allocations were announced in December 2002. There has been a short delay in setting final allocation but the Learning and Skills Council (LSC) sent final details of school sixth form allocations for the financial year 2003–04 to local LSCs on Thursday 6 March. They have now been passed to local education authorities for incorporation in the calculation of schools' budget shares for 2003–04.

Lost Working Days

Mr. Bercow: To ask the Secretary of State for Education and Skills how many working days were lost owing to industrial action by staff in *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in 2002. [101534]

Mr. Stephen Twigg: No working days were lost in my Department or its non-departmental public bodies owing to industrial action in 2002. My Department recognises the importance of, and maintains its commitment to, working in partnership with our trade unions as a means of eliminating industrial action.

Open University

Brian White: To ask the Secretary of State for Education and Skills what role he plans for the Open University to deliver the aims of the Future of Higher Education White Paper; and if he will make a statement. [100021]

Margaret Hodge: We expect all higher education institutions to have a role in delivering the aims of the White Paper (Cm 5735). The Open University is particularly well placed to deliver the flexible teaching and learning which is vital to an inclusive higher education sector. Such flexible learning helps attract people with different demands and commitments. In addition, the Open University's modular approach to assessment and accreditation supports the aim of increasing credit based study.

From 2004–05, students at the Open University will also benefit from a new package of support for new and existing part-time students. For those on courses which are equivalent to 50 per cent. or more of a full-time course, there will be means-tested tuition fee support, applied for through LEAs. This replaces the current discretionary fee waiver scheme and doubles the number of part-time students eligible for help with their fees. Students who get fee support will also be able to apply for a £250 grant from their LEA instead of a loan. And students entitled to fee support who have children will get help with their child care from the Access to Learning Fund. Also from 2004–05, we are extending discretionary fee waivers and hardship support for the first time to certain students on courses which are equivalent to at least 10 per cent. of a full-time course.

School Buildings

Mr. Willis: To ask the Secretary of State for Education and Skills what figures he collates on an annual basis of the number of schools that have received substantial repairs to buildings. [101838]

Mr. Miliband: Because of the bureaucratic burden it would impose both locally and centrally, we do not collect information annually on the number of schools that have received substantial repairs to buildings. As part of asset management planning, we will be asking local authorities in the spring for data from condition and suitability surveys of all their schools, which will show the needs of school buildings. We previously asked for this information in 2000 and will be making the results available at the end of this month. We plan to publish a similar analysis of the 2003 data in the autumn.

Mr. Willis: To ask the Secretary of State for Education and Skills how the Department will verify it has satisfied its investment strategy targets of *(a)* replacing or refurbishing 650 schools by 2004 and *(b)* addressing the most urgent repairs in 7,000 schools by 2004. [101880]

Mr. Miliband: Because of the bureaucratic burden it would impose both locally and centrally, we do not collect detailed information on the number of schools that are benefiting from the £9 billion of funding that we have made available from 2001–02 until 2003–04. However, we are content that our targets will be met: private finance initiative investment on its own will support the renewal of 426 schools in that period. Local education authorities have received over 3 billion of formulaic funding for their investment priorities. All maintained schools in England receive their own direct capital funding: for example, over the period 2001–02 to 2003–04 a typical secondary school of 1,000 pupils will have received more than £146,000 for its priority building needs.

Scottish University Places

Malcolm Bruce: To ask the Secretary of State for Education and Skills what discussions he has had with *(a)* the Scotland Office and *(b)* the Scottish Executive on measures to ensure that Scottish students will have proportionate access to Scottish university places if there is an influx of English and Welsh students subsequent to the reforms outlined in his statement of 22 January 2003 to the House. [100733]

Margaret Hodge: We are in regular contact and meet regularly with both the Scotland Office and the Scottish Executive. As the White Paper 'The future of higher education' (Cm 5735) states, there will be discussions with the devolved administrations about the impact on the other UK countries of the proposals for student and institutional funding for higher education institutions in England. I expect those discussions to take place over the coming months.

Sex Education

Mr. Rosindell: To ask the Secretary of State for Education and Skills how much funding is being provided by the Government to schools to carry out sex education programmes in 2002–03. [101966]

Mr. Miliband: Funding for personal, social and health education (PSHE), which includes sex and relationship education, falls within a larger funding stream for school improvement which is distributed through the Standards Fund. The total fund for 2002–03 is £190 million. It is for individual schools to decide how to allocate these resources to best support their PSHE programmes.

Mr. Rosindell: To ask the Secretary of State for Education and Skills what experts in the area of child and teenage health his Department has consulted on the policies of sexual education taught in schools. [101967]

Mr. Miliband: The responsibility for determining a school policy on sex and relationship education rests with governing bodies and head teachers. In July 2000 we provided sex and relationship education guidance to maintained schools which sets out the requirement for schools to develop their policies in consultation with parents and to make them available for inspection. That guidance was developed in consultation with a wide range of bodies such as the Sex Education Forum, the National Health Education Group and the Teenage Pregnancy Unit.

The Department has not consulted on the policies of sexual education taught in independent schools. Independent schools are free to determine their own education programmes. However, they do have to meet minimum standards in relation to the quality of education provided. We would encourage them to have regard to the sex and relationship education guidance for maintained schools, but there is no requirement for them to do so.

Mr. Andrew Rosindell: To ask the Secretary of State for Education and Skills who is responsible for setting policy on sexual education curriculum and standards in schools *(a)* in England and *(b)* in each region. [101968]

Mr. Stephen Twigg: The responsibility for determining a school policy on sex and relationship education rests with governing bodies and head teachers. This applies to maintained schools throughout England.

In July 2000 we provided sex and relationship education guidance to maintained schools which sets out the requirement for schools to develop their policies in consultation with parents and to make them available for inspection. Students are monitored through inspection undertaken by OFSTED.

Mr. Rosindell: To ask the Secretary of State for Education and Skills what studies he has commissioned into the effect on *(a)* rates of teenage pregnancy, *(b)* abortion rates and *(c)* the rate of sexually transmitted diseases, with particular reference to HIV, of abstinence-only forms of sexual education. [101970]

Mr. Stephen Twigg: The Department for Education and Skills has not commissioned any studies into the effect of abstinence only education on the rates on teenage pregnancy, abortion or the rates of sexually transmitted infections (STIs).

The Department of Health has commissioned the Health Development Agency to review the evidence of effectiveness of interventions to reduce transmission of STIs and HIV. This concluded that there is no strong evidence for the effectiveness of abstinence only education approaches. The findings will be published later this year.

Standards Fund

Mr. Damian Green: To ask the Secretary of State for Education and Skills (1) how many officials in his Department are employed to work on the Standards Fund; [102291]

(2) how many publications have been sent out to schools relating to the Standards Fund in each year since its introduction. [102293]

Mr. Charles Clarke: A circular giving details of the Standards Fund is sent to local education authorities each year. It is for them to determine how that information is passed on to schools. Any additional information is posted on the Department's website or issued to LEAs by e-mail.

Five officials in the Department are employed specifically to manage the Standards Fund programme.

Student Fees

Mr. Dawson: To ask the Secretary of State for Education and Skills if he will list franchising arrangements between higher education institutions and associated colleges, indicating the proportion of student fees paid to each party. [102318]

Margaret Hodge *[holding answer 11 March 2003]:* The data requested is not collected by my Department. However, the Higher Education Funding Council for England (HEFCE) does collate information on higher education institutions which franchise students to other teaching institutions. I have asked the Chief Executive of HEFCE to send the hon. Member the information he has requested. The proportion of student fees paid to each party is a matter for the individual institutions concerned.

University Debt

Mr. Pope: To ask the Secretary of State for Education and Skills what the total debt of universities in England was in the last year for which figures are available. [102398]

Margaret Hodge: The Higher Education Funding Council for England published "Outcomes of 2002 financial forecasts and annual operating statements" in January 2003. This report is based on information provided by higher education institutions in July 2002. The forecasts were based on assumptions reflecting the prevailing general economic climate and the funding announcements made at the time and so do not take account of the Spending Review settlement for 2003–04 to 2005–06.

The table is at Annex D of that report and shows the balance sheet for universities in England based on actual figures as at 31 July 2001 and forecasts to July 2006. Debt is some £4.5 billion as at end July 2001, significantly below the total funds for the sector of £11.69 billion overall. (Debt is quantified by adding 4d and 7d from the following table.)

Annex D: 2002 financial forecasts—Balance sheet

£000

	As at 31 July:					
	2001[1]	*2002*[2]	*2003*[2]	*2004*[2]	*2005*[2]	*2006*[2]
1. Fixed assets						
1a. Tangible assets	10,813,161	11,437,226	12,978,769	13,774,182	13,886,588	13,819,834
1b. Investments	357,316	319,013	308,851	308,789	287,007	288,555
1c. Total fixed assets	11,170,477	11,756,239	13,287,620	14,082,971	14,173,595	14,108,389
2. Endowment asset investments	2,326,776	2,219,010	2,332,832	2,393,162	2,457,136	2,524,118
3. Current assets						
3a. Stocks and stores in hand	60,674	58,470	60,163	61,722	63,262	64,806
3b. Debtors	1,481,799	1,434,763	1,489,842	1,553,143	1,593,362	1,613,411
3c. Investments	996,075	995,141	784,449	723,384	735,457	812,479
3d. Cash in hand and at bank	475,253	467,931	398,781	426,070	456,561	503,365
3e. Total current assets	3,013,801	2,956,304	2,733,235	2,764,318	2,848,643	2,994,061
4. Creditors: amounts falling due within one year						
4a. Creditors	2,108,734	2,157,595	2,177,686	2,217,462	2,258,483	2,309,017
4b. Current portion of long-term liabilities	83,237	98,601	107,606	125,298	121,168	116,694
4c. Bank overdrafts	55,864	36,883	75,638	43,824	44,034	43,417
4d. Total amounts falling due within one year	2,247,835	2,293,079	2,360,930	2,386,584	2,423,685	2,469,128
5. Net current assets/liabilities	765,966	663,225	372,305	377,734	424,958	524,933
6. Total assets less current liabilities	14,263,219	14,638,475	15,992,757	16,853,867	17,055,689	17,157,440
7. Creditors: amounts falling due after more than one year						
7a. Reimbursable by the funding council	153,570	141,170	131,658	122,437	113,467	105,441
7b. External borrowing	1,958,021	2,106,918	2,504,175	2,750,179	2,706,109	2,694,432
7c. Other long-term creditors	167,741	119,299	107,134	102,624	92,823	84,291
7d. Total amounts due after more than one year	2,279,332	2,367,386	2,742,967	2,975,239	2,912,400	2,884,164
8. Provisions for liabilities and charges	291,480	276,280	253,488	235,804	228,405	224,071
9. Total net assets	11,692,407	11,994,808	12,996,302	13,642,824	13,914,884	14,049,204
10. Deferred capital grants	2,614,673	3,076,189	3,970,304	4,391,061	4,466,531	4,419,872
11. Endowments						
11a. Specific endowments	1,801,097	1,722,126	1,832,221	1,885,683	1,942,047	2,001,148

Annex D: 2002 financial forecasts—Balance sheet

£000

	As at 31 July:					
	2001[1]	*2002*[2]	*2003*[2]	*2004*[2]	*2005*[2]	*2006*[2]
11b. General endowments	525,679	496,884	500,611	507,479	515,089	522,970
11c. Total endowments	2,326,776	2,219,010	2,332,832	2,393,162	2,457,136	2,524,118
12. Reserves						
12a. Revaluation reserve	3,020,263	2,846,282	2,773,944	2,662,111	2,599,120	2,556,747
12b. Minority interest	42,418	4,974	4,732	5,377	6,221	7,855
12c. Income and expenditure account	3,688,277	3,848,353	3,914,489	4,191,113	4,385,877	4,540,613
12d. Total reserves	6,750,958	6,699,610	6,693,165	6,858,601	6,991,218	7,105,215
13. Total funds	11,692,407	11,994,809	12,996,301	13,642,824	13,914,886	14,049,205

[1] Actual

[2] Forecast

As a result of the latest Spending Review announcements, Government spending on higher education will rise by more than 6 per cent. a year above inflation over the next three years.

HOME DEPARTMENT

Burglary

Mr. Hepburn: To ask the Secretary of State for the Home Department (1) what the detection rate for burglaries in homes was in *(a)* the Jarrow constituency, *(b)* South Tyneside, *(c)* Tyne and Wear and *(d)* the UK in each year since 1997; [100769]

(2) how many burglaries per 1,000 households there have been in *(a)* the Jarrow constituency, *(b)* south Tyneside, *(c)* Tyne and Wear and *(d)* the UK in each year since 1997. [100768]

Mr. Denham: Crime statistics for South Tyneside are recorded at Basic Command Unit level (BCU). At BCU level, data has been collected from police forces since 1 April 1999, therefore figures are available only for the last three financial years. Detection rates and numbers of offences per 1,000 households for domestic burglary are given in the table.

Also included are figures at total police force area level for England and Wales.

Statistics for the remaining requested areas are not collected centrally.

Recorded crime statistics for South Tyneside Basic Command Unit (BCU) and England and Wales

	[1]*1997*	[2]*1998–99*	[3]*1999–2000*	*2000–01*	*2001–02*
South Tyneside detection rate (per cent.)	—	—	18	14	11
South Tyneside offences per 1,000 household	—	—	21.1	20.8	17.4
England and Wales detection rate (per cent.)	26	22	15	14	14
England and Wales offences per 1,000 household	25.8	23.5	22.0	20.0	21.4

1. Recorded on a calendar year basis up to 1997, and thereafter on a financial year, basis (12 months to March).
2. The number of crimes recorded in that financial year using the expanded offence coverage and revised counting rules which came into effect on 1 April 1998. This will also have affected the detection rate.
3. The counting rules for detections changed on 1 April 1999.

There was a change in counting rules for recorded crime on 1 April 1998, which would have the tendency to increase the number of offences counted. Numbers of offences before and after this date are therefore not directly comparable.

There was also a change in counting rules for detections on 1 April 1999. The new instructions provide more precise and rigorous criteria for recording a detection, with the underlying emphasis on the successful result of a police investigation. Numbers of detections before and after this date are therefore not directly comparable.

Information relating to Scotland and Northern Ireland are matters for my right hon. Friend the Secretary of State for Scotland (Helen Liddell) and my right hon. Friend the Secretary of State for Northern Ireland (Paul Murphy).

Child Prisoners

Mr. McNamara: To ask the Secretary of State for the Home Department how many children in prison are being held on the basic regime under the Incentives and Earned Privileges scheme. [101065]

Hilary Benn: The figures for the number of children being held on each level under the Rewards and Sanctions Scheme (formerly known as the Incentives and Earned Privileges Scheme), including those on basic, on 4 March 2003 are set out in the following table:

Establishment	*Basic*	*Standard*	*Enhanced*
Ashfield	26	101	60
Brinsford	5	123	57
Castington	7	114	52
Feltham	8	217	66
Hindley	6	144	15
Huntercombe	5	178	136

Establishment	*Basic*	*Standard*	*Enhanced*
Lancaster Farms	1	114	74
Olney	10	132	56
Parc	1	14	4
Stoke Heath	9	112	28
Thorn Cross	1	19	9
Warren Hill	8	122	61
Werrington	10	44	66
Wetherby	17	236	63
Brockhill	0	6	6
Bullwood Hall	2	16	12
Eastwood park	2	7	4
New Hall	4	44	14
Holloway	0	9	0

Community Safety Partnership

Mrs. Humble: To ask the Secretary of State for the Home Department how the effectiveness of the Community Safety Partnership is *(a)* monitored and *(b)* inspected. [101495]

Mr. Denham: Crime and Disorder Reduction Partnerships (CDRPs) are required to conduct an audit of crime and disorder in their area and every three years, publish a strategy to tackle problems in their area. The CDRP is required to implement the strategy and keep it under review to monitor its effectiveness and make any necessary changes. Recorded crime figures at CDRP level are published in the Home Office Statistical Bulletin.

Measures in the Police Reform Act 2002 maintain the requirement for CDRPs to monitor their own progress and introduce new reporting mechanisms for CDRPs to advise progress on the implementation of their strategy to the Secretary of State. The new reporting process will be introduced during 2003–04 and will look for CDRPs to monitor progress on reducing crime and disorder and the misuse of drugs and on the effectiveness of local partnership working arrangements.

Correspondence

Mr. Peter Pike: To ask the Secretary of State for the Home Department when he will reply to the letters from the hon. Member for Burnley to the Home Office regarding Mrs. S B Shah Ref S 851373/x of 4 February and 7 November 2002. [102390]

Beverley Hughes: I wrote to my hon. Friend on 13 March.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letter to him dated 23 December 2002 from the right hon. Member for Manchester, Gorton with regard to Mrs. Lutfi. [98961]

Mr. Blunkett: I refer my right hon. Friend to the answer I gave him on 10 March 2003, *Official Report*, column 68W.

Crime

Mr. Laws: To ask the Secretary of State for the Home Department what the change in the volume of crime was between 1997 and the latest date for which information is available, in each police authority in England. [99811]

Mr. Denham: The percentage changes for total recorded crime between the 12 months to March 1997 and the 12 months to March 2002, by police force area in England, are given in the table.

There was a change in counting rules for recorded crime on 1 April 1998 which increased the total number of crimes recorded in England and Wales as a whole by 14 per cent., although this varied for individual police forces and offence types. Comparisons between the old counting rules and the new rules for the year ending March 1999, as well as the effects of the boundary change involving the Metropolitan Police on 1 April 2000, are included in the table. The percentage change in the number of recorded crimes given in the table is calculated so that the effects of these changes are excluded.

As a result of several forces adopting the principles of the National Crime Recording Standard (NCRS) in advance of its official introduction across England and Wales on 1 April 2002, numbers of offences recorded for 2001–02 may have been inflated for those forces, and in total. Unlike the changes described above, this effect has not been factored out of the calculation of the percentage change in recorded crime given in the table.

Total recorded crime by police force area and region: trends since 1997—England

		April 1998 to March 1999		*April 1999 to March 2000*			
Police force area	*April 1996 to March 1997*	*Old rules*[1]	*New rules*[1]	*Old boundaries*	*New boundaries*	*April 2001 to March 2002*	*Percentage change 1996–97 to2001–02 (excludes effects of rule and boundary changes*[3]*)*
Cleveland	74,694	63,726	67,030	65,185	—	72,003	-8.4
Durham[3]	50,592	44,178	50,413	48,796	—	50,175	-13.1
Northumbria	161,100	132,588	151,298	142,279	—	139,130	-24.3
North East Region	286,386	240,492	268,741	256,260	—	261,308	-18.3
Cheshire	65,114	59,414	65,119	64,528	—	70,990	-0.5
Cumbria[3]	38,495	35,171	40,202	37,729	—	37,324	-15.2
Greater Manchester[3]	320,668	336,172	362,450	377,086	—	380, 801	10.1
Lancashire[3]	122,430	105,161	118,085	108,866	—	137,760	0.2
Merseyside	139,247	130,606	140,874	148,172	—	150,934	0.5
North West Region	685,954	666,524	726,730	736,381	—	777, 809	4.0
Humberside	122,721	119,290	130,691	121,442	—	117,483	-12.6
North Yorkshire[1]	53,639	48,372	55,309	53,554	—	59,149	-3.6
South Yorkshire	146,660	124,427	133,059	131,700	—	134,764	-14.1
West Yorkshire	259,235	246,438	273,809	260,237	—	298,847	3.8

Total recorded crime by police force area and region: trends since 1997—England

		April 1998 to March 1999		April 1999 to March 2000			
Police force area	*April 1996 to March 1997*	*Old rules*[1]	*New rules*[1]	*Old boundaries*	*New boundaries*	*April 2001 to March 2002*	*Percentage change 1996–97 to2001–02 (excludes effects of rule and boundary changes[3]).*
Yorkshire and the Humber Region	582,255	538,527	592,868	566,933	—	610,223	-4.8
Derbyshire	77,320	74,047	84,459	85,650	—	89,841	1.9
Leicestershire	89,881	81,714	93,397	94,577	—	88,535	-13.8
Lincolnshire	47,698	39,718	46,670	46,170	—	49,797	-11.2
Northamptonshire	55,003	55,842	65,466	61,240	—	60,485	-6.2
Nottinghamshire	140,088	123,680	135,255	136,875	—	159,240	3.9
East Midlands Region	409,990	375,001	425,247	424, 512	—	447,898	3.7
Staffordshire[3]	92,686	84,495	91,919	98,852	—	117,274	16.3
Warwickshire[3]	38,229	35,659	38,485	38,593	—	42,211	2.3
West Mercia[3]	82,080	69,451	81,782	84,797	—	102,149	5.7
West Midlands[3]	305,818	276,512	314,628	364,887	—	372,257	7.0
West Midlands Region	518,813	466,117	526,814	587,129	—	633,891	8.1
Bedfordshire	50,969	43,947	49,076	53,607	—	52,239	-8.2
Cambridgeshire	67,396	59,678	67,256	68,722	—	69,559	-8.4
Essex[2]	99,041	87,147	95,797	102,777	108,305	113,150	-1.4
Hertfordshire[2]	52,454	46,255	49,309	52,741	65,015	67,437	-2.2
Norfolk	55,988	51,167	57,129	59,387	—	58,954	-5.7
Suffolk[3]	37,496	34,280	39,908	43,355	—	50,492	15.7
East of England Region	363,344	322,474	358,475	380,589	398,391	411,831	-2.6
London, City of	4,754	6,035	7,144	7,775	—	10,098	79.4
Metropolitan Police[2]	844,306	767,880	934,254	1,052,047	1,016,742	1,057,360	6.5
London Region	849,060	773,915	941,398	1,059,822	1,024,517	1,067,458	6.9
Hampshire	133,529	115,008	128,253	135,174	—	135,961	-8.7
Kent[3]	141,781	110,244	129,340	124,918	—	120,155	-27.8
Surrey[2]	41,517	36,376	42,467	46,288	63,791	61,970	-7.2
Sussex	118,339	111,468	130,402	136,566	—	135,110	-2.4
Thames Valley	168,386	161,646	176,477	191,875	—	196,980	7.2
South East Region	603,552	534,742	606,939	634,821	652,324	650,176	-7.6
Avon and Somerset[3]	151,072	131,955	150,089	147,104	—	178,991	4.2
Devon and Cornwall	101,326	88,484	110,644	110,361	—	101,425	-20.0
Dorset	48,173	43,903	52,755	52,332	—	54,951	-5.1
Gloucestershire	52,967	44,000	48,206	50,993	—	50,467	-13.0
Wiltshire	35,099	32,984	38,189	38,461	—	38,889	-4.3
South West Region	388,637	341,326	399,883	399,251	—	424,723	-6.7
England	4,687,991	4,259,118	4,847,095	5,045,698	5,045,698	5,285,317	-0.9

[1] 'Old rules' denotes the number of crimes that would have been recorded using the coverage and rules in use until 31 March 1998. 'New rules' denotes crimes recorded using the expanded offence coverage and revised counting rules which came into effect on 1 April 1998.
[2] Forces affected by boundary changes on 1 April 2000.
[3] These forces adopted the principles of the National Crime Recording Standard (NCRS) early, as it was officially introduced across England and Wales on 1 April 2002. This may have increased the number of offences recorded for 2001–02.

Mr. David Drew: To ask the Secretary of State for the Home Department if he will make a statement on crime trends within Gloucestershire. [101177]

Mr. Denham: Recorded crime statistics for Gloucestershire Constabulary are given in the table. Figures for the main offence groups for the 12 months to Malch 2002 are shown.

Recorded crime trends in Gloucestershire for the 12 months to March 2002

Offence Group	*Number of offences recorded*	*Percentage change between 2000–01 to 2001–02*	*Number of offences per 1,000 population*
Total offences	50,467	1	89
Violence against the person	4,695	6	8
Sexual offences	267	23	0.5
Robbery	498	37	1
Total violent crime	5,460	4	10
Burglary	8,468	8	15
Theft and handling stolen goods	21,868	2	39
Fraud and forgery	3,528	14	6
Criminal damage	9,264	2	16
Drug offences	1,223	5	2
Other offences	656	1	1

Mr. Tony Clarke: To ask the Secretary of State for the Home Department what the levels of *(a)* reported crimes and *(b)* successful prosecutions brought in Northampton were in 2001–02. [100805]

Mr. Denham: Recorded crime statistics for Northampton are recorded at Basic Command Unit level (BCD). At BCU level, figures for six key offence groups are collected and published. These offence groups are; violence against the person, sexual offences, robbery, domestic burglary, theft of a motor vehicle, and theft from a vehicle. Figures for the 12 months to March 2002 are given in table 1.

Table 1: Recorded crime statistics for Northampton Basic Command Unit (BCU)

Offence group	*Number of offences recorded 2001–02*
Violence against the person	2,307
Sexual offences	155
Robbery	465
Domestic burglary	1,742
Theft of a motor vehicle	1,486
Theft from a vehicle	3,155

Table 2 includes figures on the number of defendants proceeded against and found guilty by Northampton magistrates' court and those found guilty at the Crown Court if committed by Northampton magistrates' court, for 2001.

Court proceedings data is collected and published on a calendar year basis.

Table 2: Number of defendants proceeded against at Northampton magistrates' court for various recordable offences and the number found guilty including those found guilty at the Crown Court where Northampton magistrates' court was the committing court, 2001[1]

Recordable offence(s)	*Proceeded against*	*Found guilty*
Violence against the person	798	449
Sexual offences	47	37
Robbery	48	37
Domestic burglary	79	60
Theft of a motor vehicle	48	8
Theft from a motor vehicle	54	35
All recordable offences	2,677	1,699

[1] These data are on the principal offence basis.

Domestic Violence

Margaret Moran: To ask the Secretary of State for the Home Department what steps he is taking to raise awareness of domestic violence in the criminal justice system, with particular reference to *(a)* prevention and *(b)* support for victims. [97758]

Mr. Denham: The Ministerial Group on Domestic Violence has among its priority areas for action, improving the interface between the criminal and civil law; and ensuring a consistent and appropriate response from the police and Crown Prosecution Service (CPS). Among the steps which are being taken in this are the following:

The Solicitor-General has announced the publication of the revised CPS Policy on prosecuting cases of domestic violence, which sets out how the CPS deals with such cases.

We will be supporting the Association of Chief Police Officers (ACPO) in wide ranging work on the police response to domestic violence.

Policing domestic violence—a modular training programme is a national training product developed by Centrex and issued in November 2002. The programme is intended to provide a structured but flexible approach to the delivery of domestic violence training within the police service.

The National Policing Plan requires that police authorities should have effective strategies and procedures in place to respond quickly and effectively to domestic violence incidents. The number of domestic violence incidents as measured by Best Value Performance Indicator 153 is a key performance indicator in the plan. The Prison and National Probation Services agreed a joint strategy for combating domestic violence which was taken to the Correctional Services accreditation panel in September 2002. This committed those Services to working together in this area and sharing resources and knowledge whenever appropriate. The National Probation Service has been running a domestic violence research pathfinder to evaluate the most effective way of working to combat domestic violence since 2000.

A consultation paper will be published shortly with further proposals for tackling domestic violence.

Margaret Moran: To ask the Secretary of State for the Home Department if he will list new initiatives to tackle domestic violence since 1997; and what their cost was. [97760]

Mr. Denham: The readily available information on new initiatives to tackle domestic violence, and their costs, are as follows.

My right hon. Friend the Home Secretary recently announced a £14 million three-year funding package including help for the 376 Crime and Disorder Reduction Partnerships across the country to develop practical strategies for dealing with domestic violence at a local level. The Home Office is to fund the appointment of a new co-ordinator's post, based within the Local Government Association, to work with local authorities and police forces to help them deal effectively with domestic violence in their communities.

The Violence against Women (VAW) Initiative part of the Home Office's Crime Reduction Programme (CR13), invested £10.7 million to identify the most effective and cost effective approaches to reducing domestic violence and rape and sexual assault by known perpetrators.

The Ministerial Group on Domestic Violence held its inaugural meeting in December 2001 and brings together eight Ministers to progress five priority areas for action:

Increasing safe accommodation choices for women and children;

Developing early and effective healthcare interventions;

Improving the interface between the criminal and civil law;

Ensuring a consistent and appropriate response from the police and Crown Prosecution Service;

Promoting Education and Awareness Raising.

The Department of Health are funding a £48,000 programme to pilot routine antenatal screening for domestic violence.

Consultation on the Department of Health's recently published National Women's Mental Health Strategy: 'Women's Mental Health: Into the Mainstream' has just finished (December 2002). One of the themes of the strategy is the need to address violence and abuse as a core mental health issue.

The Office of the Deputy Prime Minister has announced that a new national 24-hour free helpline to help women and children fleeing domestic violence will be set up, in a groundbreaking arrangement with Comic Relief.

The Government will spend a further £7 million to develop new refuges in partnership with local authorities around the country, to ensure better availability of safe accommodation for women and children forced to leave their homes.

Women and Equality Unit has commissioned, for the first time, a review of the economic and social costs of domestic violence.

The Adoption and Children Act makes clear that when a court is considering whether a child has suffered or is likely to suffer harm under the Children Act 1989, this harm includes harm a child may suffer as a result of witnessing the ill-treatment of another person.

The Lord Chancellor's Department have also set up a Domestic Violence Advisory Group to engage with the full range of stakeholders involved in dealing with domestic violence.

The Lord Chancellor's Department has also made significant contribution to the planning and funding of the second Inter-Governmental Conference 'Raising the Standards' held in Cardiff on 21 February 2003, and to the series of six nation-wide events on 'The Particular Challenges of Dealing with Domestic Violence in the Asian Community'.

The Solicitor General has announced the publication of the revised Crown Prosecution Service Policy on prosecuting cases of domestic violence.

'Policing domestic violence—a modular training programme' is a national training product developed by Centrex and issued in November 2002.

The National Policing Plan states that police authorities should have effective strategies and procedures in place to respond quickly and effectively to domestic violence incidents.

The Prison and National Probation Services agreed a joint strategy for combating domestic violence which was taken to the Correctional Services accreditation panel in September 2002.

The National Probation Service has been running a domestic violence research pathfinder to evaluate the most effective way of working to combat domestic violence since 2000.

A consultation paper setting out proposals to prevent domestic violence will be published by Spring 2003. The consultation will aim to generate a comprehensive response from the public, voluntary sectors and others, to ensure the widest possible agreement on what needs to be done to prevent and deal with domestic violence. This consultation will also consolidate the initial consultation on domestic violence in the 'white paper Justice for All'.

Additionally the following information and guidance has also been produced since 1997.

Living Without Fear: an integrated approach to tackling violence against women—Home Office and Women and Equality Unit jointly published the policy document in June 1999. This was a practical document setting out what actions were already completed, in hand or planned and giving examples of individual initiatives by statutory and non-statutory agencies.

Break the Chain—An information leaflet for domestic violence survivors and those who might be able to help them. Published January 1999.

Loves me loves me not—An updated version of Break the Chain leaflet, published in July 2002.

Multi-Agency Guidance for Addressing Domestic Violence—Guidance to agencies on dealing with domestic violence published in 2000.

Home Office Circular 19/2000—Circular to police, in conjunction with the Association of Chief Police Officers (ACPO).

Home Office Circular-Protection from Harassment Act 1997—Issued to Chief Officers of Police and copied to Chief Crown Prosecutors, Probation Boards Association, Magistrates Association issued May 2002.

Domestic Violence: a resource manual for health care professionals—Guidance aimed to equip healthcare practitioners with the skills, knowledge and confidence to identify domestic violence and respond appropriately to help break the cycle of repeat victimisation.

Total recorded crime by police force area and region: trends since 1997

		April 1998 to March 1999		April 1999 to March 2000			
Police force area	*April 1996 to March 1997*	*Old rules*[1]	*New rules*[2]	*Old boundaries*	*New boundaries*	*April 2001 to March 2002*	*Percentage change 1996–97 to 2001–02 (excludes effects of rule and boundary changes)*[3]
England							
Cleveland	74,694	63,726	67,030	65,185		72,003	-8.4
Durham[3]	50,592	44,178	50,413	48,796		50,175	-13.1
Northumbria	161,100	132,588	151,298	142,279		139,130	-24,3
Total north east region	286,386	240,492	268,741	256,260		261,308	-18.3
Cheshire	65,114	59,414	65,119	64,528		70,990	-0.5
Cumbria[3]	38,495	35,171	40,202	37,729		37,324	-15.2
Greater Manchester[3]	320,668	336,172	362,450	377,086		380,801	10.1
Lancashire[3]	122,430	105,161	118,085	108,866		137,760	0.2
Merseyside	139,247	130,606	140,874	148,172		150,934	0.5
Total north west region	685,954	666,524	726,730	736,381		777,809	4.0
Humberside	122,721	119,290	130,691	121,442		117,463	-12.6

Total recorded crime by police force area and region: trends since 1997

Police force area	April 1996 to March 1997	April 1998 to March 1999 Old rules[1]	April 1998 to March 1999 New rules[2]	April 1999 to March 2000 Old boundaries	April 1999 to March 2000 New boundaries	April 2001 to March 2002	Percentage change 1996–97 to 2001–02 (excludes effects of rule and boundary changes)[3]
North Yorkshire[3]	53,639	48,372	55,309	53,554		59,149	-3.6
South Yorkshire	146,660	124,427	133,059	131,700		134,764	-14.1
West Yorkshire	259,235	246,438	273,809	260,237		298,847	3.8
Total Yorkshire and the Humber region	582,255	538,527	592,868	566,933		610,223	-4.8
Derbyshire	77,320	74,047	84,459	85,650		89,841	1.9
Leicestershire	89,881	81,714	93,397	94,577		88,535	-.13.8
Lincolnshire	47,698	39,718	40,670	46,170		49,797	-.11.2
Northamptonshire	55,003	55,842	65,466	61,240		60,485	-6.2
Nottinghamshire	140,088	123,680	135,255	136,875		159,240	3.9
Total east midlands region	409,990	375,001	425,247	424,512		447,898	-.3.7
Staffordshire[3]	92,686	84,495	91,919	98,852		117,274	16.3
Warwickshire[3]	38,229	35,659	38,485	38,593		42,211	2.3
West Mercia[3]	82,080	69,451	81,782	84,797		102,149	5.7
West Midlands[3]	305,818	276,512	314,628	364,887		372,257	7.0
Total west midlands region	518,813	466,117	526,814	587,129		633,891	8.1
Bedfordshire	50,969	43,947	49,076	53,607		52,239	-.8.2
Cambridgeshire	67,396	59.678	67,256	68,722		69,559	-8.4
Essex[4]	99,041	87,147	95,797	102,777	108,305	113,150	-.1.4
Hertfordshire[4]	52,454	46,255	49,309	52,741	65,015	67,437	-2.2
Norfolk	55,988	51,167	57,129	59,387		58,954	-.5.7
Suffolk[3]	37,496	34,280	39,908	43,355		50,492	15.7
Total east of England region	363,344	322,474	358,475	380,589	398,391	411,831	-2.6
London, City of	4,754	6,035	7,144	7,775		10,098	79.4
Metropolitan Police[2]	844,306	767,880	934,254	1,052,047	1,016,742	1,057,360	6.5
Total London region	849,060	773,915	941,398	1,059,822	1,024,517	1,067,458	6.9
Hampshire	133,529	115,008	128,253	135,174		135,961	-.8.7
Kent[3]	141,781	110,244	129,340	124,918		120,155	-27.8
Surrey[4]	41,517	36,376	42,467	46,288	63,791	61,970	-7.2
Sussex	118,339	111,468	130,402	136,566		135,110	-2.4
Thames Valley	168,386	161,646	176,477	191,875		196,980	7.2
Total south east region	603,552	534,742	606,939	634,821	652,324	650,176	-7.6
Avon and Somerset[3]	151,072	131,955	150,089	147,104		178,991	4.2
Devon and Cornwall	101,326	88,484	110,644	110,361		101,425	-20.0
Dorset	48,173	43,903	52,755	52,322		54,951	-5.1
Gloucestershire	52,967	44,000	48,206	50,993		50,467	-13.0
Wiltshire	35,099	32,984	38,189	38,461		38,889	-4.3
Total south west region	388,637	341,326	399,883	399,251		424,723	-6.7
Total England	4,687,991	4,259,118	4,847,095	5,045,698	5,045,698	5,285,317	-0.9

[1] 'Old rules' denotes the number of crimes that would have been recorded using the coverage and rules in use until 31 March 1998.

[2] 'New rules' denotes crimes recorded using the expanded offence coverage and revised counting rules which came into effect on 1 April 1998.

[3] These forces adopted the principles of the National Crime Recording Standard (NCRS) early, as it was officially introduced across England and Wales on 1 April 2002. This may have increased the number of offences recorded for 2001–02.

[4] Forces affected by boundary changes on 1 April 2000.

Drug Treatment

Simon Hughes: To ask the Secretary of State for the Home Department what drug treatment facilities are available for juveniles in *(a)* local authority secure units, *(b)* secure training centres and *(c)* young offender institutions; and who provides them. [102449]

Hilary Benn: The Youth Justice Board for England and Wales (YJB) is responsible for commissioning and purchasing juvenile secure accommodation from the prison Service, private sector secure training centres (STCs) and local authority secure units LASUs), and for setting and monitoring standards.

The YJB requires custodial establishments to provide access to substance misuse assessments, care plan development, withdrawal services and education/awareness programmes.

Prison Service Drugs Strategy Directorate is responsible for drugs services in young offender institutions (YOIs). The Prison Service model for delivering druges services is CARATs (Counselling, Assessment, Referral, Advice and Throughcare services). CARATs services can be provided by both prison service staff and external agencies. All young peole should be screened by health staff as part of their general induction assessment. CARATs staff support this process and may provide specialist intervention as appropriate.

STCs and LASUs generally provide in-house substance misuse services managed by each unit's health provision and education services. Some LASUs also commission additional specialist services from the community. Young people are screened on arrival to the units, and prevention education takes place as pat of personal social health education.

Recognising that there is inconsistent provision across the secure estate, the YJB has commissioned Galahad consultants to identify the substance misuse needs of young people in custody, the level of current service provision and gaps. Their final report will be available in June 2003 and will inform future work in this area. The YJB has also commissioned Drugscope to develop effective practice guidance for youth justice staff on working with young people with substance misuse needs; this will be available in June 2003.

The national drug strategy relaunched by the Home Office in December 2002 identifies as a priority vulnerable young people and those within the youth justice system. The YJB has been allocated £300 million over three years from 2003 to improve substance misuse services across the juvenile secure estate.

Simon Hughes: To ask the Secretary of State for the Home Department what form of drug treatment is available for prisoners *(a)* on remand and *(b)* serving sentences of less than two years. [102465]

Hilary Benn: The Prison Service has in place a range of drug interventions to address the needs of low, moderate and severe drug-misusing prisoners who are either on remand or serving sentences of less than two years. Detoxification is available in all local and remand prisons; Counselling, Assessment, Referral, Advice and Throughcare (CARAT) services are available in all prisons—as is access to the voluntary drug testing programme.

The Service recognises that many prisoners who serve two years or less are likely—due to their sentence length—to be excluded from participation in drug rehabilitation programmes. The Service has, as part of the recent Spending Review 2002 settlement, received significant funding to boost treatment provision. Part of this funding will be channelled into developing a low-intensity programme specifically targeted at those prisoners who will only be in custody for a short period.

Simon Hughes: To ask the Secretary of State for the Home Department pursuant to his answer to the hon. Member for Huntingdon (Mr. Djanogly) of 5 March 2003, *Official Report*, column 772W, what forms of *(a)* drug detoxification and *(b)* other types of rehabilitation programme are available for prisoners serving sentences of less than two years; and if he will make a statement. [102468]

Hilary Benn: Drug detoxification is available in all local and remand prisons. Detoxification can be made available to reduce the effects of withdrawal symptoms from specific drugs or to provide maintenance prescribing. The Counselling, Assessment, Referral, Advice and Throughcare (CARAT) service is available in all prisons as is access to the voluntary drug programme.

Prisoners who serve two years or less are likely, due to sentence length, to be unable to participate in a drug rehabilitation programme. The Prison Service received funding from the recent Spending Review 2002 to boost treatment provision. Part of this funding will be used to develop a programme specifically targeted at those prisoners who will be in custody for a short period.

Drug Use (Wales)

Mr. Evans: To ask the Secretary of State for the Home Department if he will make a statement on the level of *(a)* class A drug and *(b)* illegal drug use in Wales. [102537]

Mr. Bob Ainsworth: The 2001–02 British Crime Survey estimates that two per cent. of adults aged 16 to 59-years-olds in Wales have taken a Class A drug in the last year. The equivalent estimate for England is three per cent. The difference between the two estimates is statistically significant.

The 2001–02 British Crime Survey estimates that eight per cent. of adults aged 16 to 59-years-olds in Wales have taken an illicit drug in the last year. The equivalent estimate for England is 12 per cent. Again, the difference between the two estimates is statistically significant.

Inmate Information Service

Mrs. Brooke: To ask the Secretary of State for the Home Department *[pursuant to his answer of 3 February 2003, Official Report, column 78W]*, on the Inmate Information System, which prisons are *(a)* linked and *(b)* not linked on the Inmate Information System; how many prisoners' records are (i) linked and (ii) not linked on the Inmate Information System; and if he will make a statement. [101929]

Hilary Benn: All prisons are linked to the Inmate Information system (IIS). All historical information is retained on IIS and is accessible from all prisons. There is currently no automatic method of linking prisoners' records, but this will be a component of a replacement system that is now being considered.

Currently, manual linking of previous custody information is required as there is no reliable unique identifier (a new prison number is allocated at the beginning of each period of custody) and the National Insurance number is not always available. Inevitably, this means that details of previous custody may not always be available. This limitation in the current IIS system will be addressed in the replacement system now being considered.

Landmine Act 1998

Dr. Jenny Tonge: To ask the Secretary of State for the Home Department how many prosecutions there have been under the Landmine Act 1998; and how many have been successful. [102245]

Hilary Benn: Persons proceeded against and those found guilty of summary offences under the Landmines Act 1998 cannot be separately identified on the Home Office Court proceedings database. There have been no cases of persons proceeded against for indictable or triable either way offences under the Act reported to the Home Office.

Manslaughter

Mr. Dismore: To ask the Secretary of State for the Home Department whether the regulatory impact assessment on the issue of corporate manslaughter which commenced in September 2002 was completed by the end of 2002; when he expects to put proposals before the House for an offence of corporate manslaughter; and if he will make a statement. [103287]

Hilary Benn: Contributions to the Regulatory Impact Assessment (RIA) were requested by the end of the year. We have since been analysing the responses and actively encouraging those organisations which had not replied, in order to produce an RIA. The Government remains committed to legislating on corporate manslaughter and will do so as soon as parliamentary time allows.

Mr. Andrew Dismore: To ask the Secretary of State for the Home Department pursuant to his answer of 12 March 2003, *Official Report*, column 975W, on manslaughter, when he expects to publish the digest of responses to the consultation paper; and if he will make a statement. [103453]

Hilary Benn: We will be preparing a summary of responses to the consultation, and will make this available as soon as possible. Following completion of the consultation, we are at present conducting a regulatory impact assessment on the proposals.

Metropolitan Police

Mr. Cox: To ask the Secretary of State for the Home Department (1) what the crime detection rate has been within the Metropolitan Police force area during each of the last five years; [100600]

(2) how many robberies were committed in each of the last five years within the Metropolitan Police force area. [100604]

Mr. Denham: Overall detection rates and numbers of robbery offences recorded for the Metropolitan Police are given in the table.

	Robery offences recorded
1997[1]	27,386
1998–99[2]	26,330
1999–2000[3]	36,317
2000–01[4]	40,992
2001–02[4]	53,547

	Detection rate percentage for total recorded crime
1997[1]	26
1998–99[2]	22
1999–2000[3]	16
2000–01[4]	15
2001–02[4]	14

[1] Recorded on a calendar year basis up to 1997, and thereafter on a financial year basis (12 months to March).

[2] The number of crimes recorded in that financial year using the expanded offence coverage and revised counting rules which came into effect on 1 April 1998. This will also have affected the detection rate.

[3] The counting rules for detections changed on 1 April 1999.

[4] Figures recorded on the new boundary basis, whereby the Metropolitan Police ceded parts of its boundary to three surrounding police forces, Essex. Hertfordshire and Surrey, on 1 April 2000.

There was a change in counting rules for recorded crime on 1 April 1998, which would have the tendency to increase the number of offences counted. Numbers of offences before and after this date are therefore no directly comparable.

There was also a change in counting rules for detections on 1 April 1999. The new instructions provide more precise and rigorous criteria for recording a detection, with the underlying emphasis on the successful result of a police investigation. Numbers of detections before and after this date are therefore not directly comparable.

PFI Prisons

Matthew Taylor: To ask the Secretary of State for the Home Department which PFI funded prisons have payments to the contractors related to reoffending rates. [101763]

Hilary Benn: A performance bonus can be paid to Premier Prison Services Ltd if the contractor reduces recidivism in respect of the proportion of prisoners at the therapeutic community at Dovegate prison who have undertaken at least 15 months therapy in the community. They must also not have committed an offence within 12 months of release from custody; There has been insufficient time for a bonus to become payable because the therapeutic community only opened in November 2001.

Matthew Taylor: To ask the Secretary of State for the Home Department what assessment he has made of the average cost per year of a prisoner held in *(a)* PFI funded and *(b)* non PFI funded prisons in each of the last three years; and if he will make a statement. [101764]

Hilary Benn: The average cost per prisoner held in Private Finance Initiative (PFI) funded and non PFI funded prisons in each of the last three years is shown, in the table.

These figures are establishment costs only and exclude any share of Headquarters overheads. Establishment cost per prisoner figures cannot therefore be compared with the overall Prison Service cost per prisoner figure, which includes all expenditure.

The figures for 1999–2000 and 2000–01 are expressed in cash terms, with those for 2001–02 expressed in resource terms.

	Cash		*Resource*
	1999–2000 (£)	*2000–01(£)*	*2001–02*
Acklington	16,217	16,050	16,459
Albany	20,234	20,368	21,853
Altcourse*	41,801	43,596	37,029
Ashfield*	—	46,323	33,314

	Cash		Resource
	1999–2000 (£)	*2000–01(£)*	*2001–02*
Ashwell	15,816	17,264	20,204
Askham Grange	21,644	21,916	22,431
Aylesbury	28,314	28,213	31,466
Bedford	20,037	21,819	20,414
Belmarsh	35,542	35,091	36,608
Birmingham	14,554	15,806	19,839
Blakenhurst*	17,372	17,965	11,540
Blantyre House	20,010	20,946	21,315
Blundeston	24,110	22,675	24,074
Brinsford	19,701	23,036	26,767
Bristol	29,171	34,808	29,872
Brixton	22,965	24,756	25,756
Brockhill	31,737	33,960	36,729
Buckley Hall*	19,866	17,088	20,469
Bullingdon	15,321	16,601	17,073
Bullwood Hall	34,580	31,458	33,693
Camp Hill	19,180	19,120	19,231
Canterbury	28,314	35,966	21,955
Cardiff	18,058	22,080	20,800
Castington	29,415	43,724	37,740
Channings Wood	18,336	18,794	19,108
Chelmsford	22,956	24,800	24,770
Coldingley	24,490	20,505	21,754
Cookham Wood	22,173	22,106	24,264
Dartmoor	21,475	22,080	24,369
Deerbolt	20,097	21,203	23,968
Doncaster*	19,889	18,836	17,028
Dorchester	21,293	23,415	23,785
Dover	22,618	21,698	33,600
Downview	19,312	18,935	35,572
Drake Hall	22,359	27,651	24,784
Durham	22,552	26,320	32,303
East Sutton Park	21,639	22,828	23,705
Eastwood Park	22,734	22,023	23,403
Elmley	15,874	16,267	16,523
Erlestoke	19,761	19,832	19,398
Everthorpe	17,455	17,032	18,446
Exeter	20,691	22,112	21,467
Featherstone	18,751	18,989	21,337
Feltham	24,020	32,724	37,471
Ford	16,039	16,114	15,260
Forest Bank	13,608	32,392	23,243
Foston Hall	25,842	29,790	27,422
Frankland	43,418	42,706	38,480
Full Sutton	39,342	39,234	39,827
Garth	18,926	19,560	21,016
Gartree	24,245	26,782	31,522
Glen Parva	18,369	20,638	21,642
Gloucester	22,335	24,383	25,869
Grendon	22,594	25,228	25,345
Guys Marsh	15,364	15,548	15,928
Haslar	16,943	18,717	19,526
Hatfield	27,282	28,898	24,428
Haverigg	23,464	21,551	17,955
Hewell Grange	14,795	15,417	18,022
High Down	24,095	25,091	24,374
Highpoint	18,900	19,953	20,056
Hindley	24,989	27,428	30,032
Hollesley Bay	34,815	36,242	37,678
Holloway	38,521	40,581	41,622
Holme House	16,211	18,192	17,891
Hull	25,991	24,556	24,056
Huntercombe	29,595	26,551	30,628
Kingston	24,637	26,689	26,102
Kirkham	21,456	18,868	22,226
Kirklevington	14,738	15,566	16,355
Lancaster	27,057	34,000	25,268
Lancaster Farms	21,722	23,123	23,478
Latchmere House	14,701	14,487	17,842
Leeds	17,159	18,845	18,876
Leicester	22,677	23,404	23,989
Lewes	21,960	21,832	21,672
Leyhill	20,948	22,335	22,592
Lincoln	23,473	24,207	22,666
Lindholme	23,613	27,146	24,941
Littlehey	14,921	15,784	16,653
Liverpool	17,476	20,302	18,957
Long Lartin	45,329	42,627	47,431
Low Newton	42,757	30,948	27,454
Lowdham Grange*	30,490	29,630	25,667
Maidstone	19,678	21,097	27,607
Manchester	23,285	24,873	22,245
Moorland	17,780	17,923	19,625
Morton Hall	14,360	33,514	27,265
Mount	15,339	14,656	15,896
New Hall	21,610	23,299	28,731
North Sea Camp	17,127	17,723	19,369
Northallerton	18,492	23,355	26,164
Norwich	19,204	20,694	19,509
Nottingham	21,247	20,963	20,786
Onley	20,186	22,062	24,617
Parc*	37,814	38,950	32,237
Parkhurst	25,864	26,334	28,450
Pentonville	18,595	18,829	19,136
Portland	17,786	20,348	23,949
Preston	18,605	22,153	23,816
Ranby	15,964	17,047	17,623
Reading	26,417	29,633	28,700
Risley	19,775	19,180	20,462
Rochester	23,099	25,438	35,686
Rye Hill*	—	—	24,635
Send	28,609	20,055	21,315
Shepton Mallet	21,707	29,807	29,470
Shrewsbury	19,545	19,734	19,762
Stafford	16,926	17,081	17,201
Standford Hill	19,711	19,676	21,106
Stocken	15,438	15,498	16,493
Stoke Heath	18,533	23,847	25,959
Styal	23,300	23,951	25,375
Sudbury	14,394	14,206	15,213
Swaleside	18,748	17,319	17,933
Swansea	21,780	24,817	28,920
Swinfen Hall	23,757	22,240	23,883
Thorn Cross	28,140	29,618	33,671
Usk	19,755	19,932	21,016
Verne	15,382	15,733	16,823
Wakefield	33,730	34,095	35,688
Wandsworth	17,535	18,572	18,735
Wayland	15,294	15,051	15,821
Wealstun	16,901	16,778	17,990
Weare	19,015	18,728	19,478
Wellingborough	19,238	17,185	18,163
Werrington	46,197	47,466	41,778
Wetherby	23,280	30,133	26,438
Whatton	16,751	17,502	18,048
Whitemoor	53,149	52,402	56,837
Winchester	18,701	19,760	20,498
Wolds*	23,326	24,786	21,665
Woodhill	27,762	31,657	32,807
Wormwood Scrubs	28,712	26,779	22,778
Wymott	17,427	19,622	18,897

* PFI prisons

Notes:

1. Buckley Hall and Blakenhurst reverted to public sector management in 2000–01 and 2001–02 respectively.

2. Ashfield and Rye Hill opened in 1999–2000 and 2000–01 respectively. Part year performance is not reported.

Matthew Taylor: To ask the Secretary of State for the Home Department what assessment his Department has made of the proportion of savings realised from PFI funded prisons which are due to *(a)* capital costs and *(b)* running costs in the last three years; and if he will make a statement. [101762]

Hilary Benn: Savings in private finance initiative (PFI) prison projects are expressed as the percentage difference between the Net Present Value of each project compared with its Public Sector Comparator; the Net Present Value of a project is its discounted value over the duration of the contract. Savings made in respect of the seven PFI funded prisons are shown in the following table.

	Percentage
Altcourse	17
Ashfield	14
Dovegate	17
Forest Bank	16
Lowdham Grange	14
Pare	1
Rye Hill	16

It is not possible to separate capital and running costs because a single unitary charge is paid to the contractor in respect of the total cost of each prison.

Police

Chris Ruane: To ask the Secretary of State for the Home Department what percentage of police funding was spent on police pensions in each of the last 20 years; and what amounts these figures represent. [101246]

Mr. Denham: The information is set out in the following table.

Year	*Net expenditure (£ million)*	*Net pensions expenditure (£ million)*	*Net pensions expenditure as a proportion of police net expenditure in England and Wales (percentage)*
1983–84	2,505.0	135.5	5.4
1984–85	2,460.3	176.5	7.2
1985–86	2,768.7	180.6	6.5
1986–87	3,097.1	223.5	7.2
1987–88	3,367.8	237.0	7.0
1988–89	3,710.8	253.7	6.8
1989–90	4,145.1	292.1	7.0
1990–91	4,606.7	333.2	7.2
1991–92	5,209.8	399.9	7.7
1992–93	5,621.8	456.5	8.1
1993–94	5,904.1	536.8	9.1
1994–95	6,173.3	611.5	9.9
1995–96	6,309.1	678.2	10.7
1996–97	6,619.8	749.0	11.3
1997–98	6,870.1	874.9	12.7
1998–99	7,070.7	900.6	12.7
1999–2000	7,450.3	948.0	12.7
2000–01	7,771.0	998.4	12.8
2001–02	8,169.3	1,117.1	13.7
2002–03	8,423.6	1,189.9	14.1

Source:

The Chartered Institute of Public Finance and Accountancy Police statistics 1983–84 to 2000–01 (Actuals) and 2001–02 to 2002–03 (Estimates).

Mr. Rosindell: To ask the Secretary of State for the Home Department how many police officers there were in the London borough of Havering in each month since September 2002. [101956]

Mr. Denham: Information on the number of officers in each Basic Command Unit (BCU) is provided annually (31 March) by each police force to Her Majesty's Inspectorate of Constabulary. Information on London borough strength is not centrally collected on a more frequent basis. The deployment of resources between the London borough divisions and the other specialist units of the Metropolitan Police Service is an operational matter for the Commissioner.

I refer the hon. Member to my reply of 2 December 2002, *Official Report*, column 589W, to the hon. Member for Southwark, North and Bermondsey (Simon Hughes), setting out police strength for each Basic Command Unit for each force in England and Wales, including London boroughs at 31 March 2002.

Mr. Kidney: To ask the Secretary of State for the Home Department pursuant to the Answer of 24 February 2003, *Official Report*, column 2, on police pensions, what he estimates the cost to public funds would be of establishing a pay-as-you-go police pension scheme applying to new recruits only. [101926]

Mr. Denham: I understand that my hon. Friend means what we estimate the cost would be of establishing a funded pension scheme applying to new recruits only. As stated in the National Policing Plan we are considering options for modernising police pensions to make them more flexible and affordable for future entrants. As part of this reform, we will also seek to meet the needs of police authorities and chief officers for a scheme which brings greater certainty about the financial impact on individual police forces. Unlike in a pay-as-you go scheme, the employer pays contributions into a pension fund at the same time as the employee. The eventual pension is then paid out of the fund. In a pay-as-you go scheme the employer's costs are deferred until the pension comes into payment. The rate of employer's contributions in a funded police pension scheme for new entrants would depend mainly on the value of the pensions and other benefits provided, and the share borne by the officers. The immediate effect of introducing a funded scheme for new entrants, while keeping the existing scheme on a pay-as-you go basis, would be to increase costs. This is because the cost of paying employer contributions in respect of contributing members of a new funded scheme would be added to the continuing cost of paying the pension benefits of retired members of the current pay-as-you go scheme.

Mr. Wiggin: To ask the Secretary of State for the Home Department if he will make a statement on progress made with the Home Office's National Recruitment Standards Project, with special reference to recruitment and retention of people with diabetes in the police service; and when the recommendations for the proposed new medical standards will be available for consultation. [102410]

Mr. Denham: The National Recruitment Standards project has made progress on a number of key areas:

> Eligibility criteria and recruitment practices covering issues such as criminal convictions and qualifications were reviewed, agreed and put in place in October 2001.
>
> A national fitness test for police recruitment was put in place in April 2002. This is being reviewed at the end of its first year.
>
> The nationality bar on police recruitment was lifted on 1 February 2003. This removed an unnecessary barrier to recruitment and widened the recruitment pool.

New standards for eyesight have been agreed by the Police Advisory Board for England and Wales. The new standards which take account of our intention to extend the employment provisions of the Disability and Discrimination Act 1995 (DDA) to the police service will be put in place on 1 April 2003.

Research has been undertaken to develop new job-related medical standards. A draft report by QinetiQ will be subject to consultation with the police service between April and June. The views of UK Diabetes and other interested groups will inform the consultation. We aim to put new standards to the Police Advisory Board in late summer.

A national application procedure has been developed with the police service. This includes a national application form and recruitment material designed to attract hard to reach groups. A police recruitment website has been developed to support the new procedures. The website will provide applicants with all the information they need about joining the police service and will enable them to apply on line.

A national procedure for assessing and selecting new recruits has been piloted in five forces and trialled by three forces. These procedures will be introduced in all forces over the next year.

Prison Service

Mr. Syms: To ask the Secretary of State for the Home Department how many of the Prison Service staff referred to on page 195 of the 2001–02 Home Office annual report are based in prisons. [101910]

Hilary Benn: Of the 42,057 permanent Prison Service staff included in the total quoted in the 2001–02 Home Office Annual Report, 39,983 were based in prisons.

Prisoners

Keith Vaz: To ask the Secretary of State for the Home Department how many prisoners in UK prisons have been diagnosed with a mental illness; and what support is given to them. [102231]

Hilary Benn: A survey of mental ill health in the prison population of England and Wales, undertaken in 1997 by the Office for National Statistics, showed that some 10 per cent. of remanded men, 7 per cent. of sentenced men and 14 per cent. of all women prisoners had suffered from a functional psychosis in the past year. Some 59 per cent. of remanded men, 76 per cent. remanded women, 40 per cent. of sentenced men and 63 per cent. of sentenced women had a neurotic disorder in the week prior to being interviewed for the survey. These rates are considered to be still representative of the prison population. Applying them to the current population would indicate that, on any one day, there would be over 5,500 prisoners in England and Wales who would have suffered from symptoms of a functional psychosis in the previous 12 months and over 32,000 who would have suffered symptoms of a neurotic disorder in the previous week. Some prisoners will fall into both categories. All Prison Service establishments and their NHS partners are working to implement the improvements to mental health services set out in 'Changing the Outlook, a Strategy for Developing and Modernising Mental Health Services in Prisons' published in December 2001. Prisoners who need in-patient treatment for mental disorder may be transferred to psychiatric hospitals. The care and treatment of mentally disordered prisoners who do not need to be admitted to hospital is generally undertaken by prison healthcare staff under the supervision of NHS specialists and increasingly, in establishments with the greatest mental health need, by NHS-funded multi-disciplinary in-reach teams. The commitments made in the NHS Plan (2000), for an additional 300 staff to be employed by 2004 to provide such in-reach services to prisoners, are being implemented. Mental illness in the prison population of Scotland is a matter for the Scottish Executive. While the institutions in Northern Ireland are dissolved, responsibility for this subject rests with Ministers in the Northern Ireland Office.

Simon Hughes: To ask the Secretary of State for the Home Department what percentage of prisoners aged *(a)* 18–20 and *(b)* juvenile prisoners are drug dependent on entering prison. [102448]

Hilary Benn: Neither the Prison Service nor the Youth Justice Board keep records of the percentage of drug-dependent prisoners who, on entering prison, are *(a)* aged 18–20 or *(b)* juveniles. Based on research conducted by the Office for National Statistics, however, it is estimated that 54 per cent. of those being received into custody report drug-dependency in the year prior to justice.

A review into substance misuse by young people is already under way. The findings from this review, expected to be available in the summer, will help inform the drug—and other substance misuse—needs of young people in custody.

Simon Hughes: To ask the Secretary of State for the Home Department how many prisoners were held in prisons in England and Wales on 30 June 2002, broken down by ethnic group. [102456]

Hilary Benn: The number of prisoners held in prisons in England and Wales on 30 June 2002 broken down by ethnic group is given in the table.

Ethnic group	*Number of prisoners held in prisons*
White	54,988
Black	11,022
South Asian	2,198
Chinese and other	2,947
Unrecorded	63
Total	71,218

Simon Hughes: To ask the Secretary of State for the Home Department how many prisoners were *(a)* considered and *(b)* approved for parole in each of the last five years. [102457]

Hilary Benn: The information is as follows:

Year	*Cases considered*	*Parole awarded*
1997–98	5,242	2,006
1998–99	6,078	2,383
1999–2000	6,219	2,561
2000–01	5,576	2,584
2001–02	5,514	2,791

The information requested is published by the Parole Board in its Annual Reports and Accounts for 2001–02.

Reconvictions

Simon Hughes: To ask the Secretary of State for the Home Department what percentage of 18 to 20-year-olds who were reconvicted within two years of leaving prison in each of the last three years were drug-addicts; and if he will make a statement. [102447]

Hilary Benn: The information is not available.

Visas (Subcontinent)

Lynne Jones: To ask the Secretary of State for the Home Department what assessment he has undertaken since August 2002 of changes in the rate of refusals of family visit visa applications from *(a)* New Delhi, *(b)* Islamabad, *(c)* South Asia, *(d)* Amman, *(e)* Tehran and *(f)* the Middle East; and if he will make a statement. [101403]

Mr. Rammell: The Foreign Office, the Home Office and the Lord Chancellor's Department have been working closely together since the Government introduced the right of appeal in family visit cases. An interdepartmental review was established in January 2001. The final report of the inter-departmental review group has been delayed due to pressures of commencing Part 5 of the Nationality, Immigration and Asylum Act 2002. The research work commissioned by the Immigration Research and Statistics Service at the Home Office is now being finalised and I understand that it should be published very shortly.

Youth Inclusion Programme

Simon Hughes: To ask the Secretary of State for the Home Department (1) whether he plans to expand the number of areas in which the Youth Inclusion Programme operates; [102459]

(2) what the total funding is for the Youth Inclusion Programme for *(a)* 2003–04, *(b)* 2004–05 and *(c)* 2005–06; [102458]

(3) how many *(a)* robberies, *(b)* burglaries, *(c)* drugs offences, *(d)* offences of violence against the person and *(e)* thefts of motor vehicles were recorded in each of the Youth Inclusion Programme areas in (i) 1999, (ii) 2000, (iii) 2001 and (iv) 2002; [102460]

(4) how many 13 to 16-year-olds participated in the Youth Inclusion Programme in (i) 1999, (ii) 2000, (iii) 2001 and (iv) 2002; and what percentage of those young people are considered to remain at risk of offending; [102462]

(5) how many 13 to 16-year-olds were arrested in each of the Youth Inclusion Programme areas in (i) 1999, (ii) 2000, (iii) 2001 and (iv) 2002. [102461]

Hilary Benn: The Youth Inclusion Programme (YIP) is managed by the Youth Justice Board. Since 1999, 70 YIP schemes have run in the most deprived neighbourhoods in England and Wales, each targeting the 50 young people, aged 13 to 16 in the local area, at greatest risk of social .exclusion.

We know that a total of 22,688 young people have been actively engaged in YIP schemes since the programme began, but a detailed breakdown of the number of 13 to 16-year-olds that have participated in each of the last four years in each of the 70 schemes is not available centrally. Nor do we hold data on arrests of all 13 to 16-year-olds, or overall levels of recorded crimes, broken down by the neighbourhoods in which each YIP scheme operates.

We measure the success of the YIP schemes principally through arrest rates among the scheme's participants, which show that overall arrest rates have been reduced by 64 per cent. among those in the target group who have been actively engaged in the programme. In addition, independent evaluation of the YIP programme showed that between January and March 2002 around 70 per cent. of YIP areas showed reductions in overall crime, with reductions up to 40 per cent. We consider these to be more reliable measures of success than attempting to assess the extent to which the programme has reduced the risk that individual participants will subsequently offend.

We announced on 21 October last year that the existing YIP programme will continue for a further three years from April 2003, with Home Office funding of £7 million per year. This is the minimum provision and does not prevent additional schemes being funded, for example by Children's Fund partnerships in meeting the requirement we are placing on them from April this year, to spend at least 25 per cent. of their allocations on specific youth crime reduction measures.

We are looking more fundamentally at relevant services, programmes and interventions for young people at risk of crime and other negative outcomes in the Green Paper on children at risk that we will be publishing later in the spring.

Youth Justice

Mrs. Brooke: To ask the Secretary of State for the Home Department what arrangements have been put in place by the Youth Justice Board to undertake the work that was being done by The Children's Society's national remand and review initiative. [101729]

Hilary Benn: The Children Society's national remand review initiative, funded by the Youth Justice Board, identifies alternatives for young people in custody who could nonetheless be managed in the community if appropriate support packages were provided.

The Board plans to provide for their work through youth offending teams from April 2003. This will be supported by effective practice guidance, training and an independent study of the scheme's operation to inform future good practice development.

WORK AND PENSIONS

Pension Credit

21. **Mr. Djanogly:** To ask the Secretary of State for Work and Pensions if he will make a statement on the cost projections for the pension credit. [102965]

Mr. McCartney: This Government will be spending an additional £1 billion in 2003–04 as a result of the introduction of pension credit, rising to an additional £2 billion in 2004–05. Total spending on pension credit in 2004–05 is projected to be around £6 billion.

From October 2003 pension credit will provide a guaranteed minimum income for those aged 60 and over. It will ensure pensioners with modest savings no longer lose a pound of pensions or other savings they have built up.

It has been designed so that customers will find it easy to apply for, it will be simpler, fairer, less intrusive and bureaucratic. The weekly means test will be abolished so for those people over 65 they will need only to report major life events, with the majority of people not having to notify changes in their financial circumstances for a period of five years.

This Government is committed to tackling pensioner poverty.

From April 2003, no single pensioner will have to get by on an income of less than £102.10 a week under the minimum income guarantee (£155.80 for couples).

Nearly two million people are benefiting from minimum income guarantee and the take up campaign has put an average £20 a week extra in the pockets of 149,000 people who would not have received it otherwise. In the hon. Member's constituency around 1,500 people receive this entitlement.

From April 2003, basic State Pension will be £77.45 for singles (£123.80 for couples). An increase of £100 a year for single people and £160 a year for couples. In future years the basic State Pension will increase by 2.5 per cent. or the level of the September RPI, whichever is higher.

Last winter (2001–02) over eight million households benefited from the £200 Winter Fuel Payment, worth around £4 a week. It will continue at this rate for the rest of this Parliament. Some 18,305 people in the Huntingdon constituency received a Winter Fuel Payment for last winter.

All in all, we will be spending around £7.5 billion extra on pensioners in 2003–04 as a result of the measures introduced since 1997. This includes around £3.5 billion that is being spent on the poorest third of pensioners.

Andy Burnham: To ask the Secretary of State for Work and Pensions what assessment he has made of the impact of the pension credit on the poorest pensioners. [102966]

Mr. McCartney: Our priority has always been to focus help on those who need it most, that is why we introduced the Minimum Income Guarantee. As a result, nearly two million people are benefiting from Minimum Income Guarantee and the take up campaign has put an average £20 a week extra in the pockets of 149,000 people who would not have received it otherwise. In the hon. Member's constituency around 3,400 people are in receipt of the Minimum Income Guarantee.

WE are now going a step further and introducing Pension Credit which will reward not penalise saving. The poorest third of pensioners will be at least £1,500 a year better off than in 1997 due to this Government's tax and benefit changes.

Around half of all pensioner households will be eligible for Pension Credit and, on average, stand to gain around £400 a year. Pension Credit will be simple to apply for, and signals the end of the intrusive weekly means test that pensioners find so demeaning.

Pension credit will provide a guaranteed minimum income for those aged 60 and over. No single pensioner will have to get by on an income of less than £102.10 a week (£155.80 for couples).

It will also ensure pensioners, aged 65 and over with modest savings, no longer lose a pound of pensions or other savings they have built up. Pensioners will receive 60p for every pound of income they have between the level of the savings credit threshold and the guarantee level potentially giving them a maximum reward of £14.79 (£19.20 for couples). Above this level the savings credit will reduce progressively, with those on incomes over £139 for single pensioners (£203 for couples) ceasing to be entitled. (These limits will be higher for those with special needs or extra payments).

Mr. Flight: To ask the Secretary of State for Work and Pensions what the projected cost is per annum of the pension credit. [102591]

Mr. McCartney: I refer the hon. Member to the written answer I gave the hon. Member for Yeovil, Mr. David Laws, on 24 February 2003, *Official Report*, column 189W.

Small Business Employment Incentives

23. **Mr. Llwyd:** To ask the Secretary of State for Work and Pensions what financial incentives he has put in place for small and medium-sized enterprises to increase their workforce; and if he will make a statement. [102967]

Mr. Nicholas Brown: Jobcentre Plus provides high quality services to employers, helping them to fill job vacancies quickly and effectively with well-prepared and motivated employees. This activity works in tandem with our welfare to work programmes, which are providing thousands of people with the skills, experience and confidence they need to succeed in the modern labour market.

Post Office Card Accounts

Dr. Cable: To ask the Secretary of State for Work and Pensions what action he is taking to help *(a)* benefit recipients and *(b)* pensioners open a post office card account. [102959]

Malcolm Wicks: The card account is just one of three account options available to customers. We are running an information campaign to highlight all the options available, including access at a post office. We are writing to benefit and pensions recipients with detailed information about all the options available to them, including the post office card account. Customers can also call the Direct Payment Information line if they have any questions about changing to direct payment.

Disability Discrimination Act

Miss Anne Begg: What measures will be put in place to ensure that businesses fulfil their obligations under Part III of the Disability Discrimination Act 1995. [102961]

Maria Eagle: We are currently working to remind businesses of their current and future duties under the DDA including commissioning national advertising, organising regional events, developing a regional award scheme for best practice and mailshots to business organisations. We are also working with the Disability Rights Commission on further publicity leading up to introduction of the new Part 3 duties in October 2004.

Advertising (Scotland)

Pete Wishart: To ask the Secretary of State for Work and Pensions how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102336]

Mr. McCartney: The Department for Work and Pensions advertises extensively in Scotland. However most of the campaigns are national so disaggregating the costs for advertising and media for any one region or country is only possible at disproportionate cost.

Age Discrimination

Mr. MacDougall: To ask the Secretary of State for Work and Pensions what plans he has to end age discrimination against older people in the workplace; and if he will make a statement. [102944]

Mr. McCartney: We have made a pledge to tackle age discrimination and we are committed to introducing age legislation covering employment, vocational training and guidance by 2006.

Our current Pensions Green Paper 'Simplicity, security and choice: Working and saving for retirement' reinforces our commitment to extend employment opportunities for people with a range of proposals including providing extra back to work help for over 50s, piloting local agents in the business community to help employers to realise the benefits of recruiting and retaining older workers, and a number of changes to tax and pension rules which will give individuals more choice and opportunity to stay in work longer. We have also made it clear that in the forthcoming age legislation compulsory retirement ages are likely to be unlawful, unless employers can show they are objectively justified. Employers will therefore need to adopt more flexible approaches to retirement.

We are already encouraging employers to adopt non-ageist employment practices through our Age Positive Campaign. The campaign raises employers' awareness of the business benefits of an age diverse workforce and encourages a flexible approach to retirement to open up choice and opportunity for individuals to stay in work longer.

In 1999, we published the Code of Practice on Age Diversity in Employment which sets out the standards for non-ageist approaches to recruitment, training, promotion, redundancy and retirement. The code was developed with leading organisations including the CBI, TUC, the Employers Forum on Age and Age Concern. Evaluation shows that from 1999 to 2001 the number of companies using age in recruitment had already fallen from 27 per cent. to 13 per cent. and the number of companies having a policy against employing older workers had dropped from 14 per cent to 7 per cent.

Since then we have continued to promote the business case for recruiting, training and retaining older workers through the Age Positive campaign, workshops for smaller businesses, and publications including 'Good Practice in the Recruitment and Retention of Older Workers' (December 2001), 'Flexible Retirement: A Snapshot of Large Employers' Initiatives' (June 2002) and during Age Positive week, in December 2002 we published 'Age Diversity at Work: a practical guide for business'. The campaign has been attracting considerable media coverage and about 30,000 visits a month to the Age Positive website www.agepositive.gov.uk.

From spring 1997 to spring 2002, our policies have helped increase the employment rate for people aged 50 to state pension age from over 64 per cent. to over 68 per cent. with nearly 900,000 more people aged 50 and over in work. This increase has been faster than the increase in the overall employment rate. Under New Deal 50 plus 92,000 people aged over 50 have moved off benefits and gone back to work from April 2000 to December 2002, claiming the programme's cash employment credit. We will build on this support to further increase the employment rate of older workers who have a wealth of skills and experience that can benefit individual businesses and the economy as a whole.

Benefits (Hospital Stays)

Mr. Boswell: To ask the Secretary of State for Work and Pensions if he will estimate for the next three years the number of people in receipt of retirement benefit and likely to benefit from recent changes in the hospital downrating provisions who will be affected by withdrawal of *(a)* attendance allowance and *(b)* other benefits because of hospital stays of below 13 weeks. [101725]

Mr. McCartney: The total number of people affected by suspensions over a given year are not available. The forecast number of cases affected by hospital suspensions at a particular point in time are given in the following table.

Year	*AA*	*DLA*
2002–03	14,000	2,000
2003–04	14,000	2,000
2004–05	14,000	2,000
2005–06	15,000	2,000

Notes:

1. Figures are rounded to the nearest 1,000.
2. Based on 5 per cent. extracts taken from the November 2002, 5 per cent. extracts from the DLA and AA computer systems, and 1999 Hospital Episodes Statistics.
3. Caseloads projected in line with forecasts for the pre-budget report.

Child Support

Mr. Webb: To ask the Secretary of State for Work and Pensions what plans he has to backdate eligibility for the child maintenance disregard for parents with care to the original planned implementation date of the new child support computer system; and if he will make a statement. [97102]

Malcolm Wicks: None.

Laptop Computers

Dr. Vincent Cable: To ask the Secretary of State for Work and Pensions how many laptop computers were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1995; how many were (i) lost and (ii) stolen; what their cost was; and if he will make a statement. [98701]

Malcolm Wicks: The Table is a summary of the information available relating to laptops. Information is not available in the form requested. Such information that is recorded centrally relates specifically to theft.

Year	*Ministers and Advisors*	*Officials*	*Total*	*Number stolen*	*Percentage of total*	*Total value (£000)*
1995	0	424	424	27	6.3	34
1996	2	334	336	21	6.3	33
1997	0	296	296	25	8.4	38
1998	0	487	487	15	3.1	24
1999	2	1713	1715	23	1.3	36
2000	0	694	694	5	0.7	9
2001	0	671	671	20	2.9	30
2002	2	2639	2641	57	2.2	81
Total	6	7258	7264	193	2.7	285

Minimum Income Guarantee

Mr. Flight: To ask the Secretary of State for Work and Pensions what the estimated take-up rate for the minimum income guarantee is in *(a)* 2002–03 and *(b)* 2003–04. [102588]

Mr. McCartney: The information requested is not available.

The latest available estimate of take-up of Minimum Income Guarantee relates to financial year 1999–2000 and is presented in the report "Income Related Benefits: Estimates of Take Up in 1999–2000". A copy of the publication is available in the Library. The next edition of the report containing statistics for 2000–01 will be released on 27 March 2003.

National Insurance Numbers

Mr. John MacDougall: To ask the Secretary of State for Work and Pensions how the combination of letters and numbers in national insurance numbers are arrived at. [103072]

Malcolm Wicks *[holding answer 14 March 2003]:* The current system of National Insurance number prefixes was introduced through the departmental central index (DCI) in 1988.

A National Insurance number (NINO) consists of a two letter prefix followed by six numbers between 0 and 9, and a one letter suffix.There is no particular reason for the format of a particular NINO, nor does it carry any particular meaning. Only the first two prefixes, provide an indication of when the number was created. The number itself bears no relation to the individual it is allocated to and contains no geographical or personal significance. Allocations are made on a last digit numerical sequence (e.g. AB000001A would be followed by AB000002A).

Certain letters, such as D, F and I are not used as there is the potential for confusion with other letters if badly formed. Likewise, the letter O is not used as the second letter as it might be confused with the number 0 (zero).

Occupational Pensions Regulatory Authority

Mr. Flight: To ask the Secretary of State for Work and Pensions what discussions officials from his Department have had with *(a)* the Occupational Pensions Regulatory Authority and *(b)* representatives of the Pensions industry concerning revisions of rules regarding members leaving occupational pension schemes. [102586]

Mr. McCartney: We were aware of the temporary measure outlined by the Occupational Pensions Regulatory Authority in update 1 pending changes to the regulations relating to the calculation of transfer values. The proposed amendments to those regulations were prompted by representations from the pensions industry, Faculty and Institute of Actuaries and the Occupational Pensions Regulatory Authority.

Mr. Flight: To ask the Secretary of State for Work and Pensions when revised rules introduced by the Occupational Pensions Regulatory Authority, regarding members leaving occupational pension schemes, will come into force; and how long they will remain in force. [102587]

Mr. McCartney: The Occupational Pensions Regulatory Authority (Opra) are not introducing any changes to the rules regarding members leaving pension schemes. However, they have indicated that they do not intend to sanction trustees who, acting on the advice of scheme actuary, delay quoting transfer value to protect the interests of remaining members. Opra have stressed that this is a temporary measure until amendments to the Transfer Value regulations come into force. Views are currently being sought on the amendments. The consultation period ends on 28 March and we will seek to bring these changes into force as soon as possible once responses have been considered and any necessary redrafting in the light of them completed.

Overseas Trips

Mr. Bercow: To ask the Secretary of State for Work and Pensions if he will list the overseas trips made by himself and other members of his Ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101490]

Mr. McCartney: I refer the hon. Member to the answer given by my hon. Friend the Minister of State, Cabinet Office (Mr. Alexander) to the hon. Member for Yeovil (Mr. Laws) on 22 January 2003, *Official Report*, column 334W.

Pension Forecasts

Mr. Webb: To ask the Secretary of State for Work and Pensions how many reassessments have been requested in each of the last five years for which figures are available to pension entitlement on the basis of *(a)* pensions forecasts provided on request and *(b)* pension forecasts sent out automatically prior to retirement; and what proportion of those receiving forecasts this represents. [99956]

Mr. McCartney: The information is not available in the form requested.

Mr. Webb: To ask the Secretary of State for Work and Pensions what additional information is made available to individuals requesting a pension forecast more than six months before reaching pensionable age compared with those who receive the standard notification, About your Retirement Pension prior to retirement. [99960]

Mr. McCartney: There are two different notices available for issue to individuals regarding their retirement pension. One notice is issued automatically four months before retirement to advise people of their likely pension entitlement. The second notice is issued on request to people of working age to help inform their pension planning.

A letter entitled "About your Retirement Pension" is issued approximately four months prior to the customer attaining pension age. This contains provisional rates of the customer's individual pension components based on the National Insurance contribution information available at that time. The annual process required to collect National Insurance contributions and post them to the National Insurance Recording System means that in a number of cases details covering the final income tax year are not available when the provisional rates are issued. Where an Occupational Pension is involved, details are required from the employer or pension provider before the Additional Pension component can be calculated. There are occasions when this information is not available when the provisional rates are issued.

The second notification—the Retirement Pension Forecast for people of working age—gives a full breakdown of qualifying years for basic pension. It explains how to achieve the maximum state pension by paying voluntary contributions/arrears in the last six years if necessary, including a break down of Additional Pension and Contracted Out Deductions amounts and information on how it has been worked out. Where appropriate, it informs the customer of occasions where Home Responsibilities Protection has been applied. Further, in divorced and widowed cases, the forecast shows where a spouse's contributions have been used to calculate an individual's likely state pension. All the information used is exact information on state pension at "today's" rates based on current national insurance record(s) at the time the forecast is provided.

In addition, the forecast of expected state pension at retirement age is provided. This is a projection based on the same, current record(s), which assumes that contributions will continue at the same level. Further information is supplied in the BR19L leaflet that is sent out with the forecast, it provides the customer all the extra information they need to decide on the best way to achieve the best Pension available to them.

The purpose of providing the calculation at "today's" rates and at retirement age is to provide information to individuals to help inform their pension planning and enable them to make informed choices with regard to their retirement income levels.

Pension Schemes

Mr. Tynan: To ask the Secretary of State for Work and Pensions when he expects the Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2003 to be laid before Parliament; and what steps he has taken to ensure that the interim regime adopted under Update 1—Calculation and payment of cash equivalent transfer values, issued by the Occupational Pensions Regulatory Authority, is as brief as possible. [102444]

Mr. McCartney: Amendments to pensions regulations must be issued in draft for consultation. The draft Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2003 were issued for consultation on 28 January and responses required by 28 March. We will endeavour to bring these changes into effect as soon as possible after responses have been considered and any necessary redrafting in the light of them completed.

Mr. Tynan: To ask the Secretary of State for Work and Pensions what steps he has taken since the publication of "Update 1—Calculation and payment of cash equivalent transfer values" by the Occupational Pensions Regulatory Authority to *(a)* ensure that pension scheme members' rights under the (i) Pension Schemes Act 1993 and (ii) Pensions Act 1995 are protected, *(b)* monitor the numbers and circumstances of scheme members whose position may be adversely affected by the OPRA guidance and *(c)* ensure that the consultation being carried out in respect of the draft Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2003 is not prejudiced by OPRA's interim guidance pending the proposed introduction of the regulations; and if he will make a statement. [102472]

Mr. McCartney: The aim of both update 1 and the amendments to the regulations is to maintain fairness between those who transfer out of schemes and those who remain. Reports in the press imply that the measures would lock individuals into their pension schemes. That is not true.

The Occupational Pensions Regulatory Authority (OPRA) will not be preventing members from transferring out of pension schemes, nor are they endorsing such an approach. OPRA have made it clear that it is up to trustees to decide whether to delay quotes of transfer values. In doing so trustees will want to take into account the funding position of the scheme and the effect of transfers on members who remain in the scheme. The measures are short term and will only apply until the amended regulations come into force.

There is no central record of members who apply for a transfer value and it is therefore not possible to monitor those who may be affected by OPRA's guidance. It is important that the calculation of transfer values is fair to all, to those who leave and those who stay. If a scheme is underfunded and an unreduced transfer value is taken, it affects all members who remain in the scheme. On the whole, it is likely that more members will benefit from OPRA's measures than be adversely affected.

The timing and process of the consultation on the regulations is not affected by OPRA's interim guidance; how respondents reply to the consultation is of course a matter for them.

Pensions

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions what steps he is taking to prevent delays when the Pension Service start supplying local authorities with the assessed income figure for claimants. [100747]

Mr. McCartney: From 6 October 2003, the existing electronic interface between The Pension Service and almost all local authorities will be enhanced to include the Pension Credit assessed income figure. For those local authorities without electronic interface, information will be passed from The Pension Service to the local authority by paper. This information will normally be supplied to the local authorities within 24 hours of the award or change of award decision for Pension Credit being made.

Officials are in regular contact with the Local Authority Associations on the arrangements for Pension Credit and have conducted a series of national seminars for local authorities. In addition, a Pension Credit Handbook for all local authorities and their software suppliers is being produced.

Mr. Flight: To ask the Secretary of State for Work and Pensions (1) what the average contribution of SERPS per recipient as an addition to the basic state pension has been in each year since 1990; [99153]

(2) what proportion of those retiring in each year since 1990 have retired with both the basic state pension and SERPS. [99154]

Mr. McCartney: The information is not available prior to 1995. However, such information in respect of those in receipt of a State Pension is set out in the following tables:

Basic State Pension and average amount of additional State Pension for Great Britain: Males

	Men aged 65 receiving both basic State Pension and additional State Pension (Thousand)	*Men aged 65 in receipt of a State Pension (Thousand)*	*Percentage of men aged 65 receiving both basic and additional State Pension*	*Average weekly amount of additional State Pension paid to men aged 65 (£)*
30 September 1995	206.5	220.2	94	16.25
30 September 1996	231.3	252.7	92	17.81
30 September 1997	219.6	247.6	89	19.58
30 March 1998	208.2	242.1	86	20.20
30 September 1999	203.1	240.9	84	24.01
30 September 2000	207.2	243.7	85	24.35
30 September 2001	207.1	246.9	84	24.69
30 September 2002	206.2	253.9	81	26.62

Basic State Pension and average amount of additional State Pension for Great Britain: Females

	Women aged 60 receiving both basic State Pension and additional State Pension (Thousand)	*Women aged 60 in receipt of a State Pension (Thousand)*	*Percentage of women aged 60 receiving both basic and additional State Pension*	*Average weekly amount of additional State Pension paid to women aged 60 (£)*
30 September 1995	113.6	199.8	57	9.85
30 September 1996	133.8	222.1	60	10.69
30 September 1997	138.0	226.9	61	11.38
30 March 1998	144.0	230.0	63	11.33
30 September 1999	142.2	230.0	62	13.54
30 September 2000	151.0	230.7	65	13.00
30 September 2001	147.5	220.5	67	13.35
30 September 2002	171.6	248.9	69	13.87

Notes:

1. Figures are in thousands, are rounded to the nearest hundred and are in cash terms.
2. Average amounts exclude people paid zero additional State Pension.
3. State Pension refers to those people who are in receipt of any component of the State pension.

Sources:

1. 5 per cent. sample from the Pension Strategy Computer System as at the date of extraction.
2. The source data used to extract the figures are subject to change if further relevant earnings are posted to the NI account.

Pensioners (North Yorkshire)

Hugh Bayley: To ask the Secretary of State for Work and Pensions what recent steps he has taken to improve the financial position of pensioners in North Yorkshire. [102637]

Mr. McCartney: Over 14,000 people in North Yorkshire benefit from the Minimum Income Guarantee and receive an average £43.08 a week. 116,200 pensioners have benefited from the above inflation increases in the State Pension. Additionally 128,240 received a Winter Fuel Payment of up to £200. Those pensioners in North Yorkshire eligible for Pension Credit stand to gain around £400 a year on average.

The creation of The Pension Service provides an ideal opportunity to further encourage pensioners to take up their entitlements. Not only are our customers being encouraged to claim when they ring their pension centre but we also have a network of local service teams throughout the country actively encouraging take up.

There is a local service team of 10 staff covering the area of York and Selby, meeting customers in the community and actively encouraging take-up. They are developing advice and drop-in surgeries in partnership with other local organisations. For example, appointment surgeries at York District Hospital; a drop-in surgery held at the Guildhall, York, for an event in partnership with the Primary Care Trust and Staywarm as part of the 'Keep Warm Campaign', and a drop-in surgery used for a Winter Fuel event in partnership with the Energy Efficiency Unit.

Source:

Pension Strategy Computer System as at 30 September 2002.

Income Support Quarterly Statistical Enquiry, November 2002

Matching Intelligence Data Analysis Service Winter Fuel Payment 2001–02 exercise.

Smoking

Chris McCafferty: To ask the Secretary of State for Work and Pensions if he will introduce a levy on employers who permit smoking in the workplace. [99330]

Mr. Nicholas Brown: There are no current plans to do so. However, all employers have a duty under the Health and Safety at Work etc Act 1974 to protect the health, safety and welfare of their employees, and this duty includes any risks arising from passive smoking.

More specifically, the Workplace (Health Safety and Welfare) Regulations 1992 require employers to protect non-smokers from discomfort caused by tobacco smoke in rest rooms and rest areas. This means that employers must either provide separate rest rooms/areas for smokers and non smokers or prohibit smoking in rest rooms/areas.

The Health and Safety Executive has published free guidance which gives advice to employers on introducing effective smoking policies in the workplace.

DEPUTY PRIME MINISTER

Award Schemes

Annabelle Ewing: To ask the Deputy Prime Minister if he will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by the Department; what their scope was; when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102050]

Mr. Leslie: The Office of the Deputy Prime Minister was created on 29 May 2002. Since then, the Office has promoted the following awards:

The Beacon Council Scheme to identify excellence in local government and enable best practice to be shared with others. Ministers award beacon status annually on the basis of a rigorous assessment and recommendations from an independent Advisory Panel. Participating authorities are informed approximately one week before the results are made public. The Beacon authorities are generally announced in April each year and all local authorities in England, and a range of other interested parties, are notified of the results at this time.

The Green Flag Award Scheme recognises parks and green spaces that are managed and maintained to a high standard. The Green Pennant is awarded for good standards in green spaces that are managed by community and voluntary groups. Both awards are made annually. Participants are notified in confidence in the summer to allow for preparation of the announcements at the awards ceremonies in November.

The Award for Urban Renaissance for urban regeneration initiatives in England with a record of success was launched in 2002. The finalists were advised prior to the Urban Summit and the overall winner was announced at the Summit on 31 October 2002. A press notice was issued, the outcome was reported by live webcast on the Urban Summit website and brochures were distributed. The award has been renamed the Deputy Prime Minister's Award for Sustainable Communities with the intention that it will be an annual award. The scope of the award has been extended to align with "Sustainable Communities: Building for the Future" and the broader aim of the Office.

The award for Outstanding Achievement in Social Housing at the Chartered Institute of Housing's National Housing Awards. The award celebrates excellence in the provision and delivery of social housing in the United Kingdom. The criteria is that the winning award should be innovative, inspirational, provide real benefits to customers and can be easily duplicated. All award winners are announced at the awards ceremony in the autumn.

The award for Social Housing Provider of the Year. Building Magazine's Building Homes Quality Awards are designed to recognise and reward house building organisations from both the public and private sectors, focussing attention on the very best examples of construction and customer care best practice. All award winners are announced at the awards ceremony in the autumn.

The Association for Geographic Information Annual Central Government Award for best use of geographic information. The awards are presented at the annual Association for Geographic Information (AGI) Annual General Meeting and Awards dinner which was held last year on 14 November 2002. The request for nominations is made in advance to members of the AGI and the Intra Governmental Group on Geographic Information (IGGI). The unsuccessful nominees are informed after the awards dinner and details are posted on the AGI website.

Council Elections

Mr. Stephen Byers: To ask the Deputy Prime Minister in which years no elections have been held in *(a)* London councils, *(b)* shire counties, *(c)* shire districts, *(d)* metropolitan councils and *(e)* new unitary authorities in the last decade. [103362]

Mr. Leslie: Whole council elections are held every four years in all county councils in England, borough councils in London and about two-thirds of non-metropolitan district councils, including some unitary authorities. In the last decade these elections were held in 1994, 1998 and 2002 for London boroughs; in 1993, 1997 and 2001 for shire counties; and in 1995, 1999 and on 1 May 2003 for district councils.

The remaining third of non-metropolitan district councils, including some unitary authorities and all the metropolitan district councils have elections of one third of their councillors in each of the three years when county council elections are not held.

By-elections can take place at any time in all categories of councils; no information is held centrally about the holding of by-elections.

Council Tax

Matthew Taylor: To ask the Deputy Prime Minister what estimate he has made of the cost to *(a)* central and *(b)* local government of administering council tax in the latest year for which figures are available; and if he will make a statement. [102871]

Mr. Leslie: The cost to local authorities of collecting the council tax in England is estimated to be £319 million for the year 2002–03. The main cost to central Government is incurred by the Valuation Office Agency (VOA) which administers the council tax valuation list and is a party to appeals. The VOA budget for council tax work in 2002–03 is about £14 million. Central Government also supports the costs of the independent Valuation Tribunals which hear appeals. The part of the Valuation Tribunals budget for 2002–03 relating to council tax work is approximately £0.7 million. The Office of the Deputy Prime Minister is responsible for the policy and legislation rather than the administration of council tax.

Matthew Taylor: To ask the Deputy Prime Minister what estimate he has made of the total level of council tax raised in *(a)* 2001–02 and *(b)* 2002–03 in (i) England, (ii) Wales, (iii) Scotland and (iv) Northern Ireland; and if he will make a statement. [102875]

Mr. Leslie: The total level of council tax collected by local authorities in England in respect of 2001–02 during 2001–02 was £12.8 billion. This figure represents 96.1 per cent. of the £13.4 billion collectable.

The figures for level of council tax collected in England in 2002–03 are not yet available.

Figures for Wales and Scotland are the responsibility of the Welsh Assembly Government and the Scottish Parliament respectively.

Council tax does not exist in Northern Ireland.

Mr. Byers: To ask the Deputy Prime Minister what has been *(a)* the average Council tax increase and *(b)* the level of local government settlement in each of the last 10 years in (i) inner London councils, (ii) outer London councils, (iii) shire counties, (iv) shire districts, (v) metropolitan councils and (vi) new unitary authorities. [103363]

Mr. Leslie: The information available is tabled below:

	Percentage increase in authority's own Band D council tax for:							Percentage increase in council tax for standard spending[a]
	Inner London boroughs and City	*Outer London boroughs*	*Shire counties*	*Shire districts*	*Metropolitan districts*	*Shire unitary authorities[b]*	*England*	*England*
1994–95[c]	12.2	5.1	6.3	7.4	0.9	—	2.1	
1995–96[c,d]	38.4	31.8		2.3	5.5	—	5.0	
1996–97[d]	11.7	5.1	4.1	6.7	6.5		6.1	
1997–98	0.4	6.7	6.5	8.3	7.0	2.1	6.5	4.2
1998–99	0.3	6.0	11.9	7.0	7.6	7.8	8.6	7.0
1999–2000	2.8	7.9	8.3	5.1	5.1	5.6	6.8	4.8
2000–01	1.7	6.2	6.7	5.4	4.5	5.7	6.1	4.6
2001–02	6.6	6.2	6.3	6.3	5.3	6.1	6.4	5.1
2002–03	3.0	5.4	9.3	9.3	4.6	8.2	8.3	5.2
2003–04	[e]	[e]	[e]	[e]	[e]	[e]	[e]	3.7

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[1] This is the increase in council tax assumed in the calculation of revenue support grant, calculated on a like-for-like basis. It does not represent an estimate of the level at which local authorities need to set their council tax. The Government does not estimate the level of council tax increases. Figures are not readily available by class of authority, or for England before 1997–98. Under the new formula grant system, the figure for 2003–04 is for the increase in assumed national council tax over the equivalent figure for 2002–03.

[b] Shire unitary authorities did not exist in 1994–95 and 1995–96, other than the Isle of Wight in 1995–96, which may not be representative of the current class as a whole.

[c] A major cause of the large changes in London between 1994–95 and 1995–96 was the large reduction between the two years in the amounts of council tax transitional reduction scheme grant paid to some London boroughs.

[d] Like-for-like comparisons for shire counties in 1995–96 and for unitary authorities in 1996–97 are not available due to local government reorganisation. This is also true to a more limited extent for shire counties, districts and unitaries between 1995–96 and 1998–99, for which figures are generally given.

[e] not yet available.

Government Initiatives

Mr. Maude: To ask the Deputy Prime Minister how many local branches of *(a)* Children's Fund, *(b)* Coalfields Programme, *(c)* Crime and Disorder, *(d)* Early Years Development and Childcare, *(e)* education action zones, *(f)* employment zones, *(g)* Excellence in Cities, *(h)* health act partnerships, *(i)* health action zones, *(j)* healthy living cities, *(k)* Neighbourhood Renewal Fund, *(l)* New Deal for Communities, *(m)* Social Inclusion, *(n)* sports action zones, *(o)* Sure Start, *(p)* Single Regeneration Budget and *(q)* local strategic partnerships schemes have been in existence in each year since their creation; and what the total level of funding allocated to each was, in each year since their creation. [98404]

Mrs. Roche: Some of the information requested is not held centrally and could be provided only at disproportionate cost.

A table with details of the Neighbourhood Renewal Fund Allocation by region and local authority has been placed in the Library of the House.

Children's Fund

This is a matter for the Department for Education and Skills.

Coalfields Programme

The Coalfields Programme is a national programme managed by English Partnerships. It commenced work in 1996–97 and has a total budget of some £385 million over 10+ years. The Coalfields Regeneration Trust is a UK wide, grant making body launched in 1999 as part of the Government's response to the 1998 Coalfields Task Force report. It has four offices in England with a total budget in excess of £90 million. Spend to date has been as follows:

	£ million
1999–2000	1.6
2000–01	15
2001–02	23.3
2002–03	15 (est.)

Crime and Disorder

This is a matter for the Home Office.

Early Years Development and Childcare

This is a matter for the Department for Education and Skills.

Education action zones

This is a matter for the Department for Education and Skills.

Employment zones

This is a matter for the Department for Education and Skills.

Excellence in Cities

This is a matter for the Department for Education and Skills.

Health act partnerships

This is a matter for the Department of Health.

Health action zones

This is a matter for the Department of Health.

Healthy living cities

This is a matter for the Department of Health.

New Deal for Communities

NDC is a 10-year programme with a total funding allocation of £2 billion. There are 17 NDCs in round 1 which received allocations for programme delivery from 2000–01 and 22 NDCs in round 2 which received allocations for programme delivery from 2001–02. There are no branches of NDC. The allocations for all NDCs were as follows:

NDC allocated funding (£ million)

Partnership	*2000–01*	*2001–02*	*2002–03*
Newham	6.8	5.6	7.5
Shoreditch	2.8	8.2	6.8
Aylesbury	2.3	1.5	4.1
Ocean	2.1	5.6	6.4
South Kilburn	—	0.9	2.1
North Fulham	—	0.8	3.2
EC1 Islington	—	0.9	1.5
Clapham Park	—	2.0	2.4
New Cross	—	0.2	6.5
Seven Sisters	—	2.7	5.0
Brighton	2.0	3.7	8.6
Southampton	—	1.0	3.1
Plymouth	—	1.5	5.0
Bristol	3.1	4.6	4.6
Luton	—	5.9	5.5
Norwi[illegible]	3.9	3.6	8.3
Leicester	3.9	9.0	7.3
Nottingham	2.6	5.5	6.5
Derby	—	1.0	1.7
Sandwell	3.9	6.2	6.0
Walsall	—	1.9	4.7
Coventry	—	1.3	3.5
Wolverhampton	—	3.0	1.8
Kings Norton	3.3	3.4	3.1
Aston	—	1.9	2.7
Doncaster	—	0.8	2.9
Sheffield	—	2.5	4.7
Bradford	2.7	5.0	8.0
Hull	3.5	6.2	9.2
Knowsley	—	0.1	3.0
Kensington	1.0	4.1	5.6
Manchester	4.5	6.4	7.7
Oldham	—	0.6	3.0
Salford	—	1.3	4.0
Rochdale	—	1.5	4.5
Hartlepool	—	2.1	6.0
Newcastle	2.1	4.0	6.5
Middlesbrough	2.5	7.9	8.8
Sunderland	—	1.6	5.4
Total	53.0	126.0	197.2

Social Inclusion

While there is a Social Exclusion Unit within the Office for the Deputy Prime Minister, the Unit has no local branches.

Sports action zones

This is a matter for the Department for Culture, Media and Sport.

Sure Start

This is a matter for the Department for Education and Skills.

Single Regeneration Budget (SRB)

1,027 regeneration schemes were successful under the six rounds of the Single Regeneration Budget. Over £5.7 billion of SRB funding was allocated over their lifetime of up to seven years. The names of the schemes with lifetime funding, by each round have been tabled in the House of Commons Library.

Local strategic partnerships (LSPs)

The 2002 survey of all English principle local authority areas found that as of summer 2002 there were:

294 LSPs in operation

35 partnerships functioning as LSPs (though not formally an LSP)

39 LSPs in the process of being formed

1 local authority area with no plans to form an LSP

All LSPs operate on a voluntary basis and are not formally accountable public bodies. Hence, for the most part they cannot receive direct government funding. For instance, the neighbourhood renewal fund is allocated to the local authority but they must collaborate with the LSP to agree how it is spent.

Homelessness

Ms Oona King: To ask the Deputy Prime Minister pursuant to his answer of 19 December 2002, *Official Report*, column 954W, on homelessness, what proportion of lettings were made available to homeless households in priority need by *(a)* local authorities and *(b)* registered social landlords in each Government Office Region in (i) 2000–01 and (ii) 2001–02. [102310]

Mr. McNulty: A further version of the table previously placed in the Library of the House (December 2002), updating data reported for 2000–01 and presenting equivalent data for 2001–02, has been placed in the Library of the House.

Housing

Mr. Andrew Turner: To ask the Deputy Prime Minister how many households are in rented accommodation in each local authority; and what proportion are in accommodation provided by registered social landlords. [102688]

Mr. McNulty: A table with estimates of the number of households in rented accommodation in each local authority, and the percentage which are in accommodation provided by registered social landlords as at April 2001, has been placed in the Library of the House.

Iraq

Mr. Webb: To ask the Deputy Prime Minister if he will make a statement on the discussions which he has had with fire service *(a)* employers and *(b)* unions on contingency plans in the event of a conflict in Iraq and the suspension of (i) action under the current dispute and (ii) proposed changes in working practices. [103470]

Mr. Raynsford: My right. hon. Friend the Deputy Prime Minister has been available to talk to all sides since this dispute began and has met both the employers and the Fire Brigade union on a number of occasions. He has undertaken to keep the House informed of developments.

Local Government Finance

Mr. Andrew Turner: To ask the Deputy Prime Minister which regional bodies to which he makes appointments; and which regional bodies require funding through grants from local authorities. [102173]

Mr. Raynsford: My right hon. Friend the Deputy Prime Minister makes appointments to the five regional Rent Assessment Panels.

It is a matter for local authorities who they choose to support through grants.

Public Sector Pension Schemes

Mr. Heald: To ask the Deputy Prime Minister if he will list the local authority public sector pension schemes which are funded; when was the last actuarial valuation of each scheme; what the value was of the assets at the last actuarial valuation of each scheme; and what deficit is disclosed by the last actuarial valuation of each scheme. [103347]

Mr. Leslie: The Local Government Pension Scheme (LGPS) is the only funded local authority pension scheme in England and Wales. It is a centrally regulated scheme but is managed and administered locally, in the main, by 86 separate local pension fund authorities who are responsible also for their individual pension funds. The most recent triennial valuation exercise was concluded in 2001. Then, total assets were valued at £85.3 billion with liabilities amounting to £91.5 billion. All the LGPS funds met the specific requirements of the Scheme's regulations concerning solvency, in particular, the need to maintain as constant a rate of employers' contributions as possible.

Regional Governance

Mr. Hammond: To ask the Deputy Prime Minister if he will publish the results from the soundings exercise on the level of interest in each English region in holding a referendum about establishing an elected regional assembly. [103266]

Mr. Raynsford: The Government propose to explain to Parliament their choice of region or regions to undergo a local government review, with a view to holding a referendum, and to publish a summary of the views received during the soundings. We will announce our decision when the Regional Assemblies (Reparations) Bill has received Royal Assent.

Some respondents may request that their response remain confidential. In this instance, such a response would still be included in any numerical analysis of responses, but would not be attributed to the respondent in the summary analysis.

Right to Buy

Ms Buck: To ask the Deputy Prime Minister how many properties have been sold under the Right to Buy; how many have been sold under Right to Buy in the last three years; how many households are supported in temporary accommodation; and how many new units of social housing have been completed, in the last three years, in each local authority in London. [96896]

Mr. McNulty: Information reported by London boroughs has been placed in the Library of the House.

Matthew Green: To ask the Deputy Prime Minister what estimate he has made of the discounts to be paid under the Right to Buy scheme in the financial year 2002–03; and what financial provision he has made. [102634]

Mr. McNulty: The Right to Buy scheme allows tenants to purchase their homes at less than market value, but this does not involve any additional capital expenditure by the authority. The discount represents a reduction in the authority's capital receipt, 75 per cent. of which under current regulations has to be set aside for debt redemption or paying off credit arrangements. The accumulated balance of usable receipts may then, at the authority's discretion, be used to support their housing capital programme.

In the period April to September 2002, it is estimated that the value of discounts allowed through right to buy sales in England was some £657 million. The market value of the estimated 27,800 sales in the period was about £1,584 million.

South West Regional Development Agency

Mr. Adrian Flook: To ask the Deputy Prime Minister to which bodies the South West Regional Development Agency is accountable. [103059]

Alan Johnson: I have been asked to reply.

The south west of England Regional Development Agency is accountable to my right hon. Friend the Secretary of State for Trade and Industry and to Parliament. Under the terms of the Regional Development Agencies Act, 1998, the Agency must also take account of the views of the South West Regional Assembly, which has been formally designated as the regional chamber for the Agency. For the purposes of regional accountability, the Agency is also required to hold a public meeting following publication of its annual report.

Telecommunications Operators (Regulation)

Mr. Hunter: To ask the Deputy Prime Minister what assessment he has made of telecommunication operators' implementation of their Ten Best Practice Commitments; and if he will make a statement. [102093]

Mr. McNulty: The Mobile Operators Association have commissioned Deloitte and Touche to carry out an independent review of the implementation of the Operators Ten Commitments. The results of the review will be publicly available in due course.

Use Classes Orders

Mr. Clifton-Brown: To ask the Deputy Prime Minister pursuant to the written ministerial statement on the use classes orders, 4 March, *Official Report*, column 79WS, what further consultation will take place when the Government announce their intentions for A1 uses arising from the use classes consultation in 2002. [103002]

Mr. McNulty: Following the publication of the consultation document on the "Use Classes Order" in January 2002 there was a three-month period during which representations could be made. The Office of the Deputy Prime Minister received over 2,600 replies from a wide range of interested parties. Since then the Office of the Deputy Prime Minister has been considering the responses received. A decision about whether there is a need for any further consultation will be made once conclusions have been reached on the review.

Wind Turbines

Mr. Burnett: To ask the Deputy Prime Minister what proposals he has to create a buffer zone between on-shore wind turbines and domestic properties. [102401]

Mr. McNulty: The annex on Wind Energy in Policy Planning Guidance Note 22 contains guidelines about various factors which should be taken into consideration in relation to wind turbine location, including suggestions about turbine separation distances from residential dwellings, specifically in relation to noise. As indicated in the recent Energy White Paper, the Office of the Deputy Prime Minister is currently reviewing PPG22.

Written Answers to Questions

Tuesday 18 March 2003

TRANSPORT

A696

Mr. Beith: To ask the Secretary of State for Transport what representations he has received in opposition to the de-trunking of the A696 in Northumberland; and if he will hold a public enquiry into the proposal. [102843]

Mr. Spellar: Initially 11 objections to the draft orders published on 23 August 2001 were received from Northumberland County Council, Tynedale District Council, Scottish Executive, Northumberland National Park, Freight Transport Association, five parish councils and a private individual. Tynedale District Council, Scottish Executive and Freight Transport Association subsequently withdrew their Objections.

Negotiations continue with Northumberland County Council, which will be the highway authority after detrunking, over the future funding of the A696/A68 and it would therefore be premature of me to comment on whether there will be a public inquiry into the proposal before these discussions are concluded.

Amber Beacons

Mr. Greg Knight: To ask the Secretary of State for Transport what representations he has received on restrictions on the use of flashing amber beacons on motor vehicles on the public highway; what plans he has to change the regulations; and if he will make a statement. [103476]

Mr. Spellar: The Department of Transport regularly receives requests for clarification of the regulations on the use of flashing amber beacons on motor vehicles. In the past five years only one request has been made for these regulations to be extended. This was to permit amber warning beacons to be fitted to vehicles which are used for the purposes of rescuing animals injured on the roads, as they sometimes need to stop on the highway.

A consultation exercise is currently being carried out on proposals to permit recovery operators to use red rear flashing lights in conjunction with amber beacons at the scene of a breakdown.

The Government has no immediate plans for any further amendments to the regulations on amber beacons on road vehicles.

Motorised Wheelchairs

Mr. Robert Syms: To ask the Secretary of State for Transport (1) when he intends to publish the findings of his Department's review of the use of motorised wheelchairs on the highway; [103736]

(2) what plans he has to introduce a requirement in law for compulsory third party insurance for users of motorised wheelchairs; and if he will make a statement; [103640]

(3) what representations his Department has received from *(a)* pedestrians and *(b)* motorists on the unsafe and dangerous use of motorised wheelchairs; and if he will make a statement. [103639]

Mr. Jamieson: We receive a wide range of correspondence about the use of motorised wheelchairs on the highway from disabled people themselves as well as from other pedestrians and motorists. A proportion of that correspondence is expressing concern about safety issues.

In response to these concerns I will shortly be launching a review of the law which currently governs the construction of these vehicles and their use on the highway. The review will cover the full range of issues that have been raised with the Department, including the case for compulsory insurance for the users of motorised wheelchairs. We will be seeking the views of users and all other stakeholders before drawing any conclusions about possible changes to current arrangements.

I will publish the results of the Review once it is complete, which I would hope to be later this year.

Motorways

Mr. Greg Knight: To ask the Secretary of State for Transport how many additional miles of motorway in England and Wales he expects to have lighting *(a)* by December 2003 and *(b)* by December 2004. [102815]

Mr. Spellar: Motorways in Wales are the responsibility of the Minister for the Environment at the National Assembly for Wales.

In England, the Highways Agency expects to install lighting on approximately 10.8 miles of existing motorway by December 2003 and a further 14.5 miles by December 2004.

The new M6 toll motorway will be open by December 2004 and will have lighting on lengths totalling approximately 10 miles.

Bob Russell: To ask the Secretary of State for Transport (1) what estimate he has made of changes in the number of injury-accidents occurring after introduction of driving on the hard shoulder; [102220]

(2) what guidance he has *(a)* sought and *(b)* received from the Health and Safety Executive on the proposal to permit the use of motorway hard shoulders as a running lane; [102219]

(3) what steps he has taken to gauge the opinion of motorists on the proposal to remove the hard shoulder on many motorways; [102221]

(4) what estimate he has made of the *(a)* construction and *(b)* maintenance costs associated with the introduction of driving on hard shoulders; [102218]

(5) what plans he has to permit use of hard shoulders as a running lane; and if he will make a statement; [102213]

(6) what assessment he has made of the safety implications of using the hard shoulder as a running lane; [102214]

(7) what meetings he has had with motoring organisations to discuss the safety implications of the proposal to remove the hard shoulder on many motorways; and what responses he had *(a)* in favour and *(b)* opposed; [102224]

(8) what guidance he has *(a)* sought and *(b)* received from the Fire Service on the proposal to permit the use of motorway hard shoulders as a running lane; [102223]

(9) what estimate he has made of the costs to public funds as a result of a change in the number of accidents caused by driving on the hard shoulder, with particular regard to *(a)* insurance, *(b)* medical costs, *(c)* care of dependants and *(d)* time off work; [102225]

(10) what meetings he has had with *(a)* the Transport and General Workers Union and *(b)* other trade unions, to discuss the safety implications of driving on hard shoulders for those who work at the roadside; [102222]

(11) if he will place in the Library copies of research he has assessed in relation to his policy regarding use of hard shoulders as a running lane; [102216]

(12) if he will commit the Department to retaining the existing hard shoulder network for the purpose for which it was intended. [102215]

Mr. Jamieson: My right hon. Friend the Minister of State announced on 27 July 2001 that the M42 between Junctions 3a and 7 had been chosen as a pilot site for Active Traffic Management (ATM). The pilot offers the potential to allow carefully controlled use of the hard shoulder as a running lane during congested periods. The outcome of the pilot will be assessed very thoroughly before any policy decision is taken about the more general use of the hard shoulder as a running lane. The hard shoulder is routinely used as a running lane during motorway maintenance.

The Health and Safety Executive regularly provide input into the standards applied when the hard shoulder is used as a running lane during motorway maintenance. They will be consulted about its use as part of the M42 ATM Project when the Highways Agency has developed its proposals more fully.

The Highways Agency has met with and discussed the proposals for the M42 ATM with the local fire service. There is a programme of ongoing liaison with the emergency services to discuss matters in more detail.

The Highways Agency has arranged a number of exhibitions and local presentations and has generally received favourable feedback on the proposals to use the hard shoulder as a running lane on the M42. As part of this assessment a range of surveys will be undertaken to assess motorists' opinions on the scheme. A driver simulator has also been developed and this was displayed at the 2002 Birmingham International Motor Show. Again, a favourable response to the use of the hard shoulder was received.

The controlled use of the hard shoulder in the M42 ATM Project is not expected to result in an increase in the costs to the public funds with regard to insurance, medical costs, care of dependants or time off work. Extensive monitoring as part of the M42 ATM Project will be undertaken to quantify the actual impact of the scheme. The proposals are subject to an ongoing assessment and safety audits have already been undertaken as part of the design process.

The proposal for use of the hard shoulder under controlled motorway conditions on the M42 is being designed with safety in mind. Hard shoulder running will only be allowed when a lower speed limit is in place and control room staff have ensured that the hard shoulder is clear. There will be emergency refuge areas, equipped with emergency roadside telephones, installed at regular intervals for motorists that breakdown or require assistance.

I have asked the Highways Agency to place in the Library copies of the reports, listed as follows, that have been assessed in relation to the use of the hard shoulder as a running lane.

(a) Safety Review of Making Better Use Techniques—Final Report.

(b) PR/T/168/2001 Development of the Candidate Operational Regimes and the Assessment Strategy for the M42 Active Traffic Management (ATM) Project—Review of innovative schemes for lane, speed and incident management.

(c) PR/T/019/2002 Development of the Candidate Operational Regimes and the Assessment Strategy for the M42 ATM pilot Project—M42 ATM Pilot CORE Proposals.

(d) 42691/03A/012—Operational Team Visit to Utrecht Traffic Information Centre.

It is not envisaged that there will be an increase in the injury accident rate through the controlled use of the hard shoulder for the M42 ATM project. Extensive monitoring of the M42 project will be undertaken to quantify the actual impact of the scheme on safety. The safety of drivers and those concerned with the operation and maintenance of the road will be a major consideration.

The Highways Agency is in the process of discussions with various motoring organisations about different aspects proposed for the M42 pilot. These discussions are on-going.

The M42 ATM Project has received initial funding of £40 million from the Capital Modernisation Fund to cover the ATM infrastructure construction costs. An initial estimate of £3.2 million per annum was made for the future maintenance and operational costs for the project.

No meetings have yet been held with the Transport and General Workers Union or other trade unions to discuss the safety implications of hard shoulder running in general or on the M42 ATM Project. The advanced signalling and monitoring equipment being installed on the M42 will provide the ability to close lanes and provide advanced warning of incidents on the M42. This infrastructure will allow the protection of road users involved in incidents and will support existing maintenance activities which is likely to be especially beneficial in reducing risk to traffic management operatives.

PRIVY COUNCIL

Conservative Party

Mr. Tyler: To ask the President of the Council pursuant to his answer to the hon. Member for Cannock Chase (Tony Wright), of 11 March 2003, *Official Report*, column 156W, if he will list the individual sums of public money paid for *(a)* salaries, listing the offices held, *(b)* expenses and *(c)* Short money; and what the value was of services in kind to the Conservative Party since 1997. [103339]

Mr. Bradshaw: The scheme for financial assistance to opposition parties (Short money) provides funding for three purposes:

- to assist an opposition party in carrying out its parliamentary business;
- for the running costs of the office of the Leader of the Opposition
- for the opposition parties' travel and associated expenses.

The amounts received under these three headings were as follows:

£

Year	*Assistance for parliamentary business*	*Office of Leader of Opposition*	*Travel expenses etc.*	*Totals*
1997–98	919,627	0	67,136	986,763
1998–99	1,037,125	0	75,761	1,112,886
1999–2000	2,800,314	500,000	77,356	3,377,670
2000–01	2,872,763	513,000	79,368	3,465,132
2001–02	2,833,866	524,799	80,401	3,439,066
2002–03	2,846,649	531,621	81,266	3,459,537
Total	13,310,344	2,069,420	461,288	15,841,054

Note:

As a result of roundings, figures may not total exactly.

WALES

Award Schemes

Annabelle Ewing: To ask the Secretary of State for Wales if he will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by the Department; what their scope was when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102064]

Peter Hain: None.

Departmental Expenditure

Mr. Laws: To ask the Secretary of State for Wales what his estimate is of his Department's spending on *(a)* consultants, *(b)* advertising and consultancy, *(c)* travel and *(d)* conferences in each year from 1999–2000 to 2002–03; and if he will make a statement. [90357]

Peter Hain: My Department was created on 1 July 1999. Figures for 1999/2000 are not readily available in the format requested.

(a) for spending on consultants, I refer the hon. Member to the answer I gave him on 12 March 2003, *Official Report*, column 249W.

(b) for spending on advertising I refer the hon. Member to the answer my predecessor gave the hon. Member for Buckingham on 15 April 2002, *Official Report*, column 750W.

(c) total expenditure on travel, excluding payments to the Government Car and Despatch Agency, was £86,000 in 2000–01; £105,233 in 2001–02; and has been £121,000 in 2002–03 to date.

(d) there is no separately recorded expenditure on conferences in any year.

Fiscal Balance

Adam Price: To ask the Secretary of State for Wales what the fiscal surplus or deficit was in Wales in the most recent year for which figures are available. [89825]

Peter Hain: No official figure for the fiscal deficit/surplus in Wales has been calculated in recent years.

Overseas Trips

Mr. Bercow: To ask the Secretary of State for Wales if he will list the overseas trips made by himself and other members of his ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101484]

Peter Hain: I refer the hon. Member to the answer given by the Minister of State, Cabinet Office, on 22 January 2003, *Official Report*, column 334W, in response to a similar question from the Member for Yeovil (Mr. Laws).

Special Advisers

Pete Wishart: To ask the Secretary of State for Wales how many special advisers in the Department *(a)* have left and *(b)* will be leaving to work in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections. [103599]

Peter Hain: None.

University Students

Mr. Allen: To ask the Secretary of State for Wales how many university students his Department has supported or sponsored with a work placement in the last year; what his policy is on work placements; what plans he has to develop such schemes; and what his policy is on paying their university fees. [98538]

Peter Hain: The staff of the Wales Office are secondees from other Government Departments and in particular the National Assembly for Wales. The Assembly has an annual scheme which offers opportunities to students as well as work placements.

Whole of Government Accounts

Mr. Win Griffiths: To ask the Secretary of State for Wales what impact the Whole of Government Accounts project has had on Wales. [103371]

Peter Hain: The introduction of Whole of Government Accounts (WGA) will assist in ensuring that best practice accounting methods are used to construct accounts covering the public sector as a whole, and that fiscal reporting is as transparent as possible. Central Government Accounts (CGA) are the first step towards WGA.

The Treasury has planned to produce 'dry-run' CGA for 2001–02 and 2002–03, with the first CGA published for 2003–04. The Wales Office and the National Assembly for Wales are part of this process.

Both the Wales Office and National Assembly for Wales have produced consolidation information for the first dry run year. The Assembly's 'consolidation group' currently includes the Assembly itself, its agencies, the Health Authorities in Wales, Estyn and the Assembly Sponsored Public Bodies.

In future years the project will be extended to include NHS Trusts and local authorities. The Assembly is co-funding a project with the Treasury to examine the issues involved in consolidating local authority accounts in Wales.

In addition to CGA the Assembly will produce a 'Whole of Government of Wales Account' to the same timetable. This account will include bodies designated for inclusion in CGA plus the 'Wales elements' of certain cross-border authorities like the Forestry Commission in Wales.

DEFENCE

Allied Harmony Operation

Mr. Hancock: To ask the Secretary of State for Defence what progress has been made in implementing the common action for an EU military mission to take over from NATO's Allied Harmony operation in FYROM; which *(a)* European states that are not yet EU members and *(b)* other third countries have expressed the intention of taking part in that mission; what NATO assets the EU will use for that mission; whether the launching of this operation depends on finalising permanent arrangements for the EU's use of NATO assets; when those arrangements are expected to be finalised; and if he will make a statement. [102671]

Mr. Hoon: The "Berlin Plus" arrangements for ready access by the European Union to the collective assets and capabilities of NATO are now in place.

Good progress has been made on the Council's Joint Action on the EU military operation in Macedonia. For example, the EU has agreed that the Deputy Supreme Allied Commander for Europe will be appointed as the EU Operation Commander and that the Supreme Headquarters of Allied Powers in Europe will be used as the EU Operational Headquarters. Arrangements with third states have been agreed and a Committee of Contributors has been formed. The Operation Plan has been finalised, subject to approval by the Council. As envisaged, contacts and meetings between the EU and NATO have been stepped up.

The non-EU European states that are expected to take part in the operation are Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovak Republic, Slovenia, Czech Republic, Poland, Iceland, Turkey, Hungary and Norway. Canada is also expected to take part.

NATO has drawn up an indicative list of those assets that will be available for the EU-led operation in Macedonia, and the EU is expected to place a formal request for the assets that it wishes to use in the very near future.

Chartered Ships

Mr. Burnett: To ask the Secretary of State for Defence what special measures are being taken to vet the crews of ships chartered by his Department from overseas countries where there are security considerations. [103638]

Mr. Ingram: It is not possible to vet the crews of commercial ships chartered from overseas countries, due to a combination of circumstances which include: non-residency in the United Kingdom, the rapid turn-over of crew members and the short notice nature of the Ministry of Defence charter requirements. Special measures are taken when there are security considerations and these can include the placing of a UK military escort party on-board chartered commercial ships.

Civil Defence

Mr. Keetch: To ask the Secretary of State for Defence what estimates the Government have made regarding the number of military personnel required to provide support to the civil authorities in response to a large scale *(a)* conventional and *(b)* chemical, biological, radiological and nuclear attack on the UK. [103410]

Mr. Ingram: The primary responsibility for handling the consequences of any attack in the United Kingdom lies with the emergency services. The nature of any request they might make for military assistance will be determined by the type, scale, impact and location of the attack and the availability of civil resources. It is therefore not possible to make a specific estimate of the level of military support that might be requested. Information on the contingency plans for specialist Armed Forces responses to terrorist attacks is classified and details are therefore being withheld under Exemption la of the Code of Practice on Access to Government Information.

Mr. Keetch: To ask the Secretary of State for Defence from which Department's budget the cost of *(a)* creation, *(b)* maintenance and *(c)* deployment of the civil contingency reaction forces will be taken. [103411]

Mr. Ingram: The Ministry of Defence budget will bear the cost of establishing and maintaining the civil contingency reaction forces. The treatment of the costs of deployments will be determined case by case under existing arrangements in the same way as other military assistance to the civil authorities.

Mr. Keetch: To ask the Secretary of State for Defence what the estimated cost is of *(a)* creating and *(b)* maintaining the civil contingency reaction force. [103412]

Mr. Ingram: The annual cost of maintaining the 14 civil contingency reaction forces will be some £4.5 million. This comprises the costs of the 406 new Volunteer Reserve posts established within the parent Territorial Army Infantry battalions to support the administration and training of the civil contingency reaction forces, and of the additional man-training days allocated to existing Volunteer Reserve personnel who volunteer for the CCRF role in addition to their current roles.

Start-up costs are estimated to be some £2 million in 2002–03.

Mr. Keetch: To ask the Secretary of State for Defence how many joint regional liaison officers have been created since July 2002 to act as a single point of liaison between civil authorities and the armed forces on emergency planning matters. [103407]

Mr. Ingram: 22 Joint Regional Liaison Officer posts have been established as part of the SDR New Chapter measures to enhance the Armed Forces' capability to respond to requests for assistance from local authorities and emergency services. These measures were announced in the House on 31 October 2002.

Mr. Keetch: To ask the Secretary of State for Defence how many more civil contingency reaction forces are planned. [103408]

Mr. Ingram: The establishment of fourteen Civil Contingency Reaction Forces was announced in the House on 31 October 2002.

Mr. Keetch: To ask the Secretary of State for Defence how many reservists are deployed in civil contingency reaction forces. [103409]

Mr. Ingram: None of the 14 Civil Contingency Reaction Forces has yet been deployed.

Mr. Keetch: To ask the Secretary of State for Defence what proposals there are to commit units and assets from the regular armed forces to home defence. [103413]

Mr. Ingram: The Ministry of Defence is responsible for the defence of the United Kingdom from military attack, including air defence. The lead responsibility for security within the UK, including the response to the activities of terrorist groups, rests with the Home Office and the police. However, where appropriate, the Ministry of Defence responds positively to requests for military assistance from civil authorities, drawing on available resources. Although fluctuations do occur, a significant number of military personnel are stationed in the UK at any one time and we are also establishing a capability in the Reserve Forces to undertake military assistance.

EU Operations

Mr. Hancock: To ask the Secretary of State for Defence what the main features are of the EU/NATO arrangements for EU access to NATO capabilities for EU-led operations; how they differ from the agreement concluded between WEU and NATO; and if he will make a statement. [102676]

Mr. Hoon: At the NATO summit at Washington in 1999, the Alliance declared that it stood ready to "define and adopt the necessary arrangements for ready access by the European Union to the collective assets and capabilities of the Alliance, for operations in which the Alliance as a whole is not engaged militarily as an Alliance". The main features of the arrangements, known as "Berlin Plus", are assured EU access to NATO operational planning capabilities, and a presumption of availability to the EU of pre-identified NATO capabilities and common assets for use in EU-led operations.

The North Atlantic Council (NAC) decided on 13 December 2002 that assured EU access to NATO's operational planning capabilities was effective immediately, and undertook to put in place the rest of the Berlin Plus arrangements swiftly. This has now been done.

The NATO/EU arrangements go beyond those established for the WEU in two important respects. First, because EU access to NATO operational planning is assured (i.e. continuous and guaranteed), NATO agreement is not required for any EU requests for NATO planning support; every WEU request would have required specific NAC approval. Second, there is a presumption that those NATO assets and capabilities that have been pre-identified will indeed be available to the EU. There was no such presumption under the NATO/WEU arrangements.

The implementation of the Berlin Plus arrangements is a manifestation of the genuine strategic partnership in crisis management which NATO and EU have decided to establish together.

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Defence what recent discussions he has had with his Spanish counterpart regarding the British military base on Gibraltar. [102919]

Mr. Ingram: My right hon. Friend the Defence Secretary has not met his Spanish counterpart formally since December 2001, nor has he had any recent discussions. However there has been some correspondence on security matters.

Mr. Rosindell: To ask the Secretary of State for Defence what recent discussions he has had with the British military base on Gibraltar. [102920]

Mr. Ingram: My right hon. Friend the Defence Secretary has had no recent discussions with Commander British Forces (CBF) Gibraltar. I visited British Forces Gibraltar in November 2002 and had extensive discussions with CBF and others.

Gulf War Syndrome

Jeremy Corbyn: To ask the Secretary of State for Defence what estimate he has made of the number of Gulf War veterans who are *(a)* receiving treatment for Gulf War syndrome, *(b)* have outstanding compensation claims to his Department for Gulf War syndrome and *(c)* have been compensated by his Department for Gulf War syndrome. [103452]

Dr. Moonie *[holding answer 17 March 2003]:* The Ministry of Defence does not recognise "Gulf War Syndrome" as a medical condition. It accepts that some veterans of the 1990–91 Gulf Conflict have become ill and that many believe this ill health is related to their Gulf experience. A large number of multi-system, multi-organ, non-specific, medically unexplained symptoms have been reported by some Gulf veterans as well recognised medical conditions. The overwhelming consensus of the scientific and medical community is that there is insufficient evidence to enable this ill-health to be characterised as a unique illness, condition or 'syndrome'. The MOD's approach must be guided by findings from the scientific and medical community. Primary health care records for the 53, 000 or so veterans of the 1990–91 Gulf conflict are held by their doctors and are not accessible centrally for reason of patient confidentiality.

When compensation claims are submitted, they are considered on the basis of whether or not the MOD has a legal liability to pay compensation. Where there is a legal liability arising to pay compensation we do so. The MOD has received about 2,000 notices of intention to claim from Gulf veterans, and members of their families in respect of illness allegedly arising from the Gulf conflict, but no writs or formal claims have yet been received. No compensation has therefore been paid following claims for Gulf veterans' illnesses.

The fact that there is, at present, no proper basis for recognising "Gulf War Syndrome" as an appropriate diagnostic label does not prevent a Gulf veteran from getting a war pension. A war pension can be paid for any disablement provided that a causal link to Service is accepted. Over 1,200 war pensions have been awarded to Gulf veterans by the Veterans Agency.

HMS Triumph

Mr. Jenkin: To ask the Secretary of State for Defence for what reasons HMS Triumph is being put into extended readiness in 2004; and how many fleet submarines will be operational in 2004. [102577]

Mr. Ingram: The Royal Navy operates its nuclear submarine fleet under stringent safety regulations. It is planned to place HMS Triumph in a state of Extended Readiness when her reactor reaches its maximum length of service, prior to entering a refit and overhaul period that will include refuelling. It is planned that a minimum of five fleet submarines should be available in 2004 for operational tasking.

Hospitality

Mr. Gray: To ask the Secretary of State for Defence (1) what hospitality has been offered at public expense in the last 12 months, by each Minister in his Department to outside interest groups, broken down to *(a)* restaurant, *(b)* recipient and *(c)* cost in each case; [99501]

(2) what criteria Ministers in his Department use when determining whether to offer hospitality in restaurants to interest groups at public expense; and if he will make a statement; [99500]

(3) how often Ministers in his Department have received hospitality in restaurants from outside groups in the last 12 months. [99576]

Dr. Moonie: All offers of hospitality are made in accordance with published departmental guidance on financial procedures and propriety, based on the principles set out in Government Accounting. The giving and receiving of hospitality is conducted fully in accordance with the guidance set out in the Ministerial Code and Guidance on Contacts with Outside Interest Groups including Lobbyists. The detailed information requested is not held centrally, and could be obtained only at disproportionate cost.

Military Training Establishments

Mr. Keetch: To ask the Secretary of State for Defence what the *(a)* establishment and *(b)* requirement is of (i) medical officers and (ii) other medical staff in military training establishments in the United Kingdom; and if he will make a statement. [100174]

Dr. Moonie: Current establishment and manning figures for military medical officers, civilian medical practitioners, and other medical personnel at training establishments in each of the Services are as follows:

Royal Navy

Training Establishment	*Military Medical Officer Establishment*	*Military Medical Officer Manning*	*Civilian Medical Practitioner Establishment*	*Civilian Medical Practitioner Manning*	*Other Medical Personnel (Military/Civilian) Establishment*	*Other Medical Personnel (Military/Civilian) Manning*
Britannia Royal Naval College Dartmouth	1	1	0	0	7	6
HMS Raleigh	2	2	1	1	16	16
HMS Collingwood	2	2	1	1	11	11
HMS Dryad	0	0	1	1	3.5	2.5
HMS Sultan	1	1	1	1	8	8

Army

Training Establishment	*Military Medical Officer Establishment*	*Military Medical Officer Manning*	*Civilian Medical Practitioner Establishment*	*Civilian Medical Practitioner Manning*	*Other Medical Personnel (Military/Civilian) Establishment*	*Other Medical Personnel (Military/Civilian) Manning*
Royal Military Academy Sandhurst	3	3	0	0	18	18
Army Training Regiment Bassingbourne	1	1	2	2	18	11
Army Training Regiment Lichfield	1	1	2	2	15	10
Army Training Regiment Winchester	0	0	0	0	17	15
Army Foundation College Harrogate	1	1	2	1	4	3
Army Technical Foundation College Arborfield	0	0	0	0	2	0

Army

Training Establishment	*Military Medical Officer Establishment*	*Military Medical Officer Manning*	*Civilian Medical Practitioner Establishment*	*Civilian Medical Practitioner Manning*	*Other Medical Personnel (Military/Civilian) Establishment*	*Other Medical Personnel (Military/Civilian) Manning*
HQ Armour Centre	1	1	2	2	10	10
Royal School of Artillery/14 Regt RA	1	1	1	1	8	7
Combat Engineering School Minley	0	0	1	1	6	5
Combat Engineering School Chatham	0	0	1	1	4	4
HQ Royal School of Signals	2	1	2	1	21	7
Infantry Training Centre/School of Infantry Catterick	1	1	3.5	3.5	27	23
Infantry Training Centre (Wales)/Infantry Battle School Brecon	0	0	0	0	17.5	17.5
HQ School of Army Aviation	2	2	1	1	14	7
HQ Defence Logistic Support Training Group	0	1	1	1	2	2
Defence School of Transport Leconfield	0	0	1	1	4	4
HQ REME Training Group	0	0	4	4	13.5	13.5
School of Electrical and Mechanical Engineering Bordon	0	0	1	1	5	4
Adjutant Generals Corps Training Group	0	0	1	1	6	4
Royal Military School of Music	0	0	0	0	1	2

RAF

Training Establishment	*Military Medical Officer Establishment*	*Military Medical Officer Manning*	*Civilian Medical Practitioner Establishment*	*Civilian Medical Practitioner Manning*	*Other Medical Personnel (Military/Civilian) Establishment*	*Other Medical Personnel (Military/Civilian) Manning*
RAF Cranwell	3	1	3	3	23	21
RAF Cosford	2	1	2	2	20	19
RAF Brize Norton	5	3	3	2	31	31
RAF Halton	1	1	2	2	18	18
RAF Digby	0	0	0	0	8	7
RAF Boulmer	0	0	0	0	8	8
RAF St. Athan	2	0	2	2	13	13
RAF Linton on Ouse	2	2	0	0	19	16
RAF Valley	2	2	0	0	13	11
RAF Honington	1	1	1	1	17	16
RAF Shawbury	2	2	0	0	13	11
RAF Northolt	2	2	0	0	10	9

Notes:

1. Civilian posts may be part-time or filled on a job-share basis. In calculating these figures, part-time posts have been counted as a half; job-share arrangements have been counted a one.
2. Figures for other medical personnel include practice manager/receptionist posts.
3. HQ Defence Logistic Support Training Group, School of Logistics and 25 Training Support Regt are covered by Deepcut Garrison medical centre, and it is these figures which appear in the table.
4. The following Army training establishments do not have medical staff on their establishment, but are covered by medical centres at local units:

Royal Logistic Corps (RLC) Training Centre and Army School of Physical Training—covered by Aldershot Garrison medical centre.
Army School of Ammunition—covered by the medical centre at Defence Munitions at Kineton.
School of Petroleum—covered by the medical centre at West Moors Station.
Port and Maritime Wing—covered by the medical centre at 17 Port and Maritime Regiment RLC.
Construction Engineering School, Defence Explosives Ordnance School and HQ
Royal School of Military Engineering—covered by medical centre at Combat Engineer School at Chatham.

5. There are no medical staff on the strength of the Joint Services Mountain Training Centre.

Postal Services

Mr. Burstow: To ask the Secretary of State for Defence if he will set out the reasons for the reduction in the permitted weight of parcels being sent to BFPO 660; and if he will make a statement. [103171]

Dr. Moonie *[holding answer 17 March 2003]*: I refer the hon. Member to the answer I gave on 13 March 2003, *Official Report*, column 387W, to my hon. Friend the Member for Workington (Tony Cunningham).

Research Contracts

Mr. Allan: To ask the Secretary of State for Defence what advice his Department provides to universities and other academic research centres regarding *(a)* the management of defence research contracts and *(b)* the sharing of intellectual property. [102210]

Dr. Moonie: The Ministry of Defence's approach to contracting for research is the same as that used for the other goods and services it purchases and there is no specific additional guidance on the management of defence research contracts. The MOD's general advice is freely available at http://www.dgcom.mod.uk

The MOD fully supports the HM Treasury report "Creating Knowledge, Creating Wealth" (The Baker Report, 1999). In line with the recommendations of that report, it has negotiated a new contracting standard, DEFCON 705, which vests ownership of IP with the contractor. This standard has been used for the vast majority of research contracts let by the MOD over the past 12 months.

The MOD has actively contributed to "A guide to Managing IP:—Strategic Decision Making in Universities" available at http://www.patent.gov.uk/about/ippd/bakergroup.htm and is also about to publish "Guideline for Industry No 10—The Intellectual Property Defence Conditions".

Mr. Allan: To ask the Secretary of State for Defence how many research contracts were placed by his Department with UK universities and other academic research centres in each of the last five years; and what their values were. [102211]

Dr. Moonie: The Ministry of Defence recognises the strong science and technology capability of United Kingdom universities as a source of innovation and knowledge of relevant research in the wider non-defence community. It is for this reason that MOD encourages universities to participate in the Defence Technology Centre Scheme.

The MOD has placed almost all of its research work over the past five years with DERA and, since July 2001, with DSTL and QinetiQ. In turn these organisations have sub-contracted with academia in a manner which ensures that the Department's needs are met in an integrated and cost effective manner. MOD does not hold centrally information about the numbers of sub-contracts placed by our contractors with either academia or industry and this could be provided only at disproportionate cost.

Information is available, however, for contracts placed directly by the Department with academia for the past four years since the decision was made to increase the level of competition for research work. To date three universities have been awarded contracts valued at £591,000. In addition 10 UK universities have received £2.619 million for their role in successful consortia bidding into the research programme. A breakdown of these figures is given in the following table.

£000

	Prime contractor	*As part of a consortium*
1999	n/a	n/a
2000	266	1,200
2001	295	213
2002	0	1,100
2003 to date	30	106

The MOD also seeks to further academic research by funding research jointly with the Research Councils through the Joint Grants Scheme. Details of the number of grants are given in the following table.

£000

	Number of grants	*Value of grants*
1999	43	5,100
2000	61	4,600
2001	41	4,650
2002	34	4,780
2003	31	5,600

Royal Marines

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the additional funding recently made available to the Royal Marines. [102921]

Mr. Ingram: Additional funding was made available to the Royal Marines to meet the additional costs necessarily incurred on Contingency Planning for possible operations against Iraq. This was contained within the £1 billion added to RfR2 Conflict Prevention at Spring Supplementary Estimates 2002–03

Satellite Centre/Institute for Security Studies

Mr. Hancock: To ask the Secretary of State for Defence what his policy is on the EU's plan for strengthening the impact of the work being done by *(a)* the Satellite Centre and *(b)* the Institute for Security Studies; and if he will make a statement. [102673]

Mr. Mike O'Brien: I have been asked to reply.

The UK wants to see both the Satellite Centre and the Institute for Security Studies (ISS) make an effective contribution to the EU. We will consider any particular proposals put forward for the Satellite Centre. The Political and Security Committee has tasked the ISS with a work programme for 2003, reflecting the Council's priorities in external relations.

Sierra Leone

Mr. Lloyd: To ask the Secretary of State for Defence what the extent is of UK military deployment to Sierra Leone and the surrounding region during 2003; what estimate he has made of the costs of this deployment; and if he will make a statement. [102942]

Mr. Ingram: The United Kingdom has maintained a twin track strategy in Sierra Leone, supporting the UN mission and providing training, advice and assistance to the Republic of Sierra Leone Armed Forces (RSLAF) and the democratically elected Government of Sierra Leone. A United Kingdom-led International Military Advisory and Training Team (IMATT) continues to help build the RSLAF into an effective, professional and democratically accountable force. The HVLATT currently involves some 120 personnel, comprising 108 United Kingdom personnel plus a number of internationals. The annual cost of the IMATT is approximately £15 million.

To display our continued commitment to the settlement process in Sierra Leone on 21 February we deployed a Company Group from 2nd Battalion The Royal Gurkha Rifles plus HQ and supporting elements (eg logistics and medical). HMS Iron Duke and RFA Black Rover have also deployed to Sierra Leone as a further demonstration of United Kingdom commitment. The provisional costs of this deployment are in the order of £1.8 million.

There are no other United Kingdom deployments in the region, although the United Kingdom also provides the Chief Of Staff, six HQ staff officers and 15 Military Observers to the United Nations Mission in Sierra Leone (UNAMSIL).

Training Exercises

Mr. Jenkin: To ask the Secretary of State for Defence what training exercises have been cancelled as a result of Operation Fresco and Operation Telic. [102571]

Mr. Ingram: Some 70 training exercises listed in the Ministry of Defence's Defence Exercise Programme (which lists some 350 exercises each year) have been cancelled as a result of Operation Fresco and Operation Telic. Information on tactical training exercises organised by the Front Line Commands, the Permanent Joint HQ, the Defence Logistic Organisation HQ and individual units is not held centrally and could be provided only at disproportionate cost.

US Bases

Norman Baker: To ask the Secretary of State for Defence when the US Government asked for permission for the US National Guard to be based at *(a)* RAF Mildenhall, *(b)* RAF Lakenheath and *(c)* JAC Molesworth; who gave permission; and how many US National Guard are based at each of the bases. [101689]

Mr. Ingram: The US formally advised us on 3 March of their plans to augment military guard forces at RAF Lakenheath, RAF Mildenhall, RAF Croughton and RAF Molesworth with US Army National Guardsmen. The Guardsmen arrived on 10 March, around 230 have been deployed. About 100 have been deployed to RAF Lakenheath, 60 to RAF Mildenhall, 40 to RAF Croughton and 30 to RAF Molesworth. The National Guardsmen will carry out routine access control and other guarding duties under supervision, to 'backfill' permanent security personnel who have been deployed to other duties.

Vaccines

John Thurso: To ask the Secretary of State for Defence pursuant to his answer to the hon. Member for Hereford (Mr. Keetch), of 10 February 2003, *Official Report*, column 517W, on vaccines, if he will break down the figures and the percentages they represent by unit. [102806]

Dr. Moonie: I am withholding the information requested under Exemption la of the Code of Practice on Access to Government Information.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Illegally Imported Meat

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs how much illegally imported meat has been seized at UK ports and airports in each of the last three years, broken down by *(a)* type and *(b)* location. [102158]

Mr. Morley: A central database of illegal animal product seizures notified to Defra was set up in August 2001, with detailed data going back to April 2001. Little or no data is held centrally for 2000.

The numbers and weights of meat seizures at UK ports and airports reported to us in each of the last three years is shown below. A detailed breakdown of locations of seizures is not provided in order to protect operational details of targeted checks.

	Number of seizures	*Weight of seizures (kg)*
Ports		
2001	404	60,544
2002	301	6,091
Airports		
2001	739	14,254
2002	1953	18,593

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs what arrangements there are with *(a)* Customs and Excise and *(b)* the Food Standards Agency (i) to prevent and (ii) to detect illegally imported meat entering the UK. [102159]

Mr. Morley: Currently the Port Health Authorities, Local Authorities and the State Veterinary Service lead on enforcement of controls for detecting smuggled meat. They are supported in this by Customs, who deployed extra resources in this role in 2002. Defra has been funding additional enforcement activity this financial year through temporary Local Authority staff and overtime.

Following the Cabinet Office review of enforcement structures, responsibility for all anti-smuggling activity is to be transferred to HM Customs as soon as practicable, and we are working on a Service Level Agreement. Defra has been leading on implementing the Government's action plan, including a risk assessment, detector dog pilot and design of publicity material. Customs have been providing support. A comprehensive centralised database of seizures has been set up to share information and inform decisions on the targeting of resources.

The Food Standards Agency is an independent agency accountable to an independent board, with responsibility for food safety matters. It co-ordinates the activities of Local Authorities, including Port Health Authorities, on food safety matters and has lead policy responsibility for controls at the border on products of non-animal origin and fish. The Agency is concerned with checks to verify compliance with food safety standards, and has produced a 10-point plan in relation to imported food, including illegal food imports. The Agency is also working closely with Defra on the action plan.

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what resources she is committing *(a)* to prevent and *(b)* detect illegally imported meat entering the UK; [102160]

(2) what resources she is committing *(a)* to prevent and *(b)* to detect illegally imported meat entering the UK. [102161]

Mr. Morley: The Government have made available a total of £25 million over the next three financial years to tackle illegal imports from outside the European Union of any meat, other animal products and plant products. Final decisions on the allocation of this money in 2003–04 will be made shortly.

In the current financial year, additional measures have been introduced at ports and airports to tackle illegal imports. Temporary agency staff, funded by Defra, have been recruited to carry out checks to detect smuggled goods—teams of six are based at our major airports and teams of two at major seaports. We are also paying for additional checks through overtime elsewhere. Further inspection resources have also been provided through the detector dog pilot, and a publicity campaign which has targeted ports, airports and points of departure.

We expect to lay the legislation shortly, under which HM Customs will take over responsibility for detection, intelligence and enforcement with regard to illegal food imports.

Animal By-Products Regulations

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the Animal By-Products Regulation with regard to the burial of *(a)* domestic animals in pet cemeteries and *(b)* livestock in domestic locations. [102651]

Mr. Morley *[holding answer 17 March 2003]:* No specific assessment has been made of the burial of domestic animals in pet cemeteries and of livestock in domestic locations.

However, under a Derogation the Regulation permits the burial of any animal belonging to species normally nourished and kept, but not consumed, by humans for purposes other than farming.

The burial of livestock is not permitted.

Avian Influenza

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what steps farmers can take to improve biosecurity to prevent Avian Influenza. [102368]

Mr. Morley: In view of the current outbreak of Avian Influenza in the Netherlands, Defra is advising producers to take all reasonable precautions to prevent their flocks coming into contact with wild birds. The producers most at risk are those close to where wild birds congregate, such as surface water.

The poultry industry is being reminded of the need for stringent biosecurity at the present time. This includes advice on:

minimising the risk of introducing disease into their birds through faecal contamination of boots, clothing, equipment and food stores by the prudent use of disinfectants on clothing, footwear and vehicles;

ensuring that the number of staff with access to the birds is kept to a minimum and not allowing non-essential visitors in or near poultry houses;

clearing up external feed spillages quickly and preventing wild birds from gaining access to poultry areas and food.

Such advice will be kept under review in the light of developments.

Biofuels

Patrick Mercer: To ask the Secretary of State for Environment, Food and Rural Affairs what role biofuels will play in Government plans to address fuel poverty. [100215]

Mr. Morley: During 2002, the Department commissioned a scoping study to consider the use of alternative technologies, including biofuels, in helping to tackle fuel poverty. The findings of that report, and the possibility of establishing pilot trials, are currently being considered by my Department and the Department of Trade and Industry.

Bushmeat

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs what analysis her Department has made of the work of the CBD bushmeat working group. [101329]

Mr. Morley: A liaison group to be convened under the Convention on Biological Diversity (CBD) to consider inter alia non-timber forest products, including bushmeat, has yet to meet. Therefore, no analysis of this work has been made.

Chewing Gum

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to apply the principles of producer responsibility to those who manufacture and retail chewing gum; what contribution the manufacturers of chewing gum provide to the cost of cleaning up pavements and public places of discarded chewing gum; and what plans she has to apply the pollutor pays principle to the manufacturers of chewing gum. [102595]

Alun Michael: We encourage manufacturers and retailers to participate in a voluntary scheme to use the international Tidyman logo on products. The environmental charity, Environmental Campaigns (ENCAMS), which undertakes work on behalf of the Government, owns a logo which includes the Tidyman logo and draws up voluntary agreements with willing participants.

I am not aware of any gum manufacturers providing funding for the cost of cleaning gum from pavements but Defra officials have had meetings with the industry and I recently had a constructive meeting with Wrigley's, which is Britain's largest producer of chewing gum, to discuss these issues.

Defra's consultation document Living Places—Powers, Rights, Responsibilities, includes an option to include discarded chewing gum as litter to which existing litter duties and powers apply. This option would impact on anyone irresponsibly discarding chewing gum as they would then be committing a litter offence.

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the manufacturers of chewing gum regarding the public nuisance of their discarded product. [102596]

Alun Michael: Officials at Defra have been involved in discussions with gum manufacturers since last summer with a view to finding an acceptable solution to the problems surrounding chewing gum litter. Recently, I met Wrigley's, as the largest UK producer of chewing gum, to discuss this issue.

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what research her Department has commissioned to develop techniques for removing chewing gum from footpaths, pavements and other public places; and what steps her Department has taken to encourage effective methods of removing discarded chewing gum from footpaths, pavements and other public places. [102597]

Alun Michael: The environmental charity Environmental Campaigns (ENCAMS), which is grant funded by Defra, has produced advice and guidance on prevention and cleansing for local authorities under the banner "Become an Authority on Gum"

Defra's consultation document Living Places—Powers, Rights, Responsibilities, included several options relating to chewing gum. We are currently evaluating responses to that consultation exercise, which closed on 14 February, and will then consider how to take matters forward.

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the local authority associations concerning chewing gum. [102599]

Alun Michael: Defra has not had specific discussions with the Local Government Association concerning the cleaning up of chewing gum. The environmental charity, Environmental Campaigns (ENCAMS), which is grant funded by Defra, has been working with gum manufacturers and local authorities over many years to develop best practice on prevention through education and cleansing affected areas. Our consultation document 'Living Places' refers to the problem of dealing with chewing gum and we are currently considering the responses from a variety of sources including local government.

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the cost of cleaning chewing gum from pavements and other public areas in the last 12 months. [102600]

Alun Michael: We have made no estimates of the cost of chewing gum removal in the last 12 months.

Chickens/Eggs (Imports)

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* chickens and *(b)* eggs were imported from (i) Holland, (ii) Germany and (iii) Italy in the last year for which figures are available. [102370]

Mr. Morley: 2002 is the latest year for which figures are available on the imports of chickens and eggs from Germany, Holland and Italy. The provisional figures are as follows:

Number of live chicks and chickens (of the species Gallus Domesticus) imported to the UK in 2002 (thousand head)

From	*Number*
Netherlands	92.6
Germany	1,236.6
Italy	nil

Number of eggs imported to the UK in 2002 (million dozen)[1]

From	*Number*
Netherlands	22.4
Germany	14.3
Italy	0.2

[1] Estimates based on the value and volume of trade and the average weight per dozen eggs.

Dangerous Dogs Act

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs how many dogs have been detained in the UK under the Dangerous Dogs Act 1991 in 2003. [102917]

Mr. Morley: There are no centrally held records of dogs held under the Dangerous Dogs Act 1991 in the UK. However, the Metropolitan police, who hold the largest number of dogs under the Dangerous Dogs Act 1991 (as amended) currently hold 19.

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs what the total cost has been to public funds of dogs detained under the provisions of the Dangerous Dogs Act 1991 in 2003. [102918]

Mr. Morley: There are no centralised records of figures or costs of dogs held, by all police forces, under the Dangerous Dogs Act 1991 (as amended). However, the Metropolitan police who hold the largest number of dogs under the 1991 Act, have informed us that the total cost within the Metropolitan police area of dogs currently held in 2003 under the 1991 Act is £63,937.

Dolphins

Adam Price: To ask the Secretary of State for Environment, Food and Rural Affairs how many dolphin bodies have been washed up on UK beaches *(a)* since the beginning of January and *(b)* in the last five years. [102760]

Mr. Morley: Since the beginning of January to 12 March 2003, 168 dolphins (out of a total of 265 cetaceans) have been reported as having stranded in the UK. In the last five years, the numbers of reported stranded dolphins are as follows:

	Dolphins	*Total number of cetaceans*
2002	199	649
2001	155	549
2000	88	421

	Dolphins	Total number of cetaceans
1999	57	386
1998	59	369

It should be noted that these figures include stranded, dead cetaceans, live strandings, carcases seen floating at sea, reported cetacean bycatch and cases of unconfirmed or suspected cetacean bycatch. The data was obtained under the Defra-funded Cetacean and Turtle Strandings Scheme, carried out by the Natural History Museum in partnership with the Institute of Zoology and Scottish Agricultural College.

Energy Efficiency

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what targets are being set for energy efficiency and renewable energy; and if she will make a statement. [102506]

Mr. Morley: In January 2000 the Government announced their aim for renewables to supply 10 per cent. of UK electricity in 2010, subject to the costs being acceptable to the consumer. We believe that renewable sources of energy will increasingly demonstrate that they can meet our energy needs at both an economically acceptable cost and in a carbon free way. On that basis, our aspiration is by 2020 to double renewables' share of electricity from our 2010 target and we will pursue policies to achieve this.

More than half the emissions reductions in our Climate Change Programme—around 10 million tonnes of carbon per annum—is expected to come from energy efficiency. Further ahead, we believe that energy efficiency can contribute around half of the additional 15–25 million tonnes of annual carbon savings we are likely to need by 2020. A strategy for achieving these savings is set out in the Energy White Paper.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many area based sustainable energy projects and partnerships incorporating a Home Health Programme there are; where they are located; what areas they cover; and what their annual budgets are. [103169]

Mr. Morley: Despite a detailed search, my officials can find no record of a Home Health Programme. Turning to sustainable energy projects in general, the majority operate on a national basis, providing assistance to households and communities across the country.

To encourage sustainable energy projects:

We are spending £50 million over two years on the UK wide Community Energy programme which promotes community heating. So far £8.5million of grants have been approved. Two of these grants have been for innovative energy from waste schemes.

The Energy Crops Scheme has allocated £650,000 of grants to promote the establishment of energy crops in England.

We fund the Countryside Agency's Community Renewables Initiative, which promotes the establishment of local renewable energy schemes in England.

The DTI fund both the UK wide Bio Energy Capital Grants Scheme and the UK wide £10 million Clear Skies initiative. Both are relatively new initiatives. The Bio Energy Capital Grants scheme aims to ensure the development of 100MW biomass heating provision at all scales, while Clear Skies provides advice and support for the installation of household and renewable community renewable schemes.

To encourage domestic energy savings and health initiatives:

We fund the Warm Front grant scheme which assisted over 500,000 households living in Fuel Poverty by installing energy efficiency measures. This indicates that the Government are making good progress toward meeting its target of assisting 600,000 homes by 2004.

The Government have established the Energy Efficiency Commitment. The Commitment requires electricity and gas suppliers to achieve targets for the promotion of improvements in energy efficiency, with an emphasis on helping lower income customers. The overall target on all suppliers is a combined saving of 62 fuel-standardised terawatt hours.

Defra and DTI are funding a pilot Warm Zones initiative in five areas in England. The zones attempt to identify all fuel poor households in an area, and ensure that existing schemes are used to improve the energy efficiency of those homes. The pilot is being evaluated at present and an interim report is expected shortly.

Sir Sydney Chapman: To ask the Secretary of State for Environment, Food and Rural Affairs when boiler repairs and replacements were incorporated into measures funded by Warm Front for non-pensioner households; what amendments to the scheme regulations were needed to authorise these measures; what provision there is for service and maintenance of the boilers; and if central heating systems can be funded or part funded through the Warm Front scheme for non-pensioner households. [100162]

Mr. Morley *[holding answer 5 March 2003]:* Following a public consultation, the New Home Energy Efficiency Scheme was launched in June 2000. The scheme, now marketed as Warm Front, introduced heating measures, boiler repairs and replacements. Only those over 60 on a qualifying benefit are eligible for central heating system installations, under Warm Front Plus.

As a result, the grant maximum increased from £315 to £1,000 in 2000 and to £1,500 in 2001 for under 60s households. The grant maximum for over 60s households is £2,500. Revised regulations were issued to enable these amendments.

All installations under Warm Front are guaranteed for a year by Eaga Partnership and TXU Warm Front Ltd. who manage the scheme. All materials used are guaranteed by the manufacturer for a year, with the exception of storage heaters which are guaranteed for two years.

Sir Sydney Chapman: To ask the Secretary of State for Environment, Food and Rural Affairs if *(a)* Ministers and *(b)* officials in her Department have discussed with TXU Warm Front the use of promotional literature for the Warm Front scheme as a means of selling other goods and services. [100163]

Mr. Morley *[holding answer 5 March 2003]:* The Government's main programme for tackling fuel poverty in the private sector in England is the Home Energy Efficiency Scheme (HEES), now marketed as 'The Warm Front Team'. Warm Front provides insulation and heating measures depending upon the needs of the householder and the property type to eligible households.

TXU Warm Front Ltd. is one of the two scheme managers appointed to administer the scheme.

The literature used by TXU outlines measures offered by Warm Front and is not used as a vehicle for selling any other goods or services.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of the total expenditure on warm front grants made in England and Wales in the financial years ending 2001 and 2002 were represented by *(a)* loft and *(b)* cavity wall insulation measures. [90811]

Mr. Morley: Expenditure requested as a percentage of total grant expenditure for the warm front scheme in England was as follows:

Percentage

	2000–01	*2001–02*
Cavity wall insulation	29	22
Loft insulation	16	15

The drop in the proportion of expenditure on cavity wall insulation in the second year of the scheme reflects increased activity in the installation of heating measures, which have a higher average cost per household.

The New Home Energy Efficiency Scheme in Wales is a matter for the National Assembly for Wales.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what was the average administrative cost associated with each household that benefited under the warm front scheme, as a percentage of the cost of the measures installed in 2001–02. [90808]

Mr. Morley: In 2001–02, approximately 23 per cent. of total expenditure on the scheme related to administration costs, covering surveying, inspections, marketing, energy efficiency advice, installer management and customer support services including the Scheme Managers' call centres.

English Nature

Mr. Edward Davey: To ask the Secretary of State for Environment, Food and Rural Affairs what the administrative cost was of English Nature for each Government Office of the regions in each year since 1999–2000. [102683]

Mr. Morley: English Nature's grant in aid has been £44.68 million (1999–2000), £49.924 million (2000–01), £58.010 million (2001–02), £66.855 million (2002–03). Of this, insofar as spending in the Government Regions, the following has been spent:

Total £000

Government Regional Office	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
East Midlands	979	928	1,110	1,120
East of England	1,517	1,749	1,988	2,002
London	197	198	223	225
North East	764	635	719	729
North West	1,293	1,410	1,608	1,602
South East	1,851	2,153	2,334	2,310
West Midlands	985	1,068	1,165	1,169
South West	2,388	2,618	3,199	3,244
Yorkshire/Humberside	1,013	1,027	1,281	1,287
Total	10,987	11,786	13,627	13,688
National (amount spent in EN HQ on the regions	10,618	11,771	14,253	14,681
Overall total	21,605	23,557	27,880	28,369

Ethical Banking

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs what contracts have been concluded as a result of the Government's commitment to support ethical banking. [89945]

Alun Michael: Defra predominantly banks with the Bank of England and there have been no other relevant contracts concluded.

EU Environment Council

Mr. Hood: To ask the Secretary of State for Environment, Food and Rural Affairs what the outcome was of the Environment Council on 4 March 2003; what the Government's stance was on the issues discussed, including its voting records; and if she will make a statement. [101747]

Margaret Beckett: I represented the UK at Environment Council on 4 March 2003, accompanied by my right hon. Friend the Minister for the Environment. The Council reached a political agreement on one legislative measure, and also considered a number of other important issues.

The Council reached a political agreement on the Forest Focus Regulation, which concerns forest monitoring, with the UK among its supporters. Italy, Spain, and Portugal would have preferred greater support for fire prevention measures, and therefore abstained. The Commission also withheld its support.

We debated the Commission's proposals to revise the Bathing Water Directive, which would raise the required bathing water quality standards across the EU. There was general support for high standards where this would benefit the public, but widespread concern that the measures should be proportionate to the public health benefits sought, and flexible in their application. My right hon. Friend, the Minister for the Environment expressed concern over the soundness of the Commission's cost benefit analysis, and explained that, in the UK, illness related to bathing in sea waters is not a problem serious enough to feature in the public health surveillance system. Most bathing waters in the UK would already meet the higher standards proposed, but there would be high costs involved in ensuring compliance at all times for about 15 per cent. of beaches in England and Wales. There was a risk therefore that the proposals as currently drafted would incur disproportionate costs of compliance for comparatively little benefit. Portugal, Belgium, Netherlands, Ireland, Spain, Germany, France and Austria all expressed similar concerns. There was wide support for more flexibility in the use of management measures to implement the Directive. Most states also asked for greater clarity of definitions. There was no support for extending the scope of the Directive to waters used for other recreational purposes, and this was accepted by the Commission. The Presidency concluded that Council had given a sufficient steer for further progress to be achieved by the next Council, in June.

Council also debated the proposed Environmental Liability Directive, and in particular the issues of financial security and biodiversity. I made it clear that the UK insurance industry did not support compulsory financial security. It would make little sense to make financial security compulsory if the market is unable to provide the necessary cover. There was support for this line of reasoning from Ireland, France, Italy, Netherlands, the Commission and Germany. There was also some support for a compromise proposed by the Greek Presidency, that compulsory financial security should be phased in. This was not an option I was able to support. On biodiversity, I put forward the view, also supported by France and Germany, that to be insurable and provide certainty, the scope of the Directive should be site-based. The remaining Members favoured extending the scope of the directive to cover all EU-protected biodiversity wherever it may, with an option to include nationally protected species too. The Presidency concluded that progress had been made towards reaching political agreement in June.

We agreed Council Conclusions calling for a community strategy to protect and conserve the marine environment. The Commission reported on action taken in relation to the Prestige incident, and will present a full report to the European Council later this month. Council accepted a Spanish request asking the Commission to consider liability and sanctions in relation to the safety of marine transport. France and Spain also reported on the progress of clean-up operations.

We also discussed the Council's contribution on Sustainable Development for the Spring European Council, and agreed a lengthy set of Conclusions, which included an emphasis on the need for implementation of the commitments made at the World Summit on Sustainable Development in Johannesburg last September, and on the importance of encouraging the development of environmental technologies.

Council also adopted Conclusions on the Fifth Pan-European Ministerial Conference "Environment for Europe", to be held in Kiev in May.

The Commission gave an update on approvals of Genetically Modified Organisms, and their co-existence with conventional crops. It was announced that an option paper on co-existence by Commissioner Fischler would be released on 5 March, and a Round Table discussion would follow at the end of April.

On approvals, Commissioner Walstrom noted that there are currently 19 applications in the process, which should be dealt with on a case by case basis. I supported the position of the Commission, along with Sweden, Finland, the Netherlands and Ireland, that existing legislation is adequate for an orderly return to decision making. A number of other member states continued to argue against proceeding with authorisations until the new traceability and labelling rules come into force. The Commissioner explained that it was unlikely that any authorisation would complete the process before the traceability and labelling rules came into force in any event. She emphasised the need to move the process forward, and that there is no justification for further delay.

Denmark sought clarification from the Commission concerning its guidelines on the presence of metabolites in groundwater. The Commission confirmed that these are not legally binding, and that the expected groundwater directive will look into this issue.

The Commission reported that it was on track with its long-awaited chemicals package, with an early interim consultation, followed by adoption by the Commission in early summer. It also formally presented its proposals on ozone depleting substances, a monitoring mechanism for greenhouse gases and volatile organic compounds in paints.

Over lunch we discussed progress towards ratification of the Kyoto protocol.

Fairtrade

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made and representations she has received regarding the application of Fairtrade status to British farmers; and if she will make a statement. [102441]

Mr. Morley: We have seen a report that the Soil Association and the Fairtrade Foundation were planning to announce an extension of the Fairtrade mark to British produce but I am unaware of any representations to government on this matter. For its part the Government are striving to rid agriculture of the constraints of price protection and production-related subsidies and to reconnect farmers with their markets. The Strategy for Sustainable Farming and Food launched last December aims to help deliver this objective and sets out how Government, industry and others can work together to secure a more positive future for the food and farming industries. It contains a number of measures to help farmers reconnect with their customers and the rest of the food chain, to improve co-operation and performance, and to enhance training and opportunities to learn from best practice. The Government also remain determined to secure market-oriented reforms to the Common Agricultural Policy and through the WTO.

Fallen Livestock

Norman Lamb: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department has taken to provide guidance to farmers on the disposal of dead livestock after 3 April. [103454]

Mr. Morley *[holding answer 17 March 2003]*: Guidance on the disposal of fallen stock is available from local Animal Health offices and on the Defra website. In addition, the Department will shortly be writing to livestock farmers explaining the changes to the legislation, and to provide advice as to what disposal routes are available.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to ensure that alternatives are in place for all farmers to deal with fallen stock when on-farm burial is banned. [103011]

Mr. Morley: The situation regarding Government funding in other member states is complicated. Based on data provided by each member state, the European Commission issued a paper on 20 November 2001. It showed that the level of Government support varies across the Community, with farmers in some countries paying the full cost of disposal while in others the Government or local authority provides support.

The collection and disposal industries for fallen stock have stated that there is sufficient capacity within the existing infrastructure to deal with the estimated additional quantities of fallen stock when the ban on burial comes into effect.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what information she collates in respect of the policy in other EU member states concerning financial support for farmers to deal with fallen stock. [103012]

Mr. Morley: The situation regarding Government funding in other member states is complicated. Based on data provided by each member state, the European Commission issued a paper on 20 November 2001. It showed that the level of Government support varies across the Community, with farmers in some countries paying the full cost of disposal while in others the Government or local authority provides support.

The collection and disposal industries for fallen stock have stated that there is sufficient capacity within the existing infrastructure to deal with the estimated additional quantities of fallen stock when the ban on burial comes into effect.

Fishing Vessels

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs how many fishing vessels in each EU country have been deemed by the European Commission to be economically viable; and what assessment has been made of the costs of paying off vessels and crews from these countries. [103696]

Mr. Morley: The Commission has made no authoritative estimates in these areas. Indicative figures provided by the Commission last May, of the scale of decommissioning implied by their proposals for recovery plans, have been challenged by a number of member states.

Food Safety

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs whether she has appraised the testing methodology obliged in the Processed Animal Protein (England) Regulations 2001 against the currently best available methodologies for the same tasks. [102836]

Mr. Morley: The Processed Animal Protein (England) Regulations 2001, all except the international trade provisions of that legislation, were replaced by and incorporated into the TSE (England) Regulations 2002 on 19 April 2002.

The development of effective detection methods to distinguish the species content of meal intended for feed is a priority for Defra. The Commission has indicated that they are prepared to re-consider the current ban on fishmeal in ruminant feed once such a test has been validated. Full validation of a new test technique, however, is likely to take some time to achieve. In addition to the on-going development work, there are assessments being made both in the European context and in the UK to examine the currently available technology. A paper summarising the current position was prepared by Defra for a recent meeting of the Advisory Committee on Animal Feedingstuffs, and can be found at: http://www.foodstandards.gov.uk/multimedia/pdfs/acaf0237.pdf

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs whether she has appraised the testing methodology obliged in the Animal By-Products Order 1999 against the currently best available methodologies for the same tasks. [102837]

Mr. Morley: Testing under the Animal By-Products Order 1999 may be carried out under the methodology set out in the Order, or by a method which conforms with the relevant British or International Standards.

Hampshire Avon Catchment

Mr. Key: To ask the Secretary of State for Environment, Food and Rural Affairs if she will place in the Library a copy of the first annual report under the operating agreement signed by Ofwat, the Environment Agency, English Nature and Wessex Water on restoring sustainable flows to the Hampshire Avon Catchment. [103540]

Mr. Morley: I am pleased to inform the hon. Member that the 'First Annual Report to the Minister on Progress in Restoring Flows in the Malmesbury Avon, River Wyle and River Piddle' was placed in the House Library at the end of February.

Nitrate Vulnerable Zones

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs how many nitrate vulnerable zones have been designated; and what percentage of the land area of England and Wales is designated as nitrate vulnerable zones. [102984]

Mr. Morley: The Secretary of State for Environment, Food and Rural Affairs is only responsible for implementing the Nitrates Directive in England.

In 1996, the Government designated 66 Nitrate Vulnerable Zones (NVZs) covering 8 per cent. of England's land area.

In October 2002, the Government designated NVZs covering an additional 47 per cent. of England's land area. This brings total coverage of England to around 55 per cent. The Government have not made an assessment of the total number of discrete NVZs in England.

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs what her assessment is of the effect on land values of the introduction of nitrate vulnerable zones. [103020]

Mr. Morley: The Government have not made an assessment of the effect on land values of the introduction of nitrate vulnerable zones.

The Government have published a Regulatory Impact Assessment paper which sets out the costs to the agricultural industry of complying with the Action Programme measures in England. This publication is available in the Defra Library and via the Defra NVZ web pages (www.defra.gov.uk/environment/water/quality/nitrate/library.htm).

Radioactive Contamination

Llew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs what research has been commissioned from consultants to assess the *(a)* need for and *(b)* prospective benefits of industry profiles for radioactively contaminated land. [103115]

Mr. Meacher: Consultants are currently carrying out work to assess the need for and benefits of industry profiles for radioactively contaminated land. They are to report in early April. If the results of this are positive, industry profile(s) for operations using radioactive material outside nuclear sites will be produced. They will provide information on the processes, materials and wastes associated with individual industries and advise on how best to identify, assess and tackle the problems of land contamination. This will provide useful supporting guidance for the introduction of a regime to deal with radioactively contaminated land (excluding that on nuclear licensed sites).

Rural Proofing

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact on the rural proofing of housing policy of the withdrawal of local authority social housing grant. [102337]

Margaret Beckett: The decision to abolish local authority social housing grant was taken in light of the increased provision for investment in existing and new affordable housing announced in "Sustainable Communities: building for the future". LASHG was a funding mechanism used by many rural authorities, among others, but they should not lose out under the new arrangements. By 2006, the money available for housing will be nearly 50 per cent. higher than this year. The new regional housing boards will recommend how these resources should be spent and will be required to ensure that their regional housing strategies are rural proofed.

Safeways

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent *(a)* representations she has received and *(b)* discussions she has had regarding the sale of Safeways; and if she will make a statement. [102652]

Mr. Morley *[holding answer 17 March 2003]:* Ministers and officials in Defra have been sent information or views on the sale of Safeway by some of the companies who have expressed an interest in bidding and by the National Consumer Council.

Officials have met separately with ASDA, Morrison, Safeway, Sainsbury and Tesco, at the companies' request, to listen to points that they wished to make about the sale of Safeway. Ministers have not been involved in these discussions.

Soft Drink Consumption

Keith Vaz: To ask the Secretary of State for Environment, Food and Rural Affairs how many litres of soft drinks were, on average, consumed by each British consumer in the last year for which figures are available. [102255]

Mr. Morley: It is estimated that 75 litres of soft drinks were consumed per person in the UK in the 12 month period starting in April 2001. Soft drinks are defined to exclude mineral water and fruit juices. The equivalent consumption of mineral water was 13 litres and of fruit juices was 18 litres. These estimates are based upon records of consumer purchases from the Expenditure and Food Survey.

State Veterinary Service

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many veterinary surgeons were employed by the State Veterinary Service on *(a)* 20 February 2001, *(b)* 20 February 2002 and *(c)* 20 February 2003. [103013]

Mr. Morley: The number of Veterinary Surgeons employed by the State Veterinary Service is as follows:

As at 20 February 2001—263
As at 20 February 2002—299
As at February 2003—335

The figures are calculated on a head count basis and include permanent, casual and fixed term appointments. The figures do not include HQ Veterinary Surgeons responsible for policy development in the Animal Health & Welfare Directorate General.

Sustainability Fund

Mr. McLoughlin: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to use the Sustainability Fund to compensate operators for revoking the most damaging old mineral permissions in national parks and areas of outstanding natural beauty. [102693]

Mr. Meacher: Following two full consultation exercises, the core objectives of the Aggregates Levy Sustainability Fund (ALSF) were set to support work in three main categories: minimising demand for primary aggregates; promoting environmentally friendly aggregates extraction and transportation; and reducing the local effects of aggregates extraction. Using the fund as a mechanism for compensating operators for revoking permissions was not raised in either consultation and does not, therefore, feature in the scheme.

English Nature has been designated as the distributing body for projects aimed at addressing the effects of old mineral planning permissions, increasing biodiversity and conserving geological features and the Countryside Agency distributes funds for projects that conserve and enhance the countryside. For both cases, the ALSF operates as a project based scheme and does not provide a mechanism for compensating operators for revoked permissions.

Veterinary Surgeons (Assaults)

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs how many assaults on veterinary surgeons by farmers have occurred on farms in each year since 1997. [101146]

Mr. Morley: There have been two reported physical assaults on State Veterinary Service Veterinarians, since 1997. These are listed as follows:

17 May 199—Veterinary Officer threatened and prodded in ribs by farmer

25 February 2003—Veterinary Officer pushed into slurry pit

We take any such assaults on staff seriously and we expect appropriate action to be taken against anyone responsible for such acts.

Welsh Farming

Mr. Evans: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement about the effect of the proposed reform of the common agricultural policy on Welsh farming. [100735]

Mr. Morley: We have undertaken various economic and impact assessments of the Commission's reform proposals, which conclude that overall the reforms would have a positive effect on farmers and farm incomes in the UK. Results of the main analysis will be published later this month. The likely effects of the proposed reforms in Wales are a matter for the Welsh Assembly Government.

EDUCATION AND SKILLS

Education (Northampton)

Mr. Tony Clarke: To ask the Secretary of State for Education and Skills how many children per 1,000 are issued with a statement of special needs in *(a)* Northamptonshire and *(b)* Northampton. [100806]

Mr. Miliband: The latest information available is shown in the table.

All schools: Pupils with statements of special educational needs January 2002

	Number on roll	*Number of pupils with a statement of special educational needs*	*Number of pupils in every 1,000 with a statement of special educational needs*[1]
Northampton, North	17,557	827	47
Northampton, South	18,387	418	23

All schools: Pupils with statements of special educational needs January 2002

	Number on roll	*Number of pupils with a statement of special educational needs*	*Number of pupils in every 1,000 with a statement of special educational needs*[1]
Northamptonshire LEA	113,366	3,299	29
England	8,369,081	248,982	30

[1] The number of pupils with statements expressed as a proportion of the number of pupils on roll.

Milk Vouchers

Mr. Burnett: To ask the Secretary of State for Education and Skills what plans he has for the disbandment of the milk voucher system for school children. [102400]

Ms Blears: I have been asked to reply.

There are no plans to end the supply of free milk to children in nursery or day care under the welfare food scheme. The consultation document, "Healthy Start", included a proposal to broaden the nutritional scope of the scheme by offering children in nursery or day care a choice of milk or fruit.

The nursery element of the scheme does not involve the use of vouchers.

Sikhs

Mr. Purchase: To ask the Secretary of State for Education and Skills what support and materials he is making available in schools to increase awareness of Sikhs and their religion. [103034]

Mr. Charles Clarke: The current policy regarding religious education is set out in the Department for Education and Skills circular 1/94. All RE syllabuses in schools should seek to develop pupils' knowledge, understanding and awareness, not only of Christianity, but also the other principal religions represented in the country, including Sikhism.

NORTHERN IRELAND

Age Discrimination

Mr. Dodds: To ask the Secretary of State for Northern Ireland what plans there are to make unfair discrimination on grounds of age unlawful in Northern Ireland and to ensure equality of access and opportunity for older people. [96852]

Mr. Browne: We plan to issue our proposals for legislation to tackle age discrimination for consultation in the summer. We intend that legislation will be made before the deadline of 2006 imposed by the European Directive.

The consultation in 2001 on the general content and scope of a single Equality Bill asked some general questions about age discrimination. There are many complex issues to be addressed and we want to ensure that we take account of expert advice and comments in taking forward this work.

In addition to new legislation, Departments have a duty under section 75 (i) of the Northern Ireland Act 1998 to have due regard to the need to promote equality of opportunity between persons of different age.

We have also established a Working Group under the Promoting Social Inclusion initiative to look at factors which cause older people to be at risk of social exclusion. The Working Group will present Ministers with a draft policy and strategy document for public consultation, setting out clearly defined recommendations as to what preventative and other measures are required.

Education System

Mr. Dodds: To ask the Secretary of State for Northern Ireland what system for transfer of pupils between primary schools and secondary schools will operate after the planned abolition of the 11 plus examination. [103248]

Jane Kennedy: No decisions have been taken about new transfer arrangements. I am considering carefully the views expressed in meetings with political parties, the education sector and parents, along with the responses to all the strands of the consultation, before determining the next stages of the review of post-primary education. My aim is to maintain the current high levels of achievement and build a modern and fair education system that enables all children in Northern Ireland to fulfil their potential.

Football

Mr. McGrady: To ask the Secretary of State for Northern Ireland when the decision was made to provide funding for soccer in Northern Ireland; and who made that decision. [103187]

Angela Smith: Funding has been provided to soccer for many years. However on 7 February 2003, following advice from the Soccer Strategy Advisory Panel, I announced that the IFA's proposed Development Plan offered a sufficient basis for moving forward on the development of Soccer in Northern Ireland. I also made it clear that, before funding relating to the plan can be provided, I would require assurances that:

the IFA's proposals are ratified at its Annual General Meeting;

the governing body's new executive and accountability arrangements are in place; and

accountability requirements for Government funding, including implementation, monitoring and evaluation, are satisfied.

Hares

Mr. Pickthall: To ask the Secretary of State for Northern Ireland how many hare courses took place at the Dungannon Coursing Club meet on 2 November 2002. [102906]

Angela Smith: The number of courses that take place in any organised coursing event on the island of Ireland is subject to the policy and rules of the Irish Coursing Club. The policy for coursing in Northern Ireland is set by the Department for Social Development in conjunction with the ICC.Environment and Heritage Service of the DOE issue permits to allow the netting of hares for use in coursing events. Under the conditions of these permits, EHS officials monitor the catching of hares before the event and the return of the hares to the wild after the event. The officials have no role in coursing events, consequently I am unable to answer the hon. Member's question.

Mr. Pickthall: To ask the Secretary of State for Northern Ireland what assessment he has made of the recent research of the Northern Irish Hare Survey; and what actions he proposes to implement its recommendations on the hare's status as a quarry species. [102905]

Angela Smith: Professor Montgomery's report, entitled "The Northern Ireland Irish Hare Survey 2002", was received by my Department on 14 February 2003.

The report provides a current population estimate and compares these results with data collected in a 1997 survey. It also assesses the merits of two survey techniques and makes recommendations for future Irish hare monitoring. Professor Montgomery's team concludes that a method of survey known as 'Night Driven Transect Survey' allows a reliable estimate of hare abundance to be calculated.

The 2002 Night Driven Transect Survey produced an average density estimate of one hare per square kilometre in Northern Ireland, an estimate similar to that reported in 1997. The present report concludes that hares are widespread and are found most frequently in upland areas. Hares were more frequently recorded in County Antrim during the survey and were less frequent in County Tyrone. The survey technique is not a census and so the sample survey gives an estimate of 14,000 hares for Northern Ireland, with lower 95 per cent. confidence limit of 7,000 and an upper confidence limit of 25,200.

Professor Montgomery concludes, "That the population of Irish hares appears to be stable, albeit at a low density."

The contract also required the Queen's University Team to make recommendations for practical measures which could improve the status of the Irish Hare in the medium to long term. One of the recommendations was as follows: "Removal of the Irish Hare from the quarry list and protection given under the Wildlife Order."

In the Irish Hare Species Action Plan, published by DOE in October 2000, a number of actions are listed for consideration. Section 5 deals with Policy and Legislation and Action 5.1.3 recommends that DOE "Review, and if necessary, increase the level of protection given to the Irish Hare in the Wildlife (Northern Ireland) Order 1985". My Department has appointed consultants to consider the implications of local Biodiversity Action Plan recommendations on the legal status of species, including the Irish hare, and recommend changes where appropriate. I will ensure that the consultants give very careful consideration to Professor Montgomery's recommendation to remove the Irish Hare from the quarry list. The report resulting from this contract is due in June 2003.

My Department will consider carefully any changes which are proposed to the Wildlife (NI) Order 1985 Schedules or to the Game Preservation Act (NI) 1928 (as amended by the Game LawAmendment Act 1951 and The Game Preservation (Amendment) Act (Northern Ireland) 2002) and will bring forward any amendments considered necessary in the usual way.

Mr. Banks: To ask the Secretary of State for Northern Ireland if he has received a copy of Professor Montgomery's report commissioned by his Department on the hare population in Northern Ireland; and if he will make a statement. [101575]

Angela Smith: Professor Montgomery's report, entitled "The Northern Ireland Irish Hare Survey 2002", was received by my Department on 14 February 2003. I welcome the opportunity to make a statement to The House on the results of the survey.

The Irish hare, Lepus timidus hibernicus, is an endemic sub-species, confined to Ireland, of the mountain hare, which has a widespread distribution across northern Europe.

The best evidence available suggests a major decline in Irish hare numbers in Northern Ireland during the latter half of the 20th century. This decline has been largely attributed to a loss of suitable habitat brought about mainly by agricultural intensification and changing patterns of grassland management.

A comprehensive estimate of the population density of Irish hares throughout Northern Ireland was published in 1997. That survey reported that the Irish hare had a widespread distribution and occurred at low densities.

The Environment and Heritage Service responded to the findings of the report by publishing a Species Action Plan in 2000 that listed a number of specific measures geared "to maintain the existing range and to demonstrate a population increase by 2005; and to double the present population by 2010 over as much of the range as possible."

To assess achievement of the Species Action Plan targets, and to have current information on the distribution and abundance of Irish hares, requires a system of regular and effective monitoring of population density and distribution.

Professor Montgomery's report provides a current population estimate and compares these results with data collected in the 1997 survey. It also assesses the merits of two survey techniques and makes recommendations for future Irish hare monitoring. Professor Montgomery's team concludes that a method of survey known as 'Night Driven Transect Survey', allows a reliable estimate of hare abundance to be calculated.

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The report advances a number of recommendations aimed at improving the status of the Irish Hare, these include :

The provision of hare refuge sites.

Hare friendly agricultural practices in agri-environment schemes.

Removal of the Irish hare from the quarry list and protection given under the Wildlife (NI) Order 1985

Increase in awareness of the plight of the Irish Hare by liaison with farming groups, the rural community and DARD.

My Department will give these recommendations active consideration and will act on them in an appropriate manner.

Professor Mongomery concludes, "That the population of Irish hares appears to be stable, albeit at a low density".

This assessment of the current status of the Irish hare in Northern Ireland is welcome, although the success of the Species Action Plan will be judged ultimately on a sustainable increase in the population of this special creature.

Skills Task Force

Mr. Donaldson: To ask the Secretary of State for Northern Ireland when the Skills Task Force will complete its investigation into labour supply and demand in the construction industry in Northern Ireland. [100434]

Jane Kennedy: The Northern Ireland Skills Taskforce (NISTF) contracts its skills forecasting exercises to the Priority Skills Unit of the Northern Ireland Economic Research Centre (NIERC). Work on the labour supply and demand situations in the construction industry started in February 2003 and is due to be published in November 2003.

HEALTH

Healthcare-acquired Infections

18. **Mr. Burstow:** To ask the Secretary of State for Health if he will make a statement on the progress his Department has made in reducing the number of healthcare-acquired infections. [103210]

Mr. Hutton: We have introduced a mandatory surveillance system for healthcare associated infection and since April 2001 all acute national health service trusts have reported methicillin resistant staphylococcus aureus blood stream infections. The first year's data show that rates tend to be higher in special trusts and in the south and east of the country. An MRSA improvement score will be a performance indicator from July. Surveillance will be extended to other micro-organisms and incidents such as outbreaks of gastro-enteritis later this year.

Kent and Canterbury Hospital

19. **Mr. Brazier:** To ask the Secretary of State for Health if he will make a statement on the future of the Kent and Canterbury Hospital. [103211]

Ms Blears: A decision on the reconfiguration of acute services in east Kent could not be made while the judicial review of the consultation process was under consideration. This has now been completed and Ministers are considering the recommendation made by Kent and Medway Strategic Health Authority.

Capitation Funding (Bedfordshire)

20. **Andrew Selous:** To ask the Secretary of State for Health what recent representations he has received about capitation funding in Bedfordshire. [103212]

Mr. Lammy: I understand that the Chairman of Bedfordshire and Hertfordshire Strategic Health Authority has written on 10 February to my right hon. Friend the Secretary of State regarding national health service investment in Bedfordshire and Hertfordshire in 2003–06.

Community Pharmacies

21. **Mr. Truswell:** To ask the Secretary of State for Health what recent representations he has received regarding the Office of Fair Trading report on community pharmacies. [103213]

Mr. Lammy: I refer my hon. Friend to the reply I gave my hon. Friend the Member for Leigh (Andy Burnham) earlier today.

Multiple Sclerosis

22. **Andrew George:** To ask the Secretary of State for Health if he will make a statement on the treatment of patients with multiple sclerosis. [103214]

Jacqui Smith: We are committed to improving care and treatment for people with multiple sclerosis. Around 4,600 patients are receiving treatment with a disease modifying drug. A National Institute for Clinical Excellence guideline will be published shortly. This and the forthcoming National Service Framework for Long Term Conditions will help to improve services for people with MS.

First Aid

23. **Mr. Jim Cunningham:** To ask the Secretary of State for Health what discussions he has had with the Department for Education and Skills on teaching basic first aid to children in schools. [103215]

Ms Blears: Department for Education and Skills and Department of Health officials have always worked closely together on this issue—most recently in the development of the Safety Education Guidance for schools.

First aid training is included in the revised National Curriculum, introduced into schools in September 2000. This includes a non-statutory framework for Personal, Social and Health Education in both primary and secondary schools.

Hospital Reconfigurations

25. **Mr. Khabra:** To ask the Secretary of State for Health if he will make a statement on hospital reconfigurations. [103217]

Mr. Hutton: New guidance, "Keeping the NHS Local: A New Direction of Travel" was published on 14 February. It challenges the view that 'biggest is best', and puts patients and the public at the centre of the process. The core principles must be applied by the NHS with immediate effect.

Acute Trusts

Tom Brake: To ask the Secretary of State for Health in how many cases primary care trusts are withholding money from acute trusts; and what the *(a)* individual and *(b)* total value is of the amounts being disputed. [103216]

Mr. Hutton: In line with this Government's policy of shifting the balance of power, discussions about such issues take place between the national health service trust and the relevant commissioner and, if required, the managing Strategic Health Authority.

Autism and Asperger Syndrome

Mr. Gareth Thomas: To ask the Secretary of State for Health what funding he has allocated into the *(a)* causes, *(b)* care and *(c)* treatment of (i) autism and (ii) Asperger Syndrome in each of the last five years; and if he will make a statement. [102930]

Jacqui Smith: The Medical Research Council (MRC), which receives most of its income via grant in aid from the office of my right hon. Friend the Secretary of State for Trade and Industry, is the main government agency that funds research into medical conditions. The MRC always welcomes high quality applications for support for research into any aspect of human health and these are judged in open competition with other demands on funding. The MRC funds a large amount of work on the causes and treatment of autism, and to increase the knowledge base of issues surrounding autism. The amounts the MRC has spent on autism research in recent years are shown in Table 1.

Table 1: MRC spend on autism research

Year	*Amount (£)*
1997–98	905,000
1998–99	1,041,000
1999–2000	1,114,000
2000–01	1,182,000
	(any figures for 2001–02)
2001–02	1,257,000

I announced on 14 February 2002 that the Government have allocated an extra £2.5 million to the MRC to help them to take forward recommendations on further research contained in their report of their review of the epidemiology and causes of autism. The additional funds provide the opportunity for the MRC to accelerate research on autism, building on existing strengths and addressing gaps, which were identified in the report. It will complement and add to the MRCs current support for research in this field.

Under the section 64 General Scheme of Grants to Voluntary Organisations, the Department of Health issues funds to further its objectives in the health and social care fields in England. National Autistic Society projects, which have received funding in the last five years, are shown in Table 2.

Table 2: Section 64 Grants to the National Autistic Society

Year	*Project*	*Amount (£)*
1998–99	Regional Advice Service	40,000
1999–2000	Regional Advice Service	45,000
1999–2000	Asperger's Syndrome	40,000
2000–01	Asperger's Syndrome	40,000
2001–02	Asperger's Syndrome	40,000
2001–02	Parental Training	46,000
2002–03	Parental Training	48,000
2002–03	Independence and Autism	49,000

Mr. Gareth Thomas: To ask the Secretary of State for Health what funding he has allocated to social service departments to support those with autism and Asperger Syndrome and their carers in each of the last five years. [102931]

Jacqui Smith: Our increased investment in personal social services in England in recent years will benefit people with autism as well as everyone else who needs them. Details are set out in the table. Amounts for specific conditions are not separately identified within allocations to social services departments. Health bodies and local authorities should ensure that the particular health and social care needs of each person with autism and Asperger's Syndrome are met with genuine choices for both clients and families, through the most appropriate community based services, in a cost-effective way.

In 1999–2000, we introduced the new children's services grant, whose purpose is to help local authorities implement the Quality Protects programme and in particular to improve the life chances of looked after children and children in need. Disabled children, including those with autism, have been made a priority area in the programme.

Since the carers grant was introduced in 1999, it has provided an extra £225 million over four years to increase the number of breaks for carers. In recognition of the importance placed on supporting carers, my right hon. Friend the Secretary of State for Health, announced in July 2002 that the grant has been extended for a further three years to 2005–06. During this time it will provide extended care and 130,000 further breaks to carers.

Details of the past and proposed future amounts of both grants are shown in the table.

		Children's services grant		
Financial year	*Total social services expenditure (£ billion)*	*Overall expenditure (£ million)*	*Disabled children's element (£ million)*	*Carer's grant (£ million)*
1997–98	10.0	—	—	—
1998–99	10.8	—	—	—
1999–2000	12.0	75	—	20
2000–01	12.8	120	—	50
2001–02	13.6	180	15	70
2002–03		220	15	85
2003–04		290	30	100
2004–05				125
2005–06				185

Barnet Chase Farm Trust

Mr. Dismore: To ask the Secretary of State for Health what plans he has to establish diagnostic and treatment centres at *(a)* Royal National Orthopaedic Hospital and *(b)* Barnet and Chase Farm Trust; when he expects such centres to become operational; and if he will make a statement. [98937]

Mr. Hutton: The need for additional capacity was identified in north central London and this was included in the December procurement exercise for independent sector Diagnosis Treatment Centres (DTCs).

A DTC at the Royal National Orthopaedic Hospital was also included in the December procurement exercise for independent sector DTCs.

The two DTCs are intended to be operational as soon after contract close as the independent sector can mobilise and in any event by March 2005.

Biological Weapons

Mr. Hancock: To ask the Secretary of State for Health if he will make a statement on planning for the event of deliberate release of biological weapons. [103203]

Mr. Hutton: The national health service has made contingency plans for the deliberate use of chemical, biological, radiological and nuclear weapons. These plans are kept under careful and continuous review. Overall responsibility for CBRN planning rests with my right hon. Friend the Home Secretary.

Child Care Allowances (Trainee Nurses)

Mr. Edwards: To ask the Secretary of State for Health if he will make it his policy to pay a child care allowance for trainee nurses entitled to an NHS bursary. [103138]

Mr. Hutton: The Government have already made a commitment to introduce help with the costs of child care for all national health service-funded students, including trainee nurses, with children aged up to five years, by 2004.

Children's Diets

Dr. Gibson: To ask the Secretary of State for Health what proportion of overall funding to improve the nation's eating habits is allocated to improving children's diets. [101386]

Ms Blears: During the year 2002–03, 93.5 per cent, of the cost of Department of Health and Food Standards Agency (FSA) led initiatives to improve the nation's eating habits was allocated specifically to improving children's diets.

Funding for Department-led programmes aimed at improving children's diets totals £140.98 million, including the National School Fruit Scheme, with funding from the New Opportunities Fund, Food in Schools, in conjunction with the Department for Education and Skills, Welfare Foods and support for breastfeeding. The FSA has provided funding of £0.58 million as part of its nutrition action plan to support initiatives aimed at improving the diet and nutrition of children.

Funding not specific to children totals £9.83 million, including five-a-day community initiatives, with funding from the New Opportunities Fund, other FSA activities and grants to charities.

In addition to the above, local nutrition initiatives are funded through health action zones, sure start, healthy living centres and through general funding allocations to health authorities and primary care trusts, on which information is not collected centrally.

Children's Hospices

Tim Loughton: To ask the Secretary of State for Health which children's hospices have been visited by *(a)* him and *(b)* Ministers in his Department since May 2001. [95996]

Ms Blears: My right hon. Friend the Secretary of State has not had the opportunity to visit any hospice whose sole remit is the care of terminally ill children. Should an opportunity arise to undertake such a visit he would give it his full consideration.

Richard House Children's Hospice in East London was visited in March 2002 by the then Parliamentary Under-Secretary of State for Public Health, the hon. Member for Pontefract and Castleford (Yvette Cooper).

Clinical Consultants (Salisbury)

Mr. Key: To ask the Secretary of State for Health what percentage of the clinical consultant caseload in Salisbury is *(a)* ward-based and *(b)* home-based; and if he will make a statement. [103079]

Ms Blears: This information is not held centrally. Hospital Episode Statistics (HES) only holds data for admitted patient care in England's National Health Service hospitals and therefore data is not available for home care. Collection of data at ward level is not mandatory and therefore is not available.

Emergency Admissions

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the effectiveness of the National Priorities Guidance target to reduce the per capita rate of growth in emergency admissions of people aged 75 or over to an annual average of 3 per cent. up to 2002–03. [102523]

Jacqui Smith: Comparing emergency admissions data for the first three quarters of 2002–03 with the first three quarters of 2001–02 suggests a growth in emergency admissions of 1.1 per cent.

Food Imports

Mr. Gummer: To ask the Secretary of State for Health if he plans to charge the importers of non-animal foodstuffs from outside the EU for the testing of their imports into the United Kingdom under the proposals in the EU document of 10 February (EC Draft 6090/03). [102848]

Ms Blears: The Food Standards Agency (FSA) has lead responsibility for this proposal on official feed and food controls. I am advised by the FSA that the proposal is for a Regulation of the European Parliament and of the Council and as such, once adopted, its provisions will be directly applicable in all the Member States. This includes the provisions on imports from outside the European Union of foodstuffs of non-animal origin. The FSA's understanding of these provisions is that Member States will be required to collect fees for the costs incurred by the competent authorities from the importer or his customs agent. Clarification will be needed during the negotiations, which have not yet started. The FSA commenced a full public consultation on 12 March so that the views of all stakeholders may be taken into account in assessing the implications of the provisions and in developing the United Kingdom policy position on this and other issues arising from the proposal.

Food Standards Agency

Norman Lamb: To ask the Secretary of State for Health when Sir John Krebs will respond to the letter from the hon. Member for North Norfolk (Norman Lamb) dated 9 January 2003 concerning the Food Standards Agency's Annual Report. [102614]

Ms Blears: A reply was sent to the hon. Member on 13 March 2003.

Mr. Gummer: To ask the Secretary of State for Health what his definition is of the term 'subsidiary' as used in the EU document of 10 February (EC Draft 6090/03). [102844]

Ms Blears: The Food Standards Agency (FSA) has lead responsibility for this proposal on official feed and food controls. I am advised by the FSA that it will seek to ensure that the proposal takes account of the principles of subsidiarity as set out in Article 5 of the Treaty establishing the European Community. In practice this means ensuring that Community action will not go beyond what is necessary to achieve the objectives of the Treaty and that decisions are taken at the lowest level consistent with effective action.

Food Supplements

Mr. Austin Mitchell: To ask the Secretary of State for Health what research has been commissioned by his Department into the costs and implications for product characteristics of the reformulation of food supplements in those cases where nutrient sources in use in the United Kingdom are not included in the lists of permitted nutrients set out in the annexes to the food supplements directive. [103003]

Ms Blears: The Government have not commissioned any research into the costs and implications for product characteristics of reformulation of food supplements in those cases where nutrient sources currently used are not on the list of permitted sources. Information gathered by the Food Standards Agency in preparing the Regulatory Impact Assessment for the draft Food Supplements (England) Regulations 2003 provides estimates of the costs of reformulation up to £3,000 per product.

Mr. Austin Mitchell: To ask the Secretary of State for Health what assessment his Department has made of the potential costs involved in the production of dossiers for submission to the European Food Safety Authority in connection with nutrients for which manufacturers are seeking inclusion in the lists of permitted ingredients set out in annexes to the Food Supplements Directive. [103004]

Ms Blears: The Government have not made its own assessment of the potential costs involved in the production of dossiers for submission to the European Food Safety Authority. Industry cost estimates, provided to the Food Standards Agency during consultation, suggest that they might be £80,000 to £250,000 per dossier where significant safety data are not already available.

Mr. Austin Mitchell: To ask the Secretary of State for Health what recent representations he has received from *(a)* individual companies, *(b)* trade organisations and *(c)* consumer bodies about nutrients which are permitted for use in food supplements in the United Kingdom, but which are omitted from the lists of permitted nutrients set out in annexes 1 and 2 of the Food Supplements Directive. [103005]

Ms Blears: A number of individual companies, trade organisations and lobby groups have recently suggested that the Government should seek an amendment to the Food Supplements Directive to allow the continued sale in the United Kingdom of safe and appropriately labelled food supplements even if they lie outside the technical restrictions of the Directive.

During negotiations, the Government fought hard to secure the provisions in Article 4 of the Directive, which enable member states to allow the continued sale of products that do not comply with the compositional requirements up to 31 December 2009, provided certain criteria are met. The Government are taking advantage of these provisions and have no plans to seek a further amendment to the Directive. Negotiations were finished some time ago and it is not likely either that the Commission would be willing to reopen them now or that there would be support from a majority of other member states for such an amendment.

Mr. Austin Mitchell: To ask the Secretary of State for Health (1) what steps his Department and the Food Standards Agency intend to take to address technical difficulties and financial costs associated with the production of dossiers for consideration by the European Food Safety Authority in relation to nutrients which are not included in the list of permitted ingredients for use in food supplements set out in Schedules 2 and 3 of the proposed Food Supplements (England) Regulations 2003; [103007]

(2) whether his Department and the Food Standards Agency have made representations to *(a)* the European Commission and *(b)* the EU Scientific Committee for Foods in relation to the technical difficulties and financial costs associated with the production of dossiers for consideration by the European Food Safety Authority of nutrients which are not included in the list of permitted ingredients for use in food supplements set out in Annexes 1 and 2 of the Food Supplements Directive. [103006]

Ms Blears: The Government are not able to address the financial issues associated with the production of safety dossiers for consideration by the European Food Safety Authority. The Food Standards Agency has written to the European Commission with the aim of facilitating a meeting between United Kingdom stakeholders and representatives of the European Union Scientific Committee on Food to discuss the technical content of such dossiers.

Mr. Austin Mitchell: To ask the Secretary of State for Health what estimate he has made of the number and value of food supplement products on the UK market which contain nutrients omitted from Annexe1 of the Food Supplements Directive and for which no nutrient sources are listed in Annexe 2 of the Directive. [103008]

Ms Blears: The Government have not made an assessment of the number of products on the United Kingdom market which contain nutrients and nutrient sources omitted from Annexes 1 and 2 of the Food Supplements Directive. In the UK, the retail market for vitamins, minerals and other supplements was valued at £335 million in 2000. Industry estimates suggest that up to 5 per cent. of the market may be affected, indicating a value in the region of £16.75 million.

Mr. Austin Mitchell: To ask the Secretary of State for Health what nutrients are on the market in the United Kingdom as ingredients in food supplements but are not listed in Schedules 2 and 3 of the proposed Food Supplements (England) Regulations 2003 recently published by the Food Standards Agency; how long each of them have been on sale in the UK; and whether representations are under preparation by manufacturers for submission to the European Food Safety Authority for consideration as possible additions to those annexes. [103009]

Ms Blears: According to information provided by industry, the nutrients boron, cobalt, nickel, silicon, tin and vanadium are used as ingredients of food supplements currently on the market in the United Kingdom and are not listed in Schedules 2 and 3 of the draft Food Supplements (England) Regulations 2003 issued for consultation in October 2002. The most recent information received by the Food Standards Agency (FSA) from industry indicates that manufacturers are not preparing safety dossiers for any of these nutrients. The FSA does not hold information on how long each of these nutrients has been on the UK market as ingredients of food supplements.

Foundation Trusts

Dr. Evan Harris: To ask the Secretary of State for Health if he will list the acute NHS trusts which have expressed interest in applying for foundation trust status. [102207]

Mr. Hutton: I refer the hon. Member to the reply I gave to my right hon. Friend, the Member for Holborn and St. Pancras (Frank Dobson) on 6 March 2003, *Official Report*, columns 1207–1208W.

Hillcroft Site, Lymington

Mr. Swayne: To ask the Secretary of State for Health how much the NHS secured from the disposal of the Hillcroft site in Lymington; and if he will make a statement. [103482]

Ms Blears: An agreement between the New Forest primary care trust and the commercial buyer of the Hillcroft site means that it is not possible to publicly divulge the sum. However, the District Auditor, the District Valuer and NHS Estates are satisfied that the sum received by the PCT for the sale of the Hillcroft site is good value for money.

Irradiation (Foodstuffs)

Norman Baker: To ask the Secretary of State for Health if he will list the foodstuffs for which an irradiation process has been permitted. [102669]

Ms Blears: The Food (Control of Irradiation) Regulations 1990, as amended, permits the irradiation of seven categories of food in the United Kingdom:

Fruit
Vegetables
Cereals
Bulbs and tubers
Spices and condiments
Fish and shellfish
Poultry

Food that falls within one of the above categories may only be irradiated in a facility that has been granted an Irradiation Licence. Only one UK licence has been granted, which permits the irradiation of a range of dried herbs and spices.

Norman Baker: To ask the Secretary of State for Health what tests are available to establish whether foodstuffs have been subject to irradiation; how many such checks were carried out in the last year for which figures are available; and what percentage of those checks identified that illegal irradiation had occurred. [102670]

Ms Blears: There are nine tests that have been standardised by European Committee for Standardisation (CEN) of these thermoluminescence and photostimulated luminescence techniques are the most useful. More specific tests include analysis for alkyl cyclobutanones and electron spin resonance analysis.

The nine standardised detection tests for irradiated foods are:

EN 1784:1996: Detection of irradiated food containing fat—Gas chromatographic analysis of hydrocarbons.

EN 1785:1996: Detection of irradiated food containing fat—Gas chromatographic/mass spectrometric analysis of 2-alkylcyclobutanones

EN 1786:1996: Detection of irradiated food containing bone—Method by ESR spectroscopy

EN 1787:2000: Detection of irradiated food containing cellulose by ESR spectroscopy

EN 1788:2001: Detection of irradiated food from which silicate minerals can be isolated—Method by thermoluminescence

EN 13708:2001: Detection of irradiated food containing crystalline sugar by ESR spectroscopy

EN 13783:2001: Detection of irradiated food using Direct Epifluorescent Filter Technique/Aerobic Plate Count (DEFT/APC)—Screening method

EN 13784:2001: DNA comet assay for the detection of irradiated foodstuffs—Screening method

EN 13751:2002: Detection of irradiated food using photostimulated luminescence.

In June 2002, the Food Standards Agency published the results of a survey for irradiated foods. A total of 543 food samples were analysed. Of these, 58 were found to be illegal irradiated products and six were irradiated but not labelled as such.

Long-term Care

Mr. Burstow: To ask the Secretary of State for Health (1) with reference to the NHS Ombudsman's report 'NHS funding for long term care', if he will ensure that new guidance on HSC 2001/15 contains model eligibility criteria, with appropriate use of case studies and examples so that they may be understood by patients as well as professionals, which are consistent with *(a)* R v North and East Devon Health Authority ex parte of Coughlan of 1999 and the ruling that where a person's primary need is owing to health needs or disabilities, their care is a continuing NHS responsibility, and *(b)* the consequence of the Appeal Court's decision on the circumstances in which it is unlawful to transfer responsibility for a patient's general nursing care to the local authority; [103148]

(2) if he will make a statement on the comments of the NHS Ombudsman relating to the clarity of HSC 2001/15 in the report 'NHS funding for long term care' with particular reference to the Ombudsman's observation that HSC 2001/015 is weaker than guidance previously declared to be unlawful by the Court of Appeal in R v North and East Devon Health Authority ex parte Coughlan of 1999; [103149]

(3) what steps he is taking to address the comments in the Health Service Ombudsman's report 'NHS funding for long term care' on the clarity of HSC 2001/015. [103152]

Jacqui Smith: The Government will consider the recommendation to review national guidance on continuing care carefully. Once this process is complete, we will consider if any further action is necessary.

From 1 April 2003 and the commencement of Section 49 of the Health and Social Care Act 2001, local authorities will no longer be able to provide nursing care directly.

The Court of Appeal in Coughlan said previous guidance issued by the Department of Health was lawful. The Department of Health is satisfied that the guidance issued in 1999 and 2001was compatible with the Court of Appeal judgement in R v North and East Devon Health Authority ex parte Coughlan of 1999.

Mental Health (Salisbury)

Mr. Key: To ask the Secretary of State for Health what plans the Avon and Wiltshire Mental Health Service Trust have to sell Century House in Salisbury; and if he will make a statement. [103078]

Ms Blears: Century House, which is currently the base for most community mental health services in South Wiltshire, is likely to be sold in 2003–04 for the following reasons:

The building cannot be made compliant with the Disability Discrimination Act

It has health and safety problems

It is not particularly user friendly for many mental health service users

I am advised, however, that sale of the building will not affect the level of service provision but, on the contrary, will increase accessibility for disabled service users.

The Avon and Wiltshire Mental Health Partnership National Health Service Trust has already considered alternative options for service delivery. The majority of services will continue to be delivered in service users' homes and community settings, and existing service teams will move in to the new and refurbished buildings at the Old Manor Hospital, where individual consultations and group sessions will take place.

NHS (International Recruitment)

Mr. Baron: To ask the Secretary of State for Health what plans his Department has to introduce legislation to prevent NHS organisations from entering into a contract with a recruitment agency that has not signed up to his Department's code of practice on the international recruitment of health care professionals. [103073]

Mr. Hutton *[holding answer 17 March 2003]*: There are no immediate plans to introduce legislation to prevent national health service organisations from entering into contracts with agencies who are not adhering to the code of practice. The Department has not been made aware of any trusts that have contravened the code. Monitoring procedures are in place and regular communications issued reminding trusts to only recruit from agencies adhering to the code of practice.

Nursing Student Bursaries

Dr. Evan Harris: To ask the Secretary of State for Health pursuant to his answer of 27 November 2002, *Official Report*, column 354W, on nursing student bursaries, whether the 4,600 curricular hours include work placements; and what minimum number of work placement hours a nursing student is required to complete in order to obtain a diploma. [102892]

Mr. Hutton: A nursing student is required to complete 4,600 curricular hours to qualify for a diploma award and achieve professional registration. Of these 4,600 curricular hours, a minimum of 50 per cent. will be designated for learning within practice. These may include simulation of practice learning.

Patient Numbers (North Yorkshire)

Mr. Grogan: To ask the Secretary of State for Health how many patients were registered with national health services in each of the last five years in the area covered by North Yorkshire area health authority. [103136]

Jacqui Smith: The information requested is shown in the table.

Patients of Unrestricted Principals and Equivalents (UPEs)[1] *for North and East Yorkshire and Northern Lincolnshire Strategic Health Authority as at 1 October 1997–99 and 30 September 2000–01*

Number (headcount)

	England—Patients of UPEs	*North and East Yorkshire and Northern Lincolnshire StHA*
1997	50,904,322	1,655,197
1998	51,110,352	1,631,540
1999	50,894,064	1,653,512
2000	51,332,917	1,648,770
2001	51,249,672	1,639,945

[1] UPEs include CMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs.

Note:

Data has been converted to match Strategic Health Authority structures for 2002.

Source:

Department of Health General and Personal Medical Services Statistics.

Primary Care Trusts (Prisons)

Chris Grayling: To ask the Secretary of State for Health what representations he has received from primary care trusts about the impact on their budgets of providing healthcare services in prisons. [103383]

Jacqui Smith: I have received no recent representations from primary care trusts (PCTs) on this issue. Funding responsibility for health services in prisons will not be fully devolved to PCTs until April 2006.

Chris Grayling: To ask the Secretary of State for Health what allowance he has made in budget allocations to primary care trusts for the number of prisons in the area they cover. [103384]

Jacqui Smith: Allocations to primary care trusts (PCTs) for 2003–04 include an element to fund National Health Service secondary care services for prisoners, and take into account the population of each prison in a PCT area. Allocations also include funding for the continuation of existing prison mental health in-reach services.

Prisons

Dr. Evan Harris: To ask the Secretary of State for Health how many prison health care centres are categorised as *(a)* red, *(b)* amber and *(c)* green under the traffic lights performance monitoring system; and what the criteria are on which prison healthcare centres are rated under the traffic lights system. [103071]

Jacqui Smith: The current criteria for rating prison health care centres are as follows.

Red—The totality of the problems faced by the health care centre are such that decisive short-term or long-term action is needed to ensure a minimally acceptable and safe service.

Amber—the problems faced need to be resolved quickly and could or would get worse if left unattended, but are not as urgent as those in the Red category.

Green—the problems faced are manageable and on the whole the service provided is acceptable in the short to medium term.

The latest traffic lights ratings show that, on 31 December 2002, there were no red, 28 amber and 110 green prison health care centres.

Chris Grayling: To ask the Secretary of State for Health what recent estimate he has made of cost implications for future NHS budgets of trends in the prison population. [103388]

Jacqui Smith: Overall financial responsibility for prison health services will transfer from the Home Office to the Department of Health from 1 April 2003. Any subsequent funding identified to support increased prison capacity will contain an element for health care, which will be transferred to the Department of Health.

Dr. Evan Harris: To ask the Secretary of State for Health how many *(a)* sentenced and *(b)* unsentenced prisoners are receiving treatment for mental health problems; and how many of these are being treated as in-patients (i) in the prison health care centre and (ii) in an NHS setting. [103070]

Jacqui Smith: Information is not available in exactly the form requested. From 1 January to 31 December 2002, there were 39,000 admissions to prison health care centres. We estimate that around 30 per cent. of these, approximately 11,800, were for mental health reasons.

In the national health service setting, the latest available statistics show that in 2001, 3,002 restricted patients were detained in hospital under the Mental Health Act 1983. In this period, 595 prisoners had, by order of the Home Secretary under sections 47 and 48 of the Act, been transferred from prison service establishments to secure places funded by the NHS.

Chris Grayling: To ask the Secretary of State for Health when he will announce the budgets for mental health in-reach services in prisons. [103386]

Jacqui Smith: Funding for in-reach services established before the end of 2002–03 was included in the baseline resource level allocations that were issued to primary care trusts in December 2002. Further allocations, in respect of new in-reach services to be developed in 2003–04 and additional support for some existing services will be made shortly.

Respite Care

Mr. Kidney: To ask the Secretary of State for Health what progess he has made in drawing up guidelines for the use of vouchers for providing respite care. [103296]

Jacqui Smith: We plan to lay the regulations for the short breaks voucher scheme before the House by the end of April, with the guidance to follow thereafter.

Royal Hampshire County Hospital, Winchester

Mr. Mates: To ask the Secretary of State for Health whether emergency surgery facilities will remain at the Royal Hampshire county hospital in Winchester to support a consultant-led accident and emergency service. [102890]

Ms Blears: Our policy of "Shifting the Balance of Power" means that the configuration of local services is a matter for the local national health service, working in partnership with its local community.

The future of services across Hampshire is currently under discussion in a local consultative process called "Healthfit" As this is a matter for the local community it would be inappropriate for Ministers to comment further at this time.

Sexual Assault

Mr. Gardiner: To ask the Secretary of State for Health what protocols are in place in Accident and Emergency departments to adopt a fast track system for referrals from *(a)* sexual assault referral centres and *(b)* police stations for victims of sexual assault and rape. [101336]

Ms Blears: This is a matter for local determination. However, we would expect all Accident and Emergency departments to have a protocol in place to deal sensitively with victims of sexual assault. This includes medical treatment if needed and support and advice on referral to appropriate local services, including sexual assault referral centres and the police.

Mr. Gardiner: To ask the Secretary of State for Health if he will require Accident and Emergency departments and primary care trusts to ask patients attending for emergency contraception whether the intercourse was consensual. [101335]

Ms Blears: It is a matter for professional bodies to issue guidance on the supply of emergency hormonal contraception (EHC). All health professionals supplying EHC receive training, which should address issues around sexual history taking, partners and consent. If during a consultation for EHC, disclosure of a sexual assault occurs the health professional should provide support and advise on accessing appropriate local services including counselling, testing and treatment for sexually transmitted infections and, if the woman wishes, reporting the matter to the police.

Smoking

Chris Grayling: To ask the Secretary of State for Health what percentage of 11 to 15-year-olds smoke; and what progress his Department is making towards its objective relating to the incidence of smoking in this age group by 2005. [102567]

Ms Blears: In 2001, 10 per cent. of 11 to 15-year-olds smoked regularly.

The Government White Paper: "Smoking Kills", published in December 1998, included the following target: "To reduce smoking among children from 13 per cent. to 9 per cent. or less by the year 2010; with a fall to 11 per cent. by the year 2005."

Mr. Pollard: To ask the Secretary of State for Health if he will bring forward legislation to ban smoking in public places. [98491]

Ms Blears: Although the Government do not support legislation to ban smoking in all public places, existing health and safety legislation under the Health and Safety at Work Act 1974 places responsibility on employers to protect the health, safety and welfare of their employees.

We consider that if we are to ensure protection against passive smoking in public places and workplaces, we need action nationally and locally both to raise awareness of the risks associated with passive smoking and to increase the prevalence of smoke free environments. The Department will continue to encourage the development of smoke-free policies, working with employers and communities.

Locally, the Department is funding tobacco control alliances across England to work in communities to raise awareness and to increase the number of smoke-free environments. Findings from these projects will inform future development of the Department's work in this area.

The Department will, in addition to action already under way, develop education and information resources to raise awareness and understanding of the risks associated with passive smoking.

Mr. Borrow: To ask the Secretary of State for Health what actions have been taken since the Approved Code of Practice on passive smoking was published. [98640]

Ms Blears: The Government consider that if we are to ensure protection against passive smoking in public places, we need action nationally and locally both to raise awareness of the risks associated with passive smoking and to increase the prevalence of smoke free environments. The Department of Health will continue to encourage the development of smoke-free policies, working with employers and communities.

At a national level the Department of Health has, since 1998, worked with the hospitality industry to reduce the problem of exposure to passive smoking through the development of a Public Places Charter. An independent evaluation of the Charter is being commissioned, and further work will be considered on the basis of the findings.

The Government are giving careful consideration to the Health and Safety Commission's proposals for an approved code of practice (AcoP). We encourage all employers to introduce smoke-free workplaces, but are particularly concerned about the implications such a code would have for the hospitality sector and small businesses. While consideration of the AcoP continues, other action is being taken to encourage the provision of smoke-free areas in public and workplaces. We recognise that making places entirely smoke free is not always going to be possible and encourage in these circumstances other measures to be taken to reduce people's exposure to smoke.

Locally, the Department is funding tobacco control alliances across England to work in communities to raise awareness and to increase the number of smoke-free environments. Findings from these projects will inform future development of the Department's work in this area.

The Department of Health will, in addition to action already under way, develop education and information resources to raise awareness and understanding of the risks associated with passive smoking.

Chris Grayling: To ask the Secretary of State for Health how many people have been successful in giving up smoking as a result of the "Together" programme; how many people have participated in the programme; how much the programme has cost since it was established; and what assessment he has made of its success rate. [100784]

Ms Blears: The "Together" programme is a six-month pilot study launched on 9 January to determine the effectiveness of long-term support for smokers wishing to give up.

As at 28 February, a total of 4,072 smokers had registered to participate in the programme. 2,387 of these participants are known to have given up smoking but it is too early to make any estimate of long-term success.

£537,000 has been allocated to the programme.

Carers

Vernon Coaker: To ask the Secretary of State for Health (1) what recent assessment he has made of the quality of services available to the parent carers of children with physical and learning difficulties; and if he will make a statement; [102282]

(2) what support is available to the parent carers of children with physical and learning difficulties; and if he will make a statement; [102281]

(3) what recent discussions he has had with representatives of parent carers of children with physical and learning difficulties; and if he will make a statement. [102283]

Jacqui Smith: Disabled children receive a range of care and support from the national health service and social services departments. This includes: medical and nursing support; family support, including short-term breaks and domiciliary care; advice and guidance; residential provision; self-care and independent skills training; drop-in clubs and groups; activities at family centres and transition support services.

As part of the Government's £885 million "Quality Protects" programme, we set national objectives for children's social services. Through inspections monitoring and annual reviews, the Department's social services inspectorate monitors progress by individual authorities towards the achievement of these objectives. They include specific sub-objectives for disabled children, which are a priority area in the "Quality Protects" programme.

Last year's "Quality Protects" management action plans (MAPS) show that local authorities are beginning to improve the services they provide to disabled children, including the provision of more family support services, such as home-based respite care and sitting services, and better planning and delivery of services jointly with health and education. There has also been an increase in the number of families being supported. In late 2001, the children in need survey found that social services were supporting 29,700 disabled children: a 2 per cent. increase on the position in 2000. The introduction of direct payments for parents with disabled children is enabling greater choice and greater control over the way services are delivered. Next year, in 2003–04, the "Quality Protects" money earmarked for disabled children will double: from £15 million to £30 million.

We are also increasing the provision of short-term breaks through the carers' grant, which was first introduced in 1999 in order to provide breaks for carers, including parents of disabled children. Last year children's social services provided 52,400 carers with short-term breaks funded by this grant: an increase of 21,400 from the previous year. The majority of those receiving a short-term break were parents of disabled children. The grant is increasing on a yearly basis. This year the grant is £85 million. Next year it will rise to £100 million, and by 2005–06 it will have risen to £185 million.

The Government are providing funding to Contact a Family, of £500,00 per annum, to run a national information centre for parents of disabled children. The free 0808 national telephone help and advice line has been widely used. In the year ending 31 March 2002, it had received nearly 9,000 calls. By the end of 2004, it is estimated that this figure will have risen to 21,000 a year.

Ministers and officials hold regular discussions with groups representing parents of disabled children about the development and implementation of policy including the implementation of the "Quality Protects" programme and the development of the children's national service framework (NSF). We have set up an external working group to develop NSF standards for disabled children. This includes two parents of disabled children and representatives from the Council for Disabled Children, Contact a Family, SCOPE, MENCAP and the Association of Spina Bifida and Hydrocephalus.

Untoward Incidents (Health Trusts)

Tim Loughton: To ask the Secretary of State for Health (1) how many NHS hospital trusts have an action plan to reduce the number of elderly people who fall in hospital; and whether these action plans include introducing bed guards or fall monitors for high-risk patients; [100514]

(2) what action he is taking to reduce the number of elderly people who fall in hospital wards; [100512]

(3) how many elderly people were delayed from hospital discharge in the last quarter because of a fall within a hospital. [100513]

Jacqui Smith: The Department does not collect information centrally on the number of older people affected by falls during a hospital stay. In-patient central records monitor why a patient has entered a hospital but do not necessarily record subsequent changes to the reason they are being cared for in hospital.

The national service framework for older people, published in 2001, requires all hospitals to recognise, assess and minimise the risks that hospital admission can pose for older people, as part of good management.

The Government have established the national patient safety agency to improve the safety of national Health service patient care by introducing a national reporting and learning system for adverse events and by promoting an open and fair culture.

NHS Estates is also developing guidance for hospital facilities for older people and this will include reference to patient safety, including falls.

TREASURY

Unemployment Benefit

Hugh Bayley: To ask the Chancellor of the Exchequer how many unemployed people in the City of York parliamentary constituency claimed unemployment benefit in each year since 1979. [102636]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Office for National Statistics to Hugh Bayley dated 18 March 2003:

As National Statistician, I have been asked to reply to your recent question about how many unemployed people in the City of York Parliamentary Constituency claimed unemployment benefit in each year since 1979.

Information on the claimant count, that is the numbers claiming Jobseeker's Allowance or previous unemployment benefits by Parliamentary Constituency are available monthly, but only from June 1983 onwards. The data are not fully comparable over time. Figures for parliamentary constituencies from January 1996 were based on the ward boundaries of the 1991 census. Data before were based on the 1981 ward boundaries.

The attached table shows the annual average claimant level in the City of York Parliamentary constituency for the year 1983 to 2002.

Annual average levels of claimant count in the City of York Parliamentary Constituency

Year	*Number*
1983	[1]4,391
1984	5,133
1985	5,712
1986	5,994
1987	5,526
1988	4,538
1989	3,521
1990	2,991
1991	3,645
1992	4,281
1993	4,614
1994	4,582
1995	4,403
1996	4,053
1997	3,002
1998	2,495
1999	2,190
2000	1,895
2001	1,676
2002	1,480

[1] Average of the seven months June to December 1983.

Advertising Costs

Matthew Taylor: To ask the Chancellor of the Exchequer how much the Inland Revenue spent on advertising in 2001–02. [102869]

Dawn Primarolo: For figures for 2001–02 I refer the hon. Gentleman to the answer given to the hon. Member for Buckingham (Mr. Bercow) 7 May 2002, *Official Report*, column 36W.

Matthew Taylor: To ask the Chancellor of the Exchequer how much the Valuation Office Agency spent on advertising in 2002–03. [102868]

Dawn Primarolo: I refer the hon. Gentleman to the answer which the Financial Secretary gave to the hon. Member for Yeovil (Mr. Laws) on 5 March 2003, *Official Report*, column 1061W-1063W.

Budget Statement

Pete Wishart: To ask the Chancellor of the Exchequer what steps will be taken to ensure that official support for the Budget statement will be in accordance with the Guidance on Conduct for Civil Servants in UK Departments. [103666]

Dawn Primarolo: Holding the Budget announcement on 9 April is fully consistent with the Guidance on Conduct for Civil Servants in UK Departments. The guidance emphasises that care should be taken during the election period to ensure that Government resources are not used, or seen to be used, for party political purposes. This will be the case in the context of the Budget.

Compliance Costs

Matthew Taylor: To ask the Chancellor of the Exchequer what assessment he has made of the compliance costs of a Budget date beyond the end of the 2002–03 financial year; and if he will make a statement. [102880]

Dawn Primarolo: Any costs will be negligible.

Correspondence

Mr. Siôn Simon: To ask the Chancellor of the Exchequer when he will reply to the letter from the hon. Member for Birmingham, Erdington of 4 February 2003, concerning regulations under section 42 of the Tax Credits Act 2002. [103175]

Dawn Primarolo: I have done so.

Council Tax

Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the proportion of income households in each income decile pay in council tax *(a)* net of council tax benefit and *(b)* gross; what assumptions on take-up were made in coming to the estimate; and if he will make a statement. [102867]

John Healey: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Matthew Taylor, dated 18 March 2003:

As National Statistician, I have been asked to reply to your recent question to the Chancellor of the Exchequer on the proportion of income that households pay in council tax within each income decile. (102867)

Estimates for council taxes are based on the analysis "The effects of taxes and benefits on household income 2000–01" produced by the ONS and published on the National Statistics website on April 19th 2002 and in Economic Trends in the May 2002 edition. The analysis can be obtained from the House of Commons library. This includes measures of income inequality for the United Kingdom as a whole based on data from the Family Expenditure Survey.

The attached table shows the estimated gross and net council tax for all households in Great Britain and for each income decile where households are ranked by equivalised disposable income. As council tax does not exist in Northern Ireland, the figures shown relate to Great Britain only. The net council tax figures are gross council tax less benefits and discounts.

Council tax benefit is available to low income households to help them meet their local tax liability. The Family Expenditure Survey collects data on the amount of council tax benefit received by households who take up their entitlement. Where a household reports taking up their council tax benefit entitlement, this has been deducted from the council tax liability to produce the net figures.

Council tax as a percentage of gross income, 2000–01—Great Britain

Percentages

	Decile groups of all households ranked by equivalised disposable income										
	Bottom	*2nd*	*3rd*	*4th*	*5th*	*6th*	*7th*	*8th*	*9th*	*Top*	*All households*
Gross council tax	8.8	5.8	4.7	3.9	3.2	2.8	2.4	2.1	1.9	1.3	2.6
Net council tax[1]	5.1	3.6	3.5	3.2	2.8	2.6	2.3	2.1	1.9	1.2	2.2

[1] Net council taxes rates after deducting discounts.

Source:

Office for National Statistics, 'The effects of taxes and benefits on household income,' published on the ONS website and in Economic Trends No. 582 May 2002

Dormant Accounts

Mr. Martyn Jones: To ask the Chancellor of the Exchequer when the Inland Revenue next intends to calculate the total amount held in dormant bank accounts. [102938]

Ruth Kelly: The Inland Revenue has no plans to undertake an exercise to estimate the total amount held on deposit in dormant bank accounts.

Mr. Martyn Jones: To ask the Chancellor of the Exchequer what method was employed by the Inland Revenue in its 1997 study to calculate the total amount held in dormant bank accounts. [102939]

Ruth Kelly: The Inland Revenue conducted a desk review of publicly available information.

Equitable Life

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what special tests relating to matching assets and liabilities were made in the case of Equitable Life in the last 10 years. [103479]

Ruth Kelly: None. Equitable Life is subject to the same standard of prudential supervision as other regulated firms.

Exports

Mr. Rosindell: To ask the Chancellor of the Exchequer what measures are being taken to improve and protect the world market share of exports of merchandise of the United Kingdom, with particular reference to exports to the Eurozone. [101971]

Nigel Griffiths: I have been asked to reply.

The Government promote open trade globally through a range of policies including its support for the Doha Development Round of trade negotiations and the European Single Market. Through Trade Partners UK, the Government aim to enhance the competitiveness of companies in the UK through overseas sales and investment.

TPUK is currently providing support to more than 1,500 companies under its flagship "TPUK—your passport to export success" initiative to develop new and novice exporters.

Income Tax

Mr. Hancock: To ask the Chancellor of the Exchequer what percentage of income is paid in tax by those earning *(a)* the lowest 20 per cent. and *(b)* the top 5 per cent. in earnings; and if he will make a statement. [102505]

Dawn Primarolo: It is estimated from the New Earnings Survey that the 20th percentile point and the 95th percentile point are £14,350 and £53,600 respectively.

Estimates are in the following table.

Total income range	*Income tax as a percentage of total income*
Less than £14,350	6
£53,600 and over	31

The estimates are based on the Survey of Personal Incomes and are consistent with the November 2002 pre-Budget report.

Inland Revenue

Mr. Hancock: To ask the Chancellor of the Exchequer how much the Inland Revenue has spent on its internet tax return system since its inception; what the estimated *(a)* manning and *(b)* set-up costs were; what estimate he has made of the percentage of tax payers that will use the system; and if he will make a statement. [102507]

Dawn Primarolo: The Inland Revenue has spent a total of £34.5 million on its internet service for Self Assessment since it's inception. This includes the full range of costs, including the costs of IT Infrastructure, Development and staff costs as well as other associated costs such as postage and marketing.

(a) The estimated costs are as follows:

April 2000-April 2001: £1,056,000

April 2001-April 2002: £1,588,000

April 2002-April 2003: £2,065,000

(b) As my answer of 19 July 2001, *Official Report*, column 382W, set out, the estimated cost of implementing the Internet service for Self Assessment for years one and two was just under £10 million.

The Inland Revenue has estimated that 25 per cent. of taxpayers will file electronically by 2005–06.

Insurance

Mr. Beggs: To ask the Chancellor of the Exchequer what recent discussions he has had with insurance companies about the effect on the *(a)* quarrying and *(b)* construction industries of increases in insurance premiums; and if he will make a statement. [103480]

Ruth Kelly: Ministers and officials from HM Treasury and other Government departments have regular discussions with the insurance industry on a range of issues, including the cost of insurance premiums.

Mr. Beggs: To ask the Chancellor of the Exchequer what measures he plans to introduce to mitigate the effects of high insurance premiums on *(a)* companies and *(b)* self-employed people. [103481]

Ruth Kelly: The Government is aware of the recent increase in insurance premiums and the problems faced by some businesses in obtaining affordable insurance cover. The Department for Work and Pensions is currently reviewing the operation of Employers' Liability Compulsory Insurance. The review will report to Ministers in spring.

Clive Efford: To ask the Chancellor of the Exchequer (1) when he will respond to the report from the Financial Services Authority on the regulation of the sale of travel insurance by tour operators and travel agents; [103748]

(2) what representations he has received regarding regulation of the sale of travel insurance; [103749]

(3) what proportion of complaints about travel insurance were from customers whose policies were sold to them by *(a)* tour operators, *(b)* travel agents and *(c)* insurance companies; [103752]

(4) what plans he has to ensure that all companies involved in the sale of travel insurance are regulated by the Financial Services Authority; [103750]

(5) what assessment he has made of the benefits to consumers of a different system of regulation for the sale of travel insurance by tour operators and travel agents to that which applies to insurance companies; [103753]

(6) if he will require companies selling travel insurance to itemise charges made to the customer and the cover purchased at the time of purchase. [103751]

Ruth Kelly: I refer my hon. Friend to the answers I gave in response to my hon. Friend the Member for Workington (Tony Cunningham) on 27 February 2003, *Official Report*, column 388.

Mapeley

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer pursuant to his answer to the hon. Member for Grimsby of 29 January 2003, *Official Report*, columns 300–01W, on Mapeley, if the Inland Revenue has access to Mapeley's accounts. [99135]

Dawn Primarolo: Under the terms of the STEPS contract, the Inland Revenue and Customs and Excise have access to the accounts of Mapeley STEPS Contractors Ltd. only.

Mortgages

Mr. Cousins: To ask the Chancellor of the Exchequer what percentage of mortgages were re-mortgages of the same property, and if he will estimate the size of mortgage equity withdrawal, in each year since 1997. [103424]

Ruth Kelly: The Council for mortgage lenders reported that 51 per cent. of mortgages were re-mortgages in January 2003. Bank of England publish figures for mortgage equity withdrawal in terms of both the level and as a percentage of disposable income on their website at: www.bankofengland.co.uk/mew.xls.

National Insurance

Mr. Webb: To ask the Chancellor of the Exchequer what estimate he has made of the number of *(a)* working age adults and *(b)* adults in work whose National Insurance contributions were (i) incomplete and (ii) incorrectly recorded in each of the last 10 years. [102607]

Dawn Primarolo: We estimate there are around 43 million NI accounts relating to people of working age. Information about the number of adults in work whose NI contributions were incomplete or incorrectly recorded in each of the last 10 years is not held.

Mr. Webb: To ask the Chancellor of the Exchequer (1) what assessment he has made of the accuracy of records of National Insurance contributions; and if he will make a statement; [102609]

(2) what safeguards are in place to ensure that gaps recorded within individual National Insurance contribution records do not arise from *(a)* error and *(b)* fraud. [102606]

Dawn Primarolo: The accuracy of National Insurance records depends primarily on information that has been received and processed from employers, Pensions Providers, other Government Departments and individual contributors. The Inland Revenue has a number of systems and operational processes in place to continually validate and review the accuracy of each National Insurance record. The Government's plans to encourage more employers to submit payroll data electronically should also help to improve the accuracy of National Insurance records. In addition to the routine validation checks, the Inland Revenue visit employers to check the accuracy of their records, guard against fraud and to provide support to help them get things right.

Mr. Webb: To ask the Chancellor of the Exchequer what documents were signed by married women remaining on the married women's stamp in 1977 to 1979; how many such documents were issued; and if he will place a copy of the documents in the Library. [103709]

Dawn Primarolo: Married women who wanted to continue to pay the Married Women's Reduced rate of National Insurance did not have to sign any documents. However, women who wanted to pay the full rate of National Insurance contributions had to complete the declaration (Form CF9) in the back of leaflet N1. A copy of this leaflet is held in the House Library.

National Savings and Investments

Mr. Martyn Jones: To ask the Chancellor of the Exchequer (1) how many successful traces have been concluded by National Savings and Investments on dormant savings and investments in each month since November 2001; [102935]

(2) what progress has been made by the tracing service for dormant savings and investments by National Savings and Investments since its introduction. [102936]

Ruth Kelly: National Savings and Investments' new Tracing Service was launched in November 2001. Information is available on a monthly basis from February 2002, with the results for the first three months (November 2001 to January 2002) only available on a consolidated basis. To date, about 35 per cent. of all requests have resulted in successful traces. The number and value of successful traces are as follows:

Successful traces of dormant savings and investments

	Number	*Value (£)*
November 2001 to January 2002	876	904,303
February 2002	475	441,684
March 2002	504	745,443
April 2002	89	303,042
May 2002	652	1,132,539
June 2002	189	483,025
July 2002	409	264,485
August 2002	323	105,322
September 2002	253	168,943
October 2002	151	163,007
November 2002	244	74,235
December 2002	307	189,401
January 2003	412	291,578
February 2003	560	408,031
Total	5,444	5,675,038

Net Investment Statistics

Matthew Taylor: To ask the Chancellor of the Exchequer pursuant to his answer of 6 March 2003, *Official Report*, column 1222W, on public sector net investment statistics, if he will make it his policy to publish net investment statistics by Department monthly; and if he will make a statement. [102889]

Ruth Kelly: No.

Personal Income

Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the *(a)* gross and *(b)* taxable income of individuals in (i) England, (ii) Wales, (iii) Scotland and (iv) Northern Ireland in the latest year for which data is available; and if he will make a statement. [102876]

Dawn Primarolo: Estimates of *(a)* gross and *(b)* taxable income of taxpayers in (i) England, (ii) Wales, (iii) Scotland and (iv) Northern Ireland in 2000–01 are set out in the following table.

£ million

Government region	*Gross income*	*Taxable income*
England	513,300	380,700
Wales	21,900	15,000
Scotland	45,400	32,300
Northern Ireland	11,500	8,100

Estimates are based on Survey of Personal Incomes in 2000–01.

Public Spending

Mr. Howard Flight: To ask the Chancellor of the Exchequer what recent assessment he has made of his Department's rules on public spending; and what plans he has to revise these guidelines. [102689]

Mr. Boateng: The 1998 Economic and Fiscal Strategy Report set out the Government's new framework for the planning and controlling of public expenditure. This framework was implemented with the plans set out in the 1998 Comprehensive Spending Review. Further modernisation of the regime has taken place through the implementation in two stages of resource accounting and budgeting in the 2000 and 2002 Spending Reviews.

Self-assessment

Matthew Taylor: To ask the Chancellor of the Exchequer what target the Inland Revenue has set for the number of individual taxpayers filing self-assessment tax returns by 2005; and if he will make a statement. [102877]

Dawn Primarolo: The Revenue do not have targets for the number of individual taxpayers who are required to file SA returns. The target for the percentage of 2001–02 returns issued by 31 October 2002 and filed by the January 2003 filing date was 90.5 per cent. This target was reached.

Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the *(a)* filing and *(b)* other costs of the self-assessment tax system in each year since 1998; and if he will make a statement. [102878]

Dawn Primarolo: The costs of collecting income tax and other taxes are set out each year in the Inland Revenue Annual Reports, copies of which are in the House of Commons Library. The costs of administering and collecting income tax cover a variety of integrated tax regimes and systems of which Self Assessment is one. Some significant costs are shared across these regimes and cannot be meaningfully apportioned to particular regimes or systems. No figures are available for the total costs of Self Assessment in isolation.

Student Debts

Mr. Hendry: To ask the Chancellor of the Exchequer what plans he has to exempt parents from the tax implications of paying off the higher education debts of their children. [103681]

Dawn Primarolo: There are no such plans.

Tax Credits

Mr. Prisk: To ask the Chancellor of the Exchequer what estimates his Department has made of the costs of the promotional campaign for the new tax credits, broken down by *(a)* design, print and production of promotional materials, *(b)* television and radio advertisements, *(c)* press advertising, *(d)* online design related website costs and *(e)* the provision of faxback facilities. [102416]

Dawn Primarolo: The spend on the promotional campaign for the new tax credit is currently estimated as follows:

	£000
(a) design, print and production of promotional materials	95
(b) media costs for:	
television advertisements	8,016
radio advertisements	876
(c) press advertising	2,224
(d) online advertising	400
(e) the provision of faxback facilities	15

Note:

All estimated costs include VAT

Mrs. Spelman: To ask the Chancellor of the Exchequer what plans he has to extend the child care tax credit to grandparents caring for their grandchildren. [102799]

Dawn Primarolo: There are no plans to make the childcare element of Working Tax Credit available in respect of grandparents caring for their grandchildren under informal arrangements or while acting as a home childcarer. But if grandparents are registered childcare providers, and provide childcare for their grandchildren outside the children's home, then the cost of their services will count as eligible childcare for the purposes of claiming the childcare element of the Working Tax Credit, which will be introduced from April.

Matthew Taylor: To ask the Chancellor of the Exchequer what the component costs were of each tax credit which contributes to the 2003–04 tax credit lines of *(a)* table B12 of page 197, *(b)* table B17 of page 205 and *(c)* table B9 of page 193 of the November 2002 Pre-Budget Report (Cm 5664); and if he will make a statement. [99394]

Dawn Primarolo: The following table shows a breakdown of the tax credit lines of the 2002 Pre-Budget Report Tables B12 and B9 for 2003–04.

£ billion

	Table B12, Row 3	*Table B12, Row 33*	[1]*Table B9*
Children's Tax Credit and negative tax element of new tax credits[2]	-4.3	N/a	-2.2
Reduced liability corporation tax, tax credits	-0.5	0.5	0.1
Other[3]	-0.1	0.1	0.0
Total	-4.9	0.6	-2.1

[1] These figures are the change between Budget 2002 and PBR 2002

[2] New tax credits consist of the Child Tax Credit and the Working Tax Credit, which will be introduced from April 2003. They will replace the Working Families' Tax Credit (WFTC), the Disabled Person's Tax Credit (DPTC), the Children's Tax Credit and the New Deal Employment credit for the over 50s and income related elements of support for children in Income Support and Jobseeker's Allowance.

[3] Consists of the negative tax elements of LAPRAS (life assurance premium relief), WFTC and DPTC.

Between Budget 2002 and the 2002 Pre-Budget Report, the estimated split of total tax credits between that scored as tax and that scored as public expenditure was revised, with the negative tax element now about £2 billion a year higher from 2003–04 onwards. This accounts for almost all of the change seen in Table B9. These revisions are balanced by changes in the public expenditure element of tax credits, and have no overall impact on the current balance or net borrowing. In 2003–04, the tax credit line in Table B17 (£11.7 billion) mainly consists of the public expenditure elements of the new tax credits (£7.6 billion) and child allowances in Income Support and Jobseekers' Allowance (£3.7 billion). The remaining £0.4 billion consists of the tax credits accruals adjustments, charities transitional relief, stakeholder pensions and the public expenditure elements of WFTC, DPTC and LAPRAS.

Tax Evasion

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what *(a)* the average amount of tax evaded and *(b)* the total amount of tax evaded was in cases pursued by the Inland Revenue's special compliance office which have resulted in convictions, in each year since 1997. [102004]

Dawn Primarolo: The total amount of tax that was the subject of criminal offences successfully prosecuted by the Inland Revenue since 1997 is:

	£
2001–02	6,201,945
2000–01	6,599,539
1999–2000	16,108,650
1998–99	9,575,906
1997–98	16,721,002

Values in particular cases range from less than £1,000 to over £5 million. These variations can cause significant fluctuations from year to year. Given this range of values we believe that average figures are unrepresentative.

Unclaimed Assets

Mr. Martyn Jones: To ask the Chancellor of the Exchequer (1) how much has been donated to charities by the Unclaimed Assets Register donations scheme from dormant accounts in each year since its introduction *(a)* in total and *(b)* from (i) banks and (ii) building societies; [102910]

(2) how many successful traces have been concluded on dormant accounts in each month since May 2001 by *(a)* the British Banking Association and *(b)* the Building Societies Association; [102908]

(3) how many charities have benefited in each year from the Unclaimed Assets Register donations scheme since its introduction; [102911]

(4) how many claims have been received in relation to dormant accounts in each month since May 2001 by *(a)* the British Banking Association and *(b)* the Building Societies Association; [102909]

(5) how much total assets have been successfully reunited with owners of dormant accounts in each month since May 2001 by *(a)* the British Banking Association and *(b)* the Building Societies Association. [102937]

Ruth Kelly: These are matters for the bodies involved.

VAT Registrations

Mr. Cousins: To ask the Chancellor of the Exchequer what the stock of VAT registrations was in each city and district within the county of Tyne and Wear in 1996; what the *(a)* gross and *(b)* net alterations to that stock were in each subsequent year; what the net alterations to the stock were as a percentage of the 1996 stock; and what the stock of VAT registrations was in 2002. [103732]

John Healey: The information requested on districts can be found on the Small Business Service website: www.sbs.gov.uk.

Data on cities are not available. Figures for 2002 will be available in October 2003.

Water Sprinklers

Mr. Hendry: To ask the Chancellor of the Exchequer if he will remove the VAT on the purchase and fitting of water sprinklers in domestic properties. [103673]

John Healey: When installed during the construction of a house, water sprinkler systems benefit from the general VAT zero rate that applies to the construction of new houses. Under the long-standing formal agreements with our European partners, the UK may keep its existing zero rates but may not extend their scope or introduce new ones. There is therefore no scope to remove VAT on the installation of water sprinkler systems in existing homes.

Working Families Tax Credit

Mr. Willetts: To ask the Chancellor of the Exchequer when the results of the WFTC/DPTC evaluation programme will be released. [100793]

Dawn Primarolo: The results of the WFTC/DPTC evaluation programme will be published in due course.

Mr. Hancock: To ask the Chancellor of the Exchequer what assessment he has made of the reasons for miscalculation of working families' tax credit by the Inland Revenue; how many people were affected; what steps have been taken to correct the miscalculations; how much it has cost to correct the miscalculations; and if he will make a statement. [102508]

Dawn Primarolo: The small percentage of miscalculations in assessing applications for Working Families' Tax Credit (WFTC) arise for a variety of reasons, most commonly problems with the accuracy of the calculation of weekly or monthly earnings in the period leading up to the application. For the new Working Tax Credit and Child Tax Credit, which supersede WFTC, entitlement is not based on earnings for a specified period immediately before the claim. Therefore, the reason for miscalculation within WFTC should be eliminated in future.

For the 2001–02 financial year, the latest full year for which figures are available, over 90 per cent. of all WFTC applications were correctly assessed to the nearest penny. In those cases where a miscalculation is detected, action is taken to correct all underpayments and any overpayments that exceed one pound per week. No information is available on the cost of correcting these mistakes. As confirmed by the National Audit Office, the level of errors made in assessing WFTC applications is low in proportion to the aggregate amount paid.

Mr. Willetts: To ask the Chancellor of the Exchequer when he plans to publish figures for working families tax credit take-up in *(a)* 2001–02 and *(b)* 2002–03. [102993]

Dawn Primarolo: No reliable estimate of the take-up rate of the working families' tax credit in 2001–02 can be attempted until the Family Resources Survey for that year is analysed.

Mr. Willetts: To ask the Chancellor of the Exchequer what discussions he has had with the Department for Work and Pensions concerning the potential for increased claims against the Social Fund, with particular reference to meeting the costs of additional alignment payments, during the introduction of the new tax credits. [102994]

Dawn Primarolo: The Department for Work and Pensions is working with the Inland Revenue to ensure that there is a seamless transition to the new tax credits system and that there is good liaison between the two organisations to ensure that awards of both tax credits and social security benefits are made promptly to people in the most urgent need. We do not expect to see increased claims for Social Fund alignment payments under the new tax credits.

TRADE AND INDUSTRY

Miners' Pension Funds

Adam Price: To ask the Secretary of State for Trade and Industry when the funds allocated to her Department from the British Coal Staff Superannuation Scheme and the Mineworkers Pension Schemes which remain unpaid will be removed from the pension funds and paid into the consolidated fund. [102763]

Mr. Wilson: The income streams from the Guarantor's Funds already created from valuation surpluses of each Scheme are payable to the Consolidated Fund in instalments over 10 year periods, the last of which will end in 2010–11.

Releases from the Investment Reserves are determined by the Schemes' actuary following completion of each actuarial valuation. As part of the Guarantee discussions with the Trustees last year, it was agreed in principle to extend the lifetime of the Investment Reserve beyond the 25 years agreed in 1994.

Adam Price: To ask the Secretary of State for Trade and Industry what the entitlement of Her Majesty's Treasury is to sums from *(a)* the British Coal Staff Superannuation Scheme and *(b)* the Mineworkers Pension Scheme that have accrued but are yet to be paid. [102771]

Mr. Wilson: The actual amounts received by the Government will depend on future investment returns and any amounts applied in support of the pension guarantee as determined by the Schemes' periodic valuations.

Brazilian Sugar Industry

Mr. Paice: To ask the Secretary of State for Trade and Industry if she will make a statement on the level of public subsidy involved in the expansion of the Brazilian sugar industry. [100630]

Nigel Griffiths: I am told the DTI has no knowledge of public subsidy being applied to the expansion of the Brazilian sugar industry.

British Energy

Richard Ottaway: To ask the Secretary of State for Trade and Industry whether public funding to British Energy is being used to provide financial support in the cost of installing flue gas de-sulphurisation at British Energy's coal-fired Eggborough Power Station. [101921]

Mr. Wilson: The credit facility was provided to British Energy in respect of its working capital requirements and cash collateral for its trading activities. Details of individual payments are commercially confidential. As my right hon. Friend the Secretary of State for Trade and Industry, told the House on 7 March 2003, *Official Report*, column 89WS, BE have repaid all outstanding amounts under the credit facility.

Coal Mine Methane Energy

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what recent research has been conducted by her Department into the technology for coal mine methane capture; and what representations she has received on it. [102066]

Mr. Wilson: Technology for coal mine methane capture is considered a relatively mature technology, employed and proven at several mine sites in the UK, and therefore no recent research has been conducted into the technology.

Mr. Sayeed: To ask the Secretary of State for Trade and Industry how many coal mine methane capture and generation plants she expects private companies to develop in the next three years. [102067]

Mr. Wilson: The number of coal mine methane capture and generation plants which could be developed by private companies in the next three years is a decision for industry to make in the light of market conditions, and not a decision for government.

Mr. Sayeed: To ask the Secretary of State for Trade and Industry for what reasons coal mine methane capture and electricity generation from disused coalmines receives no form of incentive through Government programmes. [102068]

Mr. Wilson: The Government recognise and value the benefits the coal mine methane industry provides by tapping the methane emissions from disused coal mines and putting them to good use for generation of electricity. We have already demonstrated this support through our securing exemption from the Climate Change Levy for electricity generated from CMM in last year's budget, and this is currently being cleared with the European Commission. In addition, we concluded from our investigations that the environmental benefits of CMM-use can also be rewarded using the Emissions Trading Scheme (ETS), and hence we support the study DEFRA has commissioned to determine a baseline for CMM emissions that could enable it to qualify for this Scheme.

Electricity Suppliers

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry what steps she is taking to reduce the barriers to entry faced by potential small suppliers of electricity to the national grid. [103037]

Mr. Wilson: We recognise that smaller generators have concerns about the NETA market that operates in England and Wales. Significant improvements have been made since the start of NETA, particularly to improve cost reflectivity of imbalance prices and reduce imbalance price risk, which should particularly help smaller generators. There have also been improvements to reduce barriers to the consolidation of the output of smaller generators.

The Government recently announced its intention to bring forward the Electricity (Trading and Transmission) Bill as soon as Parliamentary time allows in order to implement a GB market. The draft Bill is currently undergoing pre-legislative scrutiny. The improvements above and any future improvements will be carried across to the wider GM market.

As part of this project, the DTI, jointly with Ofgem, will shortly be issuing a consultation document on the treatment of smaller generators under BETTA. This will look specifically at any barriers to entry that may be faced by smaller generators who are connecting to the transmission system in Scotland.

Gulf States

Keith Vaz: To ask the Secretary of State for Trade and Industry what the level of bilateral trade was with *(a)* Bahrain, *(b)* Abu Dhabi and *(c)* Yemen in the last 12 months for which figures are available. [103221]

Nigel Griffiths: According to information published by HM Customs and Excise, UK trade in goods for 2002 was as follows:

£ million

	UK imports	*UK exports*
Bahrain	77.7	132.4
Abu Dhabi	160.1	213.4
Yemen	39.8	74.0

Source:
OTSI: UK trade with Countries Outside the European Community, December 2002

Licence Boundaries (Wales)

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry how many responses to the DTI consultation on licence boundaries were received regarding Wales; and how many expressed support for licence boundaries to include areas totally within the boundaries of the devolved Administration. [103456]

Mr. Timms *[holding answer 17 March 2003]:* 19 responses were received to the consultation. Two of these expressed support for a licence boundary following the border of Wales — those from MLL, a telecoms provider, and the Welsh Advisory Committee on Telecommunications.

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry what criteria were used by the Government to decide the allocation of regions for the auction of 3.4GHz wireless broadband licences; and if she will make a statement about the proposal to disregard the geographical Welsh border. [103458]

Mr. Timms *[holding answer 17 March 2003]:* The 3.4GHz licence packaging was designed to increase competition and availability of broadband services across the UK. The licence regions were drawn up following market and economic studies to be as economically viable and inclusive as possible, maximising the potential development of sustainable wireless services and the broadband market throughout the UK.

Dividing up spectrum at 3.4GHz along the lines of funded regions, as suggested by the Welsh National Assembly, would produce more areas of the UK with no coverage. It would also lead to a lower capacity—that is, fewer broadband customers in Wales who can be supported, given the spectrum available.

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry (1) what representations her Department received from the National Assembly for Wales on allocating regions for the forthcoming auction of 3.4GHz wireless broadband licences; and if she will make a statement; [103459]

(2) what representations the Secretary of State has received from *(a)* the National Assembly for Wales and *(b)* others in Wales on the proposed licence boundaries for the forthcoming auction of 3.4GHz wireless broadband licence. [103457]

Mr. Timms *[holding answer 17 March 2003]*: Consultation on the allocation of 3.4GHz public fixed wireless access (PFWA) licences began on 19 December 2000, when the Radiocommunications Agency ("RA"), on behalf of the Secretary of State for Trade and Industry, published a consultative document entitled "3.4 and 10 GHz: Scenarios for Spectrum Packaging and Delivery". This consultation document presented a number of scenarios for packaging and delivering licences to establish and use stations and apparatus for wireless telegraphy in the 3.4 and 10GHz bands for the provision of Fixed Wireless Access services ("FWA").

Following a detailed review of the responses to the December consultation document and the completion of further technical studies in the 3.4GHz and 10GHz bands a further consultation document, "PFWA: Proposal by the RA to package and deliver licences at 3.4GHz", published in April 2002, set out the proposal to award spectrum licences for the 3.4GHz band.

Both consultations were carried out nationally and all Government Departments and devolved Administrations were invited, along with industry and the public, to be involved and comment on the proposals. Among the many comments received and meetings held, RA received input and held discussions with officials of the National Assembly for Wales on numerous occasions. This included a proposal from the Welsh Assembly Government for two licences to match EU objective funding areas in Wales. This proposal was included in the public consultation process alongside those of the Scottish Administration and RA.

Of the responses to the consultation, only one industry response expressed support for the proposals from the devolved Administrations, MLL, a telecoms provider with operations in Wales. One industry response to Government's consultation commented "creating two purely Welsh regions could result in insufficient market potential in viable geographic coverage spreads to justify serious bidding". The Welsh Advisory Committee on Telecommunications, part of the Welsh National Assembly, also expressed support.

Since the timetable of the award was announced there have been representations from Welsh National Assembly members about licence areas. Further consideration has been given to this issue but I believe the packaging, which has been accepted by the majority of industry, will produce the best outcome both for Wales and for the UK as a whole.

In particular, it will enable a larger number of users to be supported in Wales, given the spectrum available, than the alternative proposal.

LINK Programme

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what guidance she has issued to the assessors of applications for funding to the LINK Programme in respect of the provision of feedback to unsuccessful applicants. [101877]

Ms Hewitt: LINK is a pan-government scheme for the support of collaborative research between UK companies and the science base. It consists of a number of individual programmes which have their own management and feedback procedures agreed by the sponsoring Departments in line with overall LINK Scheme guidelines which aim to ensure that constructive and unambiguous feedback is provided. Each programme funds a number of projects.

I believe that my hon. Friend has a particular interest in the LINK Basic Technologies for Industrial Applications programme. Within this programme, all projects are assessed by an independent panel against the criteria for support for the programme, which are included in the guidance notes to applicants and published on the programme website at www.basictechnologies.gov.uk. Aspects considered in assessing project proposals include: the level of innovation including the potential for a step-change in industrial capability; the risks and likely rewards in using the new technology; the feasibility of the proposed approach; the quality, relevant expertise and resources of the consortium; the range of potential beneficiaries; the strength of the UK science base in the technical areas involved; the potential for lasting benefit to UK capability beyond the life of the project; and the level of wider industrial interest.

The programme coordinator provides feedback on the panel's recommendations to all applicants and has been asked to point out both the strengths and weaknesses in the proposal in line with the assessment criteria above. Where possible, guidance is also provided to the unsuccessful applicants on other possible sources of funding where these can be identified. As 140 outline proposals were received under the current call, it was not possible to provide immediate detailed written feedback to all applicants. However, applicants could telephone or e-mail the coordinator for further feedback on the panel's recommendation and over 50 consortia did. With funds available to offer support to less than 20 projects, only the projects which best met all the criteria were invited to come forward as full proposals and inevitably some good projects were rejected.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry how many applications for funding have been made to the LINK Programme in the current financial year; and what the *(a)* name, *(b)* subject and *(c)* cost is of each application which has been approved. [101878]

Ms Hewitt: LINK is a pan-government scheme for the support of collaborative research between UK companies and the science base. It consists of a number of individual programmes which run their own calls for proposals. There are currently 25 programmes open for applications. Each programme funds a number of projects.

I believe that my hon. Friend has a particular interest in the LINK Basic Technologies for Industrial Applications programme. In the case of this programme, a call for proposals was announced by my noble Friend, the Minister for Science and Innovation on 26 July 2002, with a closing date of 7 November 2002. 140 outline applications were received, of which 20 were invited to come forward as full proposals to the second stage of the appraisal process. 19 full proposals were received by the closing date of 20 February 2003 and are now being assessed by an independent panel of industrial and academic experts. Therefore, at this stage, no projects have been approved for funding under the programme.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what management arrangements she has established for processing applications under the LINK Programme; and if she will make a statement. [101879]

Ms Hewitt: LINK is a pan-government scheme for the support of collaborative research between UK companies and the science base. It consists of a number of individual programmes which have their own management procedures agreed by the sponsoring Departments in line with overall LINK Scheme guidelines. Each programme funds a number of projects.

I believe that my hon. Friend has a particular interest in the LINK Basic Technologies for Industrial Applications programme. In the case of this programme, my Department is the primary sponsor and has established a 2-stage process for assessing applications to minimise unnecessary work for applicants whose projects may not be strong candidates for support.

Initial outline proposals, consisting of a 3-page project description with a covering application form, are submitted to the programme co-ordinators by the advertised closing date. These proposals are then circulated to an appraisal panel of independent industrial and academic experts, who assess the proposals against the programme's criteria for support, in particular, the degree of innovation and the potential long-term wider benefit for UK productivity. The panel, which has an independent chairman from industry, meets to review the proposals and recommends those which it considers should come forward as full proposals, bearing in mind the funds available for commitment. The project applicants are then informed of the panel's recommendation by e-mail. A telephone contact number and e-mail address are provided for applicants who wish to seek further feedback or discuss the panel's recommendation. The target for the process from closing date to notification is 30 working days, which was achieved in the call currently under way which involved 140 applications. With such a large number of applications, it is not possible to give detailed feedback to all the applicants within the stated target times for processing.

The projects invited to submit full proposals are given a closing date for submission about two months after notification. They are provided with feedback from the appraisal panel and visited by the programme co-ordinators or officials to provide advice on preparing a full application. The full application consists of a 10-page project description with technical annexes plus a LINK summary application form and application forms from each of the consortium members summarising company and financial information. The full proposals are again circulated to the appraisal panel and additional input is sought from other experts where appropriate. The panel meets to review all the proposals and recommends to DTI those which should be supported. The proposals are ranked to enable the available funds to be assigned to the strongest proposals. The applicants are notified of the recommendations of the panel which indicate that, subject to satisfactory financial arrangements being completed, the project will be offered grant support. The target to complete the process from closing date to notification is 40 working days.

Information on the programme, including application forms and guidance notes for applicants, are available on the programme website at www.basictechnologies.gov.uk, which is maintained by the programme co-ordinators.

Miners' Compensation

Paddy Tipping: To ask the Secretary of State for Trade and Industry how much has been paid since 31 December 2002 in respect of *(a)* chronic bronchitis and emphysema and *(b)* vibration white finger to former miners; how much has been paid to (i) solicitors and (ii) handling agents; and how much has been paid for medical assessments. [102850]

Mr. Wilson *[holding answer 17 March 2003]:* The information is as follows:

£ million

	COPD	*VWF*	*Total*
Total damages paid (1 January 2003 to 9 March 2003)	94	46.1	140.1
Total solicitor costs (1 January 2003 to 9 March 2003)	26.4	4	30.4
Other costs which include payments to contractors* (1 January 2003 to 28 February 2003)	—	—	14.3

* Due to commercial confidentiality, the Department is unable to provide a breakdown of the figures paid to individual contractors.

Motor Fuel

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry how many motor fuel retailers were trading in *(a)* 1997 and *(b)* the most recent year for which figures are available. [103047]

Mr Wilson: The Institute of Petroleum's (IP) annual "Retail Survey 2002" provides the following data on the number of retail petrol filling stations in the UK.

End of 1997—14,824

End of 2002—12,201

Nuclear Industry

Llew Smith: To ask the Secretary of State for Trade and Industry what changes she plans to make in the security regulations covering the civil nuclear industry; what costs will be incurred in the proposed changes; what additional resources she is making available to the Office of Civil Nuclear Security (OCNS) to implement the regulations; and when she expects to receive the next annual report of the OCNS. [103089]

Mr. Wilson: On 26 February I made the Nuclear Industries Security Regulations which will update and consolidate the regulation of security in the UK's civil nuclear industry. The regulations carry forward the main substance of the current regulatory regime, but bring the existing requirements together to provide a single, comprehensive legislative basis for regulation. They set requirements for the protection of nuclear and radiological material, whether on sites or in transit, against the risks of theft or sabotage, and for the protection of sensitive nuclear information, such as site security arrangements and proliferation-sensitive information.

The regulations were laid before Parliament on 28 February and most of the provisions are due to come into force on 22 March.

It is likely that the regulations will lead to minor additional one-off compliance costs to industry as a whole of around £190,000, and annually recurring costs to industry as a whole of around £115,000. There are also likely to be minor additional one-off costs to Government. The likely costs and benefits of the regulations are set out in a Regulatory Impact Assessment. Copies of this were placed in the Libraries of the House when the regulations were laid before Parliament.

Seven additional posts were made available in the Office for Civil Nuclear Security from 2002–03, to increase capacity in the aftermath of the terrorist attacks in the United States in September 2001 and in anticipation of the Nuclear Industries Security Regulations 2003 coming into force.

The Director of Civil Nuclear Security intends to submit his next annual report to my right hon. Friend the Secretary of State in May.

Llew Smith: To ask the Secretary of State for Trade and Industry what steps have been taken to engage stakeholders in discussion of proposals to create a nuclear decommissioning agency (NDA); what funds are available to defray the costs of participation in discussion forums by stakeholders of the NDA; and if she will make a statement. [103090]

Mr. Wilson: My officials are actively engaging with interested stakeholders, in particular through a planned rolling series of meetings at regional level. The first round of these meetings is focusing on explaining progress to date and identifying the issues which stakeholders wish to discuss. The second round, in the summer, will focus on how the NDA might work with stakeholders with a view to developing a draft stakeholder engagement framework which the NDA can build on once it is in place. This programme of regional events supplements existing arrangements for bilateral dialogue with stakeholders through the BNFL Stakeholder Dialogue and regular meetings with the nuclear regulators, trade unions, BNFL and UKAEA staff, Interested local authorities, environmental groups and the local liaison committees for individual sites.

I recognise that some stakeholders incur costs through their participation in such meetings. We have previously reimbursed any reasonable costs on a case by case basis and will continue to do so.

Nuclear Pollution

Norman Baker: To ask the Secretary of State for Trade and Industry (1) how much has been levied in fines by the Nuclear Inspectorate against *(a)* companies, *(b)* local authorities and *(c)* individuals, with regard to incidences of pollution, broken down by the type of pollution incidence (i) in total, (ii) in each region and (iii) per fine, in each year since 1995; [99210]

(2) what assessment has been made or is planned of the effectiveness of fines levied by the Nuclear Inspectorate on polluters preventing *(a)* further incidences of pollution by the polluters and *(b)* incidences of pollution from others who have not previously polluted; what changes are planned; and if she will make a statement; [99211]

(3) how many *(a)* complaints, *(b)* court actions and *(c)* fines against the nuclear industry for problems related to (i) odours, (ii) water pollution, (iii) air pollution and (iv) human health impact, (A) in total, (B) in each region and (C) per site there have been in each year since 1995. [99212]

Mr. Wilson: The DTI does not hold information broken down according to the categories set out in these questions with respect to complaints or court actions arising from instances or alleged instances of pollution and any ascribed effects on health.

Office of Fair Trading

Dr. Cable: To ask the Secretary of State for Trade and Industry when she plans to advertise for the positions of chairman and board members to replace the Director General of Fair Trading; and if she will make a statement. [102784]

Miss Melanie Johnson: The Director General of Fair Trading (DGFT) was advised in his appointment letter dated 13 July 2000 that he would be appointed chairman if the Enterprise Bill was enacted. He was formally appointed chairman (and therefore executive member of the Office of Fair Trading) from 6 January 2003, following royal assent to the Enterprise Act 2002, under section 13 of the Interpretation Act 1978. This appointment ends on 30 September 2005.

Advertisements for the non-executive members appeared in June 2002, with a closing date of 26 July 2002. Following the interview process, and then consultation with the chairman, four selected appointees were announced in a press notice P/2003/32 dated 21 January 2003 available in the Libraries of the House. These roles will commence under the Enterprise Act 2002 with the new Office of Fair Trading and the end of their appointment terms are staggered between 2007 and 2008.

The current deputy of the DGFT is also being appointed as an executive member from 1 April 2003 for four years (in same press notice).

The department will consult the new board on plans for the appointments of separate Chair and Chief Executive when John Vickers leaves in 2005, but no further action is required this year.

Pressure Equipment Directive

Adam Price: To ask the Secretary of State for Trade and Industry if she will make a statement on the difficulties of professional copper boiler makers in complying with the Pressure Equipment Directive. [102759]

Alan Johnson: The Department is aware of the problems of small businesses operating in the heritage sphere that need to comply with CE marking directives. Arrangements were put in place last year offering help to them with the start up costs they incur in respect of third party verification and inspection services required to CE mark some of their products. In the case of copper boilermakers and the Pressure Equipment Regulations 1999, the Department also engaged the services through much of last year of an independent consultant, at public expense to assist them in their compliance efforts. The Department continues to offer advice as appropriate.

Self-employment Pensions

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry from what date the Department of Trade and Industry ensured that life offices that offered Guaranteed Annual Returns for self-employed pensions were matching assets against guarantees given. [103478]

Ruth Kelly: I have been asked to reply.

There are no specific requirements relating to pensions for self-employed people. Life insurers offering personal and stakeholder pensions are subject to the same prudential supervision as other regulated firms.

Spectrum Access

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry what representations her Department has received on the recognised spectrum access scheme proposed in the Communications Bill; and how many of them were *(a)* in support of and *(b)* in opposition to the scheme. [101611]

Mr. Timms *[holding answer 7 March 2003]:* Eight representations have been received by the Department supporting recognised spectrum access and 26 opposing the principle of the scheme or its proposed application to satellite services.

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry whether Ministers from her Department have met representatives of the UK satellite industry to discuss the impact of recognised spectrum access on the satellite industry. [101612]

Mr. Timms *[holding answer 7 March 2003]:* I agreed last month to meet representatives of UK and European satellite operators to discuss recognised spectrum access. The meeting has been arranged for 8 April.

Staff Redundancies

Jane Griffiths: To ask the Secretary of State for Trade and Industry what guidance she gives on whether firms, when making staff redundant without allowing staff to work their notice period, have to take into account lost pay and benefits pension rights when making payment in lieu of notice. [103395]

Alan Johnson: Employees entitled to notice of dismissal are entitled, where no notice is given, to pay in lieu for the period of notice required. They are also entitled to other benefits, such as pension rights, that would have accrued in respect of that period. This is the position whatever the reason for dismissal except in cases where the employer is justified in dismissing the employee summarily.

Jane Griffiths: To ask the Secretary of State for Trade and Industry on how many occasions her Department has been notified of significant redundancies planned by *(a)* AMP, *(b)* Pearl Assurance and *(c)* NPI; how many jobs were affected; and in what locations. [103399]

Alan Johnson: I regret it is not possible to disclose details of the number of notifications of proposed redundancies received by the Department. Such information is a confidential matter between the employer and the Department, under Exemption 13, Third Party's commercial confidences, of the Code of Practice on access to Government information.

UK Steel

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what recent discussions she has had with Corus regarding the UK steel industry; and what support and assistance she can provide to the UK steel sector. [103859]

Alan Johnson: My right hon. Friend, the Secretary of State for Trade and Industry has had a number of discussions with senior management of Corus to discuss its current difficulties. She met Corus board members on 18 March when she again stressed the need for them to develop a workable solution which will return the company to profitability. We must await the outcome of commercial discussions.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what impact she estimates the present difficulties in the UK steel industry will have on production for military contracts. [103860]

Alan Johnson: It is considered that the UK steel industry will not have any difficulty fulfilling contracts.

Your Guide Project

Mr. Robathan: To ask the Secretary of State for Trade and Industry what estimate she has made of the total cost of the Your Guide project in post offices. [103541]

Mr. Timms: I refer to the answer I gave to the hon. Member for Twickenham (Dr. Cable) on 5 November 2002, *Official Report*, column 157W.

HOME DEPARTMENT

Accountancy Services

Mr. Bercow: To ask the Secretary of State for the Home Department what the total cost to his Department was for accountancy services in 2002. [101557]

Mr. Blunkett: The information requested is not held centrally and could be obtained only at disproportionate cost.

Appeals

Mr. Peter Pike: To ask the Secretary of State for the Home Department (1) when he last reviewed provision under the Reviews of Sentencing Orders of 1994, 1995 and 2000; when his Department will next review this; and if he will make a statement; [100207]

(2) what representations he has received to extend the range of cases over which the Attorney General has power to refer cases to the Court of Appeal where it appears that sentencing has been unduly lenient; and if he will make a statement; [100209]

(3) what discussions he has had with the Attorney General and the Courts regarding the current provision under Sections 35 and 36 of the Criminal Justice Act 1988 and the Reviews of Sentencing Orders of 1994, 1995 and 2000 to refer certain types of case to the Court of Appeal to further review sentencing orders to include further offences; and if he will make a statement. [100210]

Hilary Benn: There is no formal review system in operation for the Unduly Lenient Sentence scheme. New requests to extend the Attorney General's powers to refer unduly lenient sentences are considered by my right hon. Friend, the Home Secretary, in consultation with the Attorney General and Lord Chancellor, as and when they are received.

The Home Secretary is sympathetically considering a request from the Attorney General (which has the support of the Lord Chancellor and Lord Chief Justice) to add certain racially aggravated offences to the scheme. This request followed a specific recommendation in a report of a thematic inspection of casework with an ethnic minority dimension, conducted by Her Majesty's Crown Prosecution Service Inspectorate.

An amendment was tabled during the Committee Stage of the Courts Bill in another place, to add burglary to the scheme, but this was defeated on 18 February.

The Home Secretary will continue to consider whether any additional offences should be added, and will liaise fully with the Attorney General, Lord Chancellor and Lord Chief Justice in such deliberations.

Asylum Seekers

Simon Hughes: To ask the Secretary of State for the Home Department how many asylum applications have been outstanding for *(a)* more than three months and *(b)* more than 6 months. [102438]

Beverley Hughes: As at the end of December 2002 the number of asylum applications awaiting an initial decision for more than three months is estimated to be 25,800, of which 21,400 cases were outstanding after more than six months. This includes cases that are currently under consideration and compares with 27,300 and 22,100 such applications as at the end of December 2001, and 72,000 and 60,600 applications as at the end of December 2000.

Provisional data show that 60 per cent. of applications (excluding withdrawals and third country cases) received in 2001–02 had initial decisions reached and served within two months, 78 per cent. within four months and 84 per cent. within six months. 76 per cent. of applications (excluding withdrawals and third country cases) received in the period April to September 2002 had initial decisions reached and served within two months.

Simon Hughes: To ask the Secretary of State for the Home Department how long it is taking to process *(a)* straightforward and *(b)* non-straightforward cases for (i) asylum and (ii) British citizenship. [102463]

Beverley Hughes: The information requested is unavailable and could be obtained only at disproportionate cost by examination of individual case records. Each asylum claim is assessed on its individual merits, and it is not clear on what criteria an asylum case would be classified as being straightforward or not straightforward. An asylum case, which appears straightforward at the outset, can become more complex later in the asylum process. 76 per cent. of applications (excluding withdrawals and third country cases) received in the period April to September 2002 had initial decisions reached and served within two months.

The average time between application and initial decision was six months for initial decisions made in 2002. This has been calculated using all cases for which data are available, including older cases decided as part of the reduction of the backlog, as well as new cases. This compares to 20 months in 1997.

Applications for British citizenship are dealt with upon receipt and are not subdivided into straightforward and non-straightforward applications.

The most recently published data on average processing times for British citizenship relate to applications lodged prior to 31 March 2001, when the average waiting time was 11.6 months.

Simon Hughes: To ask the Secretary of State for the Home Department what funding arrangements are in place to enable the Immigration and Nationality Directorate to meet the target to halve the number of asylum applicants by September. [102469]

Beverley Hughes: The budget for 2003–04 will be published in the Home Office's main estimates (in the usual way).

Mr. Flook: To ask the Secretary of State for the Home Department what *(a)* guidelines and *(b)* rules the National Asylum Advisory Service gives to contracted companies as to where each asylum seeker can be housed in a cluster. [103182]

Beverley Hughes *[holding answer 17 March 2003]:* The National Asylum Support Service (NASS) identified areas suitable for the provision of accommodation to asylum seekers. NASS contracted companies were told where these areas were and that accommodation must be located within the defined areas. All accommodation had to meet a strict specification laid down by NASS. Providers were responsible for ensuring that all necessary planning regulations were met, including local requirements relating to houses in multiple occupation. Additionally, where it is proposed that a single address will have over six bedspaces, there is a requirement that NASS should formally consult the local authority.

Asylum Support Fraud

Mr. Heald: To ask the Secretary of State for the Home Department what the level of *(a)* fraud and *(b)* overpayment in respect of claims by landlords for accommodation provided under the NASS asylum support programme has been in each year since the establishment of NASS; how many investigations have been undertaken in each year; what the outcomes were; and if he will make a statement. [102778]

Beverley Hughes *[holding answer 13 March 2003]:* The National Asylum Support Service (NASS) has entered into contracts with both the private and public sector to provide accommodation for asylum seekers. Under the terms of the contract a set price is paid for the accommodation provided but contractors are required to meet key performance indicators. There have been no investigations into suspected cases of fraud or overpayment.

The method of payment used by NASS to pay its contractors may, on occasions, result in a technical overpayment. This is caused by the need to make deductions from the contract price where there has been a failure to meet key performance indicators but the system is self correcting in subsequent months.

Award Schemes

Annabelle Ewing: To ask the Secretary of State for the Home Department if he will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by his Department; what their scope was; when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102052]

Beverley Hughes:

The Queen's Golden Jubilee Award

From November 2002, the Home Department has been responsible for The Queen's Golden Jubilee Award (for voluntary service by groups in the community). This new, annual Award, which was launched in April 2002, is for outstanding voluntary groups of two or more people who have been operating in the United Kingdom, the Channel Islands or the Isle of Man, normally for a period of three years or more. Winning groups and the individuals who nominated them for consideration will be informed in confidence shortly before the public announcement on 2 June 2003.

The Philip Lawrence Awards

The Philip Lawrence Awards were established in 1996. They celebrate annually outstanding citizenship in their communities by young people. They are awarded in November or December of each year.

Home Office Police Research Award Scheme

The Home Office Police Research Awards have been granted every year since 1987. The Awards provide Home Office funding and support for police staff to carry out research and/or development projects. All individuals submitting an application are provided with feedback. Those who are successful undergo an induction training event whilst those who are unsuccessful are given suggestions, if and when appropriate, on how to improve their proposals for a future application.

Host police force areas are notified together with the candidates.

The Ferrers Trophy

The Ferrers Trophy is awarded annually to the 'National Special of the Year'. There are also awards for Highly Commended and Team entries. They are open to all special constables and teams of special constables in England and Wales. The awards ceremony is held in June of each year.

The Tilley Award

The Tilley Award is open to all United Kingdom police forces for excellence in problem oriented policing. It was established in 1999. Winners and runners up are notified of the results in July with a formal announcement in September of each year.

The Prison Service has several award schemes for staff and prisoners. For staff they are as follows:

Butler Trust—Greening award

A new award for staff who have contributed towards improving the Prison Service's environmental performance was announced in August 2002 and the first winners will be presented with their awards in late March.

Staff Ideas Themed Competition "Making Prisons Greener"

In September 2001, the Prison Service launched its second central staff ideas themed competition "Making Prisons Greener". All the ideas have been featured in more detail in the Greening Operations Team's quarterly newsletter and in its annual environmental report published in July 2002.

Design a poster competition

The Prison Service, as part of its campaign to promote awareness of environmental matters among staff, launched a design a poster competition in 2001. This was aimed at staff and their families who were asked to submit designs for greening and energy efficiency posters to be used across the Service. The winning designs were used to produce posters that have been distributed to every prison and Service Headquarters.

The Elton Trophy Competition

The Elton Trophy Competition is an annual award scheme rewarding highly creditable performance in prison workshops. Eligibility for nomination was restricted to industrial workshops until 2002 when the scope was expanded to allow nominations from craft, charity and vocational training workshops.

Commendation awards are also made to individual members of staff directly linked to workshops who have contributed significantly to a workshop's success.

The Prison Service introduced performance arrangements in April 2001. These provide practical guidance on approaches to recognising individual performance outside the staff appraisal system. The arrangements encourage managers to recognise and acknowledge good performance by their staff. The methods suggested vary from a simple "thank you", to the award of vouchers to one-off financial rewards. There are a number of strands to the arrangements and consist of the following:

Prison Officer of the Year Award

This is an annual event introduced in 2002 as a method of "recognising, rewarding and celebrating the outstanding achievements of prison officers throughout the Service".

Butler Trust Award

The Trust was established as a registered charity in 1985 to promote and encourage positive prison regimes. An independent annual award scheme was set up to recognise exceptionally dedicated and often creative work undertaken by any person working in the Prison Service. The Service's performance recognition arrangements encourage nominations for the award.

Staff Ideas Scheme

Staff are encouraged to contribute to the Ideas Scheme which has been extant for a number of years. The scheme exists on two tiers. Firstly, there is local consideration of ideas specific to the local working environment. Secondly, there is national consideration of service-wide ideas that would have implications for policy or regular working practice. The objective of the scheme is to improve policy developments and make practices and procedures more effective and cost-efficient. Ideas are recognised with monetary awards from £25 up to £3,000, or with a small encouragement gift such as a pen.

Prisoner award schemes for prisoners consist of the following:

Bricklaying Competition

The Prisoners' Learning and Skills Unit (PLSU) based in the Department for Education and Skills contributes towards annual bricklaying competitions for prisoners. These competitions, which are recognised by UK Skills, are administered using National Skills Competition guidelines and judged independently by the Guild of Bricklayers. The winning team from the Scottish Prison Service Competition is invited to compete in the final for prisons in England and Wales.

Koestler Award Trust

PLSU also supports the Koestler Award Trust, which runs an annual competition in a wide range of creative arts for those in prisons, young offender institutions, high security psychiatric hospitals and secure units. 64 judges, working for free, send critical comments to the entrants which encourages communication between the artist, the Trust and the Education Co-ordinator and tutors in establishments. The work is judged in May and June and certificates sent to the award-winners in July. Award cheques are sent to Governors to be credited to the prisoner's private cash.

Koestler's annual exhibition of award-winning work is held in September.

Windlesham Trophy

The Windlesham Trophy is awarded every year to the prison judged to have the best kept gardens. The scheme includes individual commendation awards. These recognise exceptional talent, or an outstanding contribution to a garden's success, or input into prisoner training or rehabilitation. The competition is open to all prison establishments in England and Wales. The results are published throughout the Prison Service in the first week of August each year. The Royal Horticultural Society provides a panel of three experts to judge the final round. There is press interest local to the winning establishment, and occasional interest from national and specialist gardening press.

Cap Le Hague Nuclear Reactor

Mr. Andrew Turner: To ask the Secretary of State for the Home Department what arrangements are in place for the protection of the Isle of Wight in the event of an attack on the Cap Le Hague nuclear reactor in France. [102839]

Mr. Meacher: I have been asked to reply.

In the event of any overseas nuclear incident (arising from an accident or a deliberate act) the Government's National Response Plan for Overseas Nuclear Accidents and RIMNET would be activated. A copy of this plan is available in the Library.

The UK Government would expect to receive notification of such an incident via the International Atomic Energy Agency (IAEA), European Commission Urgent Radiological Information Exchange (ECURIE), bilateral agreements between Governments for exchange of information (France, Denmark, Holland, Norway and Russia are signatories) or an alert from one or more of the 93 gamma dose rate monitoring sites that comprise the UK's national radiation monitoring network (RIMNET).

An assessment of the likely impact of any release of radioactivity on the UK would be made immediately using all available information together with dispersion prediction modelling provided by the Meteorological Office. Using global weather information the current and forecast meteorological scenario would provide early estimates of the trajectory and the time of impact in the UK. This information when combined with environmental monitoring will allow the Government to assess projected levels of contamination and likely coverage.

A Technical Co-ordination Centre would be set up in the purpose-built Defra emergency room in London, from where a team of officials experienced in dealing with emergencies would co-ordinate the response to the incident. Public information and advice based on this information would be prepared and distributed from the Technical Co-ordination Centre to all the authorities and organisations with responsibilities for protecting the public and the environment including those on the Isle of Wight if the island was likely to be affected.

Terrorism

Mrs. Calton: To ask the Secretary of State for the Home Department what emergency planning has been undertaken in preparation for a chemical or biological attack in the UK; and if he will make a statement about the state of preparedness of the *(a)* emergency services and *(b)* local authority services. [102518]

Mr. Blunkett: I refer the hon. Member to the Written Statement on Terrorism (Civil Contingency Planning) that I made on 3 March 2003, *Official Report*, column 72WS.

Llew Smith: To ask the Secretary of State for the Home Department what evaluation has been made of the impact of the detonation of a dirty radiological bomb in a city centre; what assessment has been made of the ways in which decontamination needed can be carried out; and what calculation has been made of the likely consequential costs of such a dirty bomb being used. [101994]

Mr. Blunkett: The United Kingdom has well tried and tested contingency plans—developed over many years—for responding to a wide range of terrorist threats, including those which might involve the threatened or actual use of radiological materials.

At a national level, existing contingency plans for dealing with the aftermath of radiological emergencies arising from nuclear and other incidents have been reviewed and adapted to cater for the deliberate release of radioactivity, or 'dirty bombs' into the environment. The Department for Environment Food and Rural Affairs (DEFRA) takes the lead in maintaining these plans.

My right hon. Friend the Member for Southampton, Itchen (John Denham), published the Strategic National Guidance for the Decontamination of People Exposed To Chemical, Biological, Radiological or Nuclear (CBRN) Substances or Material on 3 February 2003 which contains ways in which the decontamination of people is carried out. This is an approach which provides simple but effective decontamination for chemical, biological or radiological contaminants.

The consequential costs of such an incident would of course depend on a number of factors, including the size of the device, the weather conditions and the area affected.

Bob Spink: To ask the Secretary of State for the Home Department what measures are in place to prevent illegal immigrants being used by terrorists to introduce dangerous pathogens into the UK. [102301]

Beverley Hughes: Clandestine illegal entrants detected in Kent are transferred to the Dover Asylum Screening Centre and they and their baggage are searched thoroughly as part of the screening process.

Clandestine illegal entrants detected elsewhere in the country, are normally taken to the nearest police station where they would be searched before being taken into the custody area.

The terrorist threat remains real, and serious. As recent events have shown, no country is immune from attack, and it simply is not possible to guarantee against more attacks in the future. However, this Government are resolute in their determination to defeat terrorism regardless of its source.

The average time between application and initial decision was six months for initial decisions made in 2002. This has been calculated using all cases for which data are available, including older cases decided as part of the reduction of the backlog, as well as new cases. This compares to 20 months in 1997.

Applications for British citizenship are dealt with upon receipt and are not subdivided into straightforward and non-straightforward applications.

The most recently published data on average processing times for British citizenship relate to applications lodged prior to 31 March 2001, when the average waiting time was 11.6 months.

Bob Spink: To ask the Secretary of State for the Home Department if he will list the pathogens which could be used in a terrorist attack against which there is vaccine available. [102302]

Mr. Blunkett: Our defence against bioterrorism takes account of the possibility of terrorists seeking to use a wide range of pathogens and toxins. Schedule 5 to the Anti-Terrorism Crime and Security Act 2001 lists 47 such agents for which security arrangements must be made.

Bob Spink: To ask the Secretary of State for the Home Department if he will list the detection technologies available to each of the emergency services for use in incidents where terrorist threat surveillance may be appropriate. [102303]

Mr. Blunkett: The Fire Service has access to radiological survey meters and, in appropriate circumstances, personal radiation dosimeters. In addition, all brigades have access to explosive atmosphere monitors and local scientific advice.

The Police Service has access to chemical monitors and radiation dosimeters. They also have access to specialist national chemical, biological and radiological advice.

The Ambulance Service use the detection technologies of Police and Fire Services. It would not be appropriate, on security grounds, to give more specific information.

Simon Hughes: To ask the Secretary of State for the Home Department what action he is taking to protect the parliamentary estate against potential terrorist attacks. [102455]

Mr. Blunkett: Operational responsibility for security within the parliamentary estate rests with the Serjeant-at-Arms. Outside the estate's boundaries, operational responsibility falls to the Metropolitan Police Service. For security reasons, I cannot comment on the detail of the measures in place to protect against potential terrorist or other forms of attack.

Gregory Barker: To ask the Secretary of State for the Home Department what assessment he has made of the level of preparedness amongst voluntary organisations of the United Kingdom to respond to a major terrorist attack; and if he will make a statement. [96250]

Mr. Blunkett: The degree of preparedness of any voluntary organisation judged competent to work with the statutory agencies in handling the consequences of any civil emergency is a matter for assessment by the local authority and/or emergency service through which the voluntary organisation is registered and operates. The Government have published clear guidance on the use and training of volunteers and voluntary organisations in the following core guidance publications: 'Dealing With Disaster' (3rd edition), England and Wales (chapter 6); 'Dealing With Disaster Together', Scottish Executive (chapter 7); 'A Guide to Emergency Planning in Northern Ireland' (annex C).

Contingent Liabilities

Matthew Taylor: To ask the Secretary of State for the Home Department which contingent liabilities for which his Department has responsibility have matured in each of the last five financial years; and if he will make a statement. [101767]

Mr. Blunkett: My Department carries out an exercise each year to identify the contingent and actual liabilities of the Home Department and reports the findings to Her Majesty's Treasury.

Information relating to 1997–98 is not readily available.

Between 1998–99 and 2001–02, payments were made against only one contingent liability. This arose from section 27 of the Immigration and Asylum Act 1999. It related to the cost of re-funding charges for travel documents issued between January 1994 and February 1999. By the end of the year 2001–02, the liability had reduced to below the £100,000 reporting threshold.

Correspondence

Kate Hoey: To ask the Secretary of State for the Home Department when the Immigration and Nationality Directorate will reply to letters from the hon. Member for Vauxhall dated 25 March 2002, 19 June 2002, 21 October 2002 and 16 December 2002 about a constituent, reference number M61644. [101833]

Beverley Hughes: I wrote to my hon. Friend on 17 March 2003.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letter to him dated 3 January from the right hon. Member for Manchester, Gorton with regard to Mr. B. Padya. [103746]

Mr. Blunkett: I wrote to my right hon. Friend on 14 March 2003.

Court Judgment (Howard League)

Mrs. Brooke: To ask the Secretary of State for the Home Department what meetings have been held between Home Office and Department of Health officials following the judgment in R (Howard League for Penal Reform) v Secretary of State for the Home Department. [103157]

Hilary Benn: Following the High Court judgement, Prison Service Officials have had a series of three meetings so far with Department of Health and Youth Justice Board officials to consider the implications of Justice Munby's judgement. The meetings are looking at the possible need for further guidance.

Criminal Justice Bill

Kevin Brennan: To ask the Secretary of State for the Home Department what estimate he has made of the number of children and young people who will be sentenced annually under each of the new proposals in the Criminal Justice Bill to *(a)* detention for life, *(b)* detention for public protection and *(c)* extended sentences. [103077]

Hilary Benn: The Criminal Justice Bill provides new mandatory sentences for offenders who commit a specified violent or sexual offence and who, in the opinion of the court, present a serious risk to members of the public of serious harm commissioned by the offender of further specified offences.

Relevant juveniles convicted of an offence which carries a maximum penalty of detention for life under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000, will receive detention for life under section 91.

Those convicted of a serious specified offence which does not fall within this category, will receive either a sentence of detention for public protection or an extended sentence.

Those convicted of a specified offence which is not a serious offence, will be given an extended sentence.

The provisions aim to protect the public from the very small minority of juveniles who present a serious risk and to enable those offenders to be detained until their risk has been reduced. We anticipate their being used infrequently. We estimate that under them around 30 juveniles a year are likely to receive detention for life, around 10 the extended sentence and one or two detention for public protection.

Criminal Records Bureau

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his statement of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, under what circumstances individuals' fingerprints will be retained by the CRB; how long after they are taken will they be destroyed; and if he will make a statement. [101018]

Hilary Benn: There are already arrangements in place for fingerprints to be used in circumstances where the applicant's identity cannot be confirmed by any other means. Under the Police Act 1997 (Criminal Records) Regulations 2002, fingerprints, and any copies, taken for this purpose must be destroyed as soon as is practicable after the identity of the applicant is established to the satisfaction of the Criminal Records Bureau (CRB). Any applicant who asks to be allowed to witness the destruction of his fingerprints or copies of them has the right to do so.

As we have made clear, we shall undertake a further study, in consultation with interested parties, on the recommendation that fingerprints be taken to confirm the identity of applicants for particularly sensitive positions. If, in the light of this consultation, it is decided to proceed, the detailed arrangements for the retention and destruction of applicants' fingerprints will be drawn up.

Mr. Burstow: To ask the Secretary of State for the Home Department what penalties will be applied if registered bodies fail to correctly identify individuals applying for disclosure by the Criminal Records Bureau; and if he will make a statement. [102524]

Hilary Benn: Under the Code of Practice, Registered Bodies are under an obligation to follow all Criminal Records Bureau (CRB) published guidance. This includes literature ensuring that false or fraudulent applications are not submitted. If a Registered Body fails to comply with the Code of Practice, the Secretary of State has the option to refuse to issue it with further Criminal Record Certificates. It is a criminal offence to knowingly make a false statement for the purpose of enabling another person to obtain a Criminal Record Certificate.

As part of the Independent Review Team's recommendations, the critical role of Registered Bodies in the CRB process is to be upgraded. To ensure that Registered Bodies discharge their responsibilities effectively, we will take powers to attach conditions to a registration and to revoke a registration where such conditions are breached.

Experience Corps

Mr. Streeter: To ask the Secretary of State for the Home Department whether it is the purpose of the Experience Corps to recruit volunteers new to significant involvement with voluntary organisations; and what monitoring procedures are in place to assess whether recruits represent an additional resource for the voluntary sector. [101866]

Beverley Hughes: The establishment of The Experience Corps was informed by an Experts Group drawn together to advise on a blue print for a National Experience Corps following agreement from the Ad Hoc ministerial group. In developing their plans the Experts Group were informed by Ministers that:

The scheme should not exclude existing volunteers in the target age group and must avoid double counting.

The Experience Corps monitor all information on existing volunteers through their database and state that they aim to 'increase, widen and sustain their volunteering contribution'. The performance of the Experience Corps is currently being reviewed by the Home Office.

Illegal Immigrants

Mr. Burstow: To ask the Secretary of State for the Home Department how many employers in the UK were found to have employed illegal immigrants in the last year for which figures are available; how many have been successfully prosecuted; and if he will make a statement. [102526]

Hilary Benn: Information on the number of employers in the United Kingdom who are found to have employed illegal immigrants is not collected centrally and therefore not available.

Information on persons proceeded against for employing a person subject to immigration control is contained in the attached table and published annually in the Command publication "Control of Immigration: Statistics United Kingdom", which is available in the Library and from the Home Office website: www.homeoffice.gov.uk/rds/immigration1.html.

We recognised in our White Paper "Secure Borders, Safe Haven" that section 8 of the Immigration and

Asylum Act 1996 had not proved to be an effective deterrent in the prevention of illegal migrant working. We also outlined in our White Paper a new and comprehensive strategy for tackling the damaging consequences of illegal working which addressed the root of the problem. Work is on-going in three areas: strengthening present enforcement arrangements; facilitating effective joint working across Government; and working with business and trade unions to improve compliance.

In November 2002, I established an Illegal Working Steering Group, which includes representatives from a range of business sectors, the Trades Union's Congress and Commission for Racial Equality. The group has the potential to become a key player in the prevention of illegal working, by ensuring that there is greater awareness of the problems that this form of illegality creates. The group will also be involved in ensuring that the guidance for complying with the amended legislation will be clear, concise and practical.

Persons proceeded against for offences under Immigration Acts 1971 to 1999 in England and Wales, 1997–2001

Number of persons

Act and section	*Offence[1] description*	*1997*	*1998*	*1999*	*2000*	*2001[2]*
Proceeded against						
Asylum and Immigration Act 1996 section 8	Employing a person subject to immigration control	—	1	23	32	65
Found guilty						
Asylum and Immigration Act 1996 section 8	Employing a person subject to immigration control	—	1	9	23	1

[1] Data are based on the principal immigration offence only. They exclude any persons proceeded against for section 8 offences where these were not that persons principle immigration offence.

[2] Provisional

Immigration and Nationality Directorate

Simon Hughes: To ask the Secretary of State for the Home Department what was the Immigration and Nationality Directorate's budget for *(a)* staff and *(b)* IT in (i) 2000–01 and (ii) 2001–02; and what the planned budget [illegible] for (A) 2002–03 and (B) 2003–04. [102454]

Beverley Hughes: The Staff Pay budget is set out as follows:

£ million

2000–01	*2001–02*	*2002–03*
227	267	343

The associated IT budget cannot be easily separated from other administrative costs.

The budget for 2003–04 will be published in the Home Office's main estimates (in the usual way).

Nurses (International Recruitment)

Mr. Baron: To ask the Secretary of State for the Home Department what the average length of visa granted by Work Permits UK to overseas nurses seeking employment in the UK was in each of the last three years for which figures are available; whether it is possible for such a visa to be extended at the request of the applicant; and how many overseas nurses, having successfully been granted a working visa for the UK, have sought to extend this visa in each of the last three years for which figures are available. [103075]

Beverley Hughes *[holding answer 17 March 2003]:* Figures for the average length of work permits granted to overseas nurses in each of the last three calendar years are unavailable due to the nature of the information recorded on the Work Permits (UK) Management Information system.

A work permit for an overseas nurse can be extended at the request of the UK-based employer that originally recruited the nurse.

The figures for the number of overseas nurses who have received an extension on their original work permit in each of the last three calendar years are given as follows:

2002: 6,228

2001: 3,036

2000: 1,529

Mr. Baron: To ask the Secretary of State for the Home Department how many applications Work Permits UK received from overseas nurses wishing to work in the UK in each of the last five years, broken down by nationality. [103076]

Beverley Hughes *[holding answer 17 March 2003]:* Applications for work permits are made by UK-based employers on behalf of overseas nationals.

The figures for the number of applications received from UK-based employers to recruit overseas nurses in each of the last five calendar years, broken down by the top 10 nationalities are given in the following tables:

2002

Nationality	*Number of work permits approved*
Philippines	11,921
India	4,957
South Africa	4,039
Zimbabwe	2,994
Nigeria	1,875
Ghana	700
Australia	691
Pakistan	606
Zambia	465
Kenya	444
Others	3,992

2001

Nationality	*Number of work permits approved*
Philippines	10,887
India	3,416
South Africa	3,185

2001

Nationality	*Number of work permits approved*
Zimbabwe	2,068
Nigeria	1,289
Australia	760
Ghana	564
Pakistan	532
Trinidad and Tobago	410
Zambia	368
Others	3,559

2000

Nationality	*Number of work permits approved*
Philippines	6,973
South Africa	1,997
Zimbabwe	1,223
India	1,195
Nigeria	1,027
Australia	571
Trinidad and Tobago	475
Jamaica	338
Ghana	334
New Zealand	278
Others	2,198

1999

Nationality	*Number of work permits approved*
Philippines	1,103
South Africa	974
Nigeria	542
Zimbabwe	529
Trinidad and Tobago	394
Australia	371
India	219
Mauritius	184
New Zealand	158
Jamaica	157
Others	1,019

1998

Nationality	*Number of work permits approved*
Nigeria	284
South Africa	221
Mauritius	216
Trinidad and Tobago	210
Zimbabwe	210
Australia	207
New Zealand	100
Ghana	66
Malaysia	58
Canada	46
Others	351

Prison Healthcare

Mr. Win Griffiths: To ask the Secretary of State for the Home Department what the cost was of providing healthcare in each *(a)* publicly and *(b)* privately administered prison in each of the last four years; and what the per prison costs were in each prison. [102667]

Hilary Benn: Information is not available in the form requested, as costs of health care have not been identified separately in the past. A report by the Joint Prison Service and National Health Service Executive Working Group "The Future Organisation of Prison Health Care" in 1999, estimated that that Prison Service establishments spent about £85 million on prisoners' health care in 1997–98. A questionnaire completed by establishments in 2002–03 estimated that the cost of healthcare in English prison establishments in 2002–03 was about £113 million, although these two figures are not directly comparable. The following is a breakdown of questionnaire returns by prison establishment. For private prisons, payments are made for the contracted service and the health care element is not separately identified.

Prison health care costs for 2002–03 (six month actual and six months projected)

Establishment	*£000*
Acklington	461
Albany	*0
Ashwell	258
Askham Grange	285
Aylesbury	583
Bedford	764
Belmarsh	2,963
Birmingham	1,761
Blakenhurst	1,372
Blantyre House	75
Blundeston	326
Brinsford	525
Brinsford YJB	522
Bristol	1,949
Brixton	4,153
Brockhill	612
Brockhill YJB	108
Buckley Hall	858
Bullingdon	1,380
Bullwood Hall	522
Bulwood YJB	126
Camp Hill	*0
Canterbury	573
Castington	207
Castington YJB	482
Channings Wood	434
Chelmsford	1,359
Coldingley	193
Cookham Wood	458
Dartmoor	859
Deerbolt	511
Dorchester	607
Dover	171
Downview	397
Drake Hall	334
Durham	1,972
East Sutton Park	99
Eastwood Park	1,260
Eastwood Park YJB	39
Elmley	1,249
Erlestoke	174
Everthorpe	284
Exeter	1,242
Featherstone	282
Feltham	1,928
Feltham YJB	1,779
Ford	308
Foston Hall	550
Frankland	1,339
Full Sutton	737
Garth	1,001
Gartree	649
Glen Parva	2,206
Gloucester	769
Grendon	519
Guys Marsh	432
Haslar	135

Prison health care costs for 2002–03 (six month actual and six months projected)

Establishment	*£000*
Hatfield	**0
Haverigg	437
Hewell Grange	65
Highdown	1,905
Highpoint	466
Highpoint—female estate	1,198
Hindley	682
Hindley YJB	358
Hollesley Bay Colony	184
Hollesley YJB	211
Holloway	4,931
Holme House	1,449
Hull	1,408
Huntercombe YJB	319
Kingston	157
Kirkham	276
Kirklevington Grange	100
Lancaster Castle	192
Lancaster Farms	487
Lancs Farm YJB	265
Latchmere House	103
Leeds	2,221
Leicester	726
Lewes	1,049
Leyhill	267
Lincoln	1,138
Lindholme	610
Littlehey	679
Liverpool	2,559
Long Lartin	1,069
Low Newton	637
Maidstone	480
Manchester	1,850
Moorland	1,029
Morton Hall	422
Mount, The	549
New Hall	1,076
New Hall YJB	201
North Sea Camp	131
Northallerton	427
Norwich	1,631
Nottingham	824
Onley	372
Onley YJB	407
Parkhurst	1,888
Pentonville	3,577
Portland	442
Preston	1,133
Ranby	528
Reading	452
Risley	1,058
Rochester	593
Send	342
Shepton Mallet	246
Shrewsbury	533
Stafford	508
Standford Hill	226
Stocken	307
Stoke Heath	388
Stoke Heath YJB	248
Styal	1,425
Sudbury	224
Swaleside	924
Swinfen Hall	267
Thorn Cross	106
Thorn Cross YJB	83
Verne, The	430
Wakefield	1,202
Wandsworth	3,086
Wayland	450
Wealstun	430
Weare, The	422
Wellingborough	319
Werrington YJB	362
Wetherby YJB	532
Whatton	153
Whitemoor	1,037
Winchester	1,280
Woodhill	2,895
Wormwood Scrubs	3,339
Wymott	590
Total establishments	112,715

* included with Parkhurst prison

** included with Moorland prison

YJB = Youth Justice Board

Totals exclude security and bed watch costs within prisons and external escort costs.

Prisoners (Drug Treatment)

Mr. Nick Gibb: To ask the Secretary of State for the Home Department what percentage of criminal offenders required immediate detoxification on entering prison in each year since 1995. [98503]

Hilary Benn: This information is not available in the form requested. Prison Service establishments have reported that between 1 April 2001 and 31 March 2002 41,916 drug and alcohol detoxifications have been carried out.

Private Sector Businesses (Forms)

Mr. Yeo: To ask the Secretary of State for the Home Department if he will list the forms that his Department requires private sector businesses to complete and return. [98087]

Mr. Wills: Those forms which private sector organisations are required to complete and return are listed. Forms are completed and returned as and when necessary, and therefore on an occasional basis, unless a specific frequency is mentioned.

Forms concerned with the licensing of the production, trade or export of controlled drugs and associated substances.

The following forms are required to be completed by private sector businesses:

Category 1 Precursor chemicals licence application to trade within the EU.

Category 1 Precursor chemicals licence application to export outside the EU

Category 2 Precursor chemicals registration application for trading within the EU

Category 2 Precursor chemicals registration application to export outside the EU

Category 3 Precursor chemicals registration application to export outside the EU

Application for Individual Export Authorisation to export precursor chemicals outside the EU

Application for a Licence/Authority under the Misuse of Drugs Act 1971

Application to renew a Licence/Authority under the Misuse of Drugs Act 1971

Remittance form to accompany payment for licences issued under the Misuse of Drugs Act 1971

Application for Import Licence and corresponding import certificate under the Misuse of Drugs Act 1971

Application for Export Licence

Annual statistical return form for precursor chemicals

Annual statistical return form for controlled psychotropics

Annual statistical return form for controlled narcotics.

Forms related to employment, either with the Home Office or in other places.

Forms sent to private sector firms (in their capacity as previous employers) for completion for purposes of:

obtaining references on staff applying for employment with the Home Office

obtaining security clearance, in the case of successful applicants

In the case of an organisation (private sector or otherwise) working with children or vulnerable adults there are three forms used by the Criminal Records Bureau (CRB):

Registration form to be completed and sent to (CRB) for purpose of registering the organisation. This form will include the nomination of a principal countersignatory (person within, the firm authorised to ask for disclosure of records pertaining to an prospective employee)

Application form in respect of any additional countersignatories the firm might require.

Prospective employees must complete and return (with countersignature) a form authorising CRB to release relevant information about him or her.

Purchase order forms contain an attachment, which the Home Office asks the supplier to complete and return as acceptance of our terms and conditions.

Annual statistical return from commercial firms who have licences to perform scientific procedures on animals.

Monthly return form for collecting information on "tagged" offenders from contractors who supply and service electronic monitoring devices.

Report form (shortly to be introduced) for private sector firms within the regulated financial sector to file with National Criminal Intelligence Service (NCIS) if they suspect a transaction has involved criminal proceeds.

Probation Service

Simon Hughes: To ask the Secretary of State for the Home Department how well equipped the National Probation Agency is to provide a drug-rehabilitation service to offenders on leaving prison, with specific reference to those offenders whose sentence length prevents them from attending drug rehabilitation courses while in prison; how much money has been allocated to provide this service; and if he will make a statement. [102446]

Hilary Benn: When an offender with drugs problems leaves prison into supervision by the National Probation Service, the service will arrange with partner agencies for drugs rehabilitation treatment to be provided as part of a supervision plan. For offenders serving short sentences in prison, Counselling, Assessment, Referral, Advice and Throughcare (CARAT) services represent the main drug intervention and can include initial throughcare links into the community for up to eight weeks. The Government have made available £1 billion this year, rising to £1.483 billion by 2005–06, to meet the commitments to provide drug treatment and to tackle drug related offending outlined in the Updated Drugs Strategy.

Mr. Drew: To ask the Secretary of State for the Home Department what progress has been made on the introduction of OASIS by probation services. [101174]

Hilary Benn: The National Probation Service is making good progress with the implementation of the Offenders Assessment System (OASys). By the beginning of April 2003 every probation area will either have completed implementation or be in the process of implementation.

Public Services

Angela Eagle: To ask the Secretary of State for the Home Department what plans he has to introduce co-payments for the public services for which he is responsible. [102199]

Mr. Blunkett: The Home Department aims to meet its public service responsibilities in the most cost effective and efficient manner. To achieve this, consideration is given to Private Finance Initiatives (PFI), and Public Private Partnerships (PPP) to minimise financial risk and maximise benefit to the Public. The Home Department currently has a number of PFI Schemes in operation providing new Police Headquarters, Police Air Support Services, and Police Communications, and is negotiating a number of similar funding partnerships for public services in both the Police Service and the National Probation Service.

Sex Offenders

Dr. Iddon: To ask the Secretary of State for the Home Department what progress has been made in trialing the vicious and sex offenders register. [100834]

Hilary Benn: The Violent and Sex Offenders Register (ViSOR) will enable the Police and Probations services to register offenders and maintain a national, up-to-date, shared store of information on offenders, their risk assessments and, critically, their movements.

The register will be piloted at two sites in November 2003. Subject to their successful completion, national implementation will start in January 2004.

In the meantime, forces have had the capability since August 2002 to search a database for information on offenders within their force area. This will help forces to track offenders, rationalise their business processes and ease the implementation of the full national solution, particularly in putting past records onto the new database.

UK Passport

Tim Loughton: To ask the Secretary of State for the Home Department for what reason UK passports specify identification details in French in addition to English; and whether he plans to replace French with an alternative language. [102737]

Beverley Hughes: The British Passport includes French on the personal details page to facilitate international travel and to comply with International Civil Aviational Organisation standards and European Union resolutions. All passports of European Union countries include English and French on the personal details page in addition to their own language. We have no plans to seek to change this.

Women Prisoners (Babies)

Paul Flynn: To ask the Secretary of State for the Home Department how many babies *(a)* under nine months and *(b)* under 18 months are in British prisons. [102884]

Hilary Benn: On 10 March 2003 there were 31 babies under nine months and 19 babies under 18 months in prisons in England and Wales. Information about prisons in Scotland and Northern Ireland should be sought from the Scottish Executive and the Secretary of State for Northern Ireland respectively.

Young Offender Institutions

Mrs. Brooke: To ask the Secretary of State for the Home Department how many Young Offender Institutions operate a personal officer scheme. [103159]

Hilary Benn: All Young Offender Institutions operate a personal officer scheme.

Mrs. Brooke: To ask the Secretary of State for the Home Department what child protection procedures are in place in young offender institutions for juveniles considered to be at risk. [103166]

Hilary Benn: In line with Prison Service Order 4950, each young offender institution has a child protection policy. The policy is based upon well-established inter-agency arrangements for promoting the welfare of young people and safeguarding them from harm. Establishments are instructed to appoint a Child Protection Coordinator and establish a Child Protection Committee. Local Child Protection arrangements are approved by the Area Child Protection Committee and complement existing procedures for safeguarding young people such as the anti-bullying strategy and the pastoral care arrangements.

Youth Justice

Mrs. Brooke: To ask the Secretary of State for the Home Department how many 17 year olds have been *(a)* questioned, *(b)* arrested and *(c)* charged in the past 12 months. [101728]

Hilary Benn: The available information relates to 17 year olds proceeded against, and of those, the number who were brought to court following arrest, and those given reprimands or final warnings. 54,590 were proceeded against in England and Wales in 2001, of whom 40,057 had been arrested and charged. In addition, 15,203 were given reprimands or final warnings.

Information on persons questioned is not collected centrally, and the information collected on total arrests is limited to those arrested for notifiable offences and then only by age group rather than individual age.

Statistics on persons proceeded against and cautioned in 2002 will be published in the autumn.

WORK AND PENSIONS

Administrative Costs

Mr. McLoughlin: To ask the Secretary of State for Work and Pensions what the administrative costs were of the *(a)* New Deal 50 Plus training grant, *(b)* job grant, *(c)* funeral payments grant, *(d)* Sure Start maternity grant, *(e)* community care grants and *(f)* access to work grants in the last financial year. [101648]

Mr. Nicholas Brown: I refer the hon. Member to the answer I gave him on 29 January 2003, *Official Report*, column 945W.

Child Care

Caroline Flint: To ask the Secretary of State for Work and Pensions what percentage of lone parents *(a)* are unable to work due to child care commitments and *(b)* have had to give up work because of a lack of available child care in the last six months. [101048]

Mr. Nicholas Brown: The extent to which childcare commitments contribute directly to ability to work is a complex issue. Lone parents who work, as well as those who do not, report child care as a barrier to work. In a recent survey 52 per cent. of non-working lone parents reported a lack of child care in their area, compared to 45 per cent. of working lone parents; and 53 per cent. of non-working lone parents did not want to leave their child with anyone else, compared to 44 per cent. of working lone parents.

Information on the percentage of lone parents who have to give up work due to lack of available child care is not available. The most common reasons given for giving up work are health (27 per cent.), a personal decision to leave (15 per cent.) and being made redundant (12 per cent.). 6 per cent. of lone parents gave the breakdown of their child care arrangements as the reason for leaving work, but this does not mean necessarily that there was no child care available.

The New Deal for Lone Parents (NDLP) is providing specialist advice and support, including help with child care, to help lone parents make the move into work. Recent evaluation has shown that participation in NDLP more than doubles lone parents chances of moving into work. We are making work possible for lone parents by providing available affordable childcare through initiatives such as the National Childcare Strategy and our new Tax Credits are making sure that that work pays.

Correspondence

Mrs. Roe: To ask the Secretary of State for Work and Pensions when the hon. Member for Broxbourne will receive a reply to her letters of 18 December 2002, 16 January, 14 February and 13 March relating to the adoption of the approved code of practice on passive smoking at work. [103688]

Mr. Nicholas Brown: I have written to the hon. Member today.

Ethnic Minority Unemployment

Mr. Brazier: To ask the Secretary of State for Work and Pensions what organisations have been awarded the contract announced by the Department of Work and Pensions in July 2002 to narrow the 17 per cent. gap between the overall employment rate and that of ethnic minority people; and what timescale has been set for delivering the contracts. [98017]

Mr. Nicholas Brown: The Minority Ethnic Outreach initiative is part of our strategy to tackle the gap between the overall employment rate and the minority ethnic employment rate. Introduced in April 2002, the initiative aims to strengthen the support available to minority ethnic jobless people within five areas of the country with large minority ethnic populations. 45 organisations (through a total of 51 contracts) are contracted to deliver the service until the end of March 2004. The organisations are as follows:

Greater London providers

- GoldenStool Communications
- The Training Network (Five different projects in different areas of London)
- Pro-Diverse (UK) Ltd.
- Talent
- Reed in Partnership
- Breakfree—RPS Rainer
- Employment Cafe
- Ergon Enosis (Two different projects in different areas of London)
- SELTO
- Shaw Trust
- In-volve
- New Beginnings
- London Action Trust (Crossroads project for Lewisham)
- London Action Trust (Asset for Lambeth)
- Tomorrow's People Trust

East Midlands providers

- Age Concern Training
- Belgrave Development and Enterprise
- Business2Business

Greater Manchester providers

- Bolton Racial Equality Council
- Bolton Metro's Ethnic Minorities Business Service
- SITU Ltd.
- Early Years and Play (Manchester Education Department)
- North Area College
- Moss-side and Hulme Community Development Trust
- Family Housing Association (Manchester) Ltd.
- Rochdale Racial Equality Council
- The Oldham College

West Yorkshire providers

- Bradford Cathedral Centre
- Talent Resourcing
- Kirklees Metropolitan Council
- Indian Muslim Welfare Society
- Halifax Opportunities Trust

West Midlands providers

- Platinum Employment, Advice and Training
- Coventry Solihull Warwickshire Partnership Ltd.
- Steps to Work
- Colleges in the Black Country (Two different projects in different areas of the West Midlands)
- Birmingham Partnership for Change
- Windrush Employment and Training Consortium Ltd.
- SACDA
- H & O Training
- Lynton Marketing Ltd.
- TLC College
- UK Asian Women's Centre
- Workable Ltd. (Initiative Ltd.)
- Chinese Community Centre

External Consultancy

Mr. Laws: To ask the Secretary of State for Work and Pensions how much *(a)* his Department and *(b)* each agency and non-departmental public body spent on external consultancy in each year from 1995–96 to 2002–03 (planned); and if he will make a statement. [92254]

Mr. Nicholas Brown: The information is not available in the format requested. Such information as is available is as follows.

The total cost to DWP of the use of external consultants and professional services in the 2001–02 financial year was £169.494 million.

Details of DWP external spend are recorded centrally for client group and corporate centre expenditure, and not by agency. Figures for the former DSS are available by agency, as follows.

Ex-DSS spend on external consultancy and professional services

Tax year	*Benefits Agency*	*Child Support Agency*	*Contributions Agency*	*Corporate and ISBs*	*ITSA*	*War pensions Agency*	*Total (£ million)*	*Present value (£ million 2002–03 prices)*
1995–96	19.23	1.71	2.82	3.77	89.00	0.22	116.81	139.92
1996–97	29.96	0.91	2.77	4.67	61.55	0.42	100.28	116.43
1997–98	28.62	0.82	2.65	4.91	47.86	0.38	85.24	96.00
1998–99	21.17	0.51	1.76	11.38	36.79	0.73	72.34	79.30
1999–2000	26.05	3.15	—	13.71	39.66	0.43	83.00	88.83
2000–01	11.44	18.06	—	74.75	—	0.48	104.73	109.66

Notes:

1. Contributions Agency transferred to Inland Revenue from April 1999
2. Information Technology Services Agency (ITSA) function moved to corporate centre from April 2000

Housing Benefit Fraud

Mr. Rosindell: To ask the Secretary of State for Work and Pensions if he will publish targets for the reduction of housing benefit fraud. [102915]

Malcolm Wicks: The Government have set a challenging target to reduce fraud and error in housing benefit for working age people. We are working with local authorities to achieve a 25 per cent. reduction by March 2006.

Incapacity Benefit

Mr. Boswell: To ask the Secretary of State for Work and Pensions (1) what action he is taking to review *(a)* the starting point and *(b)* the tapered relief for set-off of occupational pension income against incapacity benefit; [101722]

(2) how many individuals who would otherwise qualify for incapacity benefit are affected by *(a)* whole and *(b)* partial withdrawal of benefit owing to their receipt of an occupational pension; and what the total annual benefit foregone from this clawback was in each of the last three years. [101723]

Mr. Nicholas Brown: Incapacity benefit (IB) is intended to provide a measure of income replacement for sick and disabled people of working age. We believe it is therefore right to take some account of their occupational or personal pensions as they provide income replacements.

If a person claiming IB receives an occupational pension, personal pension or payments through a permanent health insurance scheme of £85 per week or more, their IB is reduced by half the amount which exceeds £85. These rules came into force for new claims after April 2001.

While we have no plans at present to change the threshold at which income from an occupational and personal pension is taken into account in assessing IB, we keep all social security rules under review.

We estimate that the reduction in expenditure on IB due to the rules on offsetting personal and occupational pensions was £10 million in the year to March 2002.

Note:

The estimate is rounded to the nearest £10 million and excludes the impact of offsetting reductions in the income-related benefits.

Source:

5 per cent. sample of the incapacity benefit computer system, which exclude a small number of cases held clerically.

The available information is in the table.

The number of new awards of IB since April 2001 which are reduced or stopped due to a personal or occupational pension

	New awards from 6 April 2001 to 31 March 2002		*New awards from 1 April 2002 to 31 August 2002*	
	Number	*Average amount of reduction*[1]	*Number*	*Average amount of reduction*[1]
Reduced	13,300	24.42	4,400	21.58
Stopped	4,400	62.97	1,500	56.61
Total	17,600	33.96	5,800	30.46

[1] Amount of reduction current at either the end of the spell or 31 August 2002 for spells continuing.

Notes:

1. Numbers are rounded to the nearest hundred.
2. Figures are based on 5 per cent. samples and are therefore subject to a degree of sampling variation.
3. Figures may not sum due to rounding.

Source:

5 per cent. samples of the incapacity benefit computer system, which excludes a small number of cases held clerically.

Innovation Fund

Mr. Brazier: To ask the Secretary of State for Work and Pensions (1) when the review of the Innovation Fund is expected to be completed and published; [98018]

(2) what organisations have received monies from the Innovation Fund; for what purposes they have received funding; and how much funding they have received. [98019]

Mr. Nicholas Brown: The New Deal Innovation Fund was launched in 1999 to test innovative ideas for enhancing the New Deals and the way we help people move from benefit into sustained jobs. In 2001 we introduced the Lone Parent Innovation Fund to test new ways of helping people on the New Deal for Lone Parents find and remain in work. These two funds were merged last year.

The Innovation Funds have supported 92 projects so far and a further 16 are in development. Information on the funding received by individual organisations is commercial in confidence and cannot be published. There have been four rounds of projects under the New Deal Innovation Fund, and two under the Lone Parents Fund. Total expenditure on the first two rounds of the New Deal Innovation Fund and round one of the Lone Parent Fund was £1.78 million. Expenditure figures for rounds three and four of the New Deal Fund and round two of the Loan Parent Fund are not available as the projects are ongoing or in their development phase.

We have also allocated £1.4 million (for 2002–03) from the Innovation Fund to support the Ambition initiative which aims to help unemployed and disadvantaged people gain the right skills to meet the needs of employers in key sectors. Funds are also being used to co-sponsor the Centre for Economic and Social Inclusion's (CESI) website, to facilitate the spread of innovation and good practice. Information on the funding received by CESI is commercial in confidence. In addition, innovation funding has been made available to Jobcentre Plus Districts to deliver a series of Innovation Laboratories' to stimulate innovation and creativity at a local level. One event has already been delivered at a cost of £45,000 and two more are planned for late March.

Information on the organisations receiving support under each round of the Funds, the focus of each round and expenditure on each round, has been placed in the Library.

The review of the Innovation Fund is scheduled for completion in May 2003. The results will then be published on the CESI website.

New Deal

Mr. Webb: To ask the Secretary of State for Work and Pensions how many businesses were established under the new deal self-employment model for 50 plus in each year since its creation; and how many of those businesses were still trading after *(a)* one year, *(b)* two years, *(c)* three years, *(d)* four years and *(e)* five years and above. [93410]

Mr. Nicholas Brown: The New Deal 50 Plus does not include specific assistance for people going into self-employment. However, through the New Deal 50 plus, the Employment Credit of £60 per week for up to a year is available to eligible customers whose estimated income is £15,000 or less, this includes people going in to self-employment. From the 6 April 2003, the Employment Credit will be replaced by an over 50s supplement to the Working Tax Credit.

In addition, people going into self employment through New Deal 50 plus have access to a Training Grant, of up to £1,500, in the first two years of trading.

Information on the number of people who have received the Employment Credit for self-employment is in the table.

New Deal 50 Plus

	April to December 2000	*January to December 2001*	*January to November 2002*	*Total*
Employment Credit—Self Employment	2,960	4,250	3,750	10,960
Training Grant—Self Employment	270	750	750	1,780

Note:

Figures are rounded to the nearest 10 and may not sum due to rounding.

Source:

New Deal Evaluation Database

Hugh Bayley: To ask the Secretary of State for Work and Pensions how many young people in the City of York council area have been helped into jobs under the New Deal. [102635]

Mr. Nicholas Brown: From its launch in January 1998 to the end of December 2002 the New Deal had helped over 400,000 young people into work, including 820 people in the City of York Local Authority area.

Pensioners (Essex)

Mr. Burns: To ask the Secretary of State for Work and Pensions how many pensioners there are in *(a)* Essex and *(b)* the West Chelmsford constituency. [103123]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Burns, dated 18 March 2003:

As National Statistician I have been asked to reply to your recent question concerning the number of pensioners living in Essex and the West Chelmsford constituency.

The Office for National Statistics does not produce mid-year population estimates on parliamentary constituency boundaries. Results from the 2001 Census have not yet been published at this geographic level.

The lowest geography mid-year population estimates are published at is local authority area. In view of this, the population of pensionable age (60 and over for females, 65 and over for males) in mid-2001 for Chelmsford borough council area was 26,900. The population of persons of pensionable age in Essex was 253,800 in mid-2001.

Statutory Money Purchase Illustration Regulations

John Mann: To ask the Secretary of State for Work and Pensions if he will extend the scope of the Statutory Money Purchase Illustration Regulations that come into force on 6 April to include pensions sold to the public after that date. [103544]

Mr. McCartney: The regulations apply equally to any member of a money purchase pension scheme, regardless of when they became a member of the scheme. This includes anyone who joins such a scheme after the regulations come into force on 6 April.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Cousins: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the UK Government is in regular contact with the Iraqi opposition group known as SCIRI and the militia forces under its control. [103734]

Mr. Mike O'Brien: Foreign and Commonwealth Office officials are in regular contact with Supreme Council for the Islamic Revolution in Iraq (SCIRI), both in London and Tehran. SCIRI have also met FCO ministers as part of an Iraqi opposition delegation. We have no contact with the militia forces attached to SCIRI.

Goa (Portuguese Passports)

Mr. Malins: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has had discussions with the Indian Government on applications to the Portuguese consulate in Goa for Portuguese passports from Indian residents, and the use of such passports subsequently to facilitate entry to the UK; and if he will make a statement. [102515]

Mr. Mike O'Brien: We have had no discussions with the Government of India on this issue. We have discussed the matter with the Portuguese Consulate in Goa. We understand that some residents of the former Portuguese enclaves in India (Goa, Daman and Diu) are eligible to apply for a Portuguese passport. Holders of Portuguese passports are entitled to enter the UK freely as citizens of an EU member state.

Bahrain

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Lord Avebury's recent visit to Bahrain, with particular reference to *(a)* his plea to King Hamed bin Isa Al Khalifa to pardon Richard Mechan, a British citizen and *(b)* the evidence of judicial irregularities presented to the King. [101203]

Mr. Mike O'Brien: On 10 January 2003 Lord Avebury wrote to my noble Friend Baroness Amos, informing her of his recent visit to Bahrain and his meeting with the Ruler, King Hamed. Lord Avebury handed the King a dossier compiled by Terry Mechan, about the case of his son, Richard Mechan, imprisoned for manslaughter. Lord Avebury has told us that the King agreed to review the case. In a further letter to Baroness Amos on 7 March, Lord Avebury asked if our Embassy in Bahrain could make inquiries with the King's Private Office as to what progress had been made. Our Embassy has been pursing this matter.

Bangladesh

Kevin Brennan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of human rights in Bangladesh; and if he will make a statement. [103236]

Mr. Mike O'Brien: Our High Commission in Dhaka monitors closely the regrettably frequent reports of human rights abuses in Bangladesh. We were concerned by reports of mistreatment of detainees, including deaths following detention, associated with the recent law and order drive, "Operation Clean Heart", and urged the Bangladesh Government to follow the due process of law in all cases. We regularly take up human rights issues with the Bangladesh Government, calling for all allegations of human rights abuses to be fully investigated and for perpetrators to be brought to justice.

Burma

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ban new investment by UK companies in Burma. [103312]

Mr. Mike O'Brien: As I made clear in the House of Commons on 10 December 2002, *Official Report*, column 154, the UK does not encourage trade or investment in Burma. Companies wishing to trade or invest in Burma receive no assistance at all from the UK Government. Companies inquiring about trade or investment are told of our policy and advised of the appalling human rights situation and the economic incompetence and corruption of the Burmese regime. A combination of international opinion and the regime's economic incompetence means that there is hardly any new investment in Burma and that established companies, such as Premier Oil, have pulled out.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on alleged war crimes and crimes against humanity committed by the Burmese military against the Karen, Karenni and Shan civilians in Burma. [103314]

Mr. Mike O'Brien: We receive numerous reports of very serious cases of human rights abuse in Burma. However, war crimes and crimes against humanity are carefully defined under law and these are not phrases that have been used by the UN Special Rapporteur for Human Rights in Burma to describe the situation.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about human rights abuses by the Government of Burma of the Karen, Karenni and Shan peoples. [103315]

Mr. Mike O'Brien: We receive a regular flow of credible reports from non-governmental organisations and the United Nations—including the UN Special Rapporteur for Human Rights—that re-affirm our grave concern over the human rights situation in Burma, including abuses directed at the Shan, Karen and Karenni. The reports confirm that very little progress has been made by the Burmese regime to improve its human rights record.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he and his European Union partners have made to the Government of Burma about that government's treatment of the Karen, Karenni and Shan people. [103319]

Mr. Mike O'Brien: A core aspect of UK and EU policy is action to press for an end to human rights abuses. Burmese ethnic minority groups, including the Shan, Karen and Karenni suffer the effects of this abuse disproportionately. The EU co-sponsored a resolution at the United Nations General Assembly in November 2002 that condemned the regime's human rights record. We are currently preparing a further resolution for presentation at the United Nations Commission on Human Rights in April. This is in addition to regular EU statements and demarches to the Burmese regime about the situation.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to help broker a ceasefire between the Burmese military government and Karen, Karenni and Shan resistance groups. [103321]

Mr. Mike O'Brien: I have been encouraged by reports that some of the insurgent groups fighting the Burmese regime are prepared to consider negotiating a ceasefire. The EU has called for the peaceful end to the conflicts in Burma in resolutions at the United Nations General Assembly. We strongly support the idea in principle and stand ready to help assist the process in the most effective way.

Family Visitor Visas

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what the reasons are for the change in the overall rate of refusal of family visitor visa applications; and what the reasons are for the changes in rates of refusal of family visitor visa applications made at entry clearance posts *(a)* in the Middle East, *(b)* in South Asia, *(c)* in Western Europe and *(d)* in Central Europe since 1 August 2002. [103143]

Mr. Rammell: The number of refusals in Islamabad has increased with the resumption of interviews of family visit applicants on 2 December 2002. Previously these applications were being decided on the papers alone: many applications that would normally have resulted in an interview were therefore returned to the applicants unresolved.

These figures do not show any undue deviation from what would normally be expected for Islamabad. The very low pre-November 2002 figures were rather unusual, reflecting the limited service then being offered.

Otherwise, the figures set out in the tables, which have been placed in the Library, show no significant increase in the refusal rate of family visit applications since August. The variations in the rate of refusal seen are not unusual. Each application is decided on the balance of probabilities and their individual merits in accordance with the Immigration Rules.

Iran

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from interest groups in Britain regarding the abuse of human rights in Iran; and what discussions he has had with the Iranian authorities on the matter. [103350]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary regularly receives a wide range of representations about the human rights situation in Iran. My right hon. Friend and I make a point of raising human rights whenever we see our Iranian counterparts including at the recent meeting between my right hon. Friend and the Iranian Foreign Minister on 6 February.

Iraq

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to ensure that resolution 57/232 of the United Nations General Assembly on human rights in Iraq is fully implemented. [103322]

Mr. Mike O'Brien: It is not possible to work with the current Iraqi regime to ensure that resolutions such as this one are fully implemented. As and when this situation changes we will work with the international community to ensure that the human rights situation in Iraq is properly addressed.

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 6 March 2003, *Official Report*, column 1191W, on UN Resolution 57/232, whether the UK Government is supporting the deployment of human rights monitors throughout Iraq. [103377]

Mr. Mike O'Brien: UN Resolution 57/232 calls for the deployment of human rights monitors throughout Iraq. As a co-sponsor of this resolution, the UK supports this.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Iran about the possibility of a war between the US, UK and Iraq. [103532]

Mr. Mike O'Brien: We have a regular dialogue with the Iranian Government on this and other regional issues. My right hon. Friend the Foreign Secretary has discussed the situation in Iraq with the Iranian Foreign Minister on a number of occasions, most recently on 6 February.

Mrs. Ellman: To ask the Secretary of State for Foreign and Commonwealth Affairs how many interviews the inspectors appointed under UNSCR 1441 have conducted with Iraqi scientists in locations outside of Iraq in conditions assuring confidentiality and safety for the scientists and their families. [103546]

Mr. Mike O'Brien: There have been no interviews conducted outside Iraq.

Ivory Coast

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of the Liberian Government on instability in the Ivory Coast. [102940]

Mr. Rammell: Liberian involvement in Cote d'Ivoire has contributed significantly to instability in the west of the country. The nature of Liberian involvement is complex, with reports of Liberians fighting for both sides. Liberia is used as a base by rebels fighting in the West of Cote d'Ivoire, and there are large numbers of Liberian mercenaries fighting for both sides. We remain concerned at the ease with which armed groups move between the two countries. We are also concerned about the plight of over 40,000 Liberian refugees in the region.

While we do not have a full picture of the role played by the Liberian Government in Cote d'Ivoire it is clear that it continues to ignore UN Security Council demands by sponsoring armed groups in the region. Our objective remains to contain these activities by maintaining effective UN sanctions against Liberia.

Kosovo

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs what figures his Department has on the volume of heroin trafficked through Kosovo which was received in the United Kingdom in *(a)* 2000, *(b)* 2001 and *(c)* 2002; and how many arrests have been made in Kosovo in respect of such trafficking. [103460]

Mr. Mike O'Brien: Analysis of drug movement in Europe suggests that about 80 per cent. of the heroin reaching the United Kingdom is trafficked through the Balkans from its source in Afghanistan. We do not have figures on the volume of heroin trafficked through Kosovo to the UK.

United Nations Interim Administration Mission in Kosovo (UNMIK) Police set up its central Drugs Squad in 2002. Last year it made 434 arrests in Kosovo for possession and trafficking of drugs.

Liberia

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of UN sanctions against Liberia in the last two years; and if he will make a statement. [102941]

Mr. Rammell: The UN imposed sanctions on Liberia as a result of the Liberian Government's complicity in fuelling the conflict in Sierra Leone. Liberia remains a serious threat to the stability of the sub-region. It has been involved in incursions into Guinea and is now being used as a base by rebels in Cote d'Ivoire. The sanctions are focused specifically on President Taylor and his ministers. We believe that they should be maintained until Liberia ends its efforts to destabilise the region.

Nuclear Disarmament

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what steps have been taken to implement the programme of action for nuclear disarmament that was signed up to in 2000; [103380]

(2) if he will make it his policy to restate the Government's commitment to the programme of action for nuclear disarmament that was signed in 2000 at the Non-Proliferation Treaty PrepCom in April 2003. [103379]

Mr. Mike O'Brien: The UK remains fully committed to the Final Document adopted at the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) Review Conference in 2000.

As my right hon. Friend the Secretary of State for Defence explained in answer to my hon. Friend's question of 5 March 2003, *Official Report*, column 1041W, the Government has taken substantial steps in fulfilment of its nuclear disarmament obligations under the NPT. Since 2000 we have continued to make significant progress, including dismantling the UK's last Chevaline warhead in April 2002. We have supported Nuclear-Weapon-Free Zones in Central Asia, South East Asia, and the Middle East. We also continue to press for negotiations to begin on a Fissile Material Cut-Off Treaty.

The United Kingdom supports moves towards mutual, balanced and verifiable reductions in nuclear weapons. We have always made clear that when we were satisfied with verifiable progress towards the elimination of nuclear weapons, we would ensure that our nuclear weapons were included in any negotiations.

Nuclear Non-proliferation Treaty

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government has taken to encourage *(a)* Israel, *(b)* India and *(c)* Pakistan to sign the nuclear Non Proliferation Treaty; and if he will make a statement. [103381]

Mr. Mike O'Brien: We have regular dialogue on non-proliferation issues with all three states. The issue of their non-signature of the Nuclear Non-Proliferation Treaty (NPT) forms an integral part of that dialogue.

The United Kingdom supports the implementation of UN Security Council Resolution 1172 which calls, among other things, for India and Pakistan to sign and ratify NPT.

We also take all opportunities to urge Israel to resolve international concerns about its nuclear status by acceding to the NPT as a non-nuclear weapons state and have consistently supported resolutions in the United Nations calling for the establishment of a zone free of weapons of mass destruction in the Middle East.

OPCW

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the US administration has paid its budgetary contributions to the Organisation for the Prohibition of Chemical Weapons on time. [103378]

Mr. Mike O'Brien: The United States is the largest financial contributor to the Organisation for the Prohibition of Chemical Weapons (OPCW). It usually pays its assessed contributions in two instalments, the first in April and the second in June. This amounts to a total of 14 million Euros, approximately 22 per cent. of the overall budget of the OPCW. Furthermore, towards the end of 2002 the US gave an additional voluntary contribution to the OPCW of US$2 million.

Translation and Interpreting Services

John Mann: To ask the Secretary of State for Foreign and Commonwealth Affairs what his Department's expenditure on *(a)* translation and *(b)* interpreting services was in 2002; and how many companies were asked to tender for such work. [103535]

Mr. Rammell: The FCO runs an in-house translation and interpreting service to meet the high level needs of the FCO, No. 10 and other Government Departments. It comprises a small number of in-house translators exercising quality control who supervise a large pool of experienced and trusted on-call translators and interpreters. For security reasons, this unit does not invite tenders for work in the open market. However, the pool translators and interpreters are self-employed, many operating as sole trader companies. Entry to the in-house team is via open competition, advertised periodically.

The expenditure through the in-house service in 2002 was:

translation—£497,311

interpreting—£258,456

Internal departments in the FCO and missions overseas are free to purchase all or any of their translation and interpreting requirements either from the in-house service or in the wider external market. No separate information is available regarding the expenditure on such services not purchased through the in-house service.

LORD CHANCELLOR'S DEPARTMENT

Accountancy Services

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the total cost to her Department was for accountancy services in 2002. [101856]

Ms Rosie Winterton: The Department entered into a nine year PFI contract with Liberata UK Ltd. (formerly CSL Group Ltd.) in January 1998. This contract covers a wide range of services including providing accounting systems, making payments, receipting and accounts production. The cost of accountancy services provided to the Department by Liberata under the contract, and from other external firms of accountants or their management consultancy arms where the assignment was connected with financial matters, in 2002–03 (to February 2003) was £5.7 million.

Court Rooms (Chorley)

Mr. Lindsay Hoyle: To ask the Parliamentary Secretary, Lord Chancellor's Department what the wage rates were for court rooms in Chorley in each of the last three years. [100838]

Yvette Cooper: The costs of running Chorley Magistrates Courts are as follows:

£

	Employee costs (Salaries)	*Other costs of running the court—eg accommodation, security, office equipment*
2000–01	445,667	159,588
2001–02	481,072	176,180
2002–03[1]	426,000	177,155

[1] Projected

Courts Administration Councils

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Lord Chancellor's Department what consultation the Lord Chancellor's Department has conducted regarding the appointment of individuals to courts administration councils. [102654]

Yvette Cooper: The Government conducted a consultation exercise following publication of Sir Robin Auld's Review of the Criminal Courts. This informed the White Paper "Justice for All" published in July 2002 in which the Government said it wanted the unified courts administration to be developed by those closest to the business. As a result, the Central Council of Magistrates' Courts' Committees and the Association of Justices' Chief Executives both sit on the steering group overseeing the development of the new organisation.

Local consultation is a key part of the overall consultation process. A series of one-day discussion groups across the country is being run by my Department. Court users, the local magistracy, the judiciary and court staff are represented on these groups. They are considering, amongst other things, include how the size and membership of court administration councils might vary across the country according to local circumstances, and how these members should be appointed. The results from these groups will be fed into the development of the court administration councils and will also be reported to Parliament during the parliamentary passage of the Courts Bill.

INTERNATIONAL DEVELOPMENT

Advertising Expenditure (Scotland)

Pete Wishart: To ask the Secretary of State for International Development how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(e)* sporting events. [102391]

Clare Short: It is not possible for DFID to show the "Scottish" proportion of our advertising spend in UK national newspapers/magazines, to the level of detail requested, because these national newspapers/magazines do not publish separate editions for Scotland.

However, details of available DFID expenditure for advertising in newspapers/magazines which are specifically Scottish, for the calendar years 2000 to 2002 inclusive, are as follows:

Calendar year	*Advertising spend in Scottish Newspapers (£)*
2000	16,816.95
2001	37,614.24
2002	18,430.02

DFID has not incurred expenditure on television, radio, billboard or sporting event advertising.

Antiretroviral Drugs

Mr. Key: To ask the Secretary of State for International Development what assessment her Department has made of giving antiretroviral drugs to key workers in developing countries; and if she will make a statement. [103109]

Clare Short: The fight against the epidemic has to incorporate effective public health responses that engage in education, prevention, treatment, care, support, impact mitigation and related development concurrently. For any of these programmes to be successfully implemented, broad multi-sectoral approaches are crucial.

We are supporting national governments, within the context of their national HIV/AIDS plans, to consider the priorities and practicalities of implementing and scaling-up treatment for HIV/AIDS. The choices facing poor countries, partic[illegible]y around equity of access to treatment are difficult. In our view an open debate in countries, involving all sectors of society, will be critical in determining those priorities and responses. It is for each country to determine th[illegible] own priorities within national HIV/AIDS plans.

To assist countries in this process, we are funding research to support the introduction of anti-retroviral therapy in resource poor settings. This research will provide vital knowledge and evidence to better inform key policy decisions about access to treatment. We are carefully monitoring and sharing lessons on important issues including pro-poor impact, scaling-up, costs and systems to support HIV treatment.

Democratic Republic of Congo

Mrs. Spelman: To ask the Secretary of State for International Development what assessment her Department has made of the levels of food shortages in the Democratic Republic of Congo, broken down by region; and what food aid her Department has provided to the Democratic Republic of Congo, broken down by region. [102745]

Clare Short: No specific assessment of the levels of food shortages broken down by region has been made. The economic devastation resulting from the conflict has led to high malnutrition rates among internally displaced persons, refugees, children and the elderly. It is estimated that some 1.4 million people require urgent food aid.

My department is providing substantial help to efforts directed at reducing the suffering of civilians with urgent humanitarian needs in the DRC. This includes nutritional support to communities where high levels of malnutrition are being experienced. We have committed over £9 million in humanitarian support so far this financial year.

DFID are also providing support to the World Food Programme through its core funding to an agreed work plan.

Mrs. Spelman: To ask the Secretary of State for International Development what assessment her Department has made of the number of internally displaced people in the Democratic Republic of Congo, broken down by region; and what support she gives internally displaced people in the country, broken down by region. [102746]

Clare Short : According to the UN Office for the Coordination of Humanitarian Affairs (UN OCHA), over 500,000 people have been displaced in the Democratic Republic of Congo since the beginning of 2002, due mainly to intensified violence in the north-eastern Ituri and eastern South Kivu regions Despite the ceasefire and withdrawal of foreign troops, over 2.5 million of about 50 million Congolese are now displaced. Main causes have been fighting between rebel groups, attacks on civilians and resource plundering. Current UN OCHA statistics as at August 2002 show the following breakdown of internally displaced people (IDPs): Equateur: 85,000 IDPs; Orientale: 250,000 IDPs; North Kivu: 760,000 IDPs; South Kivu: 435,000 IDPs; Katanga: 415,000 IDPs; Maniema: 160,000 IDPs; Eastern Kasai & Western Kasai: 130,000 IDPs; Kinshasa: 40,000 IDPs. This does not take into account the more recent displacements since then including those as a result of the recent fighting in Ituri and in Bunia.

My department's humanitarian support is channelled through the UN agencies, Red Cross and international NGOs. It is not possible to provide a breakdown of assistance by region as we deliberately support agencies with national reach and perspective.

Mrs. Spelman: To ask the Secretary of State for International Development what recent assessment she has made of the humanitarian situation in the Democratic Republic of Congo as a result of the fighting. [102810]

Clare Short: UN and other relief agency reporting shows that there are very serious humanitarian consequences to the fighting in DRC. DFID is providing substantial help to efforts directed at reducing the suffering of civilians with urgent humanitarian needs in the DRC. Assistance provided this financial year has been provided through the UN agencies and the ICRC in response to their emergency appeals and through international NGOs in the following areas: health, nutrition, refugees. We have committed over £9 million in humanitarian support so far this financial year.

We stand ready to provide further humanitarian assistance to those in need.

Great Lakes

Mr. Key: To ask the Secretary of State for International Development what plans her Department has for an integrated regional policy in the Great Lakes area; whether her Department will make a regional statement of intent to work on such a policy; and if she will make a statement. [103093]

Clare Short: My Department is actively engaged, in close collaboration with the Foreign and Commonwealth Office, in promoting an end to the conflict in the Great Lakes region and in preparing for regional post-conflict reconstruction and development. We are at present reviewing our strategies for post-conflict engagement in Rwanda, the DRC and Burundi in the light of recent regional developments. These documents will be made publicly available. Last week DFID hosted a roundtable discussion with a range of UK NGOs and academics to help define our approach to meeting development challenges in the DRC.

Each of these country strategies aims to set out the regional perspective of our policies and demonstrate our objectives for the region as a whole: the ending of conflict and the laying of the foundations for sustained development across the whole Great Lakes region with a consequent significant reduction in poverty

HIPC Initiative

Mr. Blizzard: To ask the Secretary of State for International Development how many countries have qualified for debt relief under the HIPC initiative; how much relief has been granted to those countries; and if she will make a statement on the prospects for qualification of other countries. [103022]

Clare Short: So far, 26 countries out of a total of 37 eligible countries have qualified for relief under the Heavily Indebted Poor Countries (HIPC) Initiative, and will receive over US$62 billion in debt relief. Of these, seven countries (Bolivia, Burkina Faso, Mali, Mauritania, Mozambique, Tanzania and Uganda) have reached Completion Point and have received irrevocable debt relief. The remaining 19 (Benin, Cameroon, Chad, Ethiopia, Ghana, Guinea, Guinea Bissau, Guyana, Honduras, Madagascar, Malawi, Mali, Nicaragua, Niger, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone and Zambia) are receiving interim relief on their debt repayments. We expect the bulk of these countries to reach Completion Point within the next two years when they, too, will receive full debt relief. It is difficult to predict when the other 11 countries will qualify for HIPC relief, as many are still affected by conflict and governance problems. We expect the Democratic Republic of the Congo to reach its Decision Point in the coming months, and the Central African Republic, Comoros and Cote d'Ivoire to do so later this year but, in some cases, this will depend on progress towards peace. The remaining countries (Burundi, Congo Republic, Liberia, Myanmar, Somalia, Sudan and Togo) are a long way from qualifying, as they are affected by conflict or have serious governance concerns.

Mr. Blizzard: To ask the Secretary of State for International Development whether social and environmental criteria are used in addition to economic data in determining whether countries qualify for debt relief under the HIPC initiative. [103024]

Clare Short: The enhanced Heavily Indebted Poor Countries (HIPC) Initiative is based on a set of clear and transparent rules, which countries entering the Initiative must meet. The IMF and the World bank work jointly with the governments of eligible countries on a debt sustainability analysis to determine their levels of debt. To qualify for relief, a country must have a debt sustainability ratio above one or other of the following HIPC thresholds: a debt stock of more than 150 per cent. of exports or of more than 250 per cent. of government revenue. Relief is provided to bring debt ratios down to these levels. This analysis is based on actual data on average exports over the previous three years and on central government revenues over the most recent year. Debt ratios reflect the impact of HIV/AIDS, droughts, and external shocks, such as changes in commodity prices, on a country's economy. Under the HIPC Initiative, additional relief—so called 'topping up'—can, when appropriate, be provided at Completion Point to ensure that countries exit the HIPC process with sustainable levels of debt. The UK is pressing for greater flexibility to ensure that this is provided wherever it is needed.

HIV/AIDS

Mr. Key: To ask the Secretary of State for International Development how much her Department gave in 2002–03 *(a)* to prevent the spread of HIV and AIDS and *(b)* to treat people with AIDS; and if she will make a statement. [103095]

Clare Short: My Department's HIV/AIDS effort is focused on several key areas. Bilaterally our funds are aimed primarily at supporting national policies and strategies through multisectoral HIV/AIDS plans. These strategies cover the continuum from prevention, treatment, care to impact mitigation. It is therefore not possible to aggregate the funding in the manner requested. The total of our spending on HIV/AIDS-related bilateral work for 2002–03 is not yet available. In 2001–02 our bilateral expenditure in this area was over £200 million.

Since 1997, we have committed £1.5 billion to help developing countries put in place and strengthen effective health care systems which will enable the poor to benefit from lower priced and better drugs to treat HIV/AIDS.

The Government's support for initiatives such as the Access to Medicines Working Group and Global Fund against AIDS, TB and Malaria is also facilitating increased access for poor people to HIV/AIDS treatment.

Mr. Robert Key: To ask the Secretary of State for International Development what estimate her Department has made of the income support needed by HIV and AIDS households in *(a)* Zambia, *(b)* Lesotho, *(c)* Malawi, *(d)* Mozambique, *(e)* Swaziland and *(f)* Zimbabwe, and if she will make a statement. [103094]

Clare Short: Zambia, Lesotho, Malawi, Mozambique, Swaziland and Zimbabwe have been deeply affected by a food security crisis brought about in part by an HIV/AIDS epidemic in the region. This crisis has increased the number of people in poverty and deepened the poverty of those already poor. There are significant challenges in establishing and targeting households that are infected or affected by HIV/AIDS, not least because of the stigma attached to the disease. There is also significant variation of need and general agreement that income support per se would therefore not be the most effective assistance.

Vulnerability assessments for all six countries show that HIV/AIDS affected households suffer from depletion of assets, reduced income, and increased expenditure on health and funerals, and that the presence of orphans decreases food security and other resources in already stressed households. HIV/AIDS affected households need support to counteract these impacts. This could be provided through home-based care that included community support, basic health care, sufficient food, help with income generation and assistance with access to education. DFID is working with governments in the region to reduce the vulnerability of poor households by improving rural livelihoods, strengthening community safety nets and delivering more and better basic services, taking particular account of the needs of households affected by HIV/AIDS.

Mr. Key: To ask the Secretary of State for International Development what her Department is doing to meet the targets adopted in the Declaration of Commitment signed at the UN General Assembly Special Session on HIV and AIDS in June 2001; what progress is being made in meeting the targets; and if she will make a statement. [103110]

Clare Short: My Department's entire HIV/AIDS programme is aimed at helping to achieve the targets agreed in the United Nations' Declaration of Commitment on HIV/AIDS.

UNAIDS is the agency tasked with measuring progress against the targets in the Declaration of Commitment. The United Nations Secretary-General will report annually based on national reports and other data collated by the United Nations. The Secretary-General's report for 2003 will be particularly important as many of the strategies for national action are due to be in place by the end of this year.

In his report on progress towards implementation of the Declaration of Commitment presented to the 57th Session of the General Assembly in 2002, the Secretary-General noted that while political commitment had increased and additional resources were devoted to HIV/AIDS, the scale of country level activities did not yet match the epidemic. In addition, while most countries had developed national AIDS strategies, implementation had been slow. Also, nearly one in two countries lacked a strategy for care and support of children orphaned or made vulnerable by the epidemic.

Future reports are expected to highlight progress made, identify gaps in knowledge and action, and will emphasise strategies for tackling the epidemic in the future.

Malnutrition (Eritrea and Malawi)

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on levels of malnutrition in *(a)* Eritrea and *(b)* Malawi. [102747]

Clare Short: The information is as follows:

Eritrea

In a joint UN/Eritrean Relief and Refugee Commission (ERREC) briefing on 20 February global acute malnutrition rates in children under five were quoted as between 15 and 28 per cent. in the later half of 2002. The prevalence rate of severe acute malnutrition among children in Northern and Southern Red Sea Zones was quoted as 4 per cent.

Malawi

The next round of nutritional surveys will be in April. Those conducted in November 2002 showed global acute malnutrition rates ranging from 1.5 per cent. to 4.8 per cent. These are relatively low and within the normal rates for developing countries. However, chronic malnutrition (a combination of the effect of food shortages, recurrent infections and poor care practices) remains serious. A comprehensive analysis of underlying causes is being conducted.

New Partnership for Africa's Development

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the strength of the peer review mechanism of the New Partnership for Africa's Development. [102749]

Clare Short: At the Abuja meeting of the NEPAD implementation committee in November 2002, 13 countries signed up for peer review. There has been considerable debate since then clarifying the objectives of peer review; and on 9 March 2003 a Memorandum of Understanding was signed agreeing the mechanisms. The Africa Peer Review Mechanism (APRM) will be launched in April 2003. A group of Eminent Persons will oversee reviews carried out by technical experts. The UNECA will be involved in the technical reviews of economic governance and has had a series of useful exchanges on the process of peer review with the OECD DAC. The APRM should develop into a good mechanism for long-term sharing of best practice; African ownership will be key to its success.

Southern Africa

Mr. Key: To ask the Secretary of State for International Development what assessment her Department has made of indigenous staple crops in Southern Africa; and what programmes there are for the re-introduction of such crops. [103082]

Clare Short: My Department has provided £12.5 million for research into indigenous staples (sorghum and millet) in Southern African countries over the last 10 years. We have supported the inclusion of sorghum and millet in seed packs distributed during the humanitarian crisis.

While sorghum and millet are more drought resistant than maize there is a problem of sustainability due to a general preference for maize. This affects the marketability of sorghum and millet and the extent to which they can become a part of a country's longer-term food strategy. We are following closely a joint CARE/FAO study in Zambia, which is assessing future market opportunities for sorghum and millet.

Mr. Key: To ask the Secretary of State for International Development what assessment her Department has made of the development of root and tuber assessments in Southern Africa on *(a)* a national scale and *(b)* a regional scale; and if she will make a statement. [103083]

Clare Short: My Department has provided £2.8 million for research into roots and tubers in Southern Africa countries in the last 10 years. We have not supported an assessment at the regional scale.

The potential of roots and tubers to produce in poor soils is well recognised. As part of our response to the humanitarian situation in Southern Africa, my Department is supporting a number of food recovery programmes, some of which include cassava and sweet potato multiplication components that are aimed at increasing their availability in drought prone areas.

Sudan

Malcolm Bruce: To ask the Secretary of State for International Development what reports she has received from *(a)* the World bank and *(b)* the IMF with regard to their assessment of the impact on development of Sudan of the purchase of an air traffic control system; and if she will place copies in the Library. [102885]

Clare Short: We have received no reports from the World bank or the IMF about the purchase of an air traffic control system by Sudan.

Ugandan Presidential Peace Team

Mrs. Spelman: To ask the Secretary of State for International Development what assessment she has made of the effectiveness of the Ugandan Presidential Peace Team. [102983]

Clare Short: Although the Peace Commission was established late last year, it is only recently that it has become engaged in attempting to negotiate with the LRA. It is too early in that process to judge the effectiveness of their activities but my officials in Kampala continue to carefully monitor events.

United Nations (Humanitarian Activities)

Llew Smith: To ask the Secretary of State for International Development what additional donations have been made by the United Kingdom to the

United Nations Office for the Co-ordination of Humanitarian Activities Hypothecated in Support of Iraqi Citizens. [103132]

Clare Short: We are providing OCHA with £150,000 to support their contingency planning for Iraq. We are also providing an information management specialist to OCHA's Humanitarian Information Centre, which is being established in Larnaca, Cyprus.

DEPUTY PRIME MINISTER

Architects Registration Board

Mr. Win Griffiths: To ask the Deputy Prime Minister how many architects have been referred to the disciplinary committee of the Architects Registration Board *(a)* before being taken to court and *(b)* after court proceedings in each of the last five years. [103313]

Mr. Leslie: The number of architects referred to the Professional Conduct Committee (PCC) of the Architects Registration Board (ARB) in each of the last five years is as follows:

	Number of cases	*Remarks*
1999	4	—
2000	6	—
2001	9	—
2002	5	—
2003	6	To date

Data are not held centrally, and may not have been disclosed to ARB, on whether legal proceedings have been taken after a finding of fault by the PCC. Data on whether legal proceedings material to the case have preceded a hearing by the PCC would be available only at disproportionate cost.

Council Tax (Armed Forces)

Bob Russell: To ask the Deputy Prime Minister if he will instruct local authorities to exempt members of the armed forces from paying council tax while serving in the Gulf. [103126]

Mr. Leslie: The Office of the Deputy Prime Minister has no plans to change the primary or secondary legislation concerning council tax exemptions, discounts and disregards other than those set out in the Local Government Bill currently before Parliament.

Departmental Energy Policy

Mr. Pickles: To ask the Deputy Prime Minister what capacity of electricity used in his Department's buildings is generated in a combined heat and power plant; and what plans he has to increase that capacity. [103228]

Mr. Leslie: Two of the Office of the Deputy Prime Minister 's HQ buildings have combined heat and power plant, the total capacity of this equipment is 960kWe.

The Office presently has no plans to install equipment to further extend this capacity, but reviews the situation on an annual basis.

Domestic Violence

Mr. Ben Chapman: To ask the Deputy Prime Minister if he will make a statement on support for victims of domestic violence. [102541]

Mrs. Roche: Tackling domestic violence, and supporting those who are victims of domestic violence, is a priority for the Government.

The Office of the Deputy Prime Minister, in partnership with Comic Relief, have each allocated £1 million funding to set up a national freephone helpline for victims of domestic violence, underpinned by a 'refuges on line' database. This will bring together the advice services currently provided by Refuge and the Women's Aid Federation of England and will offer instant access to information on refuge accommodation and specialist services. It is anticipated that the full system will be fully operational towards the end of 2003.

In July 2002, the main homelessness provisions of the Homelessness Act 2002 and the Homelessness (Priority Need for Accommodation) (England) Order 2002 were brought into force. These required local housing authorities to take a more strategic approach to preventing and tackling homelessness, placed stronger duties on authorities to help homeless people, and extended the groups of homeless applicants who have a priority need for accommodation, including, among others, people vulnerable as a result of fleeing their home because of violence. The Homelessness Directorate will be allocating £70 million in 2003–04 to local authorities to help them address homelessness. This will include some support for domestic violence schemes where local authorities have identified this as a priority.

The Office of the Deputy Prime Minister has also announced at the end of last year a £7 million capital investment programme through the Housing Corporation to extend and renovate the national network of women's refuges in England. Initial allocations are being agreed with the Housing Corporation for 2003–04 and it is hoped that further schemes will be supported in the following two years.

The Supporting People programme, which begins on 1 April, will put in place a new integrated policy and funding framework for housing-related support services, including those for people experiencing domestic violence. Current annual expenditure is £34 million for a total of 5,000 places. Local authorities have now submitted their shadow Supporting People strategies. These are currently being analysed and will provide valuable data on the supply of refuge and support services for people experiencing domestic violence, so helping to inform and direct future action.

Supporting People guides have also been issued on addressing the accommodation and support needs of households experiencing domestic violence; and two dedicated co-ordinators are working with providers and local authorities to ensure that the sector is prepared for the new programme.

E-Mail Addresses

Mr. Yeo: To ask the Deputy Prime Minister by what e-mail address members of the public may contact *(a)* him and *(b)* each of the Ministers in his Department; and for each e-mail address if he will state (i) the date it became active and (ii) the number of e-mails received in each month since activation. [97470]

Mr. Leslie: The information requested on e-mail addresses and the dates they became active are in the following table. The information on the number of e-mails received in each month since activation is not held centrally and could be provided only at disproportionate cost.

Contact	*Published e-mail address*	*Activation date*
Deputy Prime Minister	john.prescott@odpm.gsi.gov.uk	10 June 2002
Departmental Minister	nick.raynsford@odpm.gsi.gov.uk	10 June 2002
Departmental Minister	jeff.rooker@odpm.gsi.gov.uk	10 June 2002
Departmental Minister	tony.mcnulty@odpm.gsi.gov.uk	10 June 2002
Departmental Minister	chris.leslie@odpm.gsi.gov.uk	10 June 2002
Office of the Deputy Prime Minister	odpm.ministers@odpm.gsi.gov.uk	11 September 2002

EU Regional Policy

Jane Griffiths: To ask the Deputy Prime Minister if he will make it his policy to support the Declaration by Mayors and Leaders of Urban Areas for an ambitious European Union Regional Policy; and if he will make a statement. [103406]

Mr. Leslie: The Government's preferred approach to EU regional policy is set out in the consultation paper "A modern regional policy for the United Kingdom", which was published on 6 March.

The Office of the Deputy Prime Minister welcomes the recognition given by the mayors and leaders of urban areas, in their declaration, of the importance of urban areas, not least to the delivery of the Lisbon objectives.

The launch of the Government's paper on 6 March marked the beginning of a period of consultation in the UK on the future of the European Structural Funds, which will conclude on 4 July. We are actively seeking the views of all stakeholders, including the mayors and leaders of urban areas, during this process.

The Government is committed to an active regional policy that reduces regional disparities and helps all nations and regions.

Fire Service

Mr. Kidney: To ask the Deputy Prime Minister what progress he has made in developing the role of the fire and rescue service in respect of *(a)* mass decontamination and *(b)* national search and rescue under the fire new dimension project. [103295]

Mr. Raynsford: The procurement of mass decontamination equipment (in England and Wales) under the Office of the Deputy Prime Minister's £56 million New Dimension programme is nearing completion. It will deliver 80 new vehicles and 190 purpose built decontamination units each capable of decontaminating some 200 people an hour; a range of new fire service equipment for detection and monitoring of radiation and hazardous substances at incidents; and 4,000 new gas tight suits—a doubling of present capacity—to enable fire-fighters to operate safely. Training for this enhanced role is planned to start in April, with deployment of the equipment to follow soon thereafter.

The Office of the Deputy Prime Minister is also taking urgent steps to enhance the fire service's capability in urban search and rescue. We have made available £3 million for the training of trainers and responders in structural collapse techniques, the purchase of technical search and rescue and heavy rescue equipment, and the provision of training rigs at the Fire Service College. We have also made available some £2 million for the need of the capital. We are seeking to secure the funding for a major national investment next financial year to complete delivery of the investment.

Local Authority Employees

Mr. Key: To ask the Deputy Prime Minister (1) what statutory remedies are available to local authority staff who are victims of workplace bullying; [103536]

(2) what statutory remedies there are to deal with unreasonable behaviour by local authority senior management against council employees. [103537]

Mr. Leslie: The main acts of parliament that are in place to deal with unreasonable behaviour or workplace bullying are as follows:

Protection from Harassment Act 1997
Disability Discrimination Act 1995
Criminal Justice and Public Order Act 1994
Race Relations Act 1976
Sex Discrimination Act 1975
Health and Safety at Work Act 1974

Mr. Key: To ask the Deputy Prime Minister what advice the Government have received from the Health and Safety Commission on options for action to make a significant impact on preventing assaults, verbal threats and abuse in the workplace for employees of local authorities. [103538]

Mr. Leslie: The Health and Safety Commission (HSC) is committed to tackling the problem of work-related violence. In March 2000 the HSC agreed a three-year programme to help employers tackle the problem of work-related violence. The programme builds on current and past initiatives and includes proposals for awareness raising, guidance and new research. It is particularly targeted at sectors that are most at risk of violence.

HSE has published general guidance for employers to help them tackle work-related violence, and sector-specific guidance covering health services and education.

Mr. Key: To ask the Deputy Prime Minister when he will publish proposals under Section 3 of the Local Government Act 2000 for a code of conduct to protect employees of local authorities; and if he will make a statement. [103539]

Mr. Leslie: Part III of the Local Government Act 2000 provides for the Secretary of State to issue model codes of conduct as regards the members (section 50) and employees (section 82) of local authorities. Codes of conduct under section 50 were laid before Parliament in November 2002. These codes place obligations on members to treat others with respect and not to do anything which compromises the impartiality of those who work for the local authority.

Local Authority Spending (Torbay)

Mr. Sanders: To ask the Deputy Prime Minister what the standard spending assessments and formula spending share was for each year for Torbay Unitary Authority; what the percentage change in each year from the previous year has been; and what the aggregate external finance was for each year. [103284]

Mr. Raynsford: Since 1 April 1998, when Torbay Unitary Authority was first created, there have been many changes in the functions and funding of services to Local Government. To enable a like-for-like comparison between years, we calculate adjusted Standard Spending Assessment's and grants. The percentage change figures have been calculated on the basis of these like-for-like comparisons.

Until the introduction of Central Support Protection Grant in 1999–2000, there was no need to calculate grant on a like-for-like basis, and for this reason grant comparisons in the years 1997–98 and 1998–99 are not available. There were no changes in funding and function between 1998–99 and 1999–2000 that needed reflecting in adjusted grants for 1998–99 to allow a like-for-like comparison; the actual 1998–99 values have therefore been used in this case.

In 2003–04, SSAs were replaced with Formula Spending Shares (FSSs). The 2003–04 total FSS figure has been compared to the FSS comparitor for 2002–03 in order to give a like-for-like comparison. The FSS comparitor for 2002–03 is similar to the adjusted 2002–03 SSA but with the increased resource equalisation also applied.

The adjusted 1997–98 total SSA figure for Torbay was calculated using the same formulae as for other education authorities, but assuming that the 1 April 1998 Local government reorganisations occurred a year earlier.

Year	*Total SSA/ FSS (£ million)*	*Percentage increase in SSA/FSS year-on-year*	*Formula Grant (ie RSG + NNDR) (£ million)*	*Percentage increase in Formula Grant*
Adjusted 1997–98	96.653	—	—	—
1998–99	100.804	4.3	74.576	—
1999–2000	105.691	4.8	78.066	4.7
Adjusted 1999–2000	105.691	—	78.066	—
2000–01	110.821	4.9	81.625	4.6
Adjusted 2000–01	110.385	—	81.198	—
2001–02	114.470	3.7	83.796	3.2
Adjusted 2001–02	108.859	—	78.192	—
2002–03	115.509	6.1	82.418	5.4
Adjusted 2002–03	125.005	—	85.210	—
2003–04	134.760	7.8	90.139	5.8

Planning

Mr. Oaten: To ask the Deputy Prime Minister under what conditions planning applications for housing development will be exempted from his policy that all new developments should have densities of 30 dwellings per hectare or above. [82458]

Mr. McNulty: Planning Policy Guidance Note 3 Housing (PPG3) sets out national policy for making the best use of land in housing developments. Local authorities are expected to avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net). Housing proposals will be considered within the framework provided by the development plan as well as tested against the policies in PPG3. If there were local circumstances which justified a departure from national policy these should be set out in the plan.

Mr. Oaten: To ask the Deputy Prime Minister if he will make it his policy to allow councillors on planning committees to make public statements on planning applications. [82714]

Mr. McNulty: The Local Government Act 2000 introduced a comprehensive ethical framework to local government. The framework required all authorities to adopt a local code of conduct, based on a national Model Code of Conduct, which members must give a written undertaking to observe. Ultimately it is for individual members to decide how they conduct themselves in carrying out official duties, including whether to make public statements, but if it is alleged that their conduct breaches the local code then they will be open to investigation by the Standards Board of England.

Regional Development Agencies

Mr. Edward Davey: To ask the Deputy Prime Minister how many properties were compulsorily purchased by regional development agencies in each year since 1999. [102684]

Alan Johnson: I have been asked to reply.

The following table shows which Regional Development Agencies have purchased properties by compulsory purchase order, and how many in each of the relevant financial years.

Regional development agencies	*1999–2001*	*2001–02*	*2002–03*
Advantage West Midlands	0	0	16
North West Development Agency	0	0	24
South East of England Development Agency	0	9	0

Regional Governance

Mr. Hammond: To ask the Deputy Prime Minister what the reasons were for his Department's decision to publish the summary of the comments and enquiries received following the publication of the White Paper on Regional Governance. [103261]

Mr. Raynsford: The Government's White Paper 'Your Region, Your Choice' included a formal consultation on the involvement of stakeholders in the work of elected regional assemblies. It also invited views on the proposals set out in the White Paper generally.

The Office of the Deputy Prime Minister published on 24 February an analysis of the views received in response to the consultation on stakeholder involvement, as is our usual practice.

Given the interest in our regional policy proposals both within and outside Parliament we concluded that it would be helpful and informative to publish a summary of the more general responses as well.

Mr. Hammond: To ask the Deputy Prime Minister what plans he has to propose legislation setting out the powers of the proposed elected regional assemblies. [103267]

Mr. Raynsford: The Regional Assemblies (Preparations) Bill now before Parliament makes provision for referendums on elected regional assemblies and for the associated local government reviews. Once at least one region has voted for an elected assembly, the Office of the Deputy Prime Minister intend, when parliamentary time allows, to introduce a further Bill providing for the establishment of elected regional assemblies. This would make the necessary legislative provision for their constitutions, elections, powers and responsibilities. The Government's proposals on these matters are set out in the White Paper 'Your Region, Your Choice' (Cm 5511). The Office of the Deputy Prime Minister will also consider whether a Bill might be published in draft before the first referendum.

Mr. Peter Atkinson: To ask the Deputy Prime Minister how many responses were received by his Department to the consultation on the interest in holding a referendum on regional government in the north-east. [103142]

Mr. Raynsford: The Office of the Deputy Prime Minister asked for responses by 3 March on the level of regional interest in each English region in holding a referendum for an elected regional assembly. We have received over 4,500 responses to date, of which just over 3,000 have been logged. Of those logged so far, approximately 300 are from the north-east.

The Office of the Deputy Prime Minister is continuing to log responses and are beginning to evaluate them. We will announce our decisions after the Regional Assemblies (Preparations) Bill has received Royal Assent.

Ring-fenced Grants

Mr. Andrew Turner: To ask the Deputy Prime Minister if he will list the Ring-Fenced grants available to local authorities in each year since 1997. [96909]

Mr. Raynsford: The information is as follows:

List of Ring-Fenced and Special Grants available in each Financial Year

The definition of ring-fencing used was updated last year to reflect the types of grant we now have. Some grants previously classified as ring-fenced are no longer classified in this way. The key distinction we make is that ring-fenced grants restrict local authority spending. For completeness the following list includes all special grants inside Aggregate External Finance. Those marked with an asterisk are not ring-fenced. Further details of classifications are in an annex to the freedoms and flexibilities announcement of 26 November.

1997–98

Education

Education Support and Training
Travellers' Children
Ethnic Minorities
Specialist Schools

PSS[1]

Community Care special grants
AIDS/HIV
Social Services Training
Mental Illness
Drug and Alcohol Abuse
Guardians ad Litem
Ethnic Minorities
Secure Accommodation
Unaccompanied Asylum Seeking Children

EPCS[2]

Council Tax Benefit Administration*
Ethnic Minorities
Civil Defence
Sheltered Employment
Magistrates Courts
Probation
Metropolitan Railways Passenger Services
National Parks*
Housing Benefit Administration*

[1] Personal and Social Services
[2] Environmental, Protective and Cultural Services

1998–99

Education

Standards Fund
Education of Travellers and Displaced Persons
Ethnic Minorities
Specialist Schools
Under 5 Education

PSS

- Community Care special grants
- AIDS/HIV
- Social Services Training
- Mental Illness
- Drug and Alcohol Abuse
- Ethnic Minorities
- Secure Accommodation
- Unaccompanied Asylum Seeking Children

EPCS

- Council Tax Benefit Administration*
- London Organised Fraud Investigation Team
- Civil Defence
- Supported Employment
- Magistrates Courts
- Probation
- National Parks and Broads*
- Housing Benefit Administration*
- Metropolitan Railways Passenger Services

Other

- Private Finance Initiative

1999–2000

Education

- Class Size Reductions
- Provision for under 5's
- 3-year-olds
- Ethnic Minorities
- Standards Fund and Other

PSS

- Promoting Independence
- Mental Health
- Children's Services
- Training Support Programme
- AIDS Support
- Drugs and Alcohol Misusers

EPCS

- Council Tax Benefit Administration*
- Offender Programmes
- Magistrates Courts
- Rural Bus Services
- Employment Service Programmes
- Civil Defence
- National Parks and Broads*
- Housing Benefit Admin*
- Metropolitan Railways Passenger Services

Other

- Private Finance Initiative*

2000–01

Education

- Standards Fund
- Class Size Reductions
- Provision for under 5's
- 3-year-olds
- Teachers' Green Paper Special Grant

PSS

- Partnership Grant
- Mental Health
- Children's Services
- Carers' Grant
- Social Services Training
- Prevention Grant
- HIV/AIDS
- Alcohol and Drugs Misuse
- Secure Accommodation

EPCS

- Council Tax Benefit Administration*
- Offender Programmes
- Magistrates Courts
- Rural Bus Services
- Employment Service Programme
- Civil Defence
- National Parks and Broads*
- Housing Benefit Administration*
- Metropolitan Passenger Services

Other

- Private Finance Initiative*

2001–02

Education

- Class Size Reductions
- 3-year-olds
- Standards Fund and Other
- Teacher's Green Paper
- Post Consultation Special

PSS

- Training
- AIDS/HIV
- Drug and Alcohol Abuse
- Mental Health
- Secure Accommodation
- Unaccompanied Asylum Seeking Children
- Children's Services Grant
- Carers Grant

Police

- Rural Policing
- Airwaves Communication Project
- Crime Fighting Fund

EPCS

- Housing Benefit Administration*
- Community Charge Benefit Administration*
- Rural Bus Services
- National Parks Grant*
- Civil Defence
- Magistrates Courts

Other

- Private Finance Initiative*

2002–03

Education

- Standards Fund
- School Standards Grant*
- Teachers' Pay Reform Grant
- Education Maintenance Allowance
- Childcare Grant
- Nursery Education Grant
- Post-16 Budget Support Grant

PSS

- Carers Grant
- Training Support Programme
- Promoting Independence Grant
- Residential Allowance Grant
- Building Care Capacity Grant
- Performance Fund
- Children's Services Grant
- Care Direct
- Children and Adolescent Mental Health Services
- Young People's Substance Misuse Planning Grant
- Teenage Pregnancy Local Implementation Grant
- Secure Accommodation
- Deferred Payment Grant
- Mental Health Grant
- AIDS Support Grant

Police

- Rural Policing
- Airwaves Communication Project
- Crime Fighting Fund
- Metropolitan Police Special Payment
- Transitional Grant

EPCS

- Council Tax Benefit Administration*
- Magistrates Courts
- Rural Bus Subsidy
- Rural Bus Challenge
- Urban Bus Challenge
- National Parks and Broads*
- Housing Benefit Administration*

Other

- Private Finance Initiative*
- Neighbourhood Renewal Fund*

2003–04

Education

- Standards Fund
- Excellence in Cities*
- School Standards Grant
- Teachers' Pay Reform
- Childcare
- Leadership Incentive
- Intervention in Failing LEAs

PSS

- Carers
- Training Support
- National Training Strategy
- Preserved Rights*
- Performance
- Children's Services
- Human Resources Development Strategy
- Access and Systems Capacity
- Care Direct
- Children and Adolescent Mental Health
- Young People's Substance Misuse Planning
- Teenage Pregnancy Local Implementation
- Deferred Payment
- Mental Health
- AIDS Support

Police

- Crime Fighting Fund
- Outer London Pay Read
- Rural Policing Fund
- Police Negotiating Board
- DNA
- Basic Command Units
- London and South East Allowance
- London Travel
- Community Support Officers
- Officer Retention Over 30 Years
- Special Constables
- Occupational Health
- Street Crime Initiative
- Reform Deal
- Non Emergency Number
- National Intelligence Model
- Counter Terrorism
- Airwaves Communication Project

EPS

- Council Tax Benefit Administration*
- Housing Benefit Administration*
- Civil Defence
- Fridges*
- Waste Re-Cycling Challenge
- Personalised Travel Pilot
- Travel Plan Bursaries
- Probation Loan Charges
- Neighbourhood Wardens
- Planning Development*
- Magistrates Courts
- Rural Bus Subsidy
- Rural Bus Challenge
- Urban Bus Challenge
- National Parks and Broads*
- Supporting People

Other

- Private Finance Initiative*
- Neighbourhood Renewal Fund*
- GLA General Grant*
- LPSA Reward Grant*

Shared Home Ownership Schemes

Mr. Jim Cunningham: To ask the Deputy Prime Minister what evaluation has taken place of the effectiveness of shared home ownership schemes. [102653]

Mr. McNulty: Independent research "The Evaluation of the Low Cost Home Ownership Programme" commissioned by the former Department for Transport, Local Government and the Regions (now the Office of the Deputy Prime Minister) and the Welsh Assembly Government was published in September 2002. Shared ownership was one of the components of the study, and the main messages from the research were that consumer satisfaction with low cost home ownership schemes was high and that schemes represented good value for money.

The issues will now be taken forward by the Home Ownership Task Force announced in "Sustainable communities: building for the future" on 5 February. The terms of reference for the task force will be announced shortly.

Shire Counties (Government Grants)

Mr. Jenkins: To ask the Deputy Prime Minister how much money per head of population has been given in government grant to each of the shire counties in each of the last 10 years; and what the real terms changes were in each of those years. [103116]

Mr. Raynsford: The available information is in the following tables. The figures given are for formula grant, which comprises revenue support grant, redistributed business rates and Standard Service Assessment reduction grants (where appropriate).

There have been many changes to the functions and funding of local government services over the last ten years, and like-for-like comparisons of grants between years cannot be made for years when changes have taken place unless figures are adjusted to take account of the changes.

For years from 1999–2000, adjusted figures for individual shire county councils exist because they were needed to allow like-for-like comparisons as part of the floors and ceilings calculations.

For years before 1999–2000, adjusted grant figures for individual shire county councils do not exist. A like-for-like comparison between 1998–99 and 1999–2000 can, however, be made using unadjusted figures. This is because there were no changes in function or funding between 1998–99 and 1999–2000 that needed reflecting by adjusting the grant figures for 1998–99.

Grant per head (£)

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Avon	424	427	398	—	—	—
Bedfordshire[1]	513	520	479	494	461	485
Berkshire	450	454	430	439	431	—
Buckinghamshire[1]	477	486	436	445	410	419
Cambridgeshire[3]	430	440	417	438	432	401
Cheshire[3]	436	448	423	443	446	438
Cleveland	585	590	549	—	—	—
Cornwall	440	455	439	461	464	481
Cumbria	466	475	441	467	465	490
Derbyshire[1]	431	444	416	443	424	441
Devon[3]	420	430	415	440	446	432
Dorset[2]	378	384	370	388	372	381
Durham[2]	477	503	469	494	494	514
East Sussex[2]	419	427	410	429	427	445
Essex[3]	454	472	435	453	452	462
Gloucestershire	413	414	397	414	415	430
Hampshire[2]	418	428	397	413	381	392
Hereford and Worcester	395	403	375	392	401	—
Hertfordshire	435	453	439	456	452	476
Humberside	510	512	478	—	—	—
Isle of Wight	454	477	—	—	—	—
Kent[3]	474	490	464	482	486	497
Lancashire[3]	486	496	464	488	489	510
Leicestershire[2]	485	481	452	473	409	421
Lincolnshire	460	468	437	465	467	482
Norfolk	418	430	403	421	433	440
North Yorkshire[1]	393	402	391	429	429	443
Northamptonshire	479	474	447	470	470	493
Northumberland	447	473	482	509	513	521
Nottinghamshire[3]	476	477	446	472	474	459
Oxfordshire	389	400	378	389	389	397
Shropshire[3]	441	450	430	453	453	436
Somerset	414	422	392	413	411	427
Staffordshire[2]	439	448	421	442	429	454
Suffolk	417	427	409	432	434	445
Surrey	342	356	334	346	347	355
Warwickshire	398	404	377	397	394	416
West Sussex	383	404	381	394	394	402
Wiltshire[2]	410	412	382	398	394	399

Grant per head (£)

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Worcestershire	—	—	—	—	—	409
Grant per head figures have been calculated by dividing the total grant by the resident	—	—	—	—	—	—

Grant per head (£)

	1999–2000	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Avon	—	—	—	—	—
Bedfordshire[1]	496	545	537	522	588
Berkshire	—	—	—	—	—
Buckinghamshire[1]	433	478	475	456	520
Cambridgeshire[3]	414	440	436	438	521
Cheshire[3]	460	491	492	480	542
Cleveland	—	—	—	—	—
Cornwall	508	546	542	542	596
Cumbria	515	554	555	549	602
Derbyshire[1]	468	511	509	510	582
Devon[3]	453	487	483	482	529
Dorset[2]	399	433	431	417	463
Durham[2]	549	587	587	593	675
East Sussex[2]	458	506	501	507	560
Essex[3]	485	536	531	530	580
Gloucestershire	451	492	487	482	547
Hampshire[2]	405	445	441	455	506
Hereford and Worcester	—	—	—	—	—
Hertfordshire	490	541	536	524	577
Humberside	—	—	—	—	—
Isle of Wight	—	—	—	—	—
Kent[3]	515	567	562	551	610
Lancashire[3]	530	567	567	570	627
Leicestershire[2]	441	483	477	462	521
Lincolnshire	506	552	548	544	595
Norfolk	463	500	496	498	559
North Yorkshire[1]	460	500	496	486	543
Northamptonshire	517	550	545	535	603
Northumberland	546	586	585	567	624
Nottinghamshire[3]	486	529	526	524	587
Oxfordshire	403	447	440	439	512
Shropshire[3]	461	499	495	505	560
Somerset	444	485	481	492	550
Staffordshire[2]	476	504	504	496	561
Suffolk	465	502	499	488	554
Surrey	366	406	400	399	454
Warwickshire	436	465	464	459	528
West Sussex	410	451	446	450	503
Wiltshire[2]	419	456	452	445	514
Worcestershire	427	458	457	452	503
Grant per head figures have been calculated by dividing the total grant by the resident	—	—	—	—	—

[1] The area covered by the county changed on 1 April 1996 due to local government re-organisation.

[2] The area covered by the county changed on 1 April 1997 due to local government re-organisation.

[3] The area covered by the county changed on 1 April 1998 due to local government re-organisation.

The area covered by the county changed on 1 April 1996 due to local government re-organisation.

Note:

Grant per head figures have been calculated by dividing the total grant by the resident population in the year for which figures were used in the local government finance settlement (e.g. mid-2001 populations were used when calculating figures for 2003–04).

Real terms change in grant per head

Percentage

	1998–99 to 1999–2000	*1999–2000 to 2000–01*	*2000–01 to 2001–02*	*2001–02 to 2002–03*	*2002–03 to 2003–04*
Avon	—	—	—	—	—
Bedfordshire	0	7	2	4	5
Berkshire	—	—	—	—	—
Buckinghamshire	1	8	3	4	5
Cambridgeshire	1	4	1	2	10
Cheshire	3	4	1	2	5
Cleveland	.	.	.	.	.
Cornwall	3	5	1	2	3

Real terms change in grant per head

Percentage

	1998–99 to 1999–2000	*1999–2000 to 2000–01*	*2000–01 to 2001–02*	*2001–02 to 2002–03*	*2002–03 to 2003–04*
Cumbria	3	5	2	3	3
Derbyshire	3	7	2	3	6
Devon	2	5	1	3	2
Dorset	2	6	1	3	2
Durham	4	5	1	3	7
East Sussex	1	8	3	3	3
Essex	2	8	3	3	2
Gloucestershire	2	7	1	4	5
Hampshire	1	7	2	2	2
Hereford and Worcester	-	-	-	-	-
Hertfordshire	1	8	3	4	3
Humberside	-	-	-	-	-
Isle of Wight	-	-	-	-	-
Kent	1	8	2	3	3
Lancashire	1	5	1	1	3
Leicestershire	2	7	1	4	4
Lincolnshire	3	7	2	4	2
Norfolk	3	6	1	3	5
North Yorkshire	1	6	2	3	4
Northamptonshire	2	4	0	2	5
Northumberland	2	5	2	3	4
Nottinghamshire	3	6	1	3	5
Oxfordshire	-1	8	2	4	8
Shropshire	3	6	2	3	4
Somerset	2	7	1	3	4
Staffordshire	2	4	1	3	5
Suffolk	2	5	1	3	5
Surrey	1	9	2	3	5
Warwickshire	2	4	1	3	7
West Sussex	0	8	3	4	3
Wiltshire	2	6	1	3	6
Worcestershire	2	5	1	3	4

Note:

Real terms figures have been calculated using the GDP deflator

HOUSE OF COMMONS PARLIAMENTARY DEBATES (HANSARD) ● 2002-03

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Written Answers to Questions

Wednesday 19 March 2003

TRANSPORT

Marine Accidents

Mr. Hayes: To ask the Secretary of State for Transport if he will make a statement on the number of *(a)* accidents and *(b)* fatalities in UK waters in each year since 1997 involving fisheries vessels, where vessel size to power ratio was identified as a contributory factor. [103695]

Mr. Jamieson: The Marine Accident Investigation Branch of the Department for Transport record details of accidents and fatalities involving UK registered vessels or occurring in UK 12 mile territorial waters. They have searched their records and been unable to identify any incidents involving fisheries vessels from 1997 to date where vessel size to power ratio was a contributory factor.

Road Safety

Mr. Letwin: To ask the Secretary of State for Transport what progress has been made on reflective strips for builders' skips. [103940]

Mr. Jamieson: The British Standards Institution has circulated a first draft of a proposed standard for high performance retroreflective materials, and is currently preparing a revised version taking account of the technical comments received. The Department intends, once the British Standard has been published, to consult on the proposal that local authorities should be able to specify the use of these products on builders' skips, as an alternative to using lamps in conjunction with lower grade retroreflective markings.

Road User Charging

Mrs. Dunwoody: To ask the Secretary of State for Transport why the illustrative *(a)* constant motoring costs and additional investment, *(b)* wider take up of local charging powers and *(c)* limited inter-urban charging scenarios, and the three illustrative scenarios combined, from the original 10-year plan have not been repeated using the new transport model; and how much he estimates it would cost the Department in (i) monetary terms and (ii) departmental manpower to carry them out. [103055]

Mr. Jamieson: There are several reasons why the scenarios have not been replicated. Our new National Transport Model is different to the one used for the original 10-year plan in a number of ways—including its multi-modal approach, more recent data and revised assumptions. Given this, attempting to replicate the scenarios would not provide us with useful information on the comparative performance of the two models. In addition, the information and assumptions on which the original scenarios were based has now been superseded, so the scenarios themselves would not be directly comparable.

The limited information which would be gleaned means that replicating the identical scenarios has not been a priority for the modelling team. To date, and for the foreseeable future, run time is dedicated to priority work being undertaken as part of the review and roll forward of the 10-year plan. I have not estimated what the monetary costs would be, but due to the complexity of the model runs, the scenarios could take up to two weeks to produce, at the expense of urgent work required for the review and roll forward of the Plan.

Air Safety

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what measures the Safety Regulation Group takes to ensure that *(a)* flight crew and *(b)* air traffic controllers are not subject to harassment after submitting safety related reports (i) within and (ii) outside the Mandatory Occurrence Reporting Scheme; [103571]

(2) what measures the Safety Regulation Group has taken to ensure that *(a)* flight crew and *(b)* air traffic controllers are able to comply with the Public Interest Disclosure Act 1998; [103574]

(3) how many times the Safety Regulation Group has revoked an air traffic controller's licence having received *(a)* an Overload Report and *(b)* a mandatory occurrence report; [103573]

(4) what steps the Safety Regulation Group takes to verify the *(a)* accuracy and *(b)* objectivity of the air traffic controller (i) Overload Report and (ii) mandatory occurrence reports. [103570]

Mr. Jamieson: The Civil Aviation Authority (CAA) is included in the Public Interest Disclosure (Prescribed Persons) Order 1999 in respect of

> "compliance with the requirements of civil aviation legislation, including aviation safety".

The CAA's Secretary and Legal Adviser is the first point of contact for those who wish to make a qualifying disclosure to CAA. Contact details are given in the Department of Trade and Industry Guide to the Public Interest Disclosure Act 1998.

Any reports received by the CAA under the Mandatory Occurrence Reporting Scheme are distributed only to a Department with a direct interest in the content of that report and the anonymity of the author will be retained throughout. Any individual who considers that they have been harassed as a result of submitting a report to the CAA may make a complaint to the CAA.

Reports submitted outside the Mandatory Occurrence Scheme include those submitted by flight crew to the UK Confidential Human Factors Incident Reporting Programme (CHIRP). This programme provides a confidential reporting system for all individuals employed in or associated with the industries. In addition, the CAA meets annually with representatives of the British Airline Pilots Association where pilots' concerns may be raised in complete confidentiality and anonymity. And Air Traffic Controllers may, if they wish, file confidential reports directly to SRG.

The CAA is aware that an Overload or Mandatory Occurrence Report submitted by a controller may be written subjectively. Therefore, CAA requires that each Air Traffic Control Unit has a process in place which undertakes local investigations of such reports to verify their accuracy and objectivity.

The CAA has not revoked any Air Traffic Controller's Licence as a result of receiving an Overload or Mandatory Occurrence Report.

Mrs. Dunwoody: To ask the Secretary of State for Transport how many unannounced inspections the Safety Regulation Group has carried out on civil air traffic control units within the last 30 months. [103572]

Mr. Jamieson: The Safety Regulation Group has not carried out any unannounced inspections of civil air traffic control units within the last 30 months.

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) whether all the senior managers at the Safety Regulation Group have attained relevant qualifications required for their civil role and responsibilities; [103685]

(2) how many senior managers have been employed by the Safety Regulation Group over the last 30 months who had *(a)* a solely civil aviation background and *(b)* a solely military aviation background; [103686]

(3) how many senior managers are employed by the Safety Regulation Group; and how many of these senior managers have *(a)* a civil aviation background and *(b)* a military aviation background. [103684]

Mr. Jamieson: The Safety Regulation Group employs 43 senior managers. Of these:

28 have a civil aviation background
7 have a military aviation background
8 have both a civil and a military background

No senior managers have been recruited to the Safety Regulation Group from external sources over the last 30 months.

All senior managers at the Safety Regulation Group are selected and appointed on the basis of objective judgment as to their suitability for the role, with regard to qualifications, experience, knowledge and competence.

Internal Telephone Directory

Mr. Andrew Turner: To ask the Secretary of State for Transport when the most recent internal phone directory for the Department was published; how often it is updated; and if he will place a copy in the Library. [101784]

Mr. Jamieson: The Department's internal directory is held electronically and is continuously updated. The last paper copy produced was in November 2001 for the then DTLR. A copy will not therefore be placed in the Library.

London Underground

Harry Cohen: To ask the Secretary of State for Transport pursuant to his answer of 6 March, *Official Report*, column 1159W, on London Underground, what the period is of the contract with the London Underground PPP Infrastructure Consortia; what the break and reassessment periods are; and if he will make a statement. [103447]

Mr. Jamieson: The full period in the contracts is 30 years. Periodic reviews are provided for at 7.5 year intervals.

National Transport Model

Mrs. Dunwoody: To ask the Secretary of State for Transport how many officials work on the National Transport Model. [103057]

Mr. Jamieson: Nine officials work directly on the development, maintenance and application of the National Transport Model.

Railways

Mr. Don Foster: To ask the Secretary of State for Transport how many passengers travelled on the Great Western line in 2002 between *(a)* London Paddington and Reading and *(b)* Reading and London Paddington (i) each weekday on average, (ii) each weekend on average and (iii) on each day that the Reading Festival took place. [103356]

Mr. Jamieson: The information is not available in the form requested. The Strategic Rail Authority publishes annual passenger journey figures for each Train Operating Company in its Annual Report, a copy of which is placed in the Libraries of the House.

Mr. Andrew Turner: To ask the Secretary of State for Transport if he will list the 10 locations of greatest railway congestion, indicating how many trains pass per hour in each 1-hour period between 6 am and 10 pm on a typical weekday *(a)* in total and *(b)* per available track. [102256]

Mr. Jamieson *[holding answer 11 March 2003]*: There is no one standard method of measuring congestion.

The Strategic Rail Authority (SRA) is developing Route Utilisation Strategies whose purpose is to identify the best overall use of the network. The SRA's Capacity Utilisation statement of principles, published in December 2002, has been placed in the House Libraries.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what discussions he has had with the Strategic Rail Authority regarding the announcement of the draft specifications for the new arrangements for the Thames Trains franchise due to commence in April and May 2004; and if he will make a statement; [103297]

(2) what discussions he has had with the Strategic Rail Authority on plans for Great Western timetable restructuring in 2004; and if he will make a statement. [103324]

Mr. Jamieson: My right hon. Friend has regular contact with the Strategic Rail Authority (SRA) on the full range of its activities. The SRA is considering the process for the replacement of the current Thames

Trains franchise, which expires on 31 March 2004. The Great Western timetable is likely to change following the Great Western Main Line route utilisation strategy, which is expected to be implemented in 2004.

Rosyth

Mr. Cousins: To ask the Secretary of State for Transport how many lorry movements he expects to divert from Hull to Rosyth as a result of his Department's grant assistance for new RO-RO facilities in Rosyth. [103839]

Mr. Jamieson: My Department's grant award to Forth Ports plc, Rosyth was predicated on the substantial environmental benefits which will arise through the saving of over 400,000 long distance lorry movements between Scotland and English ports over the next 10 years. It is estimated that around 40 per cent. of these movements would otherwise have passed through the port of Hull.

Scotland

Pete Wishart: To ask the Secretary of State for Transport what plans Ministers in the Department have to *(a)* visit Scotland on official business, *(b)* announce public appointments and *(c)* make ministerial announcements in April. [103662]

Mr. Jamieson: Departmental business during the campaign period preceding elections to the Scottish Parliament will be conducted in accordance with the Guidance on Conduct for Civil Servants in UK Departments in respect of elections to the Scottish Parliament and National Assembly for Wales, published by the Cabinet Office on 10 March.

Traffic Estimates

Mrs. Dunwoody: To ask the Secretary of State for Transport why the estimates of traffic in 2000 will not be agreed until May 2003. [103056]

Mr. Jamieson: A re-assessment of the traffic figures, which began in 2002, has been a major exercise, but is now nearing completion. It is expected that the revised estimates for all years will be ready for the next Road Traffic Statistics Quarterly Bulletin due to be published on Thursday 8 May. This will be in accordance with the new National Statistics protocol on Release Practices, which requires the publication of revised estimates as soon as these are available.

TREASURY

Armed Forces (Gratuities)

Mr. Flook: To ask the Chancellor of the Exchequer what plans he has to tax the gratuity which a member of the Armed Forces receives upon leaving. [103180]

Ruth Kelly: The current pensions simplification consultation document proposes that tax free lump sums paid from pensions schemes will only be available after the minimum age of 55. The Government is considering separately the position of members of the Armed Forces pension scheme in light of this proposal.

Child/Working Families Tax Credits

Mr. Willetts: To ask the Chancellor of the Exchequer what plans he has to publish take-up figures for the child tax credit and the working families tax credit. [102990]

Dawn Primarolo: Statistics on the Child and Working Tax Credit will be published quarterly, beginning in August 2003. The first set of statistics will cover awards at early July 2003.

Foreign Investment

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what steps has he taken to increase the level of UK private investment in less developed countries. [103522]

John Healey: The Chancellor has supported a range of initiatives to encourage foreign direct investment in developing countries. These include supporting the creation of new Investment Advisory Councils in developing countries which bring together public and private sectors together build a consensus, in the light of regional conditions, on how to secure higher levels of investment.

Additionally, the UK government provides funding through DfID for a joint project between the Commonwealth Business Council (CBC) and New Partnership for African Development (NEPAD). The project aims to encourage the private sector to work with the NEPAD programme of action, and stimulate the increased domestic and foreign investment required for NEPAD to succeed.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what representations he has received from *(a)* business groups and *(b)* development organisations regarding private investment in developing countries. [103523]

John Healey: The Government views the creation of favourable business environments in developing countries as an important driver for growth and development. To this end Ministers regularly meet with a wide range of academics, business leaders and NGOs. Both the Chancellor and the Secretary of State for International Development recently addressed a government sponsored international conference on 'Financing Sustainable Development, Poverty Reduction and the Private Sector'.

Fuel Tax

Norman Baker: To ask the Chancellor of the Exchequer what the impact on road traffic levels he estimates would be from *(a)* a decrease in petrol duty by 5p a litre, *(b)* a decrease in petrol duty by 10p a litre, *(c)* an increase in petrol duty by 5p a litre, *(d)* an increase in petrol duty by 10p a litre, *(e)* an increase in petrol duty by 20p a litre and *(f)* an increase in petrol duty by 50p a litre; and what he estimates the change to revenues to the Treasury would be from *(a)* to *(f)*. [102476]

Mr. Jamieson: I have been asked to reply.

We are unable to estimate the impact on traffic of a change in the duty on petrol alone. The estimated effect of a 5p per litre reduction in duty on both petrol and diesel together, based on provisional traffic data for 2002, is to increase traffic levels by around 5.1 billion vehicle kilometres. Similarly, the estimated effect of increasing fuel duties by 5p per litre is to reduce traffic levels by 5.1 billion vehicle kilometres. Successive changes of 5p per litre in fuel duties are estimated to have effects of broadly the same magnitude, although the larger the change the greater the likely error in predicting its effects.

The impacts on revenue can be estimated from Table 6 in "Tax Ready Reckoner and Tax Reliefs", November 2002, published by HM Treasury.

Iraq

Vernon Coaker: To ask the Chancellor of the Exchequer what plans he has to increase the funding available to the Department for International Development to prepare for the humanitarian consequences of war with Iraq; and what contingency planning he has made to increase the funding available to the Department for International Development for this purpose. [100263]

Tony Baldry: To ask the Chancellor of the Exchequer how much additional funding has been given to the Department for International Development to help it prepare for and respond to the humanitarian consequences of war in Iraq. [102044]

Mr. Cousins: To ask the Chancellor of the Exchequer what funding has been earmarked for humanitarian relief in *(a)* Iraq and *(b)* its neighbours. [103943]

Mr. Boateng: The Government have not yet made any firm estimates of the likely costs of humanitarian and reconstruction needs in Iraq if there was to be military action. The UK Government believe that the role of the United Nations and other multilateral institutions will be vital in addressing the reconstruction in Iraq if military action is taken. The UK Government will be fully involved in any humanitarian and reconstruction efforts in Iraq, alongside our international partners.

Landfill Tax

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer pursuant to his statement of 3 February, *Official Report*, column 5WS, on the landfill tax credit scheme, to what extent the transitional funding is adequate to cover all eligible claims for transitional funding in England; and who will decide, and how, which of competing eligible claims receives funding. [103506]

John Healey: As my Statement of 3 February *Official Report*, column 7WS, made clear, the transitional funding is being administered by Entrust, the regulating body of the landfill tax credit scheme, on behalf of DEFRA. An Independent Assessment Panel decides whether projects in England meet the criteria set out in the Statement. All projects which meet the eligibility criteria will receive transition funding.

Ministerial Travel

Mr. Don Foster: To ask the Chancellor of the Exchequer if he will list internal flights made by Ministers in his Department in 2002, including in each case the *(a)* cost, *(b)* departure location and *(c)* destination; and of these how many were (i) first class, (ii) business class and (iii) economy class. [103581]

Ruth Kelly: As to flights taken by the Chancellor of the Exchequer, I refer the hon. Gentleman to my answer of 27 February 2003, *Official Report*, column 694W. With regard to flights taken by other Treasury Ministers, I refer the hon. Gentleman to the answer given by the Minister of State, Cabinet Office on 22 January 2003, *Official Report*, column 334W.

Royal Households

Mr. Drew: To ask the Chancellor of the Exchequer what plans he has to ask the Inland Revenue to investigate the remuneration policies of the Royal households. [103824]

Dawn Primarolo: The tax affairs of the Royal Households and their employees are confidential in the same way as those of other taxpayers. Exemption 15 (Statutory and other restrictions) of the Code of Practice on Access to Government Information applies.

Scotland

Pete Wishart: To ask the Chancellor of the Exchequer what plans Ministers in the Department have to *(a)* visit Scotland on official business, *(b)* announce public appointments and *(c)* make ministerial announcements in April. [103651]

Ruth Kelly: Departmental business during the campaign period preceding elections to the Scottish Parliament will be conducted in accordance with the Guidance on Conduct for Civil Servants in UK Departments in respect of elections to the Scottish Parliament and National Assembly for Wales, published by the Cabinet Office on 10 March.

Tax Incentives

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what research he has commissioned into the effect tax incentives may have on the level of UK private investment in less developed countries. [103521]

John Healey: The UK Government believes that the establishment of a good overall investment climate, rather than the use of tax incentives, is the most effective way of encouraging more productive private investment in developing countries. Through the Department for International Development the UK funds two research centres which conduct research into issues relating to private investment in developing countries.

Tobacco/Drink VAT Revenues

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the VAT revenue received from *(a)* advertising cigarettes, tobacco and related products and *(b)* advertising wine, spirits, beer and related products in each year since 1996. [103425]

John Healey: Any VAT relating to the advertising of tobacco or alcohol products will have been recoverable by VAT-registered purchasers of the advertising services. Therefore, such advertising has had no direct effect on VAT revenues.

The Tobacco Advertising and Promotion Act 2002 bans most advertising of tobacco products.

CABINET OFFICE

Policy Unit

Mr. Norman: To ask the Minister for the Cabinet Office how many civil servants employed by *(a)* the Strategy Unit, *(b)* the Prime Minister's Delivery Unit, *(c)* the Office of the e-Envoy, *(d)* the Office of Public Services Reform and *(e)* the Prime Minister's Policy Unit have been (i) members of the Labour Party, (ii) employees of the Labour Party and (iii) employees of Labour hon. Members. [103065]

Mr. Alexander: The rules relating to the involvement of civil servants in political activities are set out in the "Civil Service Management Code". There is no requirement for Departments to collect information on civil servants' membership of political parties. Information relating to civil servants' previous employment is not maintained centrally and could be provided only at disproportionate cost.

Civil Service

Mr. Flight: To ask the Minister for the Cabinet Office what recent assessment he has made of the efficiency of the Civil Service; and if he will make a statement. [101277]

Mr. Alexander: Government Departments are already subject to a range of similar external checks and disciplines:

performance of departments in delivering their PSA targets is assessed regularly by the Cabinet Committee on public services (PSX);

departments are required to publish details of performance twice a year through departmental reports and the new autumn performance reports. These are subject to scrutiny through Parliament's departmental select committees;

overall performance of departments is assessed every two years through the Spending Reviews when new budgets and targets are set;

the Head of the Home Civil Service will be holding regular meetings with heads of departments to discuss progress on 'departmental change programmes'. The personal performance of individual Permanent Secretaries is also reviewed annually through the Permanent Secretaries' Remuneration Committee;

the National Audit Office undertakes a programme of detailed value for money studies covering the activities of each departments, and Accounting Officers may be called before the Public Accounts Committee;

the management of individual projects is subject to detailed scrutiny through the 'gateway' process led by the Office of Government Commerce.

Taken together these processes provide substantial pressure for the improvement of performance, and a high degree of accountability and transparency.

Forward Strategy Unit

Mr. Laws: To ask the Minister for the Cabinet Office how many people work in the Forward Strategy Unit; what issues it is looking at; what its running costs were in *(a)* 2002–03 and *(b)* 2003–04; and if he will make a statement. [99884]

Mr. Alexander: The (Prime Minister's) Forward Strategy Unit is no longer in operation. In June 2002 it was merged with the Performance and Innovation Unit (PIU) and the Policy Studies Directorate of the Centre for Management and Policy Studies (CMPS), to create the Strategy Unit (SU).

The staffing of the Strategy Unit varies according to its work programme. It is currently around 90 full-time equivalents.

The Strategy Unit carries out long-term strategic reviews and policy analysis, which can take several forms:

long-term strategic reviews of major areas of policy;

studies of cross-cutting policy issues;

strategic audit; and

working with departments to promote strategic thinking and improve policy making across Whitehall.

The unit is also leading on work to maintain the quality and standards of government social research.

Current Strategy Unit projects include:

Ethnic minorities and the labour market;

Alcohol harm reduction;

Costs and benefits of GM crops;

Local Government in the future;

London;

Drugs (jointly with the Home Office).

There are more details of the unit's past and present work on its website: www.strategy.gov.uk

(a) The estimated out-turn for the Strategy Unit's running costs in 2002–03 is £6,966,000.

(b) Budgets have yet to be set for 2003–04.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Dolphins

Adam Price: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what recent estimates the Government has made of dolphin bycatch deaths in UK fishing waters; [102789]

(2) what measures the Government plans to introduce to reduce incidents of dolphin bycatch by UK fishing boats. [102761]

Mr. Morley: The Sea Mammal Research Unit (SMRU) on behalf of Defra has carried out sample surveys of fisheries implicated in the bycatch of dolphins. These surveys have indicated a problem in the offshore bass fishery where the pair trawling teams monitored caught dolphins at a rate of approximately one every three hauls. However, bycatch information from other member states whose vessels operate in this fishery and elsewhere in UK waters is not available so it is not possible to produce reliable estimates of dolphin bycatch deaths in UK waters.

This reinforces the need for action on the part of all member states involved in the fisheries concerned and the Commission if measures to reduce dolphin deaths are to be effective. This is why we raised the need for urgent action at the January Council of Ministers' meeting. I have also raised this issue with Commissioner Fischler on a number of occasions both in writing and in personal contacts. I have also recently written to the Commission to press for urgent action to widen observer coverage off the South West coast where a number of other Member States' vessels fish. I was pleased that the Commission included a commitment to take action in this area in papers produced as part of the recent reform of the Common Fisheries Policy. I am looking for positive action on this in response to our recent approaches.

In the meantime, Defra has also committed some £140,000 for trials into the use of exclusion devices developed by the Sea Mammal Research Unit (SMRU) to reduce the bycatch of cetaceans in the offshore bass fishery. I will also, along with the devolved administrations, shortly be issuing a consultation document outlining a UK bycatch response strategy. This will set out the extent of our knowledge of bycatch in UK waters and make proposals for action to address the bycatch problem. The document will be laid in the Library of the House and I will ensure that my hon. Friend receives a personal copy.

Fur Farming

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what additional financial assistance will be given to those who previously fur farmed. [103820]

Mr. Morley: Licensed fur farm businesses, which closed down after the Fur Farming (Prohibition) Act 2000 received Royal Assent, will be able to claim compensation. A compensation scheme will be drawn up under the Act to provide payment for certain categories of loss.

TRADE AND INDUSTRY

Fuel Poverty

Mr. Hepburn: To ask the Secretary of State for Trade and Industry how many households in *(a)* Jarrow constituency, *(b)* South Tyneside, *(c)* the North East and *(d)* the UK were in fuel poverty on (i) 1 February 1997 and (ii) 1 February 2003. [103557]

Mr. Wilson: The Government published "The UK Fuel Poverty Strategy 1st Annual Progress Report" on March 2003. This showed that the number of households in fuel poverty in the UK is estimated to have fallen from about 5½ million in 1996 to about 3 million in 2001.

The available information on fuel poverty in the is set out as follows. Figures are not available centrally for the Jarrow constituency or for South Tyneside.

Number and percentage of households in fuel poverty

	1996		*1998*		*2001*	
	Number of households (thousands)	*Percentage*	*Number of households (thousands)*	*Percentage*	*Number of households (thousands)*	*Percentage*
North East	331	31.0	280	26.3	106	10.2
England	4,287	21.8	3,278	16.4	1,761	8.6

Auditing

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what plans she has to require auditors to owe a duty of care to individuals who are shareholders at the date of the audit report. [100916]

Miss Melanie Johnson: The Company Law Review carefully considered the arguments for and against extending by statute those to whom a company's auditors owe a duty of care. The Final Report concluded, in the light of responses to consultation, that the case for statutory extension had not been made out and that negligence law in this field was best left to the normal process of case law. The Government is considering this recommendation as part of the wider issue of auditor liability.

Computer Contracts (Iraq)

Matthew Taylor: To ask the Secretary of State for Trade and Industry what export regulations apply to the computer and computer maintenance contracts between ICL/Fujitsu and the Government of Iraq; when approvals have been given; and if she will make a statement. [102870]

Nigel Griffiths: The export of computers, and goods required for their maintenance, from the UK to Iraq is controlled under the provisions of the Export of Goods (Control) (Iraq and Kuwait Sanctions) Order 1990. In addition, a UK company might require an individual licence to communicate, before entering into a contract to supply goods or services to Iraq, if the business they wished to discuss was not covered by the provisions of the Open General Licence to Communicate dated 19 November 1998.

The details of export licence applications from particular companies are normally commercially confidential and exempt from disclosure under exemptions 13 and 14 of the Code of Practice on Access to Government Information. However, details of export licence applications from ICL, to export computer systems to Iraq prior to the imposition of UN sanctions in August 1990, were published in the 1996 Report of the Inquiry into the Export of Defence Equipment and Dual-Use Goods to Iraq and Related Prosecutions. A copy of the 1996 Scott Report is available from the Libraries of the House.

We have not been able to identify any export licence application from ICL or Fujitsu, to supply computers or related equipment to Iraq, since 2 May 1997.

Correspondence

Ian Lucas: To ask the Secretary of State for Trade and Industry when the Minister for e-Commerce and Competitiveness will reply to the letter of the hon. Member for Wrexham of 27 November. [104003]

Mr. Timms: The reply was sent on 13 December 2002.

Disabled People

Mr. Hepburn: To ask the Secretary of State for Trade and Industry what help is given to disabled people collecting benefits from post offices. [103558]

Mr. Timms: Compliance with the Disability Discrimination Act at any specific post office location is an operational matter for Post Office Ltd. in respect of Crown offices and the individual sub-postmaster in respect of sub-post offices. I have been informed by Post Office Ltd. that sub-postmasters have been provided with packs enabling them to audit their own offices for Disability Discrimination Act compliance and that advice will be provided by POL throughout the process.

Energy White Paper

Llew Smith: To ask the Secretary of State for Trade and Industry pursuant to her Answer of 7 March 2003, *Official Report*, column 1290W, on the Energy White Paper, if she will place a copy of the nuclear and radiological skills study in the Library; what the URL is for the report on her Department's website; and if she will publish the *(a)* names and *(b)* affiliations of the members of the task group. [103306]

Mr. Wilson: Copies of the report of the nuclear and radiological skills study have been placed in the Library of the House and are also available on the DTI website at http://www.dti.gov.uk/energy/nuclear/sldlls/nsg.shtml The report was produced by a group chaired by Professor John Chesshire and made up of people from the nuclear industry, academics and officials from my Department, the Department for Education and Skills, the Department of Health, the Ministry of Defence and the Health and Safety Executive. Full details are listed in the report.

Fireworks

Dr. Cable: To ask the Secretary of State for Trade and Industry what plans she has to restrict the sale and use of very noisy fireworks; and at what decibel level the restriction will be set. [101014]

Miss Melanie Johnson: The Firework (Safety) Regulations 1997 prohibited the supply to the general public of aerial shells, shells-in-mortar and some other large and powerful fireworks including the category 4 type.

Fireworks meeting these Regulations must comply with BS7114. However, this standard does not set a maximum noise level.

As part of the work associated with the Fireworks Bill currently before Parliament, we are considering how best to control the level of noise emitted by fireworks.

Glass

Richard Younger-Ross: To ask the Secretary of State for Trade and Industry how many tonnes of *(a)* green, *(b)* white and *(c)* brown glass were imported in each year since 1997. [103338]

Alan Johnson: The information is not available.

Richard Younger-Ross: To ask the Secretary of State for Trade and Industry how many tonnes of *(a)* green, *(b)* white and *(c)* brown glass were manufactured in the UK in each year since 1997. [103337]

Alan Johnson: The information is not available.

Hydropower

Mr. Win Griffiths: To ask the Secretary of State for Trade and Industry what estimate she has made of the contribution of hydropower on British rivers towards electricity production. [103320]

Mr. Wilson: The most recent statistics for year ending December 2001 show that hydro-power in the UK has an installed capacity of about 1500 MW which could be expected to produce between 4000 and 5000 Giga Watt Hours of electricity, the actual output being dependent on rainfall.

Source:

Digest of UK Energy Statistics 2002 (Published by the Department of Trade & Industry)

Iraq (Oil)

Adam Price: To ask the Secretary of State for Trade and Industry (1) what *(a)* discussions she has held with and *(b)* representations she has received from the US Government concerning the exploitation of Iraqi oil following any conflict which leads to regime change; [102750]

(2) what discussions she has had with ministerial colleagues concerning the exploitation of Iraqi oil following a conflict in the Middle East; [102757]

(3) what discussions she has held with multinational oil companies concerning the exploitation of Iraqi oil following any conflict in the Middle East. [102751]

Ms Hewitt: It is our position that Iraqi oil is owned by the Iraqi people. Its revenues should be used for the good of the people. We make this clear in all our contacts on the subject.

However, the current situation is not about oil, it is about weapons of mass destruction and the Iraqi regime deliberately flouting the will of the United Nations.

Ministerial Meeting

Keith Vaz: To ask the Secretary of State for Trade and Industry if she will make a statement on the meeting between the hon. Member for Leicester, East and the Minister for E-Commerce on 10 March. [103222]

Mr. Timms: I met the hon. Member and a delegation representing the textiles and clothing industry in Leicester to discuss issues relating to the industry. I agreed to write to the hon. Member addressing the points raised at the meeting, which I will do shortly.

Motor Fuel

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry how many representations she has received advocating an investigation by the Competition Commission into motor fuel *(a)* retailing and *(b)* wholesaling. [103046]

Miss Melanie Johnson: In recent months, we are aware of having received one representation advocating an investigation by the competition authorities into motor fuel retailing or wholesaling.

Nuclear Exports (India)

Mrs. Brooke: To ask the Secretary of State for Trade and Industry whether there is a complete embargo on exports of replacement parts for nuclear power stations in India. [103167]

Nigel Griffiths: I refer the hon. Member to the reply from my hon. Friend the Member for Exeter (Mr Bradshaw), the then Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, to my hon. Friend the Member for Edmonton (Mr. Love) on 15 March 2002, *Official Report*, columns 1298–1300W.

A licence will not be issued where there is a clear risk that the items could contribute to weapons of Mass Destruction Programme.

Office of Fair Trading

Dr. Cable: To ask the Secretary of State for Trade and Industry when she plans to replace the computer licensing system at the Office of Fair Trading; and if she will make a statement. [102782]

Miss Melanie Johnson: Investment in the OFT's computer systems is a matter for the Director General of Fair Trading to decide.

Pharmacies

Mr. Weir: To ask the Secretary of State for Trade and Industry what discussions she has had with the Scottish Executive Department for Health on the report from the Office of Fair Trading on the regulation of pharmacies. [103237]

Miss Melanie Johnson *[holding answer 17 March 2003]:* There have been a number of discussions between this Department and the Scottish Executive Department for Health and Community Care, at Ministerial and official level.

Mr. Weir: To ask the Secretary of State for Trade and Industry what discussions she has had with representatives of the pharmacy profession in Scotland on the Office of Fair Trading report on the regulation of pharmacies. [103285]

Miss Melanie Johnson *[holding answer 17 March 2003]:* Representations have been made to the Department of Health and Community Care at the Scottish Executive. This Department has been made aware of the content of those representations and officials have attended meetings in Scotland to hear the concerns of the profession directly.

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry what plans she has to consult the Scottish Executive on the implications of the OFT report on pharmacists. [103178]

Miss Melanie Johnson: This Department is working co-operatively with health departments in all the devolved Administrations in considering the OFT report on Pharmacy entry controls.

Public Sector Docum[illegible]

Sir Sydney Chapman: To ask the Secretary of State for Trade and Industry what estimate she has made of the impact on United Kingdom GDP of implementation of the Draft Directive on the re-use and commercial exploitation of public sector documents. [101087]

Mr. Timms *[holding answer 10 March 2003]:* It is too early to say with any certainty what impact the implementation of the Directive will be within the UK, and no estimate has been made, but the proposal, as amended within the Council Working Group and due to be considered at the 27 March Telecoms Council, is broadly consistent with the policy adopted within the UK in 2000. That policy, the result of the Cross-cutting Review of the Knowledge Economy, has meant that most central Government information is now licensed for re-use on a marginal cost basis, which in practical terms generally means free of charge. The UK reserved the right of Trading Funds, such as Ordnance Survey and the Met Office, to charge for their documents in a way that would allow them to obtain a reasonable return on investment, and that latitude is reflected in the Directive.

If the text is adopted, any effect on GDP would be from the easier re-use of European documents. This would depend on the extent to which UK companies and others took advantage of it. A provisional estimate carried out by Pira International for the European Commission in 2000 suggested that the annual economic benefit for the European Union as a whole would be between 28 billion Euro and 134 billion Euro.

Security (Nuclear Power Stations)

Mr. Blizzard: To ask the Secretary of State for Trade and Industry if she will make a further statement on the incursion by protesters into the Sizewell B nuclear plant on 13 January in respect of allegations that a serious breach of security occurred. [103025]

Mr. Wilson: I have nothing to add to the Statement I made on 28 February 2003, *Official Report*, columns 56–57WS, and to the Statement made by my hon. Friend the Parliamentary Under-Secretary of State for Small Business on 14 January 2003, *Official Report*, columns 547–50.

Mr. Gummer: To ask the Secretary of State for Trade and Industry (1) what research she has undertaken to ascertain the effects of a worst case scenario terrorist attack on Sizewell A and B Power stations; [102846]

(2) what assessment she has made of recent research into *(a)* the number of fatalities and *(b)* the other consequences that could arise as a result of terrorist attack on a nuclear power station. [102845]

Mr. Wilson: The Government have undertaken an assessment of potential terrorist acts against all civil nuclear power stations. The results are not published on the grounds that the information would be of value to potential terrorists.

There are well tried and tested contingency plans for dealing with the aftermath of an accident, terrorist attack or other incident affecting a nuclear power station. These have been developed over many years and practised regularly in a rolling programme of local site-based exercises involving the site operators and the relevant local and national agencies. The lessons of these exercises are taken forward both [illegible], and nationally through the DTI-chaired Nuclear Emergency Planning Liaison Group.

Tidal Energy

Mr. Win Griffiths: To ask the Secretary of State for Trade and Industry what representations she has received about the development of tidal energy lagoons off *(a)* the Welsh coast and *(b)* elsewhere in the UK. [103318]

Mr. Wilson: My Department has received a number of representations from one organisation regarding a tidal lagoon project in the UK.

Mr. Win Griffiths: To ask the Secretary of State for Trade and Industry what recent estimate she has made of the cost of power from *(a)* waves, *(b)* tidal stream, *(c)* tidal barrage and *(d)* tidal lagoons. [103446]

Mr. Wilson: A number of claims have been made about the cost of power from these technologies but as they have not yet been demonstrated as proven and reliable methods of electricity generation such estimates are speculative.

The exceptions to this are tidal barrage on which much work has been done in the past, particularly in respect of the Severn Barrage and tidal stream. A recent review of the Severn Scheme showed previous conclusions that such projects are uneconomic compared with other forms of electricity generation were unchanged.

In 2001 a study* which re-examined the commercial prospects for tidal stream power did make some cost estimates based on a single device concept. The likely cost of energy from this device were estimated in the range 4–6 p/kWh. However these are very tentative since the concept has yet to be demonstrated.

* The Commercial Prospects for Tidal Stream Power DTI/Pub URN 01/1011

Mr. Win Griffiths: To ask the Secretary of State for Trade and Industry what estimate she has made of the feasibility of offshore tidal power generation. [103316]

Mr. Wilson: In 2001 a study was commissioned which re-examined the commercial prospects for tidal stream power*. The UK is at the forefront of development of technologies which harness this potential although this form of generation has yet to be shown to be commercial.

* The Commercial Prospects for Tidal Stream Power DTI/Pub URN 01/1011

Mr. Win Griffiths: To ask the Secretary of State for Trade and Industry if she will make a statement on the potential of tidal energy lagoons to provide renewable energy in the UK. [103317]

Mr. Wilson: Tidal lagoons as with other forms of large scale barrage have potential to contribute to the UK's renewable energy targets. However, these schemes have a very substantial impact on the environment and in the case of lagoons their economics have yet to be demonstrated.

Paul Flynn: To ask the Secretary of State for Trade and Industry what assessment she has made of the role that non-barrage tidal power electricity generation could play in achieving renewable energy targets. [103529]

Mr. Wilson: The recent Energy White Paper acknowledged the potential contribution that tidal power technologies could make to achieving the Government's longer term renewable energy goals. In 2001 a study was commissioned which re-examined the commercial prospects for tidal stream power*.

* The Commercial Prospects for Tidal Stream Power DTI/Pub URN 01/1011

Veterans' Day

Mr. Horam: To ask the Secretary of State for Trade and Industry if she will institute an annual holiday early in November, to be called Veterans' Day, in honour of those who have given their life in defence of the country. [103192]

Alan Johnson: The Government have no plans at present to increase the number of bank holidays.

FOREIGN AND COMMONWEALTH AFFAIRS

Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he plans to have with member states of the European Union on the role the Union will play in future negotiations regarding Cyprus. [102375]

Mr. MacShane: Regrettably, it has not proven possible to secure a comprehensive settlement in Cyprus in time for a reunited island to sign the Treaty of Accession with the European Union on 16 April. As decided by the Copenhagen European Council, Cyprus will accede with the acquis suspended in the north of the island. The Commission will, in consultation with the government of Cyprus, consider ways of promoting economic development of the northern part of Cyprus and bringing it closer to the Union. The UK and the EU remain committed to efforts to achieve a comprehensive settlement within the framework of the UN Secretary-General's proposals of 26 February. However, as Mr. Annan made clear in his concluding statement in The Hague, an opportunity like the one so recently missed is unlikely to recur for some time.

Iraq

Mr. Lilley: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what the source was of the material provided to UNSCOM about Iraq's attempts to obtain nuclear material in Africa; and if he will make a statement; [103861]

(2) if he will publish the evidence provided to UNSCOM that Iraq has tried to procure nuclear material in Africa. [103862]

Mr. Mike O'Brien: The material provided was principally based upon intelligence reporting. It is not Government policy to disclose information on intelligence matters.

Israel

Andy King: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will call on Israel to disarm its weapons of mass destruction in accordance with United Nations Resolution 687. [103669]

Mr. Mike O'Brien: We regularly urge Israel to resolve international concerns about its nuclear status by acceding to the Nuclear Non-Proliferation Treaty as a non-nuclear weapons state and to enter into a full-scope safeguards agreement with the IAEA. We also urge them to sign and ratify all other International treaties relating to the proliferation of weapons of mass destruction.

The UK has consistently supported resolutions in the United Nations calling for the establishment of a zone free of weapons of mass destruction in the Middle East.

CULTURE, MEDIA AND SPORT

English Heritage

Mr. Edward Davey: To ask the Secretary of State for Culture, Media and Sport what the administrative costs were of English Heritage for each Government office of the region in *(a)* 1999–2000, *(b)* 2000–01, *(c)* 2001–02 and *(d)* 2002–03. [103290]

Dr. Howells: The administrative costs of English Heritage's Regional Offices are shown in the following table.

Region	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
East Midlands	205,600	236,152	261,283	259,300
East of England	337,300	376,036	402,077	369,460
London	411,400	382,638	432,483	397,140
North East	331,200	294,967	322,004	320,960
North West	124,300	147,849	173,833	153,720
South East	948,200	871,951	1,010,344	1;121,180
South West	821,600	574,629	661,413	639,980
West Midlands	323,100	365,103	355,959	440,540
Yorkshire	483,200	622,754	670,319	575,240

New Opportunities Fund

Mr. Edward Davey: To ask the Secretary of State for Culture, Media and Sport what the administrative costs were of the New Opportunities Fund for each Government office of the region in *(a)* 1999–2000, *(b)* 2000–01, *(c)* 2001–02 and *(d)* 2002–03. [103292]

Mr. Caborn: The New Opportunities Fund set up its England regional team in September 2001. The administrative costs in each region were:

	£
2001–02	[1]36,250
2002–03	79,776

[1] Part-year costs

Sea Angling

Mr. John Whittingdale: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the Government's policy towards the promotion of recreational sea angling. [104015]

Mr. Caborn: The Government does not have responsibility for the promotion of particular sports. The National Federation of Sea Anglers, the sport's governing body, is funded through Sport England for the promotion and development of recreational sea angling.

The Joint Angling Governing Bodies (which includes the National Federation of Anglers), with support from Sport England, have launched their plan for the future of the angling, which includes; expanding participation; leading the angling community; improving performance and raising the profile of the sport.

Mr. Whittingdale: To ask the Secretary of State for Culture, Media and Sport what recent discussions she has had with the National Federation of Sea Angling. [104016]

Mr. Caborn: I have had no such discussions. However, officials from the Department for Culture, Media and Sport recently met representatives from a wide range of sea angling interests, including the National Federation of Sea Anglers, along with representatives from the Department for the Environment, Food and Rural Affairs.

My officials also meet representatives from all the angling disciplines, including those from the National Federation of Sea Anglers each year at the Angling Summit.

Sports Facilities

Mr. Gareth Thomas: To ask the Secretary of State for Culture, Media and Sport what action she is taking to maintain a national register of sports facilities; and if she will make a statement. [103225]

Mr. Caborn: My Department has announced our intention to establish an England-wide database of sports facilities. Information on sports facilities in England is currently held by a variety of organisations and a single database will enable more strategic Government investment in those areas and facilities that are most important.

Sport England has been working on the development of an England-wide database of sports facilities and have completed the first stage of work on the tendering process.

EDUCATION AND SKILLS

Careers Guidance

Mr. Boswell: To ask the Secretary of State for Education and Skills whether it is Government policy to make available individual careers guidance to all students at the close of their compulsory school years. [103087]

Mr. Ivan Lewis: Careers education and guidance is available through schools and the Connexions Service to all young people aged 13–19 as and when they need it. Where a young person needs individual careers guidance at the close of their compulsory school years then this is made available.

Class Sizes

Mr. Laws: To ask the Secretary of State for Education and Skills what average *(a)* primary and *(b)* secondary school class sizes were in England in each year from 1980–81 to 2003–04 (planned), (i) broken down by local education authority and (ii) in total; and if he will make a statement. [99820]

Mr. Stephen Twigg: The required information is readily available for 1980, 1985, 1990 and each year from 1995 to 2002. A table giving this information has been placed in the Library.

Co-payments

Angela Eagle: To ask the Secretary of State for Education and Skills what plans he has to introduce co-payments for the public services for which he is responsible; and for which services. [102203]

Mr. Charles Clarke: The Department for Education and Skills has no plans to introduce further co-payment arrangements, where the recipient of education services contributes to their cost, other than those that have already been published in the recent Higher Education White Paper.

Connexions Service

Mr. Hendry: To ask the Secretary of State for Education and Skills what qualifications mentors working with Connexions are required to have. [103646]

Mr. Ivan Lewis: Connexions Personal Advisers are drawn from a range of professional backgrounds. To be fully qualified they must possess an NVQ level 4 or equivalent in a relevant professional discipline (e.g. careers, youth work, social work) and have attended a bespoke training programme, either Understanding Connexions or the Diploma for Connexions Personal Advisers. Training is accredited by higher education institutions approved by the Connexions Service National Unit.

Mr. Hendry: To ask the Secretary of State for Education and Skills how many mentors are retained in each region by Connexions partnerships; and what his estimate is of how many there will be at the end of 2003. [103649]

Mr. Ivan Lewis: The latest Management Information collected from Partnerships shows that at the end of December 2002 there were 6,399 Connexions Personal Advisers in post. Broken down by region, the figures are as follows:

Region	*Personal advisers*[1]
South East	608
London	838
South West	731
East of England	450
West Midlands	879
East Midlands	493
Yorkshire and the Humber	799
North West	1,177
North East	424

[1] End December 2002

Note:
Data excludes Norfolk and Berkshire Partnerships which started January 2003.
Source:
Partnership MI at end December 200[illegible]

The funding provided in the Spending Review 2002 makes provision for this number to rise to almost 10,000 in 2004.

Mr. Hendry: To ask the Secretary of State for Education and Skills what proportion of mentors working with Connexions *(a)* have been checked by the Criminal Records Bureau and *(b)* are waiting for their checks to be completed. [103683]

Mr. Ivan Lewis: Although Connexions Partnerships provide us with the numbers of Personal Advisers they have recruited, they are not required to provide data on the numbers who have been subject to List 99 and Criminal Records Bureau checks. To do so would serve no purpose as it is a legal requirement for employers to ensure that all Personal Advisers have been subjected to completed List 99 checks before they can come into direct contact with young people. Collecting information on the numbers checked would only serve to place an unnecessary burden on partnerships.

Mr. Hendry: To ask the Secretary of State for Education and Skills what rights a parent has to know *(a)* whether their child is being advised by a mentor from the Connexions service, *(b)* the name of that mentor, *(c)* the occasions when meetings have taken place and *(d)* the subjects that were discussed. [103648]

Mr. Ivan Lewis: Connexions Partnerships will generally advertise the existence of the Connexions service within their locality. In addition, through the Partnership Agreement, Partnerships will work with schools, colleges and other appropriate institutions to make the availability of the Connexions Service known to parents and their sons and daughters; letting them know that it is available to all 13–19 year olds within their school or institution, via various contact points within the community or through the on-line service, Connexions Direct. Connexions Personal Advisers also strongly encourage young people to discuss any Connexions support with their parents but respect the right of the young person not to do so.

Partnerships are not obliged to notify parents that their child is actively involved with Connexions—either in one to one sessions with a Personal Adviser or through more general group sessions. The exception to this may be if the Personal Adviser is working with a young person in a school where it has been agreed that the school's confidentiality policy is followed, which may give the parents the right to know this information.

All information sharing policies drawn up by Connexions Partnerships must be in accordance with the Data Protection Act and other relevant legislation.

Mr. Hendry: To ask the Secretary of State for Education and Skills what contact mentors who have not been security checked by the Criminal Records Bureau are allowed to have with young people [103647]

Mr. Ivan Lewis: Before being allowed any direct contact with young people—supervised or otherwise—all Personal Advisers must, as a minimum, have been

List 99 cleared (a DfES maintained list of people whose employment working with young people has been barred or restricted by the Secretary of State). Partnerships must also carry out Criminal Records Bureau checks on all Personal Advisers. However, as List 99 provides robust clearance on child protection issues, Personal Advisers cleared in this way are able to have unsupervised, direct contact with young people while the Criminal Records Bureau check is undertaken.

The Financial Memorandum for Connexions Partnerships requires Connexions Partnerships to take all reasonable precautions to avoid employing any person convicted of a criminal offence involving an offence against the person, or an offence involving sexual behaviours, except with the prior written consent of the Secretary of State. Where the Criminal Records Bureau check reveals other such criminal convictions, it is up to the Partnership to decide if they wish to obtain this consent.

Lower-income Families

Paul Farrelly: To ask the Secretary of State for Education and Skills what definition of lower-income families is used in the White Paper on Higher Education. [103783]

Margaret Hodge: I refer my hon. Friend to the reply given by my right hon. Friend the Secretary of State to the Member for Birmingham Selly Oak on 6 February, *Official Report*, column. 358W

Ministerial Visits

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many *(a)* schools and *(b)* universities he and each of his ministerial colleagues have visited in the past 12 months. [102295]

Mr. Stephen Twigg: Ministers have made 152 visits to schools and 30 visits to universities on departmental business since March 2002.

Short-listed Suppliers

Jim Dowd: To ask the Secretary of State for Education and Skills pursuant to his answer of 25 February, ref 99110, how many short-listed suppliers *(a)* could and *(b)* could not meet the terms. [100051]

Mr. Ivan Lewis: There were insufficient companies which met the terms and conditions of the framework exercise to offer an acceptable choice to schools.

The decision to abandon the procurement exercise was made in accordance with all appropriate regulations.

Special Schools

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many special schools have been operating for *(a)* visually and *(b)* hearing impaired children in each year since 1995. [102561]

Mr. Ivan Lewis: The following table sets out the number of special schools operating for visually impaired (VI) and hearing impaired (HI) children.

	VI	*HI*	*VI/HI/MSI*	*Total*
1995	24	43	82	149
1996	24	43	82	149
1997	24	43	82	149
1998	24	43	81	148
1999	24	43	81	148
2000	24	43	80	147
2001	24	43	79	146
2002	23	42	79	144
2003	23	42	79	144

In addition to VI and HI schools the table identifies the special schools that make a combination of provision, which may also include multi-sensory impairment (MSI).

Truancy

Mr. Damian Green: To ask the Secretary of State for Education and Skills what the truancy rates from pupil referral units were in each academic year since 1997. [102559]

Mr. Ivan Lewis: Information on pupil attendance at Pupil Referral Units is not collected centrally.

DEFENCE

Anti-personnel Mines

Norman Lamb: To ask the Secretary of State for Defence if he will list the occasions since UK ratification of the Ottawa Treaty on which UK forces personnel have been involved with operations involving the use of anti-personnel mines by other countries. [102361]

Mr. Ingram: We do not keep records of which other nations use anti-personnel mines. The use of such weapons and compliance with the Ottawa Convention is a matter for individual nations. The United Kingdom's participation in operations with other countries is in full compliance with our obligations under the convention.

Depleted Uranium

Andy King: To ask the Secretary of State for Defence whether, in the event of military action in Iraq *(a)* UK and *(b)* US forces will use tank shells containing depleted uranium. [103670]

Mr. Ingram: United Kingdom Forces currently deployed to the Gulf have depleted uranium tank munitions available as part of their armoury and will use them if necessary.

I am unable to comment on United States Forces' munitions.

Equipment Stocks

John Thurso: To ask the Secretary of State for Defence what stocks his Department holds, broken down by unit, of *(a)* desert boots, *(b)* desert clothing, *(c)* Combat 95 clothing and *(d)* tents; and if he will make a statement. [102807]

Mr. Ingram: With regard to boots and clothing, I refer the hon. Member to the answer I gave on 27 January 2003, *Official Record,* column 640W to the hon. Member for Hereford (Mr. Keetch).

With regard to tents, units hold only a small quantity of tents for use as administrative and storage facilities. Information on numbers at each unit is not held centrally and could be provided only at disproportionate cost.

European Union

Mr. Hancock: To ask the Secretary of State for Defence to what extent the EU is involved in peacekeeping operations in Afghanistan; and if he will make a statement. [103864]

Mr. Ingram: There is no peacekeeping force in Afghanistan. The role of the International Security Assistance Force (ISAF) is to assist the Afghan Transitional Authority in the maintenance of security in Kabul and its surrounding areas so that the Authority and United Nations' personnel can operate in a secure environment. The deployment of the ISAF is authorised by the United Nations' Security Council Resolution 1444 and the European Union has no role in the Force.

Exercise Saif Sareea

Mr. Keith Simpson: To ask the Secretary of State for Defence what steps his Department has taken to resolve the *(a)* logistical, *(b)* communications and *(c)* equipment failures identified through Exercise Saif Sareea II. [84534]

Mr. Ingram *[holding answer 2 December 2003]:* Exercise Saif Sareea II was a major success and demonstrated, as planned, key elements of the Joint Rapid Reaction concept. Many of the lessons identified have already been implemented including modifications to the challenger 2 Main Battle Tank to improve its performance in desert conditions and an environmental enhancement pack for the AS90 self-propelled gun. In addition, following the successful trial on Exercise Saif Sareea II Personal Role Radios have been issued to all those ground forces deployed to Kuwait who could potentially be involved in combat.

HMS Albion and Bulwark

Mr. Hancock: To ask the Secretary of State for Defence what the estimated cost of building HMS Albion and Bulwark was; what their initial expected in-service date with the Royal Navy was; what his estimate of their actual building cost is; whether any additional cost will be met by the Government; and if he will make a statement. [102415]

Mr. Ingram: The maximum estimated cost to the Ministry of Defence at contract award of the Landing Platform Dock (Replacement) programme was £819 million, including the associated landing craft; the current estimated cost to the MOD is £790 million. The Prime Contractor has reported losses on the LPD(R) programme but there will be no additional costs to the MOD under the contract. It would not be appropriate to disclose an estimate of the actual cost to the Prime Contractor as the extent of their cost overrun is commercially confidential; I am therefore withholding this information under Exemption 13 of the Code of Practice on Access to Government Information.

The planned in-service dates were originally March 2002 for HMS Albion and March 2003 for HMS Bulwark.

Iraq

Mr. Keetch: To ask the Secretary of State for Defence whether British aircraft participated in recent coalition attacks on Iraqi ground positions; and if he will make a statement. [101594]

Mr. Hoon: British aircraft continue to respond to threats from Iraqi forces while patrolling the no fly zone.

Military Forces Training

Mr. Wareing: To ask the Secretary of State for Defence if he will list those countries whose military forces have been provided with training in the United Kingdom since 1997. [103464]

Mr. Ingram: Between January 1997 and March 2003 the Ministry of Defence has provided training in the United Kingdom to members of the military forces of 134 countries. A complete list of countries that have trained in the UK follows:

1. Abu Dhabi
2. Albania
3. Algeria
4. Angola
5. Antigua
6. Antigua and Barbuda
7. Argentina
8. Armenia
9. Australia
10. Austria
11. Azerbaijan
12. Bahamas
13. Bahrain
14. Bangladesh
15. Barbados
16. Belarus
17. Belgium
18. Belize
19. Bermuda
20. Bosnia
21. Botswana
22. Brazil
23. Brunei
24. Bulgaria
25. Canada
26. Cayman Islands
27. Chile
28. China
29. Colombia
30. Croatia
31. Czech Republic
32. Denmark
33. Ecuador
34. Egypt
35. El Salvador

36. Estonia
37. Ethiopia
38. Fiji
39. Finland
40. France
41. Gambia
42. Georgia
43. Germany
44. Ghana
45. Greece
46. Grenada
47. Guatemala
48. Guyana
49. Honduras
50. Hong Kong
51. Hungary
52. Iceland
53. India
54. Indonesia
55. Ireland
56. Israel
57. Italy
58. Jamaica
59. Japan
60. Jordan
61. Kazakhstan
62. Kenya
63. Kosovo
64. Kuwait
65. Kyrghistan
66. Latvia
67. Lebanon
68. Lithuania
69. Luxembourg
70. Macedonia
71. Malawi
72. Malaysia
73. Maldives
74. Malta
75. Mauritania
76. Mauritius
77. Mexico
78. Moldova
79. Morocco
80. Mozambique
81. Namibia
82. Nepal
83. Netherlands
84. New Zealand
85. Nicaragua
86. Nigeria
87. Norway
88. Oman
89. Pakistan
90. Papua New Guinea
91. Paraguay
92. Peru
93. Philippines
94. Poland
95. Portugal
96. Qatar
97. Romania
98. Russia
99. Rwanda
100. Saudi Arabia
101. Senegal
102. Seychelles
103. Sierra Leone
104. Singapore
105. Slovakia
106. Slovenia
107. South Africa
108. South Korea
109. Spain
110. Sri Lanka
111. St. Christopher and Nevis
112. St. Lucia
113. St. Vincent
114. Swaziland
115. Sweden
116. Switzerland
117. Syria
118. Tanzania
119. Thailand
120. Tonga
121. Trinidad and Tobago
122. Turkey
123. Uganda
124. Ukraine
125. United Arab Emirates
126. Uruguay
127. USA
128. Uzbekistan
129. Venezuela
130. Vietnam
131. Yemen
132. Yugoslavia
133. Zambia
134. Zimbabwe

Mines

Mr. Frank Cook: To ask the Secretary of State for Defence from what sources mines retained for training purposes as permitted under the Ottawa Treaty have been procured; and to what purposes they have been put. [101297]

Mr. Ingram: Mines retained for permitted purposes under the Ottawa Convention were kept from previous operational stocks and small numbers of different types have been procured from various sources. These have been declared in the United Kingdom's annual return to the Secretary-General of the United Nations in accordance with Article 7 of the Ottawa Convention.

Retained mines have been used for training in mine detection, mine clearance and mine destruction techniques as permitted in Article 3 of the Ottawa Convention. Specific purposes include: training explosive and mine detection dogs; training military and civilian mine clearance personnel; making relevant training films, videos, and posters; testing and trials of mine clearance devices; and testing and trials of protective clothing and equipment.

Weapons (Private Contractors)

Richard Younger-Ross: To ask the Secretary of State for Defence whether surplus or redundant *(a)* small arms and *(b)* light weapons are (i) given and (ii) sold by the Department to private contractors. [103308]

Mr. Ingram: No surplus small arms or light weapons have been gifted to private contractors. No surplus small arms have been sold to private contractors in the last three years. Surplus light weapons would only be sold (via the Ministry of Defence's Disposal Services Agency) to the original equipment manufacturer in support of an export order.

WALES

Airports

7. **Mr. Liddell-Grainger:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary of the National Assembly regarding assistance for regional airports. [102974]

Peter Hain: I have regular discussions with the First Minister on many issues including the role of airports throughout Wales.

Economic Development (North Wales)

8. **Mr. Martyn Jones**: To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary of the National Assembly about economic development in North Wales. [102975]

Peter Hain: I have regular discussions with the Assembly's First Minister about economic development matters across Wales.

Higher Education

9. **Dr. Francis:**: To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary of the National Assembly for Wales on widening participation in higher education, with particular reference to student funding. [102976]

Peter Hain: Regular ones, and with the Assembly Minister for Education and Lifelong Learning.

13. **Mr. Simon Thomas:** To ask the Secretary of State for Wales what discussions he held with the First Secretary of the National Assembly for Wales regarding tuition fees before the publication of the Government's White Paper on higher education. [102980]

Peter Hain: The First Minister and I have been in close contact about the future of student funding in Wales and will continue to work with the Secretary for State for Education and Skills over the coming months.

National Health Service

10. **Angela Watkinson:** To ask the Secretary of State for Wales what recent discussions he has had with the National Assembly for Wales about the state of the national health service in Wales. [102977]

Mr. Touhig: I regularly meet the Assembly Minister for Health to discuss health matters in Wales.

Contaminated Land (Cynon Valley)

11. **Ann Clwyd:** To ask the Secretary of State for Wales whether he has discussed *(a)* the contaminated Phurnacite land in the Cynon Valley with the First Secretary of the National Assembly for Wales and *(b)* action to be taken in respect of the land. [102978]

Peter Hain: I have regular discussions with the First Minister. I am aware of my hon. Friend's concerns regarding this land and I am pleased to tell her that the Feasibility Task Group is meeting today to consider the specifications for 'treatability tests'.

Pay Equality

12. **Julie Morgan:** To ask the Secretary of State for Wales what discussions he has had with ministerial colleagues and the National Assembly for Wales on the pay gap between men and women in Wales. [102979]

Peter Hain: Regular ones. Closing the pay gap is a priority.

Agriculture

14. **Ann Winterton:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about the future of the agricultural industry in Wales. [102981]

Mr. Touhig: My right hon. Friend has regular meetings with the First Secretary and I meet the Assembly Agriculture Secretary and DEFRA Ministers to discuss a variety of issues, including the future of the agriculture industry in Wales.

Minimum Wage

15. **Mr. Caton:** To ask the Secretary of State for Wales what discussions he has held with ministerial colleagues about the impact of the national minimum wage in Wales. [102982]

Peter Hain: I have frequent contact with Ministerial colleagues and around 60,000 people stood to benefit from the introduction of the National Minimum Wage in Wales in April 1999 with around 80,000 people benefiting from the last major uprating in October 2001.

PRIME MINISTER

EU Regional Policy

Mr. Cousins: To ask the Prime Minister which Minister is leading on the revision of EU regional policy post-2006; if he will place in the Library a statement on the Cabinet Committee arrangements to deal with this issue; and if he will make a statement of the Government's policy. [103417]

The Prime Minister: The Secretary of State for Trade and Industry leads on EU Structural Funds. The Deputy Prime Minister is responsible for policy on the English regions, as well as central oversight of devolution. The Chancellor of the Exchequer is responsible for matters concerning the EC budget and the European Investment Bank. All three Ministers share responsibility for the PSA target on improving the economic performance of the English Regions.

The European Policy (EP) Committee is the Cabinet committee responsible for the issue. Details on the composition of the Committee are in the Libraries of the House and are published on the Cabinet Office website.

The Deputy Prime Minister, the Chancellor of the Exchequer and the Secretary of State for Trade and Industry published a paper on 6 March entitled 'A Modern Regional Policy for the United Kingdom', which launched a joint consultation on the future of EU Structural Funds.

Iraq

Paul Flynn: To ask the Prime Minister what plans he has to publish amendments to his assessment in the document 'Iraq's Weapons of Mass Destruction' presented to the House in September 2002 arising from the evidence of UNMOVIC inspectors on Iraqi *(a)* bases, *(b)* presidential palaces and *(c)* uranium imports. [102883]

The Prime Minister: I have no plans to publish an amended version of the dossier presented in September 2002, the contents of which still accurately reflect our assessment of the position with regard to Iraq's proscribed weapons programmes.

Lynne Jones: To ask the Prime Minister whether he has revised his assessment of the threat posed by Iraq to the UK, following the statement on 7 March by the Director of the International Atomic Energy Agency; if he will make a statement of the source for his assertion that Saddam Hussein has been trying to buy significant quantities of uranium from Africa; and what action he is taking to verify intelligence documents which he has relied upon in forming policy. [103874]

The Prime Minister: I refer the hon. Member to the debate on Iraq in the House on 18 March 2003, *Official Report.*

Northern Ireland Assembly

Mr. Dodds: To ask the Prime Minister how many meetings his Department has had with representatives of each of the partners represented in the Northern Ireland Assembly since 1 October 2002. [103258]

The Prime Minister: I and members of my office have had frequent meetings with political parties in Northern Ireland in recent months.

INTERNATIONAL DEVELOPMENT

HIV/AIDS (East Asia)

Mr. Key: To ask the Secretary of State for International Development what discussions her Department is having with the governments of *(a)* China, *(b)* Japan, *(c)* Indonesia, *(d)* Philippines, *(e)* Malaysia, *(f)* North Korea, *(g)* South Korea, *(h)* Cambodia, *(i)* Burma, *(j)* Laos and *(k)* Vietnam on the spread and control of HIV and AIDS; and if she will make a statement. [103111]

Clare Short: Without sustained action in Asia, HIV/AIDS will have significant social and economic costs. It is estimated that over seven million people in Asia are already infected with HIV, 20 per cent. of the global total. Although HIV came later to Asia, it has made substantial inroads in a short time.

The epidemic in Asia varies dramatically between and within countries. Cambodia and Burma have significant national epidemics. Others are seeing concentrated epidemics in the most vulnerable populations, such as injecting drug users and sex workers. While prevalence is still low even among these groups in other countries, action now will prevent the pattern seen elsewhere of low prevalence for a number of years followed by rapid increases.

The spread of HIV/AIDS in is an issue which is a top priority for DFID in the region. Relevant targets for HIV/AIDS have been included in our Public Service Agreement.

In the countries in which DFID has a programme, HIV/AIDS is an issue that we continually raise in the context of policy discussions with governments about our development partnership. Our discussions cover a range of issues including priorities, targets and approaches. We have significant HIV/AIDS programmes in China, Cambodia, Burma and Vietnam. These are looking to strengthen national responses to HIV/AIDS through both targeted interventions for those groups most as risk, as well as improvements in the enabling environment for more effective action.

DFID does not have programmes in Japan, the Phillipines, Malaysia, North Korea or South Korea. Although we do have some discussions with the governments of some of these countries in the context of global financing instruments such as the Global Fund for HIV/AIDS, TB and Malaria.

Iraq

Mr. Peter Duncan: To ask the Secretary of State for International Development what plans she has to address the shortcomings in preparedness for international relief in Iraq identified by the International Development Committee. [103268]

Clare Short: My Department has been fully engaged in recent months in trying to get the world to face the humanitarian risks of military action in Iraq, and make preparations. This work continues. We have provided £10 million to UN agencies and international NGOs to support their contingency planning. We are seconding specialist staff to the key offices which will have a key role in the coordination of any humanitarian effort (including UN OCHA and the UN Joint Logistics Centre, both in Cyprus; and the US's Office for Reconstruction in Humanitarian Affairs in Kuwait). And we are continuing to work towards establishing the right international mandates to enable the UN to take the lead role in relief and reconstruction, and to administer the Oil For Food Programme, in the event of conflict. I will provide a full written response to the recent report of the International Development committee in the next few days.

Ministerial Travel

Mr. Don Foster: To ask the Secretary of State for International Development if she will list internal flights made by Ministers in her Department in 2002, including in each case the *(a)* cost, *(b)* departure location and *(c)* destination; and of these how many were (i) first class, (ii) business class and (iii) economy class. [103586]

Clare Short: I refer the hon. Member to the answer I gave the hon. Member for Chelmsford west on 26 February 2003, *Official Report*, column 555W and the central answer given by my hon. Friend the Minister of State for the Cabinet Office to David Laws on 22 January 2003, *Official Report*, column 334W.

Refugee Camps (Pakistan)

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the conditions of refugee camps in Pakistan. [102740]

Clare Short: UNHCR is running over 150 camps in Pakistan, housing approximately 1.5 million Afghan refugees. The camps provide health and education facilities, as well as basic shelter, water, sanitation and daily rations.

Conditions are basic, but generally adequate. The camps are monitored by UNHCR and we receive periodic reports. Direct access to the camps is difficult, not least because of security considerations.

We are aware of reports of higher than normal maternal mortality rates in the camps. Conditions for women and children are monitored by UNHCR Protection Officers, who have also dealt with cases of early and forced marriages, domestic violence and other problems faced by vulnerable refugees.

Scotland

Pete Wishart: To ask the Secretary of State for International Development how many times she has visited Scotland on official duties each year since 2000; and what meetings were held on each occasion. [103614]

Clare Short: I visited Scotland on official duties five times in 2000 and twice in 2002. I did not visit Scotland in 2001.

In line with exemptions 2 and 7 of the Code of Practice on Access to Government Information, it is not the normal practice of Governments to release details of specific meetings or their content, as some of these discussions may have taken place on a confidential basis.

Pete Wishart: To ask the Secretary of State for International Development how many special advisers in the Department *(a)* have left and *(b)* will be leaving to work in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections. [103615]

Clare Short: The rules relating to special advisers' political activities are set out in the Model Contract for Special Advisers. Further guidance in respect of elections for the Scottish Parliament is set out at paragraph 13 of the Guidance on Conduct for Civil Servants in UK Departments, published by the Cabinet Office on 10 March.

The reasons for a special adviser's resignation are a private matter between the department and adviser, and are therefore exempt from disclosure under paragraph 12 of the Code of Practice on Access to Information.

Pete Wishart: To ask the Secretary of State for International Development what plans ministers of the Department have to *(a)* visit Scotland on official business, *(b)* announce public appointments and *(c)* make Ministerial announcements in April. [103654]

Clare Short: Departmental business during the campaign period preceding elections to the Scottish Parliament will be conducted in accordance with the Guidance on Conduct for Civil Servants in UK Departments in respect of elections to the Scottish Parliament and National Assembly for Wales, published by the Cabinet Office on 10 March.

SCOTLAND

Community Pharmacies

John Thurso: To ask the Secretary of State for Scotland what discussions she has had with the *(a)* Office of Fair Trading, *(b)* the Scottish Executive and *(c)* the Secretary of State for Trade and Industry in relation to their recommendation that the control of entry regulations for community pharmacy should be lifted and its application to Scotland. [100609]

Mrs. McGuire: Since the Office of Fair Trading report was published, the Scottish Executive have been consulting key stakeholders in Scotland about the response to the report. The Scottish Executive have kept the Scotland Office informed about these consultations. Scotland Office officials have also participated in inter-departmental discussions on the report.

Departmental Telephone Directory

Mr. Andrew Turner: To ask the Secretary of State for Scotland when the most recent internal phone directory for the Department was published; how often it is updated; and if she will place a copy in the Library. [101787]

Mrs. Liddell: A staff telephone directory is held electronically within the Department and it is updated regularly, as required. It is an internal document but key numbers are publicly available in publications such as the Civil Service Year Book.

Employers Liability Insurance

John Thurso: To ask the Secretary of State for Scotland (1) what discussions she has had with the Scottish Executive with regard to employers' liability insurance; [100578]

(2) what discussions she has had with the Department for Work and Pensions on its forthcoming report on employers' liability insurance. [100579]

Mrs. McGuire: The Scotland Office wrote to a number of organisations in Scotland to ensure that they were aware of the current review of employers' liability compulsory insurance. Both the Scotland Office and the Scottish Executive have received representations from the business community about this issue. We are ensuring that the Department for Work and Pensions are aware of the points made. DWP are keeping both the Scotland Office and the Scottish Executive closely informed about progress with the review. The Scotland Office is also a member of the Insurance Cover Working Group, set up by the Home Office, to consider issues facing the voluntary and community sector regarding insurance cover.

Friends of Scotland Website

Mr. Peter Duncan: To ask the Secretary of State for Scotland how many people have visited the Friends of Scotland website from *(a)* the UK and *(b)* outside the UK. [102997]

Mrs. Liddell: Since its launch in July 2002, the Friends of Scotland web-site has proved highly successful. As at end February, it recorded 1,760,685 hits. There were 41,221 visits to the site; 26,290 (63.8 per cent.) with international domain names and a further 5,956 visits where the origin cannot be identified.

Mr. Peter Duncan: To ask the Secretary of State for Scotland what the cost has been of *(a)* setting up and *(b)* maintaining the Friends of Scotland website. [102998]

Mrs. Liddell: The current Friends of Scotland website was established on 23 July 2002. The start up cost was £73,583 including VAT. The website is proving to be a major success and continues to evolve and develop. As at end February, the estimated cost of maintenance and further development of the site is £43,000.

Ministerial Travel

Mr. Burns: To ask the Secretary of State for Scotland how many times since 2001 she has taken flights on departmental duties in the UK; how many of these were *(a)* charter flights, *(b)* first or club class and *(c)* by helicopter; and who accompanied her on each trip. [95393]

Mrs. Liddell: I make regular flights between Scotland and London on departmental duties but information in the form requested is not held centrally and could be obtained only at disproportionate cost. Since 2001, I have accompanied my right hon. Friend the Prime Minister twice on non-commercial flights between London and Scotland. I have not used helicopters for travel within the United Kingdom.

All travel was undertaken in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are available in the Library.

Post Office Card Account

Mr. Peter Duncan: To ask the Secretary of State for Scotland whether the objective of Government policy in Scotland is to maximise take-up of post office card accounts; and if she will make a statement. [103177]

Mrs. McGuire: The Government's policy is to ensure that customers can choose the type of account that best suits their needs following the move to direct payment of state benefits. The Post Office card account is one of three options which benefit claimants are being presented with. Regardless whether claimants use the card account, an existing bank account or open a basic bank account, they will still be able to uplift benefits in cash at post offices.

Departmental Officer

Mr. Laws: To ask the Secretary of State for Scotland what her estimate is of the cost to the Scotland Office of the offices occupied by its staff in *(a)* Edinburgh, *(b)* Glasgow and *(c)* Leith in each of the last five years; and if she will make a statement. [90379]

Mrs. Liddell: The Scotland Office was established in its present form on 1 July 1999.

The Department rents offices in Edinburgh and it shares accommodation in Glasgow and Leith with the Scottish Executive. The annual cost of occupying the offices was as follows:

	£
1999–2000	*438,000
2000–01	721,000
2001–02	683,000

* From 1 July 1999

Note:

These costs include, where appropriate, rental, rates, heat and power, security, cleaning, repairs, maintenance and water.

Service Delivery Agreement

Tony Wright: To ask the Secretary of State for Scotland when the Scotland Office's service delivery agreement for 2003 to 2006 will be published. [94108]

Mrs. Liddell: The Scotland Office departmental report for 2003 will report on progress in relation to the 2002–03 Service Delivery Agreement. It will also provide key performance targets for 2003–04 but, given that the department does not have significant executive responsibilities, these will not constitute a Service Delivery Agreement as such.

Smoking

Chris Grayling: To ask the Secretary of State for Scotland what policy her Department has adopted on smoking in the workplace. [100924]

Mrs. Liddell: My Department discourages smoking in the workplace, due to its effects on health. Smoking is not, therefore, permitted at any time in buildings occupied by the Department, except in designated smoking areas. Such areas are made available, as a concession, only where it is practicable to do so.

Work Placements

Mr. Allen: To ask the Secretary of State for Scotland how many university students her Department has supported or sponsored with a work placement in the last year; what her policy is on work placements; what plans she has to develop such schemes; and what her policy is on paying their university fees. [98539]

Mrs. Liddell: In the last year my Department has provided one university student work placement. We support the use of work placements and we shall look for opportunities to extend the scheme within the Department. My Department does not pay student university fees.

ADVOCATE-GENERAL

Agricultural Holdings (Scotland) Bill

Miss McIntosh: To ask the Advocate-General pursuant to her oral answer of 11 March, *Official Report*, column 151W on the time limit for considering bills passed by the Scottish Parliament, what plans she has to consider the Agricultural Holdings (Scotland) Bill by 28 March. [102916]

The Advocate-General for Scotland: Since my oral answer of 11 March *Official Report*, column 151, Stage 3 of the Agricultural Holdings (Scotland) Bill took place on 12 March, and on that date the Bill was passed by the Scottish Parliament. The period of four weeks beginning with the passing of the Bill applies in terms of Section 33 of the Scotland Act 1998, and this is not affected by dissolution of the Scottish Parliament. As with all Bills, I will consider the provisions of the Agricultural Holdings (Scotland) Bill during that period.

DEPUTY PRIME MINISTER

Local Authority Housing

Mr. Coleman: To ask the Deputy Prime Minister how many successful applications there have been in *(a)* London and *(b)* other metropolitan authorities to set up arms length management organisations in each of the past three years. [103032]

Mr. McNulty: The following authorities have so far been allocated places on the Arms Length Management Organisation (ALMO) programme for improving the quality and management of local authority housing:

Round 1

London
Hounslow
Westminster
Metropolitan
Kirklees
Rochdale
Wigan
Other
Ashfield
Derby
Stockton-on-Tees

Round 2

London
Brent
Hillingdon
Kensington and Chelsea
Waltham Forest
Metropolitan
Barnsley
Bolton
Leeds
Oldham
Salford
Other
Blyth Valley
Carrick
Cheltenham
Colchester

All ALMOs in Round 1 have qualified for additional funding from 2002–03. Those in Round 2 have been offered additional funding from 2003–04 if they achieve at least a "good" rating from the Housing Inspectorate.

Brownfield Sites

Norman Baker: To ask the Deputy Prime Minister what mechanism exists to reclassify brown-field sites as green-field sites where the characteristics of a brown-field site are no longer present; and how much land has been thus reclassified since July 2001. [103828]

Mr. McNulty: There are various definitions of a brown-field site. The National Land Use Database (NLUD) uses the definition of 'previously-developed land' (PDL) provided by planning policy guidance for housing (PPG3). The definition excludes land that was

> "previously-developed but where the remains of any structure or activity have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings), and where there is a clear reason that could outweigh the re-use of the site—such as its contribution to nature conservation—or it has subsequently been put to an amenity use and cannot be regarded as requiring redevelopment."

In updating NLUD-PDL records, local authorities should report changes to the status of a site (normally through redevelopment) but information of the type sought is not held centrally and could be provided only at disproportionate cost.

Fire Prevention

Mr. Hendry: To ask the Deputy Prime Minister what Government funds have been allocated for fire prevention awareness in each of the past five years. [103671]

Mr. Raynsford: Funds have been allocated to the office's expenditure on increasing public awareness of fire safety and measures to prevent fire as follows:

	£ million
1998–99	0.8
1999–2000	2.9
2000–01	4.9
2001–02	5.9
2002–03	8.25

Fire Service

Vernon Coaker: To ask the Deputy Prime Minister (1) what *(a)* appeal system and *(b)* independent body is available to local people in the event of a proposal to close a fire station following the repeal of section 19 of the Fire Services Act 1947; and if he will make a statement; [103391]

(2) what measures the Government has in place to ensure effective local consultation following the repeal of section 19 of the Fire Services Act 1947 with respect to the fire service. [103390]

Mr. Raynsford: A fire authority is under a general duty under Best Value legislation to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This includes a requirement to consult locally about how to fulfil this duty. HM Fire Service Inspectorate will continue to monitor the performance of fire authorities in providing effective fire cover arrangements.

Draft guidance to fire authorities on the need to consult local communities about significant changes in fire cover following the proposed repeal of part of section 19 was placed in the Libraries of both Houses on 5 March. This draft guidance is being circulated to a wide range of stakeholders for comments.

Key Workers

Mr. Hammond: To ask the Deputy Prime Minister pursuant to his answer of 12 March, *Official Report*, column 330W, whether his Department considers a supermarket checkout operator to be a key worker. [103280]

Mr. McNulty: Support being provided by the Office of the Deputy Prime Minister for key worker housing will target key public sector workers, as set out in 'Sustainable Communities: building for the future'. This excludes supermarket checkout operators. Wider housing policies to increase the supply of affordable housing will benefit key workers outside the public sector.

Light Pollution

Helen Jones: To ask the Deputy Prime Minister what steps he is taking to encourage the use of downward directed lighting to improve the visibility of the night sky. [103181]

Mr. McNulty: The Government has issued "Lighting in the Countryside: Towards good practice" and guidance on good street lighting practice to encourage the use of lighting types which prevent or minimise unwanted upward illumination.

Planning

Mr. Drew: To ask the Deputy Prime Minister what is the timetable of expenditure for the additional monies allocated to planning. [103821]

Mr. McNulty: The Office of the Deputy Prime Minister hopes to pay the allocations of planning delivery grant for 2003–04 to local authorities and national parks in early April and to the regional planning bodies in early May.

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the twin-funding of planning applications. [103822]

Mr. McNulty: Planning services are funded from contributions by local taxpayers through council tax, precepts and levies, grant from central government (including the planning delivery grant), and fees paid by some applicants. The Office of the Deputy Prime Minister is currently undertaking a review of the fee regime which, among other things, is looking at the relative burdens on the contributors.

Mr. Drew: To ask the Deputy Prime Minister what discussions he has had with local authorities and the Local Government Association on the subject of third party right of appeal, with specific reference to local authorities granting their own permission and departures from the local plans. [103823]

Mr. McNulty: None. The Government's position on third party rights of appeal was set out in the Planning Green Paper (published in December 2001). A wide range of bodies, including local authorities and the Local Government Association commented on the Green Paper.

Private Landlords

Lynne Jones: To ask the Deputy Prime Minister pursuant to his answer of 12 February 2003, *Official Report*, column 840W, on private landlords, for what reasons he has not published the results of the consultation on selective licensing of private landlords in accordance with criterion 6 of Cabinet Office guidelines on written consultations; and if he will make a statement. [103019]

Mr. McNulty: The draft Housing Bill, to be published in the next few weeks, will make clear how the Office of the Deputy Prime Minister proposes to take forward the proposals contained in the consultation paper on the selective licensing of private landlords. The Bill will be subject to further consultation and parliamentary scrutiny and a summary of the responses to the earlier consultation will be published as part of the package accompanying the Bill.

Regional Governance

Mr. Hammond: To ask the Deputy Prime Minister what estimates have been made by his Department as to the total cost of the soundings exercise on the level of interest in each English region in holding a referendum about establishing an elected regional assembly. [103262]

Mr. Raynsford: I refer the hon. Member to the answer given to the hon. Member for Gosport (Mr. Viggers) on 14 January 2003, *Official Report*, columns 601–602W.

Right to Buy

Ms Oona King: To ask the Deputy Prime Minister when he expects to publish the research undertaken by Bristol and Birmingham universities into the impact of the February 1999 changes to limits on Right to Buy discounts. [103233]

Mr. McNulty: It is expected that the research report will be published in early May 2003. A copy of the full report and summary of the research will be placed in the Library of the House at the time of publication.

Shared Ownership

Ms Oona King: To ask the Deputy Prime Minister how many Do-It-Yourself Shared Ownership (DIYSO) purchases were funded through *(a)* the Housing Corporation and *(b)* local authority social housing grant in each Government office region in each year since 1995–96; and how many DIYSO purchases were funded through (i) the Housing Corporation and (ii) local authority social housing grant in each local authority in London in each year since 1995–96. [102312]

Mr. McNulty: The following tables show Do-It-Yourself Shared Ownership (DIYSO) purchases each year since 1995–96, broken down by region and by London local authority.

(a) ADP funded DIYSO purchases

Region	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
London	1,066	528	602	479	25	0	0	0
South East	629	389	356	328	48	0	0	0
South West	479	281	214	184	39	0	0	0
East Midlands	310	147	151	142	28	0	0	0
Eastern	332	224	221	143	14	0	0	0
West Midlands	510	306	158	49	9	0	0	0
Yorkshire and Humber	353	208	104	65	19	0	0	0
North East	203	110	51	21	1	0	0	0
North West	611	242	128	61	8	0	0	0
England total	4,493	2,435	1,985	1,472	191	0	0	0

(b) LASHG funded DIYSO purchases

Region	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
London	27	15	16	7	9	13	9	10
South East	273	193	217	161	188	250	238	201
South West	4	4	0	7	6	22	16	6
East Midlands	0	0	0	1	3	9	15	4
Eastern	4	5	2	0	2	1	0	1
West Midlands	1	13	17	16	18	16	22	17
Yorkshire and Humber	3	0	0	0	0	0	0	0
North East	0	0	0	0	0	0	0	0
North West	0	0	0	0	0	0	0	0
England total	312	230	252	192	226	311	300	239

(a) and (b) DIYSO purchases by year since 1995–96, by London local authority

	1995–96		*1996–97*		*1997–98*		*1998–99*	
	ADP	*LA SHG*	*ADP*	*LA SHG*	*ADP*	*LA SHG*	*ADP*	*LA SHG*
Barking and Dagenham	11	6	11	7	10	8	10	2
Barnet	36	0	15	0	20	0	35	0
Bexley	16	0	11	0	6	0	6	0
Brent	43	0	13	0	11	0	7	0
Bromley	22	0	5	0	14	0	12	0
Camden	49	0	33	0	60	0	31	0
Croydon	12	0	4	0	5	0	0	0
Ealing	60	0	29	0	16	0	16	0
Enfield	35	0	13	0	14	0	13	0
Greenwich	22	0	9	0	16	0	11	0
Hackney	97	0	34	0	45	0	31	0
Hammersmith and Fulham	43	0	45	0	40	0	14	0
Haringey	69	0	15	0	17	0	26	0
Harrow	20	0	4	0	8	0	0	0

(a) and (b) DIYSO purchases by year since 1995–96, by London local authority

	1995–96		*1996–97*		*1997–98*		*1998–99*	
	ADP	*LA SHG*	*ADP*	*LA SHG*	*ADP*	*LA SHG*	*ADP*	*LA SHG*
Havering	15	2	6	1	5	0	5	0
Hillingdon	38	18	18	6	15	1	1	0
Hounslow	42	1	30	0	20	0	10	0
Islington	69	0	31	0	32	0	22	0
Kensington and Chelsea	28	0	20	0	23	7	32	2
Kingston upon Thames	30	0	6	0	22	0	12	0
Lambeth	25	0	26	0	22	0	11	0
Lewisham	31	0	19	0	14	0	15	0
Merton	18	0	9	0	8	0	5	0
Newham	32	0	19	0	32	0	29	0
Redbridge	16	0	5	0	14	0	19	0
Richmond on Thames	16	0	9	0	10	0	7	3
Southwark	16	0	22	0	13	0	14	0
Sutton	20	0	7	0	11	0	5	0
Tower Hamlets	35	0	29	0	14	0	12	0
Waltham Forest	23	0	7	0	28	0	20	0
Wandsworth	42	0	15	0	22	0	31	0
Westminster	21	0	9	0	15	0	17	0
Out of London[1]	14	0	0	1	0	0	0	0
	1,066	27	528	15	602	16	479	7

	1999–2000		*2000–01*		*2001–02*		*2002–03*	
	ADP	*LA SHG*	*ADP*[2]	*LA SHG*	*ADP*[2]	*LA SHG*	*ADP*[2]	*LA SHG*
Barking and Dagenham	0	1		0		0		0
Barnet	1	0		0		0		0
Bexley	2	0		0		0		0
Brent	0	0		0		0		0
Bromley	0	5		4		4		2
Camden	0	0		0		0		0
Croydon	0	0		0		0		0
Ealing	1	0		0		0		2
Enfield	0	0		0		0		0
Greenwich	1	0		0		0		0
Hackney	3	0		0		0		0
Hammersmith and Fulham	0	0		0		0		0
Haringey	0	0		0		0		0
Harrow	0	0		0		0		0
Havering	0	0		0		0		0
Hillingdon	0	0		0		0		0
Hounslow	0	0		0		0		0
Islington	2	0		0		0		0
Kensington and Chelsea	0	0		0		0		0
Kingston upon Thames	4	0		0		0		0
Lambeth	1	0		0		0		0
Lewisham	5	0		0		0		0
Merton	0	3		1		0		0
Newham	0	0		0		0		0
Redbridge	0	0		0		0		0
Richmond on Thames	0	0		0		5		6
Southwark	1	0		0		0		0
Sutton	0	0		0		0		0
Tower Hamlets	0	0		0		0		0
Waltham Forest	0	0		8		0		0
Wandsworth	3	0		0		0		0
Westminster	1	0		0		0		0
Out of London[1]	0	0		0		0		0
	25	9	0	13	0	9	0	10

[1] Figures prior to 1997–98 were recorded by sponsor region and by purchase LA location; they are now recorded by sponsor LA location. On this table those before 1997–98 are by purchase location, though funded by London HAs/LAs; those after 1997–98 are by sponsor location.

[2] From 1999–2000, HC ADP was not used to fund DIYSO purchases.

Thames Gateway

Jon Cruddas: To ask the Deputy Prime Minister how many new homes need to be built in the Thames Gateway London area to meet his targets as set out in his Sustainable Communities Plan. [98615]

Mr. McNulty: The draft Spatial Development Strategy for Greater London indicates that at least 46,000 new homes can be built by 2016 in the London Gateway development areas.

Jon Cruddas: To ask the Deputy Prime Minister whom he has consulted in determining the best approach for the development of the Thames Gateway London area and for setting up as an East London urban development corporation. [98618]

Mr. McNulty: My right hon. Friend the Deputy Prime Minister and his Ministers met on a regular basis with the members of the Thames Gateway Strategic Partnership to discuss delivery arrangements for Thames Gateway. He has also visited Thames Gateway and discussed delivery issues with local stakeholders.

NORTHERN IRELAND

"Get Home Safe" Campaign

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many alcohol-related incidents the Police Service of Northern Ireland dealt with in South Belfast in *(a)* 2000, *(b)* 2001 and *(c)* 2002; and what impact the "Get Home Safe" Campaign has had. [103342]

Jane Kennedy: The statistics requested are not available as the PSNI does not maintain crime statistics on an alcohol related basis.

The "Get Home Safe" campaign has had a number of significant impacts namely:

The number of assaults was 535 compared to 654 for the same period in 2001—a decrease of 19.2 per cent.

The number of serious assaults was 158 compared to 236 for the same period in 2001—a decrease of 33 per cent.

Alcohol consumption was an element in 75 per cent. of all reported assaults

87 per cent. of the target group for the advertising campaign recalled some aspect of the campaign

40 per cent. of the target group claimed they had changed their behaviour arising from the campaign

Sexual assaults were reduced by 40 per cent.

Three new CCTV cameras provided by private sector funding

Almost 200 per cent. rise in the number of people reported for prosecution for disorderly behaviour (rather than a caution)

All illegal street traders removed, leading to significant reduction in disorderly incidents.

Banbridge Academy

Mr. Trimble: To ask the Secretary of State for Northern Ireland for what reason the proposal contained in the Contenders List for the Schools Capital Building Programme to provide an extension and refurbishment to Banbridge Academy was unsuccessful; and what criteria were used to make this decision. [102932]

Jane Kennedy: The schools' capital programme is determined on the basis of the highest educational need within the resources available. A scheme to extend and refurbish Banbridge Academy was one of 46 high priority schemes that met the criteria to compete for funding in this year's programme. However, as there were insufficient resources for all the competing schools, funding was allocated on the basis of priority of educational need. Banbridge Academy was one of the schools that did not succeed this time round. The criteria used to prioritise educational need (in order of weight) takes account of the suitability for teaching and learning, the condition of the school and the number of temporary classrooms.

Courthouse Closures

Lady Hermon: To ask the Secretary of State for Northern Ireland what recent discussions he has had with the Lord Chancellor's Department about *(a)* the proposed closure of courthouses in Northern Ireland and *(b)* the timetable for such closures. [98331]

Mr. Browne: The management of the courts estate is the responsibility of the Lord Chancellor. During the past couple of years there have been a number of informal discussions between NIO Ministers and Ministers from the Lord Chancellor's Department on the issue of courthouse closures in Northern Ireland as part of normal business of keeping each other informed of developments.

Crime (South Belfast)

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what discussions he has had with the Chief Constable of the Police Service of Northern Ireland regarding increasing resources to tackle crime in South Belfast. [103340]

Jane Kennedy: The Secretary of State has been advised by the PSNI that they are currently reviewing resource levels in every District Command Unit. The findings of the review will be advised to Chief Officers and District Commanders in the near future.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what steps are being taken to boost public confidence in safety from crime in South Belfast. [103341]

Jane Kennedy: The police in South Belfast plan the use of their resources to meet local community needs with a large percentage of personnel being exclusively dedicated to community policing. Crime Prevention and Community Safety Officers are responsible for the development and co-ordination of crime reduction strategies and crime prevention advice and guidance to vulnerable groups and those residing and working within crime "Hotspot" areas. Specific examples of a range of steps being taken to boost public confidence in safety from crime include:

the development of a Student/University/Resident Forum to address youth crime anti social behaviour and student related disorder.

The Get Home Safe Campaign, a project with a range of initiatives including: a door registration scheme involving the Federation of the Retail Licensed Trade, strict enforcement of drinking byelaws, the introduction of a radio link to improve communications between 37 licensed premises and the PSNI and three new CCTV provided by the private sector.

The promotion of Crimestoppers

15,000 leaflet drop to students living in South Belfast outlining crime prevention measures.

Early Release Scheme

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many prisoners have been released under the early release scheme since 10 April 1998; to which paramilitary groups they were affiliated; how many have been recalled due to further criminal activity; and how many would still be in prison today if the early release scheme was not in operation. [101737]

Jane Kennedy: Since the introduction of the early release scheme in April 1998, 447 prisoners have been released under the terms of the Northern Ireland (Sentences) Act 1998 ("the Act"). 156 were life sentence prisoners and 291 were determinate sentence prisoners.

The following table sets out details of the perceived paramilitary association of the 447 individuals released. Information is held, for management purposes, in relation to the perceived paramilitary association of prisoners in Northern Ireland.

At 10 March 2003, seven of the 447 persons released under the terms of the Act had been recalled to prison due to their involvement in further criminal activity during their licence period.

Of the 291 determinate sentence prisoners released under the Act, 54 (19 per cent.) had sentences which would not yet have expired and would still be in custody at this stage. It is not possible to provide an equivalent figure for the 156 life sentence prisoners. Unlike determinate sentence prisoners, there is no specific discharge date, each case being reviewed individually. All released lifers were subject to risk assessment as a requirement of the Act and remain on licence for life.

Breakdown of releases by perceived affiliation

Perceived affiliation	*Total*
PIRA	206
UDA	87
UVF	67
INLA	32
LVF	17
UFF	14
RHC	3
'Loyalist'	6
'Republican'	3
No affiliation	12
Grand total	447

Education Funding

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much funding has been allocated to *(a)* each education board, *(b)* the statutory nursery school sector of each education board and *(c)* the private or voluntary playschool sector of each education board to provide PEAGS places in each of the past five years. [102023]

Jane Kennedy: Each Education and Library Board receives for its Pre-school Education Advisory Group (PEAG) a capital allocation for the PEAG's building programme of nursery schools and units, and a single recurrent allocation from which PEAGs must meet:

> the running costs of those nursery schools and units for a period between their opening and their being absorbed into the main schools budget; and
>
> the costs of funding places in the voluntary and private sector.

Included in the recurrent allocations is an amount to assist the Boards with administrative and publicity costs. Recurrent funding for nursery schools and units after being absorbed into the main schools budget and for nursery schools and units pre-existing the Pre-School Education Expansion Programme, is allocated through LMS, and not to PEAGs.

The allocations to the Boards for the last five financial years are as follows. Separate allocations are not made in respect of the voluntary and private sectors.

All figures £000

Board	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Belfast					
Statutory capital allocation	0	0	401	133	19
Total recurrent allocation	230	561	836	756	853
Western					
Statutory capital allocation	0	40	1,377	1,436	1,012
Total recurrent allocation	406	1,049	1,524	1,566	1,779
North eastern					
Statutory capital allocation	81	64	1,344	700	379
Total recurrent allocation	381	1,176	1,917	2,141	2,163
South eastern					
Statutory capital allocation	202	312	591	681	660
Total recurrent allocation	243	840	1,463	1,920	1,822
Southern					
Statutory capital allocation	0	65	770	1,238	1,298
Total recurrent allocation	384	811	1,393	1,889	2,058

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland for what reason the places per ward criterion used to calculate the funding for PEAGS places has not been used for calculating places for 2003–04. [101927]

Jane Kennedy: The Department of Education does not allocate funding to Pre-School Education Advisory Groups (PEAGs) using a places per ward criterion, but rather on the basis of annual plans for their areas produced by the PEAGs and approved by the Department. While in any given case PEAGs will look at the level of provision at individual ward level, they should also take into account the situation in neighbouring wards, so as to avoid over as well as under-provision.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will undertake to provide funding of PEAGS places for the Playgroup at Londonderry Primary School in Newtownards. [102021]

Jane Kennedy: I am satisfied that the present number of pre-school places in Newtownards funded by the South Eastern Board's Pre-school Education Advisory Group is sufficient to satisfy the demand from children in their final pre-school year. I am therefore unable to give the undertaking requested.

Giant's Causeway

Lady Hermon: To ask the Secretary of State for Northern Ireland what progress is being made in establishing a world class visitor centre at the Giant's Causeway in County Antrim. [103349]

Mr. Pearson: I have met with the key players involved in establishing a world class visitors centre at the Giants Causeway and a further round of follow-up meetings with officials in my Department has also been concluded.

Efforts are now being made to exploit the common ground that has emerged from these discussions. While both myself and my colleague the Minister for Culture, Arts and Leisure are finalising our thoughts on a way forward, it should be stressed that progress will be achieved only if the relevant parties work together and with Government to ensure that a world class solution is achieved.

IT Contracts

Mr. Sayeed: To ask the Secretary of State for Northern Ireland if he will list IT contracts in his Department above £50 million in each of the last 10 years; what the inception date for each system was; when it became fully functional; when it became fully debugged; and what the cost of over-runs has been. [99002]

Mr. Paul Murphy: The Northern Ireland Office, during the last 10 years have not awarded any IT contracts above £50 million.

The Northern Ireland Administration, during the last 10 years, have not awarded any IT contracts above £50 million.

Job Sharing

Mr. Bercow: To ask the Secretary of State for Northern Ireland if he will make a statement on the extent of job sharing in his Department. [90863]

Mr. Paul Murphy: In the Northern Ireland Office 34 out of 1,596 full-time equivalent staff job share.

Job sharing is only one of a number of alternative and flexible working patterns that employees are welcome to take up. There are also, for example, 142 who work part-time.

In the Northern Ireland Administration 276 out of the 26,300 permanent staff employed job share.

Job sharing is only one of a number of work-life balance options available to employees. Over 2,500 work part-time hours. Flexible working hours and alternative working patterns also operate.

As a major employer, the Northern Ireland Civil Service has for many years recognised the benefits that both individuals and the organisation can realise by enabling employees to have a flexible approach to their working day.

Ministerial Travel

Mr. Bercow: To ask the Secretary of State for Northern Ireland what the cost of *(a)* ministerial cars and drivers and *(b)* taxis for his Department was in 2002. [101543]

Jane Kennedy: The cost of *(a)* ministerial cars and drivers, and *(b)* taxis for the Northern Ireland Office for the 2001–02 financial year was:

(a) Ministerial cars and drivers: £361,083.83

(b) Taxis for the Department: £18,007.60

Mr. Bercow: To ask the Secretary of State for Northern Ireland if he will list the overseas trips made by himself and other members of his ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101485]

Mr. Paul Murphy: The information for 2002–03 will be published as soon as possible after the end of the financial year.

Peace II

Mr. McGrady: To ask the Secretary of State for Northern Ireland how much funding is available to each Northern Ireland Department in respect of Peace II; how much has been *(a)* distributed and *(b)* committed; for how much applications have been received but funding has not yet been committed; how much remains for which the process has not yet begun; and how much the Department will be unable to process before the deadline. [102564]

Mr. Pearson: Northern Ireland Departments are Implementing Bodies for some £152 million of the Peace II Programme. The information requested for this expenditure is set out in the following table. All Departments have indicated that the full amounts will be committed before the 31 December 2004 deadline.

£ million

	(A) Funding available	*(B) Distributed (spent)*	*(C) Committed*	*(D) Pending*	*(E) [illegible]nt remaining (A-(C+D))*
DARD	37.889	0.289	6.048	7.131	24.709
DE	1.720	0	0	1.028	0.692
DEL	9.348	0.377	4.825	—	4.523
DETI	62.164	5.342	37.592	17.429	7.143
DCAL	4.800	0	0	2.750	2.050
DSD	16.900	0	2.000	2.600	12.300
OFMDFM	6.517	0.084	4.062	13.375	0
DRD	7.091	1.726	5.902	0	1.189

Police Service

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many and what percentage of each category of *(a)* officers and *(b)* staff left the Police Service in each of the past three years, broken down by perceived community origin and sex. [101064]

Jane Kennedy: The number of police officers who have left the Police Service in the past three years, broken down into perceived community origin and gender, are shown in the following table. Data are also included in respect of civilian staff directly recruited into the police service but are only available for the past two years. Data for civilian staff do not include details of those staff currently or previously attached to the police service on secondment from the Northern Ireland Civil Service.

Year	*CB1*	*Percentage CB1*	*CB2*	*Percentage CB2*	*CB3*	*Percentage CB3*	*Male*	*Percentage male*	*Female*	*Percentage female*	*Total*
(a) Police officers											
2000	414	91	27	6	14	3	395	87	60	13	455
2001	1,418	88	144	9	41	3	1,502	94	101	6	1,603
2002	832	88	81	8	37	4	863	91	87	9	950
(b) Civilian staff											
2001	87	66	22	17	22	17	57	44	74	56	131
2002	109	72	28	19	13	9	61	41	89	59	150

CB1—Perceived Protestant
CB2—Perceived Roman Catholic
CB3—Not determined

Lady Hermon: To ask the Secretary of State for Northern Ireland how many *(a)* women and *(b)* members of the ethnic minorities have been recruited by the Police Service of Northern Ireland since the coming into operation of the Police (Northern Ireland) Act 2000. [93668]

Mr. Browne: Since 4 November 2001, 196 women have been appointed to the Police Service, a figure which represents 32 per cent. of the total number of 613 recruits.

Only one member of an ethnic minority has been appointed since that time.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many people claiming links to *(a)* the UUP, *(b)* the SDLP, *(c)* the DUP, *(d)* Sinn Fein, *(e)* the Alliance Party, *(f)* the Northern Ireland Women's Coalition, *(g)* the PUP, *(h)* the UKUP and (i) other political groupings or independent political candidates (i) applied to sit on a District Police Partnership (DPP), (ii) were judged appointable to a DPP and (iii) were appointed to a DPP. [103343]

Jane Kennedy: All candidates for appointment as independent members of District Policing Partnerships were asked a political activity monitoring question, in line with the guide to public appointments. The information was not made available to the council or Policing Board panels. The Board panels considered anonymised lists of appointable candidates. The information requested is set out in the following table.

Party	*Applicants*	*Appointable candidates*	*Appointments*
UUP	113	64	4
SDLP	44	30	15
DUP	38	18	3
Sinn Fein	1	0	0
Alliance	24	17	7
NIWC	14	10	6
PUP	16	10	1
UKUP	7	5	0
Other: British Labour	1	1	1
Other: Conservative	4	0	0
Other: Democratic Left	1	1	1
Other: Independent	19	15	2
Other: Independent Unionist	3	2	0
Other: Labour Coalition	1	1	1
Other: Labour NI	3	1	0
Other: New Labour	1	0	0
Other: National Labour	1	0	0
Other: Unionist, not specified	2	0	0
Other: OUP	2	1	0
Other: Socialist Party	1	0	0
Other: UDP	4	2	2
Other: Ulster Independent Voice	1	0	0
Other: Ulster Unionist Assembly Party	1	1	1
Other: Ulster Unionist Council	2	2	0
Other: Workers Party	4	3	2
Other: Yes Campaign	1	1	0
Other: Ratepayers Association	2	2	2

Pre-School Provision

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many PEAGS places have been allocated to each nursery and playschool in the South Eastern Education and Library Board in each of the past five years. [102022]

Jane Kennedy: The South Eastern Education and Library Board's Pre-School Education Advisory Group (PEAG) has allocated places to providers in the voluntary and private sectors since the start of the Pre-School Education Expansion Programme as follows:

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Annahilt Pre-School Playgroup	-	-	-	18	18
Ardglass Community Playgroup	6	8	10	16	16
Ballybeen Women's Centre Playgroup, Dundonald	9	9	10	10	10
Ballycrochan Playgroup, Gangor	6	6	10	20	21
Ballygowan Community Playgroup	6	10	24	24	24
Ballyholme Presbyterian Church Playgroup, Bangor	-	13	11	19	20
Ballykinler Community Playgroup	-	-	10	24	18
Ballymacward Pre-School Playgroup, Lisburn	13	15	15	15	15
Ballymote Children's Centre, Downpatrick	-	-	13	Withdrawn	-
Ballywalter Playgroup	-	-	-	12	13
Bangor Abbey Playgroup	-	-	-	13	13
Bangor West Nursery Group	5	10	19	21	18
Bees Nees Early Years Centre, Newtownards	-	-	-	16	18
Bo-Peep Corner Playgroup, Bangor	5	8	15	20	18
Bumbles Playgroup, Dundonald	10	10	20	20	20
Carrowdore Community Playgroup	-	-	10	20	22
Carryduff Pre-School Playgroup	8	26	20	34	45
Castle Playgoup, Lisburn	9	11	18	10	Withdrawn
Castlewellan Community Playgroup	-	-	-	18	10
Cedar Children's Centre, Crossgar	5	10	21	Changed to statutory nursery unit	
Chatterbox Playgroup, Lisburn	7	9	10	24	18
Chirpy Chicks Playgroup, Greyabbey	-	9	10	18	18
Chuckles Playgroup, Newtownards	5	7	10	15	15
Cregagh Pre-School Playgroup, Belfast	6	15	15	16	16
Crossgar Community Playgroup	5	10	17	18	18
Dromara Playgroup	11	13	20	26	32
Dramaness PS Playgroup	-	-	-	18	13
Drumaroad Cross Community Playgroup	9	10	10	12	15
Drumbeg Playgroup	-	-	-	-	8
Dundrum Cross Community Playgroup	-	13	16	20	12
Dunmarry Community Playgroup	-	-	24	24	24
Early Days Playgroup, Bangor	5	5	22	24	22
Glencraig Playgroup, Craigavad	6	12	20	18	17
Glenmore Community Playgroup, Lisburn	8	11	12	Withdrawn	-
Grove Community Playgroup, Lisburn	5	5	10	10	Withdrawn
Happy Hours Playgroup, Bangor	-	9	11	Withdrawn	-
Hickory Dickory Dock, Castlewellan	-	5	10	9	9
Kilcoo Playgroup	-	-	-	12	18
Killough Playgroup	-	-	10	16	16
Killyleagh Community Playgroup	-	-	10	18	18
Kilmood Playgroup, Killinchy	-	-	11	23	24
Kinders Day Care, Dunmurry	-	-	28	26	Withdrawn
Kircubbin Pre-School Playgroup	-	-	-	26	32
Legacurry Playgroup, Lisburn	-	-	-	14	17
Little Acorn's Playgroup, Bangor	6	15	14	32	26
Little Doves Community Playgroup, Newtownards	-	-	-	14	15
Little Flower Playgroup, Bangor	8	13	11	15	12
Little Oaks Playgroup, Lisburn	8	14	15	24	18
Little Owls Playgroup, Conlig	8	9	10	15	Withdrawn
Little Sunbeams Playgroup, Saintfield	-	-	-	12	16
Loughinisland Playgroup, Downpatrick	-	14	14	20	19
Community Playgroup, Dunmurry	-	-	-	-	12
Mount Oriel Playgoup, Belfast Mickey Mouse	18	18	24	23	18
Movilla Abbey Playgroup, Newtownards	5	8	12	24	26
Nailery Creche, Crossgar	3	Withdrawn	-	-	-
Naiscoil Dhun Padraig	-	-	10	16	16
Naiscoil Uac Tar Tire, Castlewellan	-	7	20	10	10
Newcastle Pre-School Playgroup	9	14	10	24	18
Oakwood Pre-School Playgroup, Dunmurry	-	-	-	13	21
Paddington Corner, Bangor	5	15	13	15	13
Play-away Childcare Centre, Newtownards	-	-	-	14	16
Poppins Day Nursery, Moira	-	-	10	16	16
Portaferry Playgroup	10	12	10	20	18
Rainbow Corner Playgroup, Moira	-	-	-	15	15
Rathkeltair Cross Playgroup, Downpatrick	-	16	16	18	16

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Redburn Playgroup, Holywood	-	-	10	20	18
Roisin Ban, Dunmurry	7	Withdrawn	-	-	-
Rumble's Playgroup, Lisburn	14	24	19	24	16
Saintfield Playgroup	-	-	10	Withdrawn	-
Saul Cross Community Playgroup, Downpatrick	-	-	-	12	12
Scallywags Playgroup, Newtownards	-	13	20	15	18
Scoil Na Fuiseoige, Twinbrook	12	12	12	24	18
St. Bernard's Playgroup, Belfast	-	-	15	21	10
St. Comgall's Playgroup, Bangor	5	7	10	10	10
St. Finian's Playgroup, Newtownards	-	-	-	17	18
St. Joseph's Playgroup, Carryduff	-	-	-	10	10
St. Joseph's Playgroup, Crossgar	-	7	15	24	18
St. Mark's Playgroup, Twinbrook	-	13	Withdrawn	-	-
Strangford and District Playgroup, Downpatrick	-	11	11	11	Excluded
Sunshine Playgroup, Lisburn	-	-	20	18	18
Teconnaught Playgroup, Crossgar	5	16	16	18	18
The Shell Playgroup, Comber	-	-	-	18	10
The Old Schoolhouse Nursery, Hillsborough	7	Withdrawn	-	-	-
The Playcentre at Manor Court, Newtownards	14	15	15	18	26
Tiddliwinks Playgroup, Bangor	-	14	11	23	20
Tiny Toons Playgroup, Downpatrick	6	10	18	18	12
Toddle-in Playgroup, Moneyreagh	-	-	15	17	22

Sex Education

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will make a statement on the advice issued by the Department of Education on the teaching of sex education in Northern Ireland. [103628]

Jane Kennedy: Following a major consultation exercise with interested parties and organisations conducted by the Northern Ireland Council for the Curriculum, Examinations and Assessment, on 24 August 2001 the Department of Education issued to all schools a circular on Relationships and Sexuality Education (RSE), together with comprehensive teacher guidance material, intended to help schools develop their own policy on RSE and provide a programme of RSE appropriate to the needs and maturity of their pupils.

Sickness Absence

Mr. Laws: To ask the Secretary of State for Northern Ireland what the rate of staff *(a)* absenteeism and *(b)* sickness was in his Department and each of its agencies and non-departmental public bodies in each year from 1990–91 to 2002–03; what the target set is for his Department; and if he will make a statement. [93511]

Mr. Paul Murphy: In the Northern Ireland Office unauthorised absence is recorded as unpaid leave and is associated with other properly authorised unpaid absence and cannot be disaggregated.

Sick absence figures are recorded by financial year for Northern Ireland Civil Servants (NIGS) and by calendar year for Home Civil Service (HCS) staff.

The available information is as follows:

Northern Ireland Civil Servants

	Days sick absence per staff year	
	2000–01	*2001–02*
Core Department (including Compensation Agency and Forensic Science Agency)	12.8	13.4
Northern Ireland Prison Service—(non-uniformed grades)	11.9	15.4

Two NICS staff are on secondment to NIO NDPBs and no sick absence was reported.

The Northern Ireland Departments have set composite targets for a reduction in sick absence from 15.1 days in 2000–01 to 13.9 days by the end of 2002–03 and 13.0 days by the end of 2004–05. The NIO aims to achieve similar reductions in respect of NICS staff in the Department.

Home Civil Servants

Year	*Days sick absence per staff year*
1998	6.5
1999	8.0
2000	9.3
2001	10.0

The figures for 2002 will be available shortly.

All Whitehall Departments were required in 1999 to reduce sickness absence by 20 per cent. by 2001 and by 30 per cent. by 2003. For the Northern Ireland Office (HCS staff) this was measured against the 1998 baseline of 6.5 days.

A range of initiatives has been implemented to assist in reducing sickness absence rates for both staff groups. These include raising awareness of stress management, a departmental health awareness programme, development of a departmental action plan to deliver workplace health improvement, provision of family friendly policies and fair application of inefficiency procedures.

In addition the Department plans to delegate responsibility for attendance management to line managers later this year and it is hoped that greater involvement at line management level will have a positive impact on the rate of sick absence.

In the Northern Ireland Administration unauthorised absence is recorded as unpaid leave and is associated with other properly authorised unpaid absence and cannot be disaggregated.

The information sought is only readily available for non-industrial civil servants for the period 1999–2000 to 2001–02. Comparable figures for industrial civil servants, agencies and non-departmental public bodies are not held centrally and could be obtained only at disproportionate cost.

The following table reflects the average number of working days lost for the financial years 1999–2000, 2000–01 and 2001–02 for each of the Northern Ireland Departments. Published statistics for 2000–01 and 2001–02 for Northern Ireland Departments are accessible www.dfpni.gov.uk/publications.

	Number of days lost per staff year		
Department	*1999–2000*	*2000–01*	*2001–02*
DEL	16.5	17.9	19.0
DSD	18.5	18.6	18.4
DCAL	12.7	14.7	14.6
DHSSPS	14.1	12.9	14.6
DOE	14.6	14.6	14.1
DFP	11.3	12.8	13.5
DE	13.7	15.7	13.2
DETI	13.2	12.4	13.0
DARD	13.8	12.2	11.8
OFMDFM	10.4	9.7	11.6
DRD	11.4	12.2	11.4
Overall	15.3	15.1	15.1

Due to the reorganisation of Departments following devolution, the 1999–2000 absence details were analysed according to the Department in which staff were employed at the end of the 1999–2000 financial year. The departmental figures incorporate those for their respective Agencies.

Northern Ireland Departments have now set individual business driven targets for reduction. When brought together they constitute composite targets for a reduction from a sick absence rate of 15.1 days in 2000–01 to 13.9 days by the end of 2002–03 and 13.0 days by the end of 2004–05.

The most recent report for 2001–02 identifies an improvement in sick absence levels in a number of Departments but the overall absence level for NI Departments has not changed. While it is recognised that the last two to three years have been a period of major change and upheaval for NI Departments nonetheless the current levels of sick absence continue to be a cause for major concern.

A range of corporate and departmental initiatives has been and is being taken forward to reduce the current levels of sickness absence. These include a major work force health survey; the introduction of an awareness leaflet for GPs on the support and early return mechanisms available to NICS staff; appointment of two "site" based occupational health nurses on a pilot basis; approval to recruit a psychiatric nurse; and websites on "Attendance Matters" and "Health Matters" to assist NICS managers and staff.

Small Businesses

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many small businesses have gone out of business in Northern Ireland in each year since 1997. [103255]

Mr. Pearson: The number of insolvency orders (bankruptcy and compulsory winding up) made against individuals and small businesses in each of the last six financial years is as follows:

Financial year	*Number of insolvency orders*
1996–97	411
1997–98	432
1998–99	421
1999–2000	393
2000–01	338
2001–02	265

Social Housing

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many social housing tenancies will not be varied before the end of March 2003; and whether the tenancies in Northern Ireland will be financially protected as a result of this new measure. [103278]

Mr. Browne: As at 10 March 2003, of the Northern Ireland Housing Executive's (NIHE) currently occupied stock of 103,353 tenancies and the Housing Association's combined stock of 20, 000, only 887 tenants have been required to or are pending a completion of a Deed of Variation to their current tenancy agreement. This variation is required to enable "Support" to be paid a Transitional Housing Benefit.

The Department for Social Development has advised the NIHE that in line with practice across the UK, it will honour the total amount of valid Transitional Housing Benefit claims received at 31 March 2003.

Supporting People Project

Mr. McGrady: To ask the Secretary of State for Northern Ireland what percentage of the funds allocated for the Supporting People Project throughout the United Kingdom will be given to Northern Ireland; and whether the funding is in line with the Barnett Formula. [103277]

Mr. Pearson: In Northern Ireland funding for supporting people will, in common with the other parts of the United Kingdom, be based upon actual requirements for the three-year period commencing 1 April 2003, rather than upon the Barnett Formula. The Department of Finance and Personnel, in consultation with the Department for Social Development, is currently in negotiations with HM Treasury to agree the allocations.

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many people have been identified by the health and social services trusts for transitional housing benefit through the Supporting People Project; and of those identified for benefit, how many will receive it. [103279]

Mr. Browne: A total of 887 people have been identified. All those who apply with valid transitional Housing Benefit claims received before 31 March 2003, will be paid.

Unemployment

Mr. Donaldson: To ask the Secretary of State for Northern Ireland if he will make a statement on the current trends in *(a)* long-term and *(b)* youth unemployment in Northern Ireland. [103242]

Mr. Pearson: Latest estimates from the autumn 2002 Labour Force Survey (LFS) indicate that there were 18,000 persons long-term unemployed representing 41 per cent. of the total number of unemployed persons. The total long-term unemployed over the past five years has decreased by just over 40 per cent. from 31,000 in autumn 1997 to 18,000 in autumn 2002.

The youth unemployment latest estimates indicate that there were 13,000 persons aged 18–24 who were unemployed, with an associated unemployment rate of 12.0 per cent. Over the five-year period from autumn 1997 youth unemployment has decreased from 18,000 to 13,000 in autumn 2002.

Urban Renewal

Mr. Dodds: To ask the Secretary of State for Northern Ireland how much money has been allocated for *(a)* housing improvements and *(b)* urban renewal areas in each Belfast constituency in each year since 1999. [103244]

Mr. Browne: The information is not available in the format requested. However, the following table gives the information by Northern Ireland Housing Executive district.

£000

Year	*District 1*	*District 2*	*District 3*	*District 4*	*District 5*	*District 6*	*District 7*	*Total*
(a) Housing improvements								
Capital:								
1999–2000	1,779	2,157	1,852	2,658	1,469	1,383	1,922	13,220
2000–01	1,204	1,372	505	2,792	528	994	1,395	8,790
2001–02	1,725	1,618	1,250	1,173	790	798	938	8,292
2002–03[1]	1,644	1,518	1,206	1,816	826	1,204	2,901	11,115
Total	6,352	6,665	4,813	8,439	3,613	4,379	7,156	41,417
Maintenance:								
1999–2000	3,590	4,194	4,644	4,682	5,787	4,840	6,215	33,952
2000–01	3,041	6,609	4,116	3,788	4,893	4,671	5,811	32,929
2001–02	3,246	4,774	3,423	6,555	3,365	4,269	4,979	30,611
2002–03[1]	3,300	5,265	3,915	4,418	4,434	4,866	4,375	30,573
Total	13,177	20,842	16,098	19,443	18,479	18,646	21,380	128,065
Grants								
1999–2000	514	1,853	761	1,008	294	878	3,638	8,946
2000–01	839	2,180	1,083	925	520	1,365	3,860	10,772
2001–02	652	2,083	1,130	886	280	987	4,210	10,228
2002–03[1]	982	1,791	821	561	324	1,662	3,496	9,637
Total	2,987	7,907	3,795	3,380	1,418	4,892	15,204	39,583
Grand total	22,516	35,414	24,706	31,262	23,510	27,917	43,740	209,065
(b) Urban renewal								
Newbuild:								
1999–2000	114	10	596	2,100	106	95	29	3,050
2001–01	73	283	301	414	131	89	99	1,390
2001–02	73	174	96	70	356	175	21	965
2002–03[1]	28	135	30	81	236	51	14	575
Total	288	602	1,023	2,665	829	410	163	5,980
Land and property spend:								
1999–2000	1	3,789	678	843	1,893	2,690	227	10,121
2000–01	5	4,548	390	3,393	6,613	1,351	42	16,342
2001–02	3	9,249	132	796	4,471	1,856	1,059	17,566
2002–03[1]	0	2,737	45	2,182	1,915	1,834	351	9,064
Total	9	20,323	1,245	7,214	14,892	7,731	1,679	53,093
Grand total	297	20,925	2,268	9,879	15,721	8,141	1,842	59,073

[1] To 12 March 2003

HOME DEPARTMENT

Asylum Seekers

Mr. Cousins: To ask the Secretary of State for the Home Department if he will place in the Library a list of *(a)* private sector providers of places for asylum seekers as at 31 December 2002, *(b)* the number of places with each provider, *(c)* the number of places in each parliamentary constituency and *(d)* the number of places from each provider in each parliamentary constituency. [102907]

Beverley Hughes *[holding answer 18 March 2003]:* The information is not available in the precise format requested. The National Asylum Support Service (NASS) has entered into contracts with the private and public sector to provide accommodation for asylum seekers who are being dispersed. The private sector companies with whom NASS has entered into such contracts are as follows: Adelphi Hotels; Angel Group; Accommodata Ltd; Capital Accommodation Ltd; Clearsprings; Landmark; Leena Homes and Roselodge.

Details of individual contracts between NASS and its accommodation providers are confidential and I am unable to provide information on the number of bedspaces provided by each provider. NASS records of dispersal accommodation do not show the parliamentary constituency in which they are located.

Mr. Wray: To ask the Secretary of State for the Home Department pursuant to his Answer of 5 March 2003, *Official Report*, column 1076W, on asylum seekers, how many child asylum seekers were refused asylum in each year from 1997; what the most common reasons were for refusal; and how many were deported. [103401]

Beverley Hughes: The table shows initial decisions, made between 1997 and 2002, excluding appeals and other subsequent outcomes, made on asylum applications from applicants claiming to be aged under 18. These figures exclude dependants, and may overstate since some applicants aged 18 or over may claim to be younger. The table contains estimates based on cases where information is available.

The available data showing for the main categories for refusal are also given in the table. These data may overstate the number of children who were refused asylum and exceptional leave to remain. This is due to the inclusion of cases whereby the Immigration and Nationality Directorate (IND) believe the applicant is aged over 18, therefore these applicants are treated as an age dispute case.

Data on the age of those asylum seekers who were removed from the United Kingdom are not available except by examination of individual case-files at disproportionate cost.

Information on asylum decisions is published annually in the statistical bulletin "Asylum Statistics United Kingdom", a copy of which is available in the Library and from the RDS web site: http://www.homeoffice.gov.uk/rds/immigration1.html.

Applicants and decisions: Initial Decisions, excluding dependants, made on asylum applications in the United Kingdom, on applicants aged under 18 at the time of initial decision by year 1997 to 2002

					Refusals		
	Total decisions	*Recognised as a refugee and granted asylum*	*Not recognised as a refugee but granted exception leave*	*Total refused*	*Refused asylum and exceptional leave after full consideration*	*Refused on safe third country grounds*	*Refused on non-compliance grounds*
1997[1,2]	600	150	250	200	150	50	50
1998[1,2]	1,000	400	250	350	100	50	150
1999[1,2]	1,350	1,000	200	200	100	50	50
2000[1,2]	5,350	500	800	4,000	2,500	50	1,450
2001[3,4]	8,895	1,145	4,815	2,935	1,550	45	1,340
2002[3,4]	11,290	970	6,585	3,735	2,215	90	1,430

[1] Figures are an estimation. Estimated using pro-rata to publication from Raw Refugee index data.

[2] Estimated figures rounded to the nearest 50. These data are not compatible with data for 2001 and 2002.

[3] Figures rounded to the nearest five.

[4] Provisional figures.

Notes:

1. Decision figures do not necessarily relate to applications received in the given year.
2. Information is of initial decisions, excluding the outcome of appeals or other subsequent decisions.
3. Data may overstate as some applicants over the age of 18 may claim to be younger

Mr. Cousins: To ask the Secretary of State for the Home Department how many asylum seekers were waiting for an initial decision for *(a)* less than two months, *(b)* two to six months, *(c)* six months to a year and *(d)* over a year at December (i) 2000, (ii) 2001 and (iii) 2002. [103421]

Beverley Hughes: The available information is shown in the table. This information includes cases that are currently under consideration.

Asylum cases awaiting an initial decision

	Number of months awaiting initial decision[1]				
As at end	*Less than 2*	*2–6*	*6–12*	*More than 12*	*Total cases outstanding*[1]
2000	9,300	12,000	[2]—	[2]—	88,600
2001[3]	5,400	4,600	2,600	26,200	38,800
2002[3]	8,000	4,300	3,700	24,800	40,800

[1] Data have been estimated and are rounded to the nearest 100.

[2] Data are not available

[3] Data are provisional.

Provisional data show that 60 per cent. of applications (excluding withdrawals and third country cases) received in 2001–02 had initial decisions reached and served within two months, 78 per cent. within four months and 84 per cent. within six months. 76 per cent. of applications (excluding withdrawals and third country cases) received in the period April to September 2002 had initial decisions reached and served within two months.

Burglaries

Keith Vaz: To ask the Secretary of State for the Home Department how many burglaries were reported to the police in the *(a)* Greater London area and *(b)* England in the last year that figures are available; and how many of those have been resolved. [102233]

Mr. Bob Ainsworth: The number of burglary offences recorded and detected by the police for the 12 months to March 2002, are given in the table.

	Burglary offences	
Police force area	*Recorded*	*Detected*
Greater London[1]	116,498	12,187
England	846,287	100,634

[1] Metropolitan Police and City of London police force areas.

Cannabis

Mr. Mullin: To ask the Secretary of State for the Home Department if he will publish his response to the criticism by UNGASS of the Government's proposed reclassification of cannabis. [102805]

Mr. Bob Ainsworth: Copies of my letter to Herr Herbert Schaepe, the Secretary to the International Narcotics Control Board, will be placed in the Library.

Community Sentences

Hugh Bayley: To ask the Secretary of State for the Home Department how many *(a)* Anti-Social Behaviour Orders, *(b)* Parenting Orders and *(c)* Curfew Orders have been issued in York in each of the last three years. [102644]

Mr. Bob Ainsworth: The information is as follows:

(a) Anti-Social Behaviour Orders (ASBOs) were introduced from 1 April 1999. Information held centrally up to 31 May 2000 is for the number of ASBOs issued within England and Wales by police force area only.

From 1 June 2000 official statistics on the number of ASBOs issued within England and Wales are based on quarterly returns from Magistrates' Courts Committees (MCCs). From copies of the orders we have been able to identify local authority areas involved. The number of notifications received by the Home Office of ASBOs issued in York, from 1 June 2000 to 30 September 2002 (latest available) is six.

We are aware that the numbers of ASBOs made nationally have been consistently under-reported in returns made by magistrates' courts and are considering how reporting can be improved.

(b) Youth Justice Board figures indicate that between April 2000 and December 2002 a total of eight Parenting Orders were imposed in York.

(c) Figures from the electronic monitoring contractors indicate that six Curfew Orders with electronic monitoring were imposed in York during the period 2000 to 2002.

No applications have yet been received to establish a local child curfew scheme under section 14 of the Crime and Disorder Act 1998. Some local authorities and police forces have considered the possibility but concluded that other measures should be taken to tackle relevant local problems.

Correspondence

Mr. Salmond: To ask the Secretary of State for the Home Department when he will reply to the letter dated 20 January 2003 from the hon. Member for Banff and Buchan regarding his constituent Mr. R. Edgar of Peterhead. [102388]

Hilary Benn *[holding answer 13 March 2003]:* I will write to the hon. Member as soon as possible.

Mr. Burns: To ask the Secretary of State for the Home Department when he will reply to the letter from the hon. Member for West Chelmsford of 11 November 2002, ref 23338/2. [102933]

Beverley Hughes *[holding answer 17 March 2003]:* I wrote to the hon. Member on 11 March 2003.

Crime Statistics

Mr. Evans: To ask the Secretary of State for the Home Department what the percentage clear-up rate for crimes in Wales was in each year since 1997. [102536]

Mr. Bob Ainsworth: The requested information is given in the following table.

Percentage

	Detection rate
1997[1]	41
1997–98[2]	41
1998–99[3]	46
1999–2000[4]	40
2000–01[4]	41
2001–02[4,5]	39

[1] Recorded on a calendar year basis up to 1997, and then on a financial year basis thereafter.

[2] The number of crimes recorded in that financial year using the coverage and rules in use until 31 March 1998.

[3] The number of crimes recorded in that financial year using the expanded offence coverage and revised counting rules which came into effect on 1 April 1998.

[4] Revised detections guidance was implemented on 1 April 1999.

[5] Three out of the four police force areas in Wales (Dyfed Powys, North Wales and South Wales) adopted the principles of the National Crime Recording Standard (NCRS) prior to its national introduction across England and Wales on 1 April 2002. This may have affected the detection rates given.

There was a change in counting rules for detections on 1 April 1999. The new instructions provide more precise and rigorous criteria for recording a detection, with the underlying emphasis on the successful result of a police investigation. Numbers of detections before and after this date are therefore not directly comparable.

Hugh Bayley: To ask the Secretary of State for the Home Department if he will list the heads under which City of York Council received money to tackle crime in each year since 1997; and how much was received in each case. [102649]

Mr. Bob Ainsworth: The following table outlines the heads under which programme funding has been provided to the City of York Crime and Disorder Reduction Partnership since 1997 to tackle crime and identifies the level of funding in each case.

Funding provision

£

	1999–2000	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Arrest Referral Scheme	—	13,221	13,618	13,958	—
Reducing Burglary Initiative[1]	17,065	—	—	—	—
Intervention Work in Schools[1]	79,000	—	—	—	—
CCTV[1]	228,000	—	—	—	—
Partnership Development Fund	—	5,583	52,000	47,500	—
Communities Against Drugs	—	—	163,800	163,800	—
Safer Communities Initiative	—	—	—	59,484	—
Funding for Crime Disorder Reduction Partnerships (CDRPs)	—	—	—	—	230,888
Basic Command Unit Fund[2]	—	—	—	—	208,578
Total	324,065	18,804	229,418	284,742	439,466

[1] The total funding for these projects was allocated in 1999–2000 although the projects themselves may have lasted more than one year.

[2] The Basic Command Unit Fund will be provided to the Central region of North Yorkshire Police of which the City of York is a part. This funding is for use within the Partnership.

Mr. Rosindell: To ask the Secretary of State for the Home Department if he will make a statement on crime committed by asylum applicants residing in the United Kingdom. [102923]

Beverley Hughes: We take very seriously any criminal or anti-social acts committed by asylum seekers. Although there is no evidence to suggest that asylum seekers are disproportionately likely to commit crime, we have taken powers in the Nationality, Immigration and Asylum Act 2002 to prevent serious criminals availing themselves of the protection of the 1951 Refugee Convention. We will seek to remove such criminals from the United Kingdom wherever possible.

Mr. Burns: To ask the Secretary of State for the Home Department how many offenders were recorded in *(a)* the Chelmsford division of Essex police and *(b)* Essex in each year since 1997, broken down by category. [103120]

Hilary Benn: It is not possible, from the information collected centrally, to separately identify offenders convicted or cautioned in the Essex police division of Chelmsford. The table gives offenders found guilty at all courts or cautioned ('known offenders') in Essex for the years 1997 to 2001 by offence group.

Figures for 2002 will be published in the autumn.

Offenders found guilty at all courts or cautioned ('known offenders') in Essex, by offence group

Offence group	*1997*	*1998*	*1999*	*2000*	*2001*
Violence Against The Person	1,206	1,072	983	825	859
Sexual Offences	164	154	123	119	81
Burglary	821	762	731	614	554
Robbery	69	92	93	94	81
Theft and Handling Stolen Goods	5,163	4,987	4,447	4,085	4,221
Fraud and Forgery	581	569	551	494	504
Criminal Damage	604	414	378	323	858
Drug Offences	2,158	2,173	2,038	1,702	1,588
Other Indictable Non-Motoring	978	1,094	862	829	755
Indictable Motoring Offences[1]	265	264	202	188	209
Total Indictable Offences	12,009	11,581	10,408	9,273	9,710
Summary Non-Motoring Offences	16,302	18,951	17,980	18,368	14,137
Summary Motoring Offences[1]	19,489	19,152	20,525	19,931	21,979
Total summary offences	35,791	38,103	38,505	38,299	36,116
Total all offences	47,800	49,684	48,913	47,572	45,826

[1] Offenders found guilty only; motoring offences may attract written warnings.

Mr. Andrew Rosindell: To ask the Secretary of State for the Home Department how many asylum seekers residing in the UK have been prosecuted for *(a)* sexual crime, *(b)* violent crime, *(c)* robbery and *(d)* other criminal offences in each year from 1997 to 2003; and what the total cost to public funds has been of such prosecutions. [102922]

Hilary Benn: The information requested is not collected centrally.

Criminal Records Bureau

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his statement of 27 February 2003, *Official Report*, columns 32–36WS, on the Criminal Records Bureau, what steps his Department is taking to moderate public expectations of the role of the Criminal Records Bureau. [101390]

Hilary Benn: The Summary Independent Review Team report placed in the Library on 27 February 2003 contains the statement "we are concerned that public expectations are possibly unreasonably high and that there needs to be a clear recognition that the (Disclosure) process cannot provide complete security".

The Criminal Records Bureau (CRB) has worked with the National Association of Care and Resettlement of Offenders (NACRO) and the Chartered Institute of Personnel and Development to produce two publications 'Recruiting Safely' and 'Employing People

With Conviction'. These are available to customers and are issued to all organisations registering with the CRB to gain access to Standard and Enhanced Disclosures and are also available on request from the CRB website. These publications are aimed at employers and volunteering organisations that wish to use criminal record information as part of their recruitment process. Both publications set the Disclosure service into context and demonstrate that if used it should be as part of a wider range of pre-employment checks.

This message will continue to be given out to our customers and the general public when the CRB attends exhibitions, conferences and speaking engagements, and makes customer visits, as well as in CRB newsletters and publications.

Chris Grayling: To ask the Secretary of State for the Home Department how many people have made applications for clearance by the Criminal Records Bureau on more than one occasion since it was formed; and what proportion of these have resulted in an applicant being charged more than one fee for the service. [101602]

Hilary Benn: There is no facility available at present to extract from the Criminal Records Bureau's (CRB) database the number of people who have applied for more than one Disclosure or how many times they have been charged. Under the legislation a fee is due for each fresh application for a Disclosure.

Prospective employees may be requested to apply for Disclosure for each position they have applied for. The CRB has issued portability guidance for Disclosures to the Registered Bodies, and encourages them to avoid unnecessary additional Disclosure applications for the same individual. However, the decision on accepting a previous Disclosure rests with the individual Registered Body.

Chris Grayling: To ask the Secretary of State for the Home Department (1) how many referrals have been received by the Criminal Records Bureau since its inception; how many of those referrals have been completed and responded to; how many are pending; and how many the bureau was unable to fulfil; [101603]

(2) what proportion of applicants for clearance by the Criminal Records Bureau from within the teaching profession have not yet received their Disclosure certificates. [101601]

Hilary Benn: Since 11 March when the Criminal Records Bureau (CRB) launched its Disclosure service, the Bureau has received 1,388,896 applications for Disclosure, of which 1,267,561 have been issued. 50,000 of the remaining applications are currently outside our three-week service standard. This figure has reduced from its peak of 109,000 during the summer of 2002 as a direct consequence of the targeted work that is being done to clear the oldest applications from the system.

For the last four months the CRB has issued, on average more Disclosures out each week than it has received applications for, thereby reducing the number of outstanding cases. The CRB is issuing on average around 42,000 Disclosures per week, which is well over double the weekly output issued by the police under the previous arrangements. The CRB fulfil all Disclosures that are processed through the system. In some cases, forms are returned to the Registered Body or the applicant because the form is incomplete and cannot be processed. The information sought by the hon. Member regarding the proportion of applicants from within the teaching profession who have not received their Disclosure is not available in the format requested. There are no IT procedures at present to extract these data from the CRB database. It is expected that this functionality will become available in subsequent system releases. No distinction is made in relation to the profession of an applicant. They are all subject to the same level of service.

Mr. Andrew Turner: To ask the Secretary of State for the Home Department on how many occasions the Criminal Records Bureau has supplied inaccurate information about an individual; on how many occasions the supply of inaccurate information resulted in *(a)* the denial of a job to that individual and *(b)* the offer of a job to an individual who would normally be disbarred from taking that job; and if he will make a statement. [101790]

Hilary Benn: Up to and including the end of February 2003 there have been 400 instances where applicant details supplied by the Criminal Records Bureau (CRB) to the police has led to mistakenly matching conviction details with an applicant. This represents 0.03 per cent. of all Disclosures issued, a total that currently stands at 1,269,367.

The decision on whether an applicant is suitable to take up a position following a Disclosure rests solely with the employer. It is therefore not possible to provide an answer regarding the employment of people following a Disclosure. However, the CRB does have procedures in place for applicants to dispute the information provided on their Disclosure. If upon investigation the CRB finds that the conviction does not relate to the person for whom the Disclosure was issued they will re- issue a corrected Disclosure free of charge. Prior to the CRB operation, had an applicant applied for a position which was police checked under the previous arrangements, details of any alleged convictions would have been passed only to the prospective employer and not to the applicant. That prospective employer would have had no obligation to pass on the contents to the applicant, who could have been oblivious of the facts. As it is, applicants now have the opportunity to dispute any conviction details.

Mr. Burstow: To ask the Secretary of State for the Home Department if he will make a statement on the type of disclosure needed from the Criminal Records Bureau for members of the clergy and other religious bodies. [102522]

Hilary Benn: As with other types of position, the level of disclosure for which an applicant would be eligible would depend upon the particular duties. But a position which entailed regularly caring for, training, supervising or being in sole charge of persons under the age of 18, or of vulnerable adults (as defined), would be eligible for the highest level of disclosure, Enhanced.

Drug Treatment (Essex)

Mr. Burns: To ask the Secretary of State for the Home Department how much funding has been made available for the rehabilitation of drug offenders in Essex in each year since 1997. [103119]

Hilary Benn: Information is not available in the form requested.

The pooled treatment budget, introduced in 2001–02 provides funding for the treatment and rehabilitation of people with drug problems, including offenders. Drug Action Teams (DAT) use their pooled treatment budget allocations, together with additional resources from health authorities and other sources to fund treatment provision in their areas.

There are three drug action teams covering Essex: Southend, Thurrock and Essex, which covers the remainder of the county. The level of pooled treatment budget funding allocated to the three Essex DATs in 2001–02 was £4.056 million. This figure increased in 2002–03 to £5.306 million.

In 2003–04, the pooled treatment allocation for the three Essex DATs will increase to £5.579 million.

Firearms

Mr. Evans: To ask the Secretary of State for the Home Department (1) how many incidents of gun-related crime were recorded in *(a)* Lancashire, *(b)* the North West of England, *(c)* England, *(d)* Wales and *(e)* the UK in each year since 1997; [90965]

(2) how many people have been *(a)* injured and *(b)* killed by guns in (i) Lancashire and (ii) the North West of England in *(a)* 2002 and *(b)* each of the previous five years. [90977]

Mr. Bob Ainsworth: Available published data on the number of recorded homicide offences in which firearms were reported to have been used are given in the table.

	Number of homicide offences involving firearms	
	Lancashire	*North West of England*
1997	1	11
1998–99	1	5
1999–2000	2	14
2000–01	2	15

Note:

Figures for injuries are not available.

The total number of recorded crimes in which firearms (including air weapons) were reported to have been used are given in the table.

	Lancashire	*North West of England*	*England*	*Wales*
1997	163	1,751	11,816	594
1998–99	179	2,308	13,283	591
1999–2000	227	2,619	16,234	712
2000–01	233	2,983	17,083	614

These firearms offences were published on a calendar year basis up to 1997, and on a financial year basis thereafter. The figures for the North West and England for 2000–01 have been slightly revised since they were published.

There was a change of counting rules for recorded crime on 1 April 1998. Numbers of recorded crimes before and after this date are therefore not directly comparable. Similarly, some police forces adopted the principles of the National Crime Recording Standard in advance of its national implementation; for example, Lancashire did so in 2000–01. This will mean that the figures for 2000–01 for Lancashire, the North West and England in the above table will not be directly comparable with the previous year. Both of these changes in recorded crime will have the effect of increasing the number of crimes counted.

Information relating to Scotland Northern Ireland are matters for my right hon. Friend the Secretary of State for Scotland (Helen Liddell) and my right hon. Friend the Secretary of State for Northern Ireland (Paul Murphy).

Operation Street Cred

Mr. Ben Chapman: To ask the Secretary of State for the Home Department pursuant to his answer of 20 January, *Official Report*, column 186W, on Operation Street Cred, if he will make a statement on the timescale of review of Operation Street Cred in Wirral. [102687]

Mr. Bob Ainsworth: Further to my right hon. Friend's (John Denham) answer to my right hon. Friend of 20 January 2002, *Official Report*, column 180W. I am advised by Merseyside police that they have now completed their formal review of Operation Street Cred which shows that it is proving a success. There has been a 16 per cent. decline in youth disorder over the past six months and of the 700 young people who came to the notice of the police for anti-social behaviour only 20 came to notice for a second time and only one for a third time. The Street Cred database will also provide useful information to local agencies dealing with anti-social behaviour and will ensure that young people can be dealt with in the most effective and appropriate way for their own good and that of the community.

Parenting Orders

Chris Ruane: To ask the Secretary of State for the Home Department how many parenting orders were issued by each local authority in 2001–02. [103397]

Hilary Benn: Figures for Parenting Orders are collected by Youth Offending Teams and are not available by Local Authority area. . The table provides details of the 1,216 Parenting Orders made during the year from April 2001 by Youth Offending Team area in descending order. Parenting Orders made April 2001/ March 2002.

Parenting Orders made April 2001-March 2002

Youth offending team	*Parenting orders*
Wigan	146
Wessex	103
Leicester City	46
Stockton-on-Tees	41
Suffolk	36
Gateshead	33
Sunderland	33
Kent	29
Norfolk	29
Hertfordshire	24
Southend-on-Sea	22
Peterborough	21
Vale of Glamorgan	18
Sandwell	17
Wandsworth	17
Kirklees	16
East Sussex	16
Shropshire and Telford/Wrekin	15
Lancashire	15
South Tyneside	15
Somerset	14
Bolton	13
Lambeth	13
Bedfordshire	13
Newham	12
Wolverhampton	11
Gwynedd and Mon	11
Southwark	11
Sutton	11
Birmingham	10
West Sussex	10
Rochdale	10
Hillingdon	10
Barnsley	9
Bradford and District	9
Calderdale	9
Stockport	9
Trafford	9
Durham County	9
Barking and Dagenham	9
Croydon	9
Lewisham	9
Richmond Upon Thames	9
Thurrock	9
Sheffield	8
Pembrokeshire	8
Dorset	8
St. Helens	8
Essex	8
Stoke on Trent	7
Buckinghamshire	7
Darlington	7
Barnet	7
Ealing	7
Greenwich	7
Derbyshire	7
East Riding of Yorkshire	6
Worcestershire and Herefordshire	6
Torfaen and Monmouthshire	6
West Berkshire	6
Oldham	6
Wakefield	5
Staffordshire	5
Wrexham	5
Medway	5
Blackpool	5
Kingston	5
Nottingham City	5
Caerphilly and Blaenau Gwent	4
Flintshire and Wrexham	4
Cornwall	4
Slough	4
Cumbria	4

Parenting Orders made April 2001-March 2002

Youth offending team	*Parenting orders*
Bromley	4
City of Westminster	4
Redbridge	4
Waltham Forest	4
Leicestershire	4
Nottinghamshire	4
Solihull	3
Flintshire	3
Swindon	3
Windsor and Maidenhead	3
Bury	3
Knowsley	3
North Tyneside	3
South Tees	3
Bexley	3
Hammersmith and Fulham	3
Havering	3
Merton	3
York	2
Coventry	2
Walsall	2
Conwy and Denbighshire	2
Bristol	2
Milton Keynes	2
Manchester	2
Enfield	2
Lincolnshire	2
Luton	2
Kingston Upon Hull	1
North Yorkshire	1
Bridgend	1
Cardiff	1
Carmarthenshire	1
Merthyr Tydfill	1
Mid Wales (Powys and Ceredigion)	1
Bath and North East Somerset	1
Bournemouth and Poole	1
Gloucestershire	1
Plymouth	1
Brighton and Hove	1
Surrey	[illegible]
Cheshire	1
Salford	1
Tameside	1
Wirral	1
Hartlepool	1
Northumberland	1
Cambridgeshire	1
Derby City	1
North Lincolnshire	1
Blackburn with Darwen	0
Bracknell Forest	0
Brent	0
Camden	0
Devon	0
Doncaster	0
Dudley	0
Hackney	0
Halton andWarrington	0
Haringey	0
Harrow	0
Hounslow	0
Islington	0
Kensington and Chelsea	0
Leeds	0
Liverpool	0
Neath Port Talbot	0
Newcastle upon Tyne	0
Newport	0
North East Lincolnshire	0
North Somerset	0
Northamptonshire	0
Oxfordshire	0

Parenting Orders made April 2001-March 2002

Youth offending team	*Parenting orders*
Reading and Wokingham	0
Rhondda Cynon Taff	0
Rotherham	0
Sefton	0
South Gloucestershire	0
Swansea	0
Torbay	0
Tower Hamlets and City of London	0
Warwickshire	0
Wiltshire	0

Police (North Yorkshire)

Hugh Bayley: To ask the Secretary of State for the Home Department how many uniformed police officers North Yorkshire police employed in *(a)* 1991, *(b)* 1997 and *(c)* 2002. [102645]

Mr. Bob Ainsworth: Information about the number of uniformed police officers is not collected centrally. Total police officer and civilian support staff strength figures for North Yorkshire are given in the following table. The force had a record number of officers at 31 March 2002.

North Yorkshire police

	Police officer strength	*Civilian support staff*
31 March 1991	1,387	449
31 March 1997	1,338	519
31 March 2002	1,417	743

Source:
Home Office Statistical Bulletins—Police Service Strength—1997 to 2002 and historical data.

By 31 March 2002, total police service strength in England and Wales had reached the record number of 129,603, on track for the Government's targets of 130,000 by March 2003 and 132,500 in 2004.

Under the Crime Fighting Fund (CFF) recruitment initiative North Yorkshire police were allocated 68 recruits over and above the force's previous recruitment plans for the three years to March 2003. In 2003–04, in addition to funding for the continuing cost of these recruits, a further £23,000 will be available to the force from the Crime Fighting Fund. We estimate that this will allow a strength increase of up to four officers by the end of 2003–04.

Police Officers (Shootings)

Mr. Blizzard: To ask the Secretary of State for the Home Department how many police officers were *(a)* shot at, *(b)* injured by shootings and *(c)* killed by shootings in each of the last five years for which figures are available. [103023]

Mr. Bob Ainsworth: Available published figures on the number of recorded crimes by the police in which a police officer on duty was injured by a firearm, are given in the table. Figures for the last five years are recorded on a financial year basis.

	Fatal injury	*Injuries*
1997–98	—	6
1998–99	—	11
1999–2000	—	10
2000–01	—	8
2001–02	—	10

1. Details of officers shot at are not available.

2. The figures given in the table may not include only shootings, but injuries due to use of a firearm as a blunt instrument.

3. Figures for firearm crime for 2000–01 have been updated owing to discrepancies discovered when the figures for the number of non-air weapon offences for 2000–01 and 2001–02 by police force area were forwarded to the police.

Police Recruitment

Mr. Gareth Thomas: To ask the Secretary of State for the Home Department how many people from the Indian community were recruited into each police force in each of the last five years; and if he will make a statement. [103507]

Mr. Bob Ainsworth: The information is not available in the format requested. Figures collated by Her Majesty's Inspectorate of Constabulary break down ethnicity by Asian/Asian British categorisation only and relate to officer strength rather than recruits.

The following table shows the number of these officers in each force at 31 March during the last five years.

Number of Asian/Asian British police

Forces	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Avon and Somerset	6	7	7	7	6
Bedfordshire	16	15	15	14	23
Cambridgeshire	6	4	6	5	7
Cheshire	0	1	0	2	2
City of London	0	5	5	5	7
Cleveland	13	15	13	13	14
Cumbria	2	2	3	3	3
Derbyshire	21	20	25	27	29
Devon and Cornwall	1	1	1	2	2
Dorset	1	3	1	0	3
Durham	4	5	5	5	6
Dyfed-Powys	0	1	3	3	2
Essex	9	10	7	5	3
Gloucestershire	7	0	2	6	2
Great Manchester	60	58	61	63	70
Gwent	0	0	0	1	11
Hampshire	12	12	14	18	15
Hertfordshire	5	5	12	13	12

Number of Asian/Asian British police

Forces	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Humberside	6	3	6	3	4
Kent	14	5	17	18	18
Lancashire	22	19	21	27	32
Leicestershire	45	45	46	43	50
Lincolnshire	2	1	3	4	5
Merseyside	27	28	12	9	13
Metropolitan Police	166	193	167	215	384
Norfolk	3	1	1	2	1
Northamptonshire	8	10	7	7	7
Northumbria	4	4	11	11	15
North Wales	0	0	2	2	1
North Yorkshire	4	3	3	4	5
Nottinghamshire	22	22	23	25	24
South Wales	9	9	9	12	10
South Yorkshire	31	36	34	39	38
Staffordshire	8	9	8	7	8
Suffolk	6	6	5	5	2
Surrey	9	8	10	11	9
Sussex	4	3	4	4	2
Thames Valley	28	30	29	33	36
Warwickshire	19	18	15	20	21
West Mercia	9	8	9	10	7
West Midlands	123	131	142	176	170
West Yorkshire	64	66	66	75	89
Wiltshire	2	1	2	3	4

Probation Service

Simon Hughes: To ask the Secretary of State for the Home Department what the average number of offenders under supervision per probation officer was in each probation area in each of the last five years. [102451]

Hilary Benn: The average number of offenders under court order supervision per maingrade probation officer as at 31 December in each of the last five years is given in the table.

Since 1998 there have been significant changes in the way in which the services of the National Probation Service (NPS) have been delivered, with increasing growth in the use of probation service officers (PSOs) and trainee probation officers to support the work of the trained probation officer. Both the numbers of PSOs and trainees have increased significantly in the last few years, meaning that there has been a significant increase (20.09 per cent.) overall in the numbers of probation staff with direct responsibility for the supervision of offenders. While the figures published in Probation Statistics may reflect the average numbers of offenders who are assigned to each probation officer, they do not accurately reflect the supervision work delivered by the Probation Service for offenders. I will arrange for a short briefing note prepared by the National Probation Directorate (NPD) which explains this situation more fully to be placed in the Library.

Average caseload[1] of criminal court orders per maingrade officer in post at 31 December

England and Wales

	Cases per officer				
Areas[2]	*1997*	*1998*	*1999*	*2000*	*2001*
Avon[2]	22.3	24.4	25.2	17.6	—
Somerset[2]	16.6	15.6	15.0	14.8	—
Avon and Somerset	—	—	—	—	15.8
Bedfordshire	15.1	17.2	15.9	14.2	17.8
Cambridgeshire	14.2	15.8	15.8	13.3	17.8
Cheshire	18.6	19.9	19.3	18.3	15.9
Cumbria	14.9	17.2	21.5	19.8	21.3
Derbyshire	21.4	22.7	24.5	23.0	20.6
Devon2	17.4	18.6	18.8	19.2	—
Cornwall[2]	20.2	17.9	16.4	14.2	—
Devon and Cornwall	—	—	—	—	19.1
Dorset	17.2	23.1	17.6	20.3	24.1
Durham	21.2	20.9	22.1	21.5	25.1
Essex	16.1	19.9	22.3	19.4	23.6
Gloucestershire	16.7	17.3	17.0	16.8	15.5
Hampshire	16.6	20.8	24.9	20.3	21.2
Hereford and Worcester[2]	11.7	13.0	13.9	14.7	—
Shropshire2	15.8	17.5	15.4	12.5	—
West Mercia	—	—	—	—	16.3
Hertfordshire	15.9	17.5	16.7	18.5	21.4
Humberside	16.9	20.0	18.9	17.3	14.3
Kent	16.3	17.4	15.4	15.7	21.9

Average caseload[1] *of criminal court orders per maingrade officer in post at 31 December*

England and Wales

	Cases per officer				
Areas[2]	*1997*	*1998*	*1999*	*2000*	*2001*
Lancashire	19.2	20.2	18.3	17.1	16.4
Leicestershire	15.7	17.9	17.0	15.8	15.9
Lincolnshire	14.3	16.5	20.2	15.1	16.2
Greater Manchester	18.0	22.3	26.2	27.2	23.7
Merseyside	15.9	18.0	18.3	17.6	20.1
Norfolk	13.6	15.8	14.1	14.4	15.6
Northamptonshire	12.4	16.9	18.0	13.5	21.4
Northumbria	15.5	17.7	17.7	16.1	18.0
Nottinghamshire	17.7	18.9	21.1	19.5	20.9
Oxford and Buckingham[2]	14.8	16.9	16.5	15.2	—
Berkshire[2]	19.5	18.2	19.5	17.8	—
Thames Valley	—	—	—	—	19.0
Staffordshire	16.7	16.5	17.1	15.8	17.1
Suffolk	12.8	14.0	14.8	12.8	13.6
Surrey	15.0	16.6	20.5	18.0	19.7
East Sussex[2]	14.5	15.4	14.8	13.5	—
West Sussex[2]	16.8	17.5	17.3	13.7	—
Sussex	—	—	—	—	16.2
Teesside	21.6	24.1	30.6	30.5	44.8
Warwickshire	15.3	12.9	15.8	17.2	16.2
West Midlands	17.7	19.5	18.8	18.9	22.8
Wiltshire	16.9	19.8	17.2	17.3	21.7
North Yorkshire	25.0	17.2	20.5	16.5	14.7
South Yorkshire	18.4	19.3	19.4	17.2	19.1
West Yorkshire	17.6	17.8	19.0	15.7	15.5
Inner London[2]	17.1	17.4	16.3	15.8	—
NE London[2]	14.6	18.6	19.4	20.4	—
SE London[2]	15.4	14.1	12.6	11.0	—
SW London[2]	14.4	13.5	11.9	11.4	—
Middlesex[2]	15.3	18.4	17.9	16.3	—
London	—	—	—	—	17.6
Dyfed[2]	28.3	24.2	25.6	24.8	—
Powys[2]	24.4	35.7	28.3	19.0	—
Dyfed-Powys	—	—	—	—	18.2
Gwent	18.5	16.5	19.7	17.7	18.9
North Wales	16.2	18.5	23.4	20.1	22.2
South Glamorgan[2]	14.1	17.6	18.1	15.7	—
Mid Glamorgan[2]	19.3	17.4	18.3	21.0	—
West Glamorgan[2]	16.9	18.2	17.8	14.1	—
South Wales	—	—	—	—	16.8
All areas	16.9	18.5	19.0	17.7	19.0

[1] Excludes community punishment orders and drug treatment and testing orders. Includes cases supervised by staff other than maingrade officers.

[2] Under the Criminal Justice and Court Services Act 2000, the following probation areas were amalgamated on 1 April 2001: Devon and Cornwall merged; Avon and Somerset merged; Hereford and Worcester and Shropshire became West Mercia; Oxford and Buckinghamshire and Berkshire became Thames Valley; Dyfed and Powys merged; East and West Sussex became Sussex; Mid, South and West Glamorgan became South Wales; and Inner, North East, South East and South West London merged with Middlesex to become London.

Sexual Offences Bill

Mr. Drew: To ask the Secretary of State for the Home Department if he will make a statement on the impact of the Sexual Offences Bill for *(a)* naturists and *(b)* those who (i) work as nude models and (ii) paint and draw nudes. [102437]

Hilary Benn *[holding answer 12 March 2003]*: We neither expect nor intend the proposals in the Bill to have any impact on naturists, or those who work as nude models or who paint and draw nudes.

Clause 70 of the Sexual Offences Bill proposes to make it an offence for someone to expose their genitals knowing or intending that someone will see them and knowing, intending or, in certain circumstances, being reckless as to whether the person seeing them will be caused alarm or distress. People who are "flashed" at in the street often find this a disturbing experience. It follows that anyone who wishes to be naked in situations where others will see them must continue to give careful consideration as to the effect that might have on those others.

The Bill is not intended to restrict the normal leisure activities of naturists who are exercising their preference for being naked among others who feel the same. Exposure will only be an offence where the person knows or intends that a person who sees his or her genitals will be caused alarm or distress or where he or she foresees a risk that such a person will be caused alarm or distress and acts unreasonably in running that risk. We do not expect the introduction of the exposure offence to have any impact on the way in which nudity in public is currently regulated by the police.

Similarly, the exposure offence will not affect models who are invited to pose naked for an art class because such models will not have the criminal state of mind in relation to causing others alarm or distress.

As for people in an art class who paint or draw nudes, the Bill will have no impact on them either as they will not be committing any offence. Although the Bill does introduce an offence of voyeurism at clause 71, for such observation to be an offence, it must be done for sexual gratification, while the other person is within a structure which would reasonably be expected to provide privacy and without that other person's consent. None of these factors will be present where an artist is openly painting a nude model who is posing for that artist.

Sikhs

Mr. Purchase: To ask the Secretary of State for the Home Department if he will introduce legislation to make it unlawful to require Sikhs to remove the kirpan when entering public places. [103035]

Beverley Hughes: There are no plans to introduce new legislation in this area. Section 139 of the Criminal Justice Act 1988, which makes it an offence to have an article with blade or point in a public place, provides that should a person possess such an article for "religious reasons or as part of any national costume" he would not be guilty of an offence under the Act. This does not provide a licence for anyone to use kirpans for unlawful purposes and any person carrying such an article for the purpose of religious observance or national costume must be able to satisfy the police, and ultimately the courts, on this count.

Small Charities

Mr. Drew: To ask the Secretary of State for the Home Department when a decision will be made on whether to exempt small charities, with an annual income under £10,000 per annum, from current legislation with regard to charitable file status. [102407]

Beverley Hughes: The Strategy Unit's recent review of charity law and regulation ("Private Action, Public Benefit") included a proposal to change the registration rules for small charities.

The proposal would mean that no small charity with an annual income under £10,000 would be required or allowed to register with the Charity Commission. But the proposal would not take away any small charity's charitable status or its right to receive tax reliefs due to charities.

The Strategy Unit's review was put out for public consultation late last year. My officials are part way through the process of analysing responses to the consultation. Once that process is complete Ministers will consider whether or not to include the proposal on small charities registration in a draft Charities Bill. We are hoping to make an announcement in the summer.

Mr. Drew: To ask the Secretary of State for the Home Department what representations he has received on the subject of exempting small charities from charitable status legislation; and how many were *(a)* for and *(b)* against. [102408]

Beverley Hughes: The Strategy Unit's recent review of charity law and regulation ("Private Action, Public Benefit") included a proposal to change the registration rules for small charities. The review was put out for open public consultation late last year.

There have been more than 1,100 written responses to the consultation. My officials are part way through the process of carefully analysing these responses. It will be possible accurately to judge the overall level of support or opposition to each proposal only when this process has been completed.

In accordance with the Cabinet Office's Code of Practice on written consultations the Government will in due course be publishing a summary of the views expressed by respondents on each proposal. We are hoping to make an announcement in the summer.

Special Branch

Mr. Gerrard: To ask the Secretary of State for the Home Department pursuant to his answer of 12 February, *Official Report*, column 780W, whether the figure for Special Branch officers includes the Metropolitan Police Special Branch. [103833]

Mr. Bob Ainsworth: Yes.

Weapons

Annette Brooke: To ask the Secretary of State for the Home Department how many weapons were seized by authorities as they entered the UK in *(a)* 2001 and *(b)* 2002. [96905]

Mr. Bob Ainsworth: The requested information is not collected centrally by the Home Office. For the number of firearms seized by Customs and Excise in the last two financial years, I refer the hon. Member to the reply my hon. Friend the Economic Secretary to the Treasury gave my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) on 30 January 2003, *Official Report*, column 1002W.

Women Prisoners

Paul Flynn: To ask the Secretary of State for the Home Department what changes have taken place in the *(a)* numbers and *(b)* percentages of women sentenced to prison in each of the last 10 years. [102856]

Hilary Benn: The information requested is contained in the table.

Females sentenced to immediate custody and as a proportion of all females sentenced, England and Wales

	Females aged 10–20 sentenced to immediate custody	*Females aged 21+ sentenced to immediate custody*	*Total females sentenced to immediate custody*	*Total females sentenced*	*Proportion sentenced to custody (Percentage)*
1992	363	1,974	2,337	258,977	0.9
1993	459	2,079	2,538	251,014	1.0
1994	531	2,637	3,168	250,976	1.3
1995	643	3,149	3,792	217,953	1.7
1996	769	3,634	4,403	260,960	1.7
1997	950	4,556	5,506	216,986	2.5
1998	1,187	5,380	6,567	235,494	2.8
1999	1,372	6,132	7,504	220,007	3.4
2000	1,563	6,337	7,900	256,090	3.1
2001	1,515	6,546	8,061	237,497	3.4

Figures for 2002 are not yet available.

Work Permits

Rev. Martin Smyth: To ask the Secretary of State for the Home Department pursuant to the answer of 12 March, *Official Report,* column 309W, on work permits, what discussions Work Permits (UK) had with the Department of Employment and Learning in Northern Ireland on the application for a group work permit for lap dancers for the Movie Star Café in summer 2002; and if he will make a statement. [103641]

Beverley Hughes *[holding answer 18 March 2003]*: Work Permits (UK) did not have any discussions with the Department of Education and Learning and were not consulted by the Department on the applications for a group work permit for lap dancers for the Movie Star Café.

HEALTH

NHS Foundation Trusts

Mr. Flight: To ask the Secretary of State for Health whether *(a)* strategic health authorities and *(b)* primary care trusts will be able to guarantee the borrowing of NHS foundation trusts. [102581]

Mr. Hutton: The Health and Social Care (Community Health and Standards) Bill makes no provision requiring the Secretary of State, strategic health authorities or primary care trusts to guarantee the borrowing of National Health Service foundation trusts. The regime we intend to put in place for managing financial failure will ensure that NHS patients continue to have access to the healthcare they need, free at the point of delivery. The regime will not underwrite institutions that have failed to deliver under the terms of their service agreements and/or licence.

Mr. Flight: To ask the Secretary of State for Health whether NHS foundation trusts will be able to use *(a)* regulated assets and *(b)* unregulated assets as security for their borrowing. [102582]

Mr. Hutton: Provisions in the Health and Social Care (Community Health and Standards) Bill will prevent National Health Service foundation trusts from using assets protected under the Bill as security for borrowing.

Mr. Flight: To ask the Secretary of State for Health whether the prudential code setting out the basis for determining the serviceability of the debt levels requested by NHS foundation trusts will be placed in the public domain; and when the prudential code will be issued. [102583]

Mr. Hutton: Provision for making and issuing the prudential code is set out in the Health and Social Care (Community Health and Standards) Bill. Subject to parliamentary approval, the code will be published by the independent regulator and laid before Parliament during the application period for first wave National Health Service foundation trusts.

Mr. Flight: To ask the Secretary of State for Health what limits the independent regulator may place on the borrowing of NHS foundation trusts. [102589]

Mr. Hutton: National Health Service foundation trusts will have complete freedom to access capital, subject to two principal constraints imposed on them by the independent regulator:

their prudential borrowing limit agreed with the independent regulator

prohibition on use of protected assets as security for borrowing

The Health and Social Care (Community Health and Standards) Bill sets out the proposed provisions for the independent regulator to place limits on the borrowing of NHS foundation trusts.

Mr. Flight: To ask the Secretary of State for Health what plans he has to relax the borrowing limits placed on NHS foundation trusts as the number of NHS foundation trusts increases. [102585]

Mr. Hutton: The Secretary of State will not have the power to set or relax the prudential borrowing limits. The regulator will set the prudential code in consultation with Secretary of State, every national health service trust making an application for NHS foundation trust status and other persons that the regulator deems appropriate. In making the code the regulator is to have regard, among other things, to any generally accepted principles used by financial institutions to determine the amounts of loans to non-profit making organisations.

The NHS foundation trust will submit an application for a prudential borrowing limit to the independent regulator, consistent with the prudential code. The regulator will then confirm that the limit applied for is consistent with the guidelines set out in the code.

Mr. Burns: To ask the Secretary of State for Health if he will list the launch of NHS initiatives since May 1997 and the cost of each launch. [102088]

Mr. Lammy: The Department makes announcements on a regular basis about the development of Government policy. We do not cost each announcement separately because they are part of the Department's mainstream communications activity.

Age-related Macular Degeneration

Mr. Baron: To ask the Secretary of State for Health (1) what estimate he has made of the cost of providing photodynamic therapy to *(a)* all patients for whom it is considered clinically appropriate who are suffering from classic wet age-related macular degeneration and *(b)* all patients for whom it is considered clinically appropriate who are suffering from either classic wet age-related macular degeneration or predominantly classic wet age-related macular degeneration; [103188]

(2) if he will make a statement on the time taken by NICE to carry out an appraisal of photodynamic therapy as a treatment for age-related macular degeneration; [103189]

(3) pursuant to his answer to the hon. Member for East Worthing and Shoreham (Tim Loughton), of 27 February 2003, *Official Report,* columns 698–9W, on age-related macular degeneration, when his Department first asked NICE to carry out an appraisal of photodynamic therapy; and when he expects NICE to publish its final guidance. [103191]

Mr. Lammy *[holding answer 18 March 2003]:* Photodynamic therapy was referred to the National Institute for Clinical Excellence (NICE) on 12 March 2001. NICE has not yet published any guidance to the national health service on this topic. Appeals were lodged, in response to the final appraisal determination issued on 16 January, which were considered at an appeal hearing on 17 March. The final date of publication will depend on the outcome of the appeal hearing.

NICE is best placed to give authoritative guidance to the NHS, including guidance on the patients for whom the treatment may be appropriate. Until this guidance is available it is not possible to estimate what the cost of providing this treatment for clinically appropriate patients will be.

Once guidance has been published, NHS bodies are obliged to make the necessary funding available so that patients can receive treatments recommended by NICE, if recommended by the clinician.

Award Schemes

Annabelle Ewing: To ask the Secretary of State for Health if he will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by the Department; what their scope was; when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102053]

Mr. Lammy: The awards schemes promoted by the Department in 2001–02 are shown in the table. Results of each of these schemes have been announced and are in the public domain.

Department of Health: Awards/Recognition Schemes

Scheme	*Purpose*	*Scope*	*Sponsers/administrators*
Healthcare IT Effectiveness Award	To recognise excellence in healthcare information management	Includes: Best use of IT in any healthcare sector. Best use of IT in laboratory or investigative systems. Best example of technological innovation. Best publicly accessible health related information system. Best use of IT in the Health	Department of Health NHS Information Authority British Journal of Healthcare Computing Health Informatics Committee of the British Computer Society Intellect (formerly CSSA and FEI)
Health and Social Care Awards	To recognise the achievements of individuals and teams across health, social care and the voluntary sector	2001/2002 categories for the following services to: Cancer Children's Health Children's Social Care Coronary Heart Disease Disabled Emergency Care Mental Health Older people Primary Care Improving working lives Waiting times	Department of Health Modernisation Agency
FNHS Beacons	To recognise individual services as exemplar sites of best practice across key priority areas	Applications for Beacons status are invited at regular intervals, in line with national priorities and objectives	Department of Health Modernisation Agency
The Mary Seacole Award	To recognise individuals who best reflect the excellent example set by Mary Seacole and emphasise her pioneering role in leadership	Bursary to fund a research and development project relating to the health service needs of black and minority ethnic communities	Department of Health Royal College of Nursing Community Practitioners and Health Visitors' Association Royal College of Midwifery UNISON

Department of Health: Awards/Recognition Schemes

Scheme	*Purpose*	*Scope*	*Sponsers/administrators*
National Health Action Zone Fellowships	Fellowships awarded to individuals to enable them to research and test new ideas in order to improve services	Fellowships cover a diverse range of topics—all of which underpin the Health inequalities and social inclusion agenda	Department of Health
Association of Healthcare Human Resource Managements Excellence in HR Management	To promote and develop effective HR management throughout the NHS	Aim is to draw out examples of excellence in HR practice in the NHS through wider publicity, learning and formal recognition	Department of Health (sponsorship ceased in 2001)

Care Homes

Mr. Cameron: To ask the Secretary of State for Health what safeguards are in place to ensure that residential homes which de-register from the National Care Standards Commission are adequately inspected by an independent body. [100680]

Jacqui Smith: If a home de-registers or is de-registered, the National Care Standards Commission would liaise with appropriate local authorities, such as social services, to ensure that the needs of the service users continued to be met and that any existing risk elements were removed. This could mean arranging for a new provider to take over the premises or helping gradually move the residents to other premises where their safety and well-being could be assured.

If the owners of former care homes subsequently operate as a domiciliary care agency by providing personal care to individuals, who then live in their own homes, the domiciliary care regulations would have to be complied with.

Mr. Rosindell: To ask the Secretary of State for Health (1) what plans he has to increase residential care home provision in the London borough of Havering; [99747]

(2) if he will list the total amount spent on residential care home provision in the London borough of Havering in each year from 1990; and how much will be spent in 2003; [99746]

(3) if he will make a statement on residential care home provision in the London borough of Havering. [99748]

Jacqui Smith: The gross expenditure in Havering on residential services for all client groups is shown in the table.

£000

Year	*Gross expenditure on residential services in the London borough of Havering*
1993–94	10,628
1994–95	12,976
1995–96	14,679
1996–97	16,878
1997–98	18,976
1998–99	19,613
1999–2000	20,542
2000–01	23,005
2001–02	25,799

Figures prior to 1993–94 are not available.

There have been substantial increases in the level of funding provided for social services in recent years. Between 1996–97 and 2002–03, the overall level of funding for social services has increased by 20 per cent., an average real terms annual increase of around 3 per cent. As announced on 17 April 2002 by my right hon. Friend, the Chancellor of the Exchequer, we intend to further increase resources to social services for personal social services by an annual average six per cent, in real terms from 2003–04 to 2005–06.

The London borough of Havering's personal social services standard spending assessment increased by 5.2 per cent., in 2002–03, compared to a national average increase of 4.9 per cent. The total building care capacity grant allocated to the borough in 2002–03 was £1,173,000. Of this total, £596,000 was spent on residential care.

In March 1997, there were 1,150 residential care home places in the London borough of Havering. The latest data for March 2001 show that figure has changed to 1,080 places, a decrease of 0.6 per cent.

I understand that the council has plans to increase the numbers of people placed in residential care by a total of 20 placements in the current financial year.

Childbirth

Tim Loughton: To ask the Secretary of State for Health how many *(a)* mothers and *(b)* babies were harmed in childbirth last year in hospital; and what action he is taking to reduce incidence of harm in childbirth. [100570]

Jacqui Smith: Information relating to harm to mothers and babies in hospital is not collected centrally by the Department. However, data on perinatal mortality, shown in the table, shows a continuing reduction in numbers and rate.

Perinatal deaths (stillbirths plus deaths at ages up to six completed days of life): England and Wales 1992–01

	Number	*Rate per 1,000 total births*
1992[1]	5,238	7.6
1993	6,044	9.0
1994	5,958	8.9
1995	5,701	8.7
1996	5,605	8.6
1997	5,380	8.3
1998	5,261	8.2
1999	5,138	8.2
2000	4,956	8.2
2001[2]	4,740	8.0

[1] For data from 1993, the definition of a stillbirth changed from 28 weeks to 24 weeks gestation.

[2] Provisional

Source:

Office of National Statistics

The Government has established the National Patient Safety Agency to improve the safety of National Health Service patient care by promoting an open and fair culture and by introducing a national reporting and learning system for adverse events, including those involving mothers and their babies. The system will be rolled out across the NHS from summer 2003.

The Confidential Enquiry into Maternal Deaths (CEMD), established in 1952, collects data and analyses data on all maternal deaths in the United Kingdom. This covers deaths of women while pregnant or within 42 days of delivery, miscarriage or termination of pregnancy from any cause related to or aggravated by the pregnancy or its management. The last report covering 1997–1999 was published in December 2001 and is available at www.cemd.orq.uk

The Confidential Enquiry into Stillbirths and Deaths in Infancy (CESDI) was established in 1992 with the aim of collecting and analysing data on deaths in late foetal life (involving foetuses at more than 20 weeks' gestation) and infancy (children up to one year) and to use the findings to reduce the risk of such deaths. The report covers England, Wales and Northern Ireland. Scotland has its own confidential enquiry.

The findings of both CEMD and CESDI are important to both individuals and professional bodies. The messages are wide ranging and applicable to the entire spectrum of health workers, ranging from doctors, midwives, nurses and health visitors to coroners, and at times findings are particularly relevant to parents. All the professions represented on the CEMD & CESDI enquiries are signed up to implement its recommendations.

In addition, the Department's programme of work to reduce harm to mother and baby during childbirth, includes:

Issuing clinical guidelines through the National Institute for Clinical Excellence. Guidelines have been published on the use of electronic foetal monitoring, induction of labour and routine use of Anti-D prophylaxis for rhesus negative pregnant women.

Further guidelines are due later this year on antenatal care, including antenatal screening, and the use of caesarean sections. We have also recently commissioned guidelines on intrapartum care (delivery), and post natal care.

Developing a children's national service framework, including maternity services, to set national standards of care for antenatal, intrapartum and postnatal services.

Correspondence

Mrs. Roe: To ask the Secretary of State for Health when the hon. Member for Broxbourne will receive a reply to her letters of 20 November 2002, 2 January, 6 February and 13 March relating to her constituent Mrs. Mary Jaggs of Hoddesdon. [103737]

Mr. Lammy *[holding answer 18 March 2003]:* The issues raised in the hon. Member's correspondence are the responsibility of the Office of the Deputy Prime Minister. I understand that a reply was sent on 4 December 2002.

Mrs. Roe: To ask the Secretary of State for Health when the hon. Member for Broxbourne will receive a reply to her letters of 20 November 2002, 2 January, 6 February and 1 March relating to her constituent Mrs. Margaret Jewell of Hoddesdon. [103738]

Jacqui Smith *[holding answer 18 March 2003]:* A reply was sent to the hon. Member on 17 March.

Mr. Kaufman: To ask the Secretary of State for Health when he intends to reply to the letter to him dated 10 February from the right hon. Member for Manchester, Gorton with regard to Mrs.Sally Burns. [103742]

Mr. Milburn: A reply was sent to my right hon. Friend on 17 March.

External Consultants

Chris Grayling: To ask the Secretary of State for Health if he will list the projects with a value in excess of £30,000 carried out by his Department using external consultants in the current financial year. [96697]

Mr. Lammy *[holding answer 11 February 2003]:* Responsibility for procurement within the Department is devolved to individual business units operating within central guidance. Information is not held centrally on a project by project basis but a trawl of the Department, excluding agencies, at local business unit level has identified 10 projects in the current financial year with an expenditure to date on consultants in excess of £30,000:

Business process re-engineering/Departmental of Health finance system

Department of Health performance management

Ensuring efficient delivery

Financial flows project

Benchmarking programme

Mental health minimum dataset

Infrastructure management services programme

Establishment of the NHS franchising register of expertise

Utilisation—based small area study of need for healthcare in England

Shifting the balance of power.

Eye Tests

Hugh Bayley: To ask the Secretary of State for Health how many free eye tests were given to *(a)* pensioners and *(b)* other people in (i) York and (ii) England in each year since 1997. [102692]

Mr. Lammy: The table shows the number of National Health Service sight tests paid for in north Yorkshire Health Authority (HA) and England for the years ending 31 March 1998 to 2002.

Information for the years since 1997 is collected at HA level. York falls under north Yorkshire HA.

Data is collected by eligibility group and not age. Hence, the closest match to pensioners is the eligibility group of those aged 60 and over.

Information on the number of people having NHS sight tests is not collected centrally. The number of sight tests can not be equated with the number of people as some groups areadvised to have more than one sight test in a year.

General Ophthalmic services: number of sight tests paid for by North Yorkshire HA and England for all patients and patients aged 60 and over for years ending 31 March 1998 to 2002

Thousands

	North Yorkshire HA		*England*	
	Number of sight tests for aged 60 and over	*Total number of sight tests*	*Number of sight tests for aged 60 and over*	*Total number of sight tests*
1997–98		83		6,991
1998–99		82		6,992
1999–2000	52	125	3,301	9,399
2000–01	62	127	3,753	9,567
2001–02	69	133	4,013	9,807

Note:

Eligibility for NHS sight tests was extended to patients aged 60 and over from 1 April 1999.

General Practice

Dr. Evan Harris: To ask the Secretary of State for Health pursuant to his answer of 3 March 2003, *Official Report*, column 885W, on the GP Patient Survey, whether a national report will be published on the results of the survey. [102893]

Mr. Lammy *[holding answer 17 March 2003]:* There are no plans to publish a national report. Results have been disseminated on a strategic health authority (StHA) basis, allowing the cross-comparison of primary care trusts' results for local benchmarking purposes. This approach enables StHAs to maintain an overview of how results are formulated into local follow-up plans.

Mr. Redwood: To ask the Secretary of State for Health (1) whether the existing duty of GPs in paragraph 43 of the terms of service to prescribe on the basis of patient need will be included in the new terms of service; [102912]

(2) what changes are proposed in the duty of GPs in the NHS to treat patients on the basis of clinical need in the proposed new contract; [102913]

(3) whether GPs will be required in their new contracts to take resources into account when recommending and prescribing treatments. [102914]

Mr. Hutton: Under the current general medical services (GMS) and personal medical services (PMS) contracts and under the proposed new GMS contract the fundamental principle that patients receive all of their national health service care and treatment—including prescribing and referral for specialist investigations—strictly according to their clinical needs applies.

The proposed new contract for GMS will, if accepted by the profession, ensure that general practitioners will be rewarded for the quality of services they provide: not just the number of patients they treat.

Hospices

Mr. Wiggin: To ask the Secretary of State for Health if he will make it his policy to provide funding for hospices. [100357]

Ms Blears: In the NHS Cancer Plan, published in September 2000, we pledged that the national health service contribution to the costs of specialist palliative care, including hospices, would increase by £50 million by 2004.

To enable faster progress towards this commitment we have made available an extra £10 million from central budgets for specialist palliative care for 2002–03. We have also set up a central budget of £50 million per annum exclusively for specialist palliative care, for three years from 2003–04. Local plans are being developed by cancer networks around the country to determine on the appropriate deployment of those resources to support services according to local needs. This represents a significant increase nearly 40 per cent. in the NHS funding of specialist palliative care services. The £50 million is for specialist palliative care services in their entirety and not for voluntary hospices alone, though, as they play an essential role and provide two thirds of all specialist palliative care, it is reasonable to expect they will get a fair slice of this extra money. Further information is available on the Department's website at: www.info.doh.gov.uk/cancer/palliative 03 06.htm.

In-patient Survey

Dr. Evan Harris: To ask the Secretary of State for Health pursuant to the answer of 3 March 2003, *Official Report,* column 887W, on the in-patient survey, whether a national report will be published on the results of the in-patient survey. [102894]

Mr. Lammy *[holding answer 17 March 2003]:* There are no plans to publish a national report. Rather, results are being disseminated on a strategic health authority (StHA) basis, allowing the cross-comparison of trusts' results for local benchmarking purposes. This approach enables StHAs to maintain an overview of how results are formulated into local follow-up plans.

Internal Telephone Directory

Mr. Andrew Turner: To ask the Secretary of State for Health when the most recent internal telephone directory for the Department was published; how often it is updated; and if he will place a copy in the Library. [102030]

Mr. Lammy: The Department's internal directory is maintained as a live database available to all staff and is constantly being updated. It is too detailed to be published in full but information on the Department's structure, organisation and responsibilities, with contact details where appropriate, is available on our website.

As part of ongoing improvements to our website, this information is regularly reviewed and updated. Extracts are published in commercial directories, such as the Civil Service Yearbook, the Whitehall Companion and Health and Social Services Yearbook. The full directory is only available in online format, so a copy cannot be placed in the Library without incurring disproportionate cost.

Long-term Care

Mr. Burstow: To ask the Secretary of State for Health what steps his Department is taking to implement the recommendations in the health service Ombudsman's report 'NHS funding for long term care'; and if he will make a statement. [103151]

Jacqui Smith: We have asked strategic health authorities to report back to their Directorate of Health and Social Care by 28 March with details of:

> Whether continuing care criteria in use since 1996 were consistent with the Coughlan judgment;
>
> If criteria were not consistent with the Coughlan judgment, when was this identified and what action was taken;
>
> An estimate of the number of people who may have been wrongly assessed under criteria not consistent with the Coughlan judgment.

We have announced our intention to amend the regulations to be made under the Community Care (Delayed Discharges etc) Bill to ensure that assessments for fully funded continuing national health service health care are carried out before discharge from hospital. This will ensure that nobody is issued with a section 2 notice (notice from the NHS to say that a patient requires social services) before an assessment for continuing NHS health care, informed by the single assessment process, has been carried out.

We have written to the Commission for Health Improvement and asked that continuing care is included within the inspection of the national service framework for older people, due to begin in 2004.

Meetings

Tim Loughton: To ask the Secretary of State for Health whether it is his policy to allow *(a)* the Children's Tsar and *(b)* the Chief Inspector of the Social Services Inspectorate to attend meetings with (i) individual hon. Members of Parliament, (ii) parliamentary groups, (iii) lobby groups and (iv) commercial companies. [100663]

Mr. Lammy: All meetings are conducted in accordance with the requirements of the Civil Service Code and guidance set out in the Directory of Civil Service Guidance, copies of which are available in the Library.

Ministerial Travel

Mr. Don Foster: To ask the Secretary of State for Health if he will list internal flights made by Ministers in his Department in 2002, including in each case the *(a)* cost, *(b)* departure location and *(c)* destination; and of these how many were (i) first class, (ii) business class and (iii) economy class. [103587]

Mr. Lammy: I refer the hon. Member to the response that was given by the Minister of State, Cabinet Office, my hon. Friend the Member for Paisley, South (Douglas Alexander), on Wednesday 22 January 2003, *Official Report*, column 334W.

NHS (International Recruitment)

Mr. Baron: To ask the Secretary of State for Health whether his Department has a list of countries from which it regards it as acceptable actively to recruit healthcare professionals. [103086]

Mr. Hutton *[holding answer 17 March 2003]:* The Department has worked together with the Department for International Development to produce a definitive list of developing countries and countries that should not be recruited from. This list is available on the Department of Health website at www.doh.qov.uk/international-recruitment/emplovercode.htm

NHS Dentists

Mr. Burns: To ask the Secretary of State for Health what proportion of *(a)* adults and *(b)* children are registered with an NHS dentist in England; and what the figures were in May 1997. [103731]

Mr. Lammy *[holding answer 18 March 2003]:* On 31 January 2003, 43.9 per cent. of adults and 60.1 per cent. of children were registered with a general dental service (CDS) dentist in England. At 31 May 1997, 51.9 per cent. of adults and 62.2 per cent. of children were registered.

The registration rates at 31 January 2003 and at 31 May 1997 are not directly comparable due to changes in the registration period that affected registration numbers from November 1997.

Registrations now lapse if the patient does not return to their dentists within 15 months of their last appointment. Registration rates therefore exclude patients who have not been to their CDS dentist within the past 15 months and unregistered patients who receive dental treatment from other National Health Service dental arrangements, such as occasional treatment.

NHS Direct (Adverse Drug Reactions)

Mr. Burstow: To ask the Secretary of State for Health how many calls NHS Direct has received from callers reporting adverse drug reactions since 1 January. [102525]

Mr. Lammy: NHS Direct has not received any calls from patients reporting adverse drug reactions. A pilot scheme for handling calls from callers reporting adverse drug reaction will be launched at NHS Direct South East London on 18 March. Following an initial review period, national roll-out will be completed by the end of this year.

NHS Litigation Authority

Ms Munn: To ask the Secretary of State for Health what assessment he has made of procedures put in place by the NHS Litigation Authority to identify clinicians against whom there have been several complaints. [103565]

Mr. Lammy: The National Health Service Litigation Authority (NHSLA) is not part of the complaints system in place in individual trusts. The NHSLA's function is to administer the clinical negligence schemes, i.e., the Existing Liabilities Scheme and the Clinical Negligence Scheme for trusts, as well as two non-clinical schemes. Since claims under these schemes are against the NHS bodies which are vicariously liable for the actions of their employees, it is not considered necessary to record the name of the clinician when a claim is notified.

Ms Munn: To ask the Secretary of State for Health what information he receives from the NHS litigation authority on clinicians against whom complaints have been made. [103566]

Mr. Lammy: The National Health Service Litigation Authority does not collect information on complaints about clinicians.

Ms Munn: To ask the Secretary of State for Health to whom the NHS litigation authority makes information available on the litigation history of individual clinicians. [103567]

Mr. Lammy: The National Health Service Litigation Authority (NHSLA) does not collect information on the litigation history of a clinician. The NHSLA shares its claims information with the National Patient Safety Agency, whose role it is to collate information on all incidents that occur in NHS trusts. Only in cases of a novel, contentious or repercussive nature is the NHSLA required to advise the Department of Health.

Patient Advocacy

Clive Efford: To ask the Secretary of State for Health if he will make a statement on the Government's response to the recommendations of the Transitional Advisory Board regarding the abolition of Community Health Councils and the introduction of patients' forums and independent complaints advisory services. [102828]

Mr. Lammy: The Chief Nursing Officer replied for the Government to the Transition Advisory Board's recommendations on 31 January. A copy of this response is available at www.doh.gov.uk/involvinqpatients/tab

Clive Efford: To ask the Secretary of State for Health whether TUPE—Transfer of Undertakings (Protection of Employment) Regulations—will apply to Community Health Council staff in relation to patients' forums and independent complaints advisory services. [102829]

Mr. Lammy: My right hon. Friend, the Secretary of State for Health, having given careful consideration to the legal position of staff assigned to Community Health Councils, has decided that there will be no Transfer of Undertakings (Protection of Employment) Regulations (TUPE) transfer of CHC staff in relation to The Commission for Patient and Public Involvement in Health, the support to patients' forums and the Independent Complaints and Advocacy Services.

Clive Efford: To ask the Secretary of State for Health (1) what steps he plans to take to eradicate variation in the quality of services under the new arrangements for patient advocacy following the abolition of Community Health Councils; [102831]

(2) what arrangements he has made to ensure the continuity of patient advocacy and a smooth transition to the new arrangements after the abolition of Community Health Councils; [102833]

(3) what steps his Department has taken to evaluate pilot independent complaints advisory services; and if he will make a statement. [102830]

Mr. Lammy: It is our intention that Independent Complaints Advocacy Services (ICAS) will be available throughout the country from 1 September 2003.

In the new system of patient and public involvement, ICAS is the responsibility of primary care trust (PCT) patients' forums. As an interim measure, whilst patients' forums are being established and are building their capacity and networks, we shall be working with the Commission for Patient and Public Involvement in Health (CPPIH) to put in place national coverage of ICAS through a contract with specialist complaints support providers.

To support this system, we shall make arrangements to enable the CPPIH to manage the contract and to ensure services are provided to national standards.

I recently announced an extension to the ICAS pilots to 31 July 2003. The full evaluation of the pilots will take place at the end of June, when we will have three quarterly returns from the pilots on the experience and activity. The evaluation will include all the pilots plus the support offered to them.

The initial benchmarking exercise of a sample of the pilots, undertaken in January this year, has shown that ICAS provision has been well received and that pilots need to focus on developing good working relationships with the local national health service, in particular patient advice and liaison services, work with patients to find out their views of the ICAS service and ways of collecting data which can be used to improve NHS services.

The CPPIH has a specific remit to set national standards for ICAS and to monitor compliance. The ICAS pilots currently work to draft national standards and are developing local operational protocols, which will inform future provision.

Clive Efford: To ask the Secretary of State for Health what steps he has taken to ensure that the expertise and knowledge of Community Health Council staff are not lost in the new arrangements for patients' forums and independent complaints advisory services. [102832]

Mr. Lammy: We have never envisaged that we could guarantee employment for Community Health Council (CHC) staff in the new system of patient and public involvement or that we would treat CHC staff differently from the way we deal with other national health service staff when they are affected by restructuring—the human resources framework for CHC staff makes this clear. This framework was developed jointly with the employers and NHS unions and will provide help and support to CHC staff to seek alternative employment in the NHS.

However, jobs in the Commission for Patient and Public Involvement in Health will be advertised to CHC staff first and those staff who meet the essential criteria for posts will be guaranteed interviews.

Clive Efford: To ask the Secretary of State for Health what consultations the Commission for Patient and Public Involvement in Health commissioners have undertaken on patients' forums and the independent complaints advisory services; and what discussions they have had with the Association of Community Health Councils in England and Wales. [102834]

Mr. Lammy: The Department does not maintain records of discussions held by the individual commissioners of the Commission for Patient and Public Involvement in Health (CPPIH) and because of this the information requested is not available. More information about the CPPIH and the commissioners is available from its website at www.cppih.org

Clive Efford: To ask the Secretary of State for Health who will be responsible for taking up the cases of those patients that remain unresolved by the Community Health Councils on 1 September 2003. [102835]

Mr. Lammy: We are currently working on guidance for the handling of any patients' cases that remain unresolved in Community Health Councils when they are abolished on 1 September 2003.

Pharmacies

Chris Grayling: To ask the Secretary of State for Health what assessment he has made of the number of NHS pharmacies required to provide NHS services to local communities; how many pharmacies dispense on behalf of the NHS; and what assessment he has made of the optimum location of these pharmacies in future. [103455]

Mr. Lammy *[holding answer 17 March 2003]:* Under the National Health Service Act 1977, it is the responsibility of national health service primary care trusts (PCTs) to arrange the provision of pharmaceutical services in their area. This includes determining whether it is necessary or desirable to secure adequate provision of services by granting new applications. The Health and Social Care Act 2001 also empowers PCTs to devise contracts for local pharmaceutical services which address particular local needs.

We remain committed to maintaining and improving access to pharmaceutical services. We are currently considering the recommendation of the Director General of Fair Trading to remove these statutory controls and any implications it may have for this objective.

As at March 2002, there were 9,756 community pharmacies in England in contract with the NHS to dispense prescriptions.

Mr. Weir: To ask the Secretary of State for Health what discussions he has had with the Scottish Executive Department of Health on the Office of Fair Trading report on the regulation of pharmacies. [103286]

Mr. Lammy *[holding answer 17 March 2003]:* We are in regular contact with the Scottish Executive in considering the report from the Director General of Fair Trading. My right hon. Friend, the Secretary of State for Trade and Industry, is co-ordinating the Government's response.

Chris Grayling: To ask the Secretary of State for Health what assessment he has made of the impact of the Office of Fair Trading report on control of entry regulations to the pharmacy market on his Department's strategy on the reclassification of medicines from prescription-only to pharmacy sale. [103463]

Mr. Lammy *[holding answer 18 March 2003]:* We are considering the report from the Director General of Fair Trading and its findings and recommendation carefully, including any implications it may have for the procedures we introduced in May 2002 to streamline the medicines reclassification system.

The Government continues to encourage pharmaceutical companies to apply for their products to be reclassified where it is safe and appropriate to do so.

Dr. Evan Harris: To ask the Secretary of State for Health (1) what assessment he has made of the impact of the Office of Fair Trading report on control of entry regulations to the pharmacy market on his Department's strategy on the reclassification of medicines from prescription only to pharmacy sale; [102851]

(2) what assessment he has made of *(a)* the number of pharmacies required to provide NHS services to local communities and *(b)* the optimum location for these pharmacies. [102853]

Mr. Lammy: We are considering the report from the Director General of Fair Trading and its findings and recommendation carefully.

This includes any implications it may have for the procedures we introduced in May 2002 to streamline the medicines reclassification system. The Government continues to encourage pharmaceutical companies to apply for their products to be reclassified where it is safe and appropriate to do so.

The Government remains committed to maintaining and improving access to pharmaceutical services. Under the National Health Service Act 1977, it is the responsibility of NHS primary care trusts (PCTs) to arrange the provision of pharmaceutical services in their area. This includes determining whether it is necessary or desirable to secure adequate provision of services by granting new applications. The Health and Social Care Act 2001 also empowers PCTs to devise contracts for local pharmaceutical services which address particular local needs.

Helen Jones: To ask the Secretary of State for Health (1) how many responses he has received to the OFT report on the UK market for retail pharmacy services; [103183]

(2) what steps he is taking to safeguard access to pharmacy services for *(a)* elderly people, *(b)* people with disabilities and *(c)* those reliant on public transport; [103185]

(3) what discussions he has had with pensioners' representatives on retail pharmacy services. [103184]

Mr. Lammy *[holding answer 17 March 2003]:* We have received around 1,000 responses so far to the Director General of Fair Trading's report on community pharmacies.

I have had no recent specific discussions with representatives of pensioners about retail pharmacy services. However, I and my officials have met patient and consumer interests as well as leading pharmacy and medical organisations to hear their views on the report. These have included views on the implications of the report's recommendation for continued access to pharmacy services for older people and those with special needs. The Government remains fully committed to maintaining and improving access to national health service pharmacy services for all.

Prison Employees

Chris Grayling: To ask the Secretary of State for Health how many NHS employees work in prisons. [103382]

Jacqui Smith: A survey carried out in January 2003 identified 3,513 staff as providing healthcare in prisons. Of these, 1,953 were employed by the prison service. Information is not collected centrally about how many of the rest were National Health Service employees.

Social Workers

Mr. Burstow: To ask the Secretary of State for Health if he plans to issue an international code of conduct for the recruitment of overseas social worker staff. [100144]

Jacqui Smith: It is the responsibility of individual employers to ensure that their recruitment policies and procedures comply with current legislation whether recruiting within England or abroad.

Employers of qualified social workers from abroad can verify the qualifications of applicants within the General Social Care Council (GSCC). This is an advisory service to employers on the standing of international qualifications. They will also issue a letter of verifications for foreign qualifications to those social workers from abroad who choose to apply for it. This confirms the professional status of the qualification held in the country of origin.

The GSCC has also issued codes of practice for social care workers and employers which apply to all social care staff across the United Kingdom, irrespective of from where they are recruited. Appliance with these codes is taken into account when enforcing care standards.

WORK AND PENSIONS

Benefits

Annabelle Ewing: To ask the Secretary of State for Work and Pensions for which benefits the threshold payment of compensation for delays in processing the benefit is less than eight months' delay. [97909]

Malcolm Wicks: The information is as follows.

Benefit
Attendance Allowance
Attendance Allowance (Special Rules)
Attendance Allowance (Renewals)
Bereavement Benefit
Child Benefit
Disability Living Allowance
Disability Living Allowance (Special Rules)
Incapacity Benefit
Income Support
Invalidity Benefit
Jobseeker's Allowance (Contributory)
Jobseeker's Allowance (Income Based)
Maternity Allowance
Sickness Benefit
Social Fund Community Care Grants + Budgeting loans
Social Fund (Funeral)
Social Fund (Maternity)
Unemployment Benefit
Widows Benefit
Widows Payment

Annabelle Ewing: To ask the Secretary of State for Work and Pensions in how many cases, in each year since 1997, compensation for delay in processing benefit in respect of retirement pension has been paid; what percentage such costs represent of total applications for retirement pension in each year; and what average level of compensation has been paid in each case. [97910]

Mr. McCartney: The information is in the table.

Retirement pension compensation cases (for delay) in comparison to applications received

Year	Number of retirement pension compensation payments	Number of retirement pension claims (thousands)	Percentage of compensation payments to claims received (percentage)	Average compensation paid in each case (£)
1997–98	422	737	0.06	503.95
1998–99	290	702	0.04	474.67
1999–2000	402	717	0.06	397.73
2000–01	1,068	611	0.17	271.59
2001–02	2,331	652	0.36	318.33

1. Figures for retirement pension claims have been rounded to the nearest thousand.

2. The final totals for 2002–03 are not, as yet, available.

Child Benefit Cancellation

Andy King: To ask the Secretary of State for Work and Pensions what representations the Department has received from the Learning and Skills Council about the cancellation of a mother's child benefit due to receipt of a £40 per week grant through the modern apprenticeship scheme. [100614]

Malcolm Wicks: The Department receives many representations on a variety of issues.

For young people between the ages of 16 and 18, Child Benefit is payable if they are in full-time, non advanced education, and for a short defined period after they leave such education. Child Benefit is not payable for those who start work or work-based training.

Child Support Agency

Mr. Webb: To ask the Secretary of State for Work and Pensions in how many cases parents with care not on income support have voluntarily discontinued using the services of CSA to collect child maintenance in each of the last 12 months. [100812]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Steve Webb, dated March 2003:

The Secretary of State for Work and Pensions, in replying to you recent parliamentary question about the Child Support Agency promised a substantive reply from the Chief Executive.

You ask in how many cases parents with care not on income support have voluntarily discontinued using the services of Child Support Agency to collect child maintancance in each of the last 12 months.

We do not collect this information and I regret that I do not feel that it can be safely deduced from other information that we do collect.

Disability Benefits

Mr. Boswell: To ask the Secretary of State for Work and Pensions (1) in what circumstances disability living allowance is currently payable to persons who go abroad; and if he plans to review this; [101724]

(2) which benefits are available to eligible disabled students pursuing their studies *(a)* in the United Kingdom, *(b)* within the European Economic Area and *(c)* elsewhere on the basis that (i) the course of study is centred on a UK institution and (ii) the period abroad is either a requirement of the course or a recommendation of course tutors. [101916]

Maria Eagle: Under domestic law, people who are ordinarily resident in Great Britain can receive disability living allowance (DLA) during the first 26 weeks of a period of temporary absence abroad. This period can be extended where someone is abroad specifically to receive treatment for an illness or disability. Members of HM forces serving abroad and their families, mariners and airmen working abroad, and people working on the UK sector of the continental shelf may also receive these benefits.

People who spend longer than 26 weeks abroad can receive DLA immediately upon their return providing the total period of temporary absence does not exceed 52 weeks. A longer absence will defer entitlement by a corresponding number of weeks, for example, a person who returns after 54 weeks can be paid after two weeks of residence and, after 78 weeks of temporary absence, a person will need to spend 26 weeks in Great Britain before payment can recommence.

Under European Community law, workers and members of their families who were entitled to DLA before 1 June 1992 can continue to receive it if, before that date, they left the UK and took up permanent residence in another member state of the European Union (EU). The law changed at that date, with transitional provision made for such cases. The provisions are treated as also covering workers and members of their families who move to another member state after 1 June 1992 provided their entitlement to the benefit started before that date. Iceland, Liechtenstein, Norway, Gibraltar and Switzerland are treated like EU member states for social security purposes.

Disabled students can receive DLA on the same basis as other severely disabled people. The 26 weeks temporary absence rule means that those who study in another country, whether or not an EU member state, can receive payment continuously if they return to Great Britain during the vacations.

Students pursuing their studies in Great Britain may also receive incapacity benefit (IB). In addition, those who are entitled to a disability premium or severe disability premium in the assessment of income support (IS), housing benefit (HB) and council tax benefit (CTB) are eligible for IS, HB and CTB while studying full-time in Great Britain.

The domestic law on temporary absence abroad which applies to contribution-based IB and non-contributory IB (which replaced severe disablement allowance for young people from April 2001) reflects the rules for DLA, subject to certain conditions. The recipient must have been incapable of work for six months or receiving treatment for their incapacity or have an incapacity which resulted from an industrial injury. Payment of IB can continue beyond the first 26 weeks if the person also gets DLA (or attendance allowance, which is available to severely disabled people aged 65 or over).

Under European community law, IB based on National Insurance contributions can usually be paid to people resident in an EU member state. It can also be paid in countries with which the UK has a reciprocal social security agreement. Any further provisions for the payment of IB depend on the terms of the individual agreements.

IS is payable for up to four weeks of absence abroad. Payment is made when the recipient returns. Any person who is temporarily away from home may receive HB and CTB for up to 13 weeks provided they intend to return during that period and their home is not let or sub-let during their absence.

We have no plans to review these arrangements. Information about Northern Ireland is a matter for the Northern Ireland Office.

Departmental Electricity Charges

Norman Baker: To ask the Secretary of State for Work and Pensions what changes in unit payments for electricity have resulted from the switch by his Department to purchasing renewable energy which is exempt from the climate change levy. [96486]

Maria Eagle: The Department for Work and Pensions currently has 17.5 per cent. of its total electricity requirements supplied from renewable sources that are exempt from the climate change levy. There has been no increase in the unit payment for this renewable energy over the price of brown supplies, including the climate change levy.

Housing Benefit

Mr. Heald: To ask the Secretary of State for Work and Pensions if he will make a statement on the level of *(a)* fraud by and *(b)* overpayments to landlords in respect of housing benefit in each of the last five years for which figures are available; and what action his Department is taking to reduce such fraud and overpayments. [102732]

Malcolm Wicks: The information is not available in the format requested. The 1997–98 National Housing Benefit Accuracy Review estimated that the landlord fraud which could be established by the review cost

£30 million. We are now running an ongoing Housing Benefit Review which will provide new estimates for landlord fraud.

Later this year, as part of our reforms to improve the administration of housing benefit, standard rate housing allowance will start to be piloted in 10 pathfinder offices. Paying the allowance direct to claimants will eliminate some opportunities for fraud by landlords. A detailed evaluation will take place once the pathfinders are complete.

IT Projects

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will list each information technology project being undertaken by his Department and its agencies including *(a)* the start date, *(b)* the planned completion date, *(c)* the current expected completion date, *(d)* the planned cost and *(e)* the current estimated cost; and if he will make a statement. [98224]

Mr. McCartney: The Department is undertaking a major modernisation programme, encompassing both organisational and IT reform. We received £2 billion for the modernisation programme in SR2000, and a further £1.9 billion in SR2002. The programme began in 2001 and is currently funded until March 2006. Current planned costs include spend to date and estimate to project completion, and are set out by client group in the following below:

£ million

Work programme	*Allocation*
Working age	375
Pensions	830
Children	585
Corporate	1,433

Figures include all modernisation projects with an IT element, although they do not include running costs or the costs of rolling out the Pension Service and Jobcentre Plus.

Estimates are subject to change as projects move through the project lifecycle.

Invalid Care Allowances

Mr. Burstow: To ask the Secretary of State for Work and Pensions (1) how many people in each of the last three years have been overpaid in respect of invalid care allowance where the overlapping benefit rule applied; and what the total amount overpaid in this respect was in each year; [101947]

(2) what estimate he has made of *(a)* the cost of removing the overlapping benefit rule in respect of invalid care allowance and *(b)* the number of beneficiaries. [101948]

Maria Eagle *[holding answer 13 March 2003]:* Information about the number of overpayments of invalid care allowance due to the operation of the overlapping benefit rules is not available.

Exempting invalid care allowance from the overlapping benefit rules would run counter to the basic principle that the social security scheme should avoid making duplicate provision from public funds for the same contingency by paying more than one income-maintenance benefit at the same time. The estimated gross cost would be around £320 million[1] a year[2], affecting some 160,000 recipients. After adjusting for offsets in the income-related benefits[3], the estimated net cost would be about £190 million[1] a year.

[1] Figures are rounded to the nearest £10 million and assume no increase in ICA take up

[2] Gross costs calculated from data taken from a 100 per cent extract of ICA records in September 2002. The costs include an allowance for underlying entitlement cases not currently on the ICA computer system.

[3] Income support offsets calculated from a 5 per cent extract of records in September 2002. housing benefit/council tax benefit offsets calculated from a 1 per cent sample of records in May 2001

Pension Schemes

James Purnell: To ask the Secretary of State for Work and Pensions how many pension schemes the Pensions Schemes Registry recorded as *(a)* having started wind-up proceedings and *(b)* completing wind-up proceedings in each year from 1979 to 2002; and how many members were covered by the schemes in each case. [102592]

Mr. McCartney: I refer my hon. Friend to the answer I gave to the my right hon. Friend the Member for Birkenhead (Mr. Field), on 11 February 2003, *Official Report,* columns 687–688W.

In 1997, the regulations that governed which schemes had a levy liability changed. Robust information for the period prior to 1 April 1997 is not available from the Registry.

Pensioners (North-East Derbyshire)

Mr. Barnes: To ask the Secretary of State for Work and Pensions how many pensioners there are in North East Derbyshire; how many qualify for a free television licence; and how many get the minimum income guarantee. [103577]

Mr. McCartney: The information is not available in the format requested. Such information as is available for the North East Derbyshire constituency shows that the number of people in receipt of state pension as at 30 September 2002 was 18,300. As at 31 May 2002 there were 7,700 people in receipt of a key benefit aged over 75 and therefore eligible for free TV licences. There were 3,100 people receiving the minimum income guarantee as at November 2002.

Sources:

Pension Strategy Computer System as at 30 September 2002.

Client Group Analysis of the population over state pension age as at May 2002

Income Support Quarterly Statistical Enquiry November 2002.

LORD CHANCELLOR'S DEPARTMENT

Asylum Courts

Mr. Keetch: To ask the Parliamentary Secretary, Lord Chancellor's Department when *(a)* Newport asylum court and *(b)* Stoke asylum court were completed; when each concluded its first case; and if he will make a statement. [102514]

Ms Rosie Winterton: Neither Hearing Centre has been used for hearings. Newport was ready to commence hearings on 2 December 2002. However, planning consent for change of use was refused before that date. The Immigration Appellate Authority has subsequently appealed against that decision and this is being dealt with by public inquiry.

Stoke was ready to commence hearings on 9 December 2002. However, planning consent for change of use was refused before that date. The Immigration Appellate Authority has been successful in its appeal against that decision and hearings are due to commence by 7 April 2003.

Departmental Studies

Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department what studies have been undertaken of the options for *(a)* commercialising the Public Records Office and *(b)* rationalising the offices of the Land Registry; and if she will make a statement. [102873]

Ms Rosie Winterton: The Public Record Office (PRO) was subject to a Quinquennial Review in 1997–98, which concluded that its core functions in relation to its oversight of records management in other government departments and its custody of historical public records can only be carried out from within government. The PRO established a commercial arm, PRO Enterprises, eight years ago. Since the ways in which revenue is raised via the commercial exploitation of the Office's holdings and sites have expanded steadily.

Income is raised through a flourishing retailing operation, (two shops and an internet bookshop); a successful publishing house; and an image library which provides expert services in supplying images to commercial customers including publishers and broadcasters. We are also developing a range of licensing projects based on the commercial use of PRO-held images. Revenue is generated through arrangements with licensees from the worlds of social stationery, gift merchandise, homewares and ceramics and also through concluding licences with on-line content providers for the commercial use of PRO images of interest to the genealogical and academic communities.

Income has grown from £642,646 in 1998–99 to a projected £900,000 in 2002–03. Revenue raised via commercial activities can be retained to fund Office-wide projects.

The Report of the latest Quinquennial Review of the Land Registry (published in June 2001) recommended that the Registry should plan to retain the present regional office structure, without major change, for the foreseeable future. The Report considered that the Registry's District network of offices had been a considerable success, the tangible benefits being staff units of an optimal size; the ability to recruit more able staff; improvements in performance through benchmarking throughout the network; and convenient units for piloting new processes.

Most of the Registry's work takes place in 24 District Land Registries and other units located outside London. The Land Registry's policy is to provide and maintain sufficient good quality accommodation with first class working environments to enable business operations to be carried out efficiently and effectively.

Fraud and Theft

Mr. Laws: To ask the Parliamentary Secretary, Lord Chancellor's Department how much money has been lost by his Department and its agencies and non-departmental public bodies through *(a)* fraud and *(b)* theft for each year since 1996–97. [92433]

Ms Rosie Winterton: Figures are only available up to the end of Financial Year 2001–02. Actual losses from theft and fraud since 1996–97 were as follows:

£

	Department and Agencies	*NDPBs*
1996–97	29,474.37	—
1997–98	21,721.52	—
1998–99	68,714.02	—
1999–2000	21,521.97	—
2000–01	8,338.16	—
2001–02	48,801.47	13,137

Figures have been adjusted to reflect recoveries received in subsequent financial years. These figures do not include those for the Legal Services Commission about which I will be writing to the hon. Member separately, copies of which will be placed in the libraries of both Houses.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what her estimate is of the cost of theft and fraud to *(a)* her Department, *(b)* its agencies and *(c)* non-departmental public bodies in 2002. [89894]

Ms Rosie Winterton: Figures are only available up to the end of Financial Year 2001–02. Actual losses from Theft and Fraud in 2001–02 were as follows:

	£
Department	8,367.00
Agencies	40,434.47
NDPBs	13,137.00

These figures do not include those for the Legal Services Commission about which I will be writing separately.

Litigants in Person

Joyce Quin: To ask the Parliamentary Secretary, Lord Chancellor's Department how many litigants in person there were in court proceedings in each of the last 10 years. [103238]

Yvette Cooper: The following table has the available information on the number of litigants appearing in person in the county courts and Queens Bench Division of the High Court.

Litigants appearing in person during county court trials and small claims hearings England and Wales figures 1994–2002

Trials—County court

	Number of county court trials	*Litigants in person*		*Percentage in person*	
		Claimant	*Defendant*	*Claimant*	*Defendant*
1994	24,219	*5,570*	*7,500*	23.0	31.4
1995	24,477	*1,600*	*3,930*	6.5	16.1
1996	19,608	*2,400*	*3,550*	12.2	18.1
1997	15,511	*1,590*	*3,020*	10.3	19.5
1998	14,202	*1,080*	*1,900*	7.6	13.4
1999	13,437	*880*	*1,660*	6.5	12.4
2000	15,397	*1,230*	*2,280*	8.0	14.8
2001	13,430	*700*	*1,140*	5.2	8.5
2002	12,294	*960*	*1,440*	7.8	11.7

Trials–High court (Queen's Bench)

	Number Queen's Bench trials	*Litigants in person*		*Percentage in person*	
		Claimant	*Defendant*	*Claimant*	*Defendant*
1994	4,420	*90*	*70*	2.0	1.6
1995	4,369	*90*	*80*	2.1	1.8

Note:

Figures not collected after 1995

Small Claims

	Number small claims hearings	*Litigants in person*		*Percentage in person*	
		Claimant	*Defendant*	*Claimant*	*Defendant*
1994	71,822	Figures not collected		—	—
1995	88,170	Figures not collected		—	—
1996	94,050	*57,240*	*64,000*	60.9	68.0
1997	97,813	*43,460*	*69,910*	44.4	71.5
1998	98,692	*53,180*	*69,920*	53.9	70.8
1999	88,389	*42,250*	*54,640*	47.8	61.8
2000	55,836	*28,680*	*36,240*	51.4	64.9
2001	58,333	*28,670*	*35,500*	49.1	60.9
2002	55,719	*31,890*	*37,160*	57.2	66.7

Note:

The numbers in italics are weighted figures based on sample data and have been rounded to the nearest 10.

Sutton Coldfield Courthouse

Mr. Andrew Mitchell: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress the Lord Chancellor is making in deciding the future of Sutton Coldfield Courthouse. [102888]

Yvette Cooper: The appeal process is still going on. The decision will be taken once both parties to the appeal are satisfied that their case is complete and they have made their representations fully.

Written Answers to Questions

Thursday 20 March 2003

MINISTER FOR WOMEN

International Women's Day

23. **Michael Fabricant**: To ask the Minister for Women if she will make a statement on her Department's contribution to International Women's Day. [103903]

Ms Hewitt: As part of the celebrations for International Women's Day, the Women and Equality Unit launched an excellent pack for young people—"Does Sex Make a Difference", and I opened the International Women's Day adjournment debate in the House of Commons, and launched a special 50p coin to commemorate the hundredth anniversary of the formation of the Women's Social and Political Union.

Student Debt

24. **Mr. Rendel:** To ask the Minister for Women what consultations the Minister has had with the Minister for Lifelong Learning and Higher Education regarding the different level of difficulty men and women have in repaying student debts. [103904]

Ms Hewitt: I have discussed with both my right hon. Friend the Secretary of State for Education and Skills and my hon. Friend the Minister for Lifelong Learning and Higher Education the issue of student debt, and its impact on women in particular.

Child Care

26. **Linda Gilroy:** To ask the Minister for Women what steps she is taking to support the development of child care as a business. [103906]

Ms Hewitt: Child care businesses, particularly micro-businesses and social enterprises, need support and skills training in order to be sustainable. We are working with DfES and DWP to improve links and support between Business Link Operators and child care business support officers to this end. A specific targeted programme of support, including provision of good practice, workshops, resource packs, a helpline and a website, is scheduled to start in May and run until March 2004.

Private Members' Clubs

27. **Mr. Stunell:** To ask the Minister for Women what plans she has to propose legislation against sex discrimination against women in private members' clubs. [103907]

Ms Hewitt: I welcome the Sex Discrimination (Clubs and Other Associations) Bill, introduced by my hon. Friend the Member for Gloucester (Mr. Dhanda) on 4 February 2003. There is no question that the inequalities which persist in some mixed-sex clubs are out of date and contrary to this Government's principles of opportunity for all.

While I can make no commitment on parliamentary time, this is a matter which we will keep under review.

TRADE AND INDUSTRY

Small Businesses

11. **Ms Julia Drown:** To ask the Secretary of State for Trade and Industry what steps she is taking to ensure that small businesses are encouraged to bid for public sector contracts. [103890]

Nigel Griffiths: Small firms make a vital contribution to the public sector. A survey of selected departments and agencies shows 50 per cent. of our contracts go to SMEs with a value of £730 million.

We have cut the requirement to provide three years accounts, to two years and I now want the requirement abolished to encourage start-ups and fledgling businesses.

And this new booklet "Smaller supplier—better value" supports our new web portal for small firms seeking Government contracts.

But there is much much more we can and must do.

Fireworks

12. **Mr. Jim Cunningham:** To ask the Secretary of State for Trade and Industry how many representations she has received expressing a desire for stricter legislation on the use of fireworks. [103892]

Miss Melanie Johnson: Since the beginning of November 2002 I have received 2,078 representations indicating a desire to see tighter controls on fireworks. These comprise 1,588 letters from the general public, 476 letters from MPs, eight Petitions, and six meetings with representatives from various organisations interested in improving fireworks legislation.

Agency Workers Directive

13. **Mr. Prisk:** To ask the Secretary of State for Trade and Industry what recent representations she has received from businesses on the proposed temporary agency workers directive. [103893]

Alan Johnson: The Government held a public consultation on the proposed directive from 10 July 2002 to 18 November 2002. A summary of responses to the public consultation has been placed in the Library of the house, along with an Explanatory Memorandum and a Regulatory Impact Assessment.

World Trade

14. **Norman Lamb:** To ask the Secretary of State for Trade and Industry if she will make a statement on current negotiations regarding TRIPS. [103894]

Ms Hewitt: The Government are disappointed that the WTO did not reach agreement on TRIPS and Public Health by the deadline of December last year.

The US was the only member of the WTO who could not accept the proposal on the table.

We will continue to work with all WTO members to resolve this issue as soon as possible.

18. **David Taylor:** To ask the Secretary of State for Trade and Industry what action she is taking to achieve a world trade agreement in the interests of developing countries. [103898]

Ms Hewitt: We are committed to ensuring that the Doha Development Agenda delivers substantial benefits to all WTO members, especially developing countries.

In particular this means making substantial progress on agricultural liberalisation, TRIPS and Public Health and Special and Differential Treatment.

Halving protectionism, according to EU figures, would increase developing countries income by an estimated $150 billion per year—more than three times the world's current aid budgets.

Post Office

15. **Mr. Hoban:** To ask the Secretary of State for Trade and Industry if she will make a statement on the implementation of the Post Office Urban Re-Invention Programme. [103895]

Mr. Timms: Following parliamentary approval in October, the programme is going ahead in accordance with the code of practice agreed with Postwatch. I met with Postwatch yesterday to assess their role in reviewing each urban sub-post office closure proposal.

Community Pharmacies

16. **Mr. Truswell:** To ask the Secretary of State for Trade and Industry what recent representations she has received relating to the Office of Fair Trading recommendations regarding community pharmacies. [103896]

Ms Hewitt: Stakeholders have been feeding [illegible] their views on the OFT's report, both through the appropriate health departments and to DTI directly.

Iraq

17. **Mr. Lilley:** To ask the Secretary of State for Trade and Industry what steps she is taking to ensure that British industry plays a substantial role in reconstruction following a possible conflict in Iraq. [103897]

Ms Hewitt: We wish to see UK companies play a substantial role in the humanitarian and reconstruction process in Iraq. British firms have a wealth of experience in the Middle East. We have made this clear to USAID and will continue to discuss with British business how they can best contribute to the development of Iraq for the benefit of the Iraqi people.

Child Care

19. **Mr. Bercow:** To ask the Secretary of State for Trade and Industry what steps she is taking to increase child care provision by employers. [103899]

Alan Johnson: We recognise that employers play an important role in providing access to good quality, affordable child care. The Paymaster General launched a consultation in February on proposals to extend the tax and national insurance exemptions on employer supported child care. The tax and national insurance proposals aim to provide a better incentive for more employers to support a wider range of formal child care for all working parents, helping the growth and sustainability of child care provision.

In addition we will be looking at the results of the Work-Life Balance survey of employers to see what other support is needed to provide more child care provision by employers.

Ambition Construction Programme

Matthew Green: To ask the Secretary of State for Trade and Industry pursuant to his answer of 3 March 2003, *Official Report*, column 808W, on house building, how many new deal clients have been *(a)* funded and *(b)* trained by the Ambition Construction programme in skilled jobs directly relevant to the house building profession in (i) 2001, (ii) 2002 and (iii) 2003 to the latest date for which figures are available. [102659]

Mr. Nicholas Brown: I have been asked to reply.

In 2001, we launched the Ambition initiative to help unemployed and disadvantaged people gain the right skills to meet the needs of employers in key sectors such as construction.

Ambition: Construction has been operational since June 2002 with pilots currently running in six locations. Training is provided across the full range of building skills, including bricklaying, roofing, plastering, joinery, glazing and painting and decorating. The aim of this training is to provide participants with the skills they need for a wide variety of jobs in the construction industry, including house building.

By the end of February 2003, 420 people had started training on the programme. Most of the training courses on this programme last 26 weeks and so only 64 people have so far completed training. However, 54 of these have already started work.

Correspondence

Sir Michael Spicer: To ask the Secretary of State for Trade and Industry when she will reply to the letter from the hon. Member for West Worcestershire of 15 July 2002 on behalf of Mr. Roger Turner. [103974]

Ms Hewitt: I apologise for the delay but I am informed that my noble Friend the Minister for Trade, will be replying very shortly.

Departmental Phone Directory

Mr. Andrew Turner: To ask the Secretary of State for Trade and Industry when the most recent internal phone directory for the Department was published; how often it is updated; and if he will place a copy in the Library. [101786]

Ms Hewitt: The internal phone directory for my Department is published electronically in the form of an online database known as people@dti. Keeping their contact details up to date is the responsibility of individual members of staff who make changes through the Department's Human Resources system. Such changes update the directory overnight.

My Department is in the process of developing an offline version of the directory for those in government who do not have access to the online version. When this is available, and staff have been informed in accordance with the provisions of the Data Protection Act 1998, I will place a copy in the Library of the House.

Details of our senior staff are, however, available in publications such as the Civil Service Yearbook, Vacher's Parliamentary Companion, Vacher Dod's Civil Service Companion and the PMS Parliamentary Companion.

Hydroelectricity

Norman Baker: To ask the Secretary of State for Trade and Industry what steps she is taking to facilitate imports from Norway of renewable electricity generated by hydro-power. [99199]

Mr. Wilson: I understand that National Grid Transco are considering, with Statnett, the Norwegian grid operator, the construction of an interconnector between the UK and Norway that will enable the import of electricity from Norway—and exports to Norway. While this is a commercial project, and not directly a matter for my Department, I nonetheless welcome it as increased interconnection provides greater flexibility and security.

I am aware that a high proportion of Norwegian electricity is generated by hydro-power, although from time to time, and especially in periods of low rainfall, Norway is a net importer of electricity, which may be from fossil sources.

Iraq

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what the value was of *(a)* imports and *(b)* exports between each EU member state and Iraq in each of the last five years; and if he will make a statement. [102665]

Ms Hewitt: The information is as follows:

EU-15 Trade in goods with Iraq: 1997 to January-June 2002

Value US$000

	1997	*1998*	*1999*	*2000*	*2001*	*January to June 2002*
Total EU-15 Exports	220,199	542,165	651,532	1,038,550	1,729,640	849,855
France	24,546	85,300	77,837	129,042	591,869	212,556
Italy	5,027	37,580	72,453	242,276	327,336	148,373
Germany	126,571	244,468	300,460	361,895	301,408	203,872
Spain	5,374	14,055	29,085	57,282	92,983	37,832
Belgium	—	—	37,339	52,279	88,366	46,750
UK	10,492	42,099	56,899	77,174	87,825	27,846
Austria	1,490	9,671	12,341	28,740	76,845	58,677
Sweden	1,517	9,253	4,222	20,309	69,676	43,993
Denmark	7,131	15,195	8,402	20,165	39,298	17,947
Netherlands	12,559	24,977	42,752	32,522	37,693	24,026
Finland	269	1,377	6,884	7,744	8,981	3,359
Greece	188	2,040	870	4,093	5,868	16,314
Portugal	113	61	1,043	50	926	—
Ireland	46	204	949	4,915	303	1,070
Luxembourg	—	—	—	62	261	7,243

	1997	*1998*	*1999*	*2000*	*2001*	*January to June 2002*
Total EU-15 Imports	1,571,605	2,091,528	3,922,926	5,808,776	3,183,755	678,503
France	6,260	78,332	88,430	42,531	888,243	224,752
Netherlands	173,635	—	1,114,705	686,149	796,171	241,363
Italy	202,673	401,046	804,817	1,682,160	605,934	60,636
Spain	439,391	507,381	623,586	1,198,505	438,252	78,702
Greece	18,208	76,153	78,550	308,297	230,156	16,431
Austria	132,451	134,965	210,671	284,021	170,532	51,619
Portugal	71,516	118,698	196,336	161,685	52,788	—
UK	48	35,969	671	94	1,252	55
Germany	527,418	738,830	805,158	1,325,241	377	4,948
Denmark	—	2	—	3	26	—
Sweden	—	—	—	119,931	21	1
Luxembourg	—	—	—	—	1	—
Belgium	—	—	—	159	—	—
Finland	—	—	3	—	—	—
Ireland	7	—	—	1	—	—

Source:

Eurostat Extra and Intra EU Trade

DTI/SU-SA

Nationalised Businesses

Mr. Wiggin: To ask the Secretary of State for Trade and Industry how many nationalised businesses are run by her Department. [103555]

Ms Hewitt: DTI has lead policy responsibility within Government for the following Nationalised Industries:

British Nuclear Fuels PLC

British Coal Corporation

British Shipbuilders

CHURCH COMMISSIONERS

Church Repairs (VAT)

Miss McIntosh: To ask the hon. Member for Middlesbrough, representing the Church Commissioners pursuant to his oral statement of 3 February, Official Report, column 20, on church repairs and VAT, when he expects the review of the sixth VAT Directive to be completed. [104248]

Mr. Bell: I refer the hon. Member to my written answer of 12 March 2003.

Work is ongoing between Commission officials and Member States to finalise the details of the revision to the Sixth Directive. The aim is to get sufficient agreement in the Council for the 'Recast' Directive to be formally adopted before the next enlargement of the EU, scheduled for May/June 2004.

The recasting of the Sixth Directive is a separate exercise to other elements of the Sixth Directive being revised, such as the reduced rates review, scheduled to take place later this year, or the Labour Intensive Services Experiment.

CABINET OFFICE

Civil Service (Travel Expenses)

Mr. Maples: To ask the Minister for the Cabinet Office what grades in the Civil Service are allowed to travel by air *(a)* first class and *(b)* business class at public expense when on official duties. [102887]

Mr. Alexander: Government departments and agencies have delegated authority to decide the rules governing travel by air for their own staff in connection with their employment, subject to the conditions set out in Chapter 8 of the Civil Service Management Code. Paragraph 8.2.1 requires departments and agencies to ensure that staff use the most efficient and economic means of travel in the circumstances, taking into account any management benefit or the needs of staff with disabilities.

Advertising and Publicity

Mr. Laws: To ask the Minister for the Cabinet Office what his estimate is of total Government spending on advertising and publicity for each of the last five years; what value for money assessments of such spending have been carried out; if he will publish these; and if he will make a statement. [103700]

Mr. Alexander: The UK Government have spent the following on advertising in the last five years.

Year	*Cash expenditure (£000)*	*Prices in real terms (£000)**
1997–98	60,000	65,800
1998–99	106, 000	110,600
1999–2000	113,500	114, 100
2000–01	192,400	186,600
2001–02	162,600	162, 600

* In real terms at 2001–02 prices based on advertising media inflation rates.

Source:

COI

Advertising is used by Departments when they judge it is the most cost effective way of delivering the publicity necessary to support a policy or proposal. These figures represent the advertising commissioned on behalf of Departments and Agencies by the Central Office of Information. The figures for the total publicity spend of Government Departments is not held centrally and could be provided only at disproportionate cost. The responsibility for ensuring that the guidance on propriety is observed and that value for money is being achieved rests with Ministers and Heads of Departments. The central guidance on these issues is "Guidance on the work of the Government Information Service" which can be found on the GICS website (www.GICS.gov.uk) and on the Cabinet Office website www.cabinet-office.gov.uk

Precedents Book

Mr. Jenkin: To ask the Minister for the Cabinet Office if he will place in the Library a copy of his Department's Precedents Book. [103990]

Mr. Alexander: The information requested relates to internal discussion and advice and is therefore exempt from disclosure under Exemption 2 of the Code of Practice on Access to Government Information.

Scotland

Pete Wishart: To ask the Minister for the Cabinet Office how many special advisers in the Department *(a)* have left and *(b)* will be leaving to work in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections. [103623]

Mr. Alexander: The rules relating to special advisers' political activities are set out in the Model Contract for Special Advisers. Further guidance in respect of elections for the Scottish Parliament is set out at paragraph 13 of the Guidance on Conduct for Civil Servants in UK Departments, published by the Cabinet Office on 10 March.

The reasons for a special adviser's resignation are a private matter between the Department and adviser, and are therefore exempt from disclosure under paragraph 12 of the Code of Practice on Access to Information.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

"Waste Not, Want Not"

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make an interim statement on progress towards the development of *(a)* public expenditure programmes and *(b)* institutional arrangements needed to implement the recommendations of the Strategy Unit report, "Waste Not, Want Not". [103697]

Mr. Meacher: Following last November's pre-Budget report, a Ministerial Group was established to consider a number of issues, including the proposed new public expenditure programme. The group has met on three occasions, and its decisions will form a key part of the Government's response to the Strategy Unit report. Defra has begun implementing a new institutional structure to drive delivery of the new programme, and is in the process of appointing a programme director.

Animal Diseases (EU Aid)

Annabelle Ewing: To ask the Secretary of State for Environment, Food and Rural Affairs why the claim for a share of the 2003 EU financial package to tackle BSE and other animal diseases was submitted late by her Department; and if she will make a statement. [103579]

Mr. Morley *[holding answer 18 March 2003]:* The TSE programme was not submitted as a result of an oversight and a subsequent misunderstanding with the Commission. The programme was submitted on 22 October when we asked the Commission to reconsider making an EU contribution. The Commission have now confirmed that it is not legally possible for a payment to be made.

Avian Influenza

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to protect the British poultry industry from avian influenza. [102372]

Mr. Morley: In order to protect the British poultry industry from avian influenza (AI) the Department has taken the following steps.

On 21 February 2003 and 3 March 2003 Defra and the Devolved Administrations issued Declarations under Regulation 27 of the Animals and Animal Products (Import and Export) (England and Wales) Regulations 2000 (and equivalent legislation in the devolved territories) introducing a ban on the import of live poultry and hatching eggs into the UK from Hong Kong and the Netherlands respectively following outbreaks of avian influenza in these countries. These Declarations make it a criminal offence to import live poultry and hatching eggs into the UK from both Hong Kong and the Netherlands. Following a suspicion of AI in Belgium, a further Declaration was issued on 12 March 2003 prohibiting the import of live poultry and hatching eggs from Belgium.

In addition to the above, on 14 March 2003 Defra also banned the import of racing/show pigeons into England from the Netherlands and Belgium under domestic legislation due to the disease risk they presented. Similar Declarations are being introduced in Scotland, Wales and Northern Ireland.

In normal circumstances, all birds (poultry or captive birds) entering the UK must be accompanied by an EU model health certificate stating that premises and area of origin are free from AI. In addition, captive bird imports into the UK from Third Countries are subject to a 30 days quarantine during which birds must be laboratory tested for avian influenza.

Defra has reminded egg and poultry producers in the UK about the need for stringent biosecurity measures at all times. To minimise the introduction of AI into their flocks by means of faecal contamination, poultry producers should ensure that their boots, clothing, equipment and vehicles are disinfected. Access by wild birds should be minimised, for instance by clearing up feed spillages. Officials have asked poultry producers in the UK to be vigilant for any signs of respiratory disease in birds and contact their local veterinary office immediately if they have any concerns.

The Department is monitoring the AI situation in the Netherlands and Belgium, and should there be any significant change the risk assessment for the UK will be reviewed.

Environment Council

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs whether she supported French proposals at the Environment Council on 4 March to create a programme to monitor by satellite hydrocarbon discharges at sea; and if she will make a statement. [103825]

Mr. Morley *[holding answer 19 March 2003]:* The French made a statement proposing enhanced European co-operation in satellite monitoring of hydrocarbon discharges at sea under "Other Business". There was no substantive debate of the issue and the United Kingdom did not intervene.

The UK has used satellite surveillance on a trial basis, with the Coastguard Maritime Rescue and Coordination Centre acting as the focal point. The experience was positive, and my right hon. Friend the Secretary of State for Transport is keen to develop the facility further. The UK already shares satellite information with other Contracting Parties to the Bonn Agreement, and we are working with those Parties and with the EC Management Committee on Marine Pollution with a view to establishing an international monitoring programme.

Fly-tipping

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* individuals and *(b)* businesses have been successfully prosecuted for incidences of fly-tipping in each year since 1992; and what fines have been levied as a result. [99270]

Mr. Meacher: Both local authorities and the Environment Agency have the powers to prosecute for fly-tipping offences. There is no central register of this information for local authorities. The Environment Agency has collected the requested data since January 2002.

Prosecution data for the 1999, 2000 and 2001 calendar years are available, but relate to the number of offenders prosecuted for the offence of unlawfully depositing waste as described by section 33(1)(a) of the Environmental Protection Act 1990. Similarly, prosecution data for the 1996–97, 1997–98 and 1998–99 financial years are available, but only relate to section 33 offences generally. The Agency is unable to provide prosecution data for 1992–93, 1993–94, 1994–95 and 1995–96.

Data are provided on this basis.

Offences for breach of all of section 33 of the Environmental Protection Act 1990.

1996–97—241

1997–98—345

1998–99—367

All offences under s33(1)(a) of the Environmental Protection Act 1990.

1999—141

117 individuals—total fines: 63,470

24 businesses—total fines: 115,071

2000—206

170 individuals—total fines: 156,255;

36 businesses—total fines: 425,800

2001—225

187 individuals—total fines: 158,857;

38 businesses—total fines: 144,050

Offences under s33(1)(a)—fly-tipping only

2002—70

59 individuals—total fines: 51,100;

11 businesses—total fines: 26,200

2003 to date—7

4 individuals—total fines: 950;

3 businesses—total fines: 9,200

The Government are currently discussing with the Environment Agency the potential for setting up a national recording system for fly tipping, which would record this type of data from both the Agency and local authorities in England.

Forestry Commission

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs what the total cost was to public funds of the operations of the Forestry Commission in *(a)* Scotland and *(b)* the UK in the last year for which figures are available. [103039]

Mr. Morley: Forestry is a devolved matter, and the cost of Forestry Commission operations in Scotland is the responsibility of the Scottish Executive.

However, in the year 2001–02 the commission's net operating cost for GB was £82.7 million.

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to review the internal audit procedures of the Forestry Commission. [103040]

Mr. Morley: There are no plans to review the Forestry Commission's internal audit procedures. These are carried out in accordance with the standards and guidance issued by HM Treasury.

Mr. Edward Davey: To ask the Secretary of State for Environment, Food and Rural Affairs what the administrative costs were of the Forestry Commission for each Government Office for the Regions in *(a)* 1999–2000, *(b)* 2000–01, *(c)* 2001–02 and *(d)* 2002–03. [103291]

Mr. Morley: The Forestry Commission is a cross border public authority funded separately in England, Scotland and Wales by Treasury, the Scottish Executive and the Welsh Assembly Government respectively. It does not incur administrative costs for the Government Offices for the Regions.

Glass

Richard Younger-Ross: To ask the Secretary of State for Environment, Food and Rural Affairs how many tonnes of *(a)* green, *(b)* white and *(c)* brown glass have been (i) landfilled, (ii) dumped at sea and (iii) recycled, in each year since 1997. [103336]

Mr. Meacher: The latest available information for UK glass recycling, obtained from the British Glass Federation are listed.

(Thousand tonnes)

	Clear	*Green*	*Brown*	*Mixed*
2002	196.4	242.5	55.4	Unknown
2001	197.1	270.6	65.1	4.8
2000	217.8	279.5	65.4	3.9
1999	171.7	262.8	61.6	2.5
1998	148.7	267.5	60.1	1.4
1997	147.1	219.6	65.5	Unknown

Figures are based on glass that has been recycled back into container manufacture within the UK.

Since 2000 the UK as a whole has recycled approximately 20 per cent more glass into alternative uses, but colour split is unavailable and not included in above table.

Data for tonnages of glass landfilled or dumped at sea are not available.

GM Foodstuffs

Mr. Roger Williams: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on how the Food Standards Agency's 2002 consumer attitudes to food survey has affected her Department's policy on GM foodstuffs. [102862]

Mr. Morley: My Department noted the Food Standards Agency's 2002 consumer attitudes to food survey. Surveys such as this informed our decision to hold an open and inclusive GM public debate on all the issues surrounding genetic modification.

Our overriding objective on the issue of genetic modification is to safeguard human health and the environment and each application to release a GMO will be dealt with on a case-by-case basis. However, Defra is not responsible for evaluating GM foods, this is a matter for the FSA. Issues raised, in the survey, e.g. food safety and hygiene and labelling are therefore matters for the FSA to address.

Illegal Imports

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how often the Stakeholder Forum on illegal imports has met since 31 March 2002. [103775]

Margaret Beckett: The Stakeholder Forum on illegal imports met on 31 March 2002. It was not established as a continuing body. However, the Government will reconvene a similar body of stakeholders shortly to review progress on illegal imports.

Landfill Tax

Mr. Stephen O'Brien: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the statement of the hon. Member for Wentworth of 3 February, *Official Report,* column 5WS, on the landfill tax credit scheme, what projects have received approval for transitional funding; and, in each case, how much funding has been approved. [103631]

Mr. Meacher: The position regarding applications to the Landfill Tax Credit Scheme Sustainable Waste Management Legacy Fund as at Friday 14 March was as follows:

Status	*Number*	*Total revenue costs*	*Total capital costs*	*Total project costs*	*Total shortfall requested*
New	7	1,228,999	6,198	1,088,551	807,559
Awaiting further information	14	1,984,174	614,500	4,453,019	1,996,059
Awaiting panel	9	2,330,178	3,550	1,205,681	1,473,433

No applications have yet been approved.

Livestock Movements

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on establishing a 90-mile limit between market and abattoir. [103061]

Mr. Morley: In a written statement on 23 January 2003, *Official Report,* column 20WS, announcing the Government's decision to reduce the 20 day standstill to six days, I stated that Defra would commission further work into the possibility of imposing a distance limit on the movement of animals through markets or making such moves subject to special licences. A figure of 150 kilometres was suggested.

We will discuss this suggestion further with livestock auctioneers and the farming industry in order to obtain more information about the pattern of movements through markets, and the likely impact of such a restriction, before we reach a view on its merits.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the provision at markets of overnight lairages. [103062]

Mr. Morley: In a written statement on 23 January announcing the Government's decision to reduce the 20 day standstill to six days, I stated that Defra would consult on a number of proposals aimed at improving biosecurity and disease detection, for possible introduction from 1 August, *Official Report,* columns 20–24WS.

The consultation exercise is now under way. One of the proposals is for a ban on animals being kept overnight at markets. We will consider carefully all the responses to the consultation paper, including any suggestions for alternative measures which might achieve the same objectives, before we reach a view on the merits of the proposals.

Public Expenditure

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs when she will announce the public expenditure programmes and institutional arrangements needed to implement the recommendations of the Strategy Unit report, "Waste Not, Want Not". [103698]

Mr. Meacher: Announcements will be made alongside the Government's response to the Strategy Unit report, which we plan to publish around the time of the Budget.

Waste Recycling

Mr. Hepburn: To ask the Secretary of State for Environment, Food and Rural Affairs what further measures are planned to help increase the amount of household waste which is recycled. [102355]

Mr. Meacher: Last year the Prime Minister's Strategy Unit examined the extent of the waste problem, pressures for change and recommended a range of measures to improve performance on sustainable waste management in its report "Waste Not Want Not". We will be publishing our response to the report shortly.

Since publication of Waste Strategy 2000, which set national targets for the recycling or composting of at least 25 per cent. of household waste by 2005 and 30 per cent. by 2010, we have set statutory recycling and composing targets for all local authorities to achieve these goals. We have also introduced the Waste Minimisation and Recycling Fund to support local authority investment in appropriate infrastructure. We have also set up the Waste Resources Action Plan (WRAP) to help create stable and efficient markets for recycled materials and to remove market barriers to waste minimisation, reuse and recycling. And the Waste Emissions and Trading Bill will, by setting reducing ceilings on the amount of biodegradable municipal waste going to landfill, provide an indirect incentive to increase recycling.

FOREIGN AND COMMONWEALTH AFFAIRS

Cyprus

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the communiqué issued by the UN Secretary-General on 11 March concerning the future of its plan to resolve the Cyprus issue. [103260]

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the reunification of Cyprus. [103100]

Mr. MacShane: The British Government fully supports the decision of the UN Secretary-General, announced in his press statement of 11 March, to bring to a close the intensive phase of negotiations to secure a comprehensive settlement in Cyprus.

We share Mr. Annan's sense of sadness that this opportunity to secure accession to the EU by a reunited island has been missed. Throughout the talks, the UN Secretary-General, his special adviser, Alvaro de Soto, and his team have negotiated skilfully and professionally. But Mr Denktash's refusal to put the UN proposals to a referendum in the north of Cyprus, and his rejection of the idea of implementing a work programme for the next two weeks, aimed at preparing for a referendum before Cyprus signs the Treaty of Accession with the European Union on 16 April, left Mr. Annan with no alternative to the decision he took.

I have placed a copy of Mr Annan's statement in the Library of the House.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what discussions he plans to have with President Papadopoulos of the Republic of Cyprus on restarting discussions towards future negotiations on Cyprus; [103273]

(2) what discussions he plans to have with the Government of Turkey on its future role in discussions regarding Cyprus. [103274]

Mr. MacShane: The UN Secretary-General has said that he remains at the disposal of the parties in Cyprus, should they ask for UN support in re-starting the settlement negotiations on the basis of his proposals of 26 February. We fully support the UN Secretary-General in this approach, and we will be making this clear to all concerned.

Diplomatic Relations (France, Germany and Russia)

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with *(a)* France, *(b)* Germany and *(c)* Russia. [104010]

Mr. MacShane: The United Kingdom's bilateral relations with France, Germany and Russia remain close. We work with France and Germany effectively on important issues such as European defence and the Convention on the future of Europe, and with Russia on the fight against terrorism. There are areas of policy on which we do not agree on tactics e.g. Iraq. But although our approaches on Iraq may differ, there is no difference between us on the fundamental point of the absolute need to disarm Saddam.

Edgar Fernandes

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed the case of Mr. Edgar Fernandes with the Turkish authorities; and if he will meet the hon. Member for Leicester, East to discuss the case of Mr. Edgar Fernandes. [103218]

Mr. Mike O'Brien: We have been monitoring the investigation into Mr. Fernandes' murder since 1998. Our consular staff in Turkey have regularly attended court hearings relating to the case. We have also raised the case with the Deputy Director General of the Turkish Ministry of Justice, the prosecutor and the family's lawyer. The lawyer and the prosecutor have assured us that rumours that the case may be closed are unfounded. Our consular staff will attend the next court hearing on 10 April and will continue to keep the family fully informed of developments. I do not consider that a meeting with my hon. Friend would be productive at this stage, but we will review this point once the outcome of the case is known.

Iraq

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the verification of UN sanctions placed on Iraq in each of the last five years, including a list of imports and their sources. [102664]

Mr. Rammell: Exports to Iraq are monitored by the UN Office of the Iraq Programme. They provide a breakdown of Iraqi imports by sector. The document is available on the Internet atthe following address http://www.un.org/Depts/oip/background/basicfigures2.html.

The following is a breakdown of Iraqi imports from EU countries over the last six years:

Value: US$ 000s

					January to June	
	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Total EU-15 Exports	220,199	542,165	651,532	1,038,550	1,729,640	849,855
France	24,546	85,300	77,837	129,042	591,869	212,556
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Germany	126,571	244,468	300,460	361,895	301,408	203,872
Spain	5,374	14,055	29,085	57,282	92,983	37,832
Belgium	—	—	37,339	52,279	88,366	46,750
UK	10,492	42,099	56,899	77,174	87,825	27,846

Value: US$ 000s

	1997	*1998*	*1999*	*2000*	*January to June* *2001*	*2002*
Austria	1,490	9,671	12,341	28,740	76,845	58,677
Sweden	1,517	9,253	4,222	20,309	69,676	43,993
Denmark	7,131	15,195	8,402	20,165	39,298	17,947
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Finland	269	1,377	6,884	7,744	8,981	3,359
Greece	188	2,040	870	4,093	5,868	16,314
Portugal	113	61	1,043	50	926	—
Ireland	46	204	949	4,915	303	1,070
Luxembourg	—	—	—	62	261	7,243

Fully comprehensive information concerning the source and type of goods imported by Iraq is not readily available, and would incur disproportionate cost to discover.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements he has made to compensate surviving family members of civilians killed by the United Kingdom and United States military campaign against Iraq. [104011]

Mr. Mike O'Brien: The UK is committed to acting in accordance with international law. If military action is undertaken lawfully, no right to compensation arises. We have always been, and will remain, in the forefront of efforts to help the Iraqi people. Unlike Saddam Hussein, we have always tried to minimise the adverse effects of our actions on Iraqi civilians.

Kosovo

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Albanians have been *(a)* arrested, *(b)* charged and *(c)* convicted in Kosovo of being involved in the destruction of Orthodox churches since June 1999. [103461]

Mr. MacShane [*holding answer of 18 March*]:.There have been no Albanians arrested, charged, or convicted, in Kosovo for being involved in the destruction of Orthodox churches.

I told Kosovo Albanian leaders during my visits to the province that the destruction of churches and all religious sites were acts of barbarism which bring shame and dishonour to all concerned. NATO-led KFOR continues to patrol and guard churches.

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance is available for Serbs who were forced to leave Kosovo to return to the province in respect of *(a)* accommodation and *(b)* security. [103462]

Mr. MacShane *[holding answer 18 March 2003]:* The United Nations High Commissioner for Refugees (UNHCR) co-ordinates sustainable returns of all Internally Displaced Persons and refugees to Kosovo, including Serbs. The UNHCR, as well as cross-border Non-Governmental Organisations and local authorities, provide information on all aspects of the return process, including on accommodation and security, as well as public services, economic opportunities, and acceptance by the existing communities. It is ultimately a decision for each individual as to whether to return to Kosovo, based on the information provided by these agencies.

We recognise the problems facing Kosovo Serbs. Though returns have clearly not been sufficient, United Nations Interim Administration Mission in Kosovo (UNMIK), under the leadership of Michael Steiner, has established an Office for Returns and Communities, and a Strategy for Sustainable Returns for 2003. UNMIK and the NATO-led KFOR provide security within the Province.

Ministerial Travel

Mr. Don Foster: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list internal flights made by Ministers in his Department in 2002, including in each case the *(a)* cost, *(b)* departure location and *(c)* destination; and of these how many were (i) first class, (ii) business class and (iii) economy class. [103583]

Mr. Straw: The following is a list of internal flights made by Ministers in that capacity in my Department in 2002.

1. I flew to Manchester from London Heathrow on 27 July 2002. The cost of the Business Class ticket was £158.50.

2. I flew to Edinburgh on an RAF HS125 on 27 August 2002, then on to Belfast, before returning to London. I was accompanied on the aircraft by a Private Secretary; a Special Adviser, three officials and a Special Branch Protection Officer. The cost of the aircraft was £2,028.84.

3. I flew from London to Birmingham on an RAF helicopter on 6 September 2002. The cost was £1,838.09 and I was accompanied by my Private Secretary and a Special Branch Protection Officer. For further details, I refer the hon. Member to the answer I gave to the hon. Member for Chelmsford, West (Mr. Burns) on 5 February 2003, column 306W.

4. My noble Friend Baroness Symons flew to Teesside from London Heathrow on 29 November 2002. The cost of the Business Class ticket was £403.50.

5. The then Minister for Europe, my right hon. Friend the Member for Neath (Peter Hain) flew to Belfast from London Heathrow on 26 February 2002. The cost of the Economy Class ticket was £166.40.

6. The Minister for Europe, my hon. Friend the Member for Rotherham (Mr. MacShane) flew to Glasgow from London Heathrow on 7 July 2002. The cost of the Business Class ticket was £261.40.

7. The Minister for Europe, my hon. Friend the Member for Rotherham (Mr. MacShane) flew to Glasgow from London Heathrow on 17 October 2002. The cost of the Business Class ticket was £289.40.

Libya

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Libyan authorities regarding the murder of PC Yvonne Fletcher in 1984; and what progress has been made in finding the killer. [103351]

Mr. Mike O'Brien: The ongoing investigation into the murder of WPC Yvonne Fletcher is an operational matter for the Metropolitan Police. Officers from the Metropolitan Police made two visits to Libya in 2002 to discuss the investigation with the relevant Libyan judicial authorities. I also raised the issue with the Libyan Foreign Minister when I visited Libya in August 2002. The Metropolitan Police will continue to pursue this investigation.

Scotland

Pete Wishart: To ask the Secretary of State for Foreign and Commonwealth Affairs how many special advisers in the Department *(a)* have left and *(b)* will be leaving to work in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections. [103609]

Mr. Straw: No special advisers have left and none will be working in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections.

Pete Wishart: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans Ministers in the Department have to *(a)* visit Scotland on official business, *(b)* announce public appointments and *(c)* make Ministerial announcements in April. [103658]

Mr. Straw: Departmental business during the campaign period preceding elections to the Scottish Parliament will be conducted in accordance with the Guidance on Conduct for Civil Servants in UK Departments in respect of elections to the Scottish Parliament and National Assembly for Wales, published by the Cabinet Office on 10 March.

China

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with the Chinese Government regarding the pending death sentence on Tenzin Deleg Rinpoche. [103863]

Mr. Rammell: We have raised the case of Tenzin Deleg Rinpoche (together with that of Lobsang Dhondup) three times with the Chinese authorities. We also supported strongly worded EU demarches to the Chinese and an EU declaration on the case. The Chinese authorities have confirmed that his original sentence, the death sentence, suspended for two years, has been upheld.

We shall continue to raise our concerns with the Chinese about this case and the treatment of Tibetans more generally.

Turkey

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with other European Union member states on human rights issues in Turkey; and if he will make a statement. [103795]

Mr. MacShane: My right hon. Friend the Foreign Secretary last discussed human rights issues in Turkey with EU colleagues at the European Council in Copenhagen in December 2002. At official level, our dialogue with EU partners is constant, in Ankara, Brussels and elsewhere.

UN Compensation Commission

Mr. Cousins: To ask the Secretary of State for Foreign and Commonwealth Affairs who the UK representatives are on the UN Compensation Commission; how much compensation has so far been disbursed, broken down by country of origin of the case; and how much has been committed to be disbursed *(a)* in total and *(b)* by country of origin of the case. [103840]

Mr. Mike O'Brien: The UK, as a Security Council member, sits on the Governing Council of the United Nations Compensation Commission and is represented by HMG officials in Geneva and London. Claims for compensation from the UNCC are dealt with by the FCO Consular Claims Section and through our diplomatic mission in Geneva.

The commission has received about 2.6 million claims seeking compensation in excess of US$300 billion. The majority of these claims have been resolved. Nearly 100 Governments have submitted claims, as well as various UN organisations. Details of which countries have submitted claims can be found on the UNCC website: www.unog.ch/uncc.

DEFENCE

Advertising Expenditure

Pete Wishart: To ask the Secretary of State for Defence how much the Department spent on advertising in Scotland in each year since 1999 on *(a)* television, *(b)* newspapers, *(c)* radio, *(d)* magazines, *(e)* billboards and *(f)* sporting events. [102327]

Mr. Stephen O'Brien: To ask the Secretary of State for Defence how much his Department has spent in each of the last 24 months on *(a)* television, *(b)* radio and *(c)* newspaper advertising for each of the armed forces. [103525]

Dr. Moonie: This information is not held centrally in the form requested and could be provided only at disproportionate cost.

However, since 1999–2000 Ministry of Defence's advertising and publicity costs have been published in the annual Departmental Performance Report, broken down into categories of RN, Army, RAF and civilian recruitment, PR, marketing and business support services, Chief of PR, sales promotion, scholarships and

National Employers' Liaison Committee. Copies of these documents have been placed in the Library of the House.

Age Diversity

Dr. Evan Harris: To ask the Secretary of State for Defence when his Department completed its diagnostic review for compliance with the Government's Code of Practice for Age Diversity in Employment; and what changes his Department plans to make following the review. [99420]

Dr. Moonie: The Ministry of Defence reviewed its employment policies in accordance with the Government's Code of Practice for Age Diversity in Employment and took steps to integrate age into its equal opportunities policies through implementation of the Performance and Innovation Unit's report "Winning the Generation Game". This made specific recommendations for the civil service to ensure that policies are age-proofed in preparation for the legislation to be introduced in 2006. The review was concluded in May 2002. It included consideration of raising the retirement age to allow those staff who currently have a retirement age of 60 the option to stay on to the age of 65. The conclusion was that there should be no change to the retirement policy at this stage, but that it should be kept under review in light of the emerging legislation. The Ministry of Defence is committed to ensuring that its employment policies do not discriminate unfairly on grounds of age or for any other reason.

Armed Forces' Pay

Mr. Hancock: To ask the Secretary of State for Defence what discussions he has held with representatives of Her Majesty's forces on the formation of a federation to represent the armed forces in negotiations over pay and working conditions; and if he will make a statement. [103868]

Dr. Moonie: None. The independent Armed Forces Pay Review Body (AFPRB) makes recommendations to the Government on pay, after gathering evidence from a wide variety of sources, including Service personnel of all ranks. The AFPRB system commands widespread respect throughout the Services.

Members of the Armed Forces may also express their views about working and living conditions through Continuous Attitude Surveys, Service personnel liaison teams and their own chains of Command, who have a duty to look after the welfare and well-being of personnel under their authority.

Mr. Hancock: To ask the Secretary of State for Defence when he expects the high and low pay banding system will apply to all members of HM forces; and if he will make a statement. [103870]

Dr. Moonie: The majority of Armed Forces personnel have now transferred to Pay 2000, which was implemented on 1 April 2001 and introduced an incremental, two-tier system of higher and lower pay bands for regular serving other ranks. A full review of Pay 2000 will take place to inform the 2004 pay round but there are currently no plans to introduce higher and lower pay bands for officers, although they will continue to be subject to an incremental pay system.

Armed Services (Free Travel)

Mr. Maples: To ask the Secretary of State for Defence what ranks in the armed services are allowed to travel by air *(a)* first class and *(b)* business class at public expense when on official duties. [102886]

Dr. Moonie: Air transport is the normal method of movement for Service Personnel and their families travelling to and from the United Kingdom. Operational airlift for all personnel, including senior officers, is conducted using either trooping flights or commercial charter for which there is no business class entitlement. The booking of seats on civilian commercial flights to destinations not served by air trooping services, or to which service flights are not available at the time required, is permissible but only with the prior approval of the appropriate budget holder.

The number of flying hours in one day dictates the seat class entitlement at public expense. There is no entitlement to first class travel for flights under 2.5 hours duration.

For flights over 2.5 hours, only 4-star Service officers are permitted to travel first class. Where there are only first or third class seats available, 2-star officers and above may also travel first class.

For flights of 4 hours duration or longer, 1-star Service officers may travel first class when a business class seat is unavailable.

All ranks of the armed services are entitled to travel business class—if a seat is available—for flights over 2.5 hours. Leave travel is undertaken at economy rates.

Award Schemes

Annabelle Ewing: To ask the Secretary of State for Defence if he will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by the Department; what their scope was; when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102056]

Dr. Moonie: Although some parts of the Ministry of Defence have been involved in the sponsorship of award schemes open to external candidates, we have not devoted significant resources to the promotion of any such scheme in 2001 or 2002.

Blood-Clotting Bandages

Mr. Peter Duncan: To ask the Secretary of State for Defence whether blood-clotting bandages will be available to troops deployed in the Middle East. [103038]

Dr. Moonie: No. There are currently no fibrin (blood clotting agent) impregnated bandages licensed in the United Kingdom and such bandages will not be issued to United Kingdom service personnel deployed in the Middle East.

Chemical/Biological Weapons

Mrs. Calton: To ask the Secretary of State for Defence what estimate the Government have made of the useable lifetime of *(a)* anthrax (wet form), *(b)* smallpox, *(c)* VX and *(d)* mustard gas; and if he will make a statement. [103578]

Dr. Moonie: The stability of these materials depends very much on the initial purity and the precise storage conditions. Their usable lifetime as chemical or biological warfare agents, can range from a few months to several tens of years. It should be noted that even partially degraded material may still pose a significant hazard.

Departmental Telephone Directory

Mr. Andrew Turner: To ask the Secretary of State for Defence when the most recent internal telephone directory for the Department was published; how often it is updated; and if he will place a copy in the Library. [102027]

Dr. Moonie: The most recent paper copy of the internal phone directory for the Ministry of Defence was published in June 1999. However, the directory has been regularly updated and maintained on the internal Defence websites, allowing access to over 100,000 staff. This is in line with the Government targets for electronic working. For those without internal web access, the directory is published quarterly on CD ROM and distributed to over 1,000 Defence staff, authorised industry partners and Defence trading funds. The latest CD ROM is due to be published at the end of March 2003.

The directory is protectively marked RESTRICTED. The Directory is therefore only available to HMG Armed Forces staff, MOD Civilians and cleared Defence industry partners and trading funds.

Entertainment

Mr. Laws: To ask the Secretary of State for Defence what his estimate is of the total spending of his Department on entertainment in each year from 1994–95 to 2002–03; and if he will make a statement. [92392]

Mr. Gray: To ask the Secretary of State for Defence what his Department's hospitality budget *(a)* is in 2002–03 and *(b)* was in each of the last three years; and how much was left unspent at the end of each financial year. [99577]

Dr. Moonie: Expenditure on entertainment by the Ministry of Defence in each year since 1996–97 was as follows:

Year	*£ million*
1996–97	5.145
1997–98	5.035
1998–99	5.563
1999–2000	5.538
2000–01	6.001
2001–02	6.030

Figures for the years prior to 1996–97 cannot be provided on a consistent basis.

Due to the introduction of Resource Accounting and Budgeting, from 2002–03 onward entertainment costs will be reported on a different basis. The outturn for 2002–03, on this basis, is estimated to be £6.309 million.

These figures reflect expenditure incurred by the Ministry of Defence, the establishments and formations of the Armed Forces at home and abroad, and by individual officers occupying appointments for which entertainment allowances were payable. Expenditure incurred on entertainment is strictly for official purposes only, and is made in accordance with departmental guidance on financial procedures and propriety, based on the principles set out in Government Accounting.

EU Defence Ministers Council

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement on the recent progress of plans to create a Council of EU Defence ministers; and what the functions of that Council are expected to be. [103873]

Mr. Hoon: Defence Ministers currently meet twice each year in the formation of the EU Council of Ministers known as the General Affairs and External Relations Council (GAERC). There have recently been proposals, in the framework of the Convention on the Future of Europe, for a new Council configuration bringing together Ministers of Defence, focusing on defence capability matters, including particularly the running of the proposed European Defence Capabilities Development and Acquisition Agency. Although establishment of such a new configuration would not require a change in the Treaty, it is likely that the issue will be dealt with as part of the Convention deliberations. No decisions have yet been taken.

General Dynamics UK

Mr. Gibb: To ask the Secretary of State for Defence pursuant to his answer of 15 January 2003, *Official Report*, column 636W, on General Dynamics UK, which company was contracted to provide the Defence Stores Management System; whether the programme is still running; and if he will make a statement. [102566]

Mr. Ingram: Four companies (Electronic Data Systems, ASI, and Cap Gemini Ernst and Young, with IBM acting in a project integration role) were contracted to provide elements of the Defence Stores Management Solution (DSMS). The programme was suspended in January 2002 on grounds of affordability, and the Department is currently reviewing its requirements for an advanced inventory management capability that takes account of developments in software technology and in the light of independent external advice from McKinsey and Co.

Gulf Forces

Harry Cohen: To ask the Secretary of State for Defence how many of the UK forces serving in the Gulf area are under 18; and if he will make a statement as to their roles. [104048]

Dr. Moonie: I refer my hon. Friend to the answer I gave on 5 March 2003 *Official Report*, column 1053W, to my hon. Friend the Member for Wellingborough (Mr. Stinchcombe).

International Military Services Ltd.

Mr. Cousins: To ask the Secretary of State for Defence whether UNMOVIC has requested information about sales of *(a)* materials and expertise relevant to the delivery of weapons of mass destruction and *(b)* missiles with a range greater than 150 kilometres from International Military Services Ltd. [103834]

Mr. Mike O'Brien: I have been asked to reply.

The United Nations Monitoring, Verification and Inspection Commission have not sought any information from the Government about the alleged provision of any goods or services to Iraq by International Military Services Ltd.

Iraq

Mr. Keetch: To ask the Secretary of State for Defence how many units of the armed forces *(a)* regulars and *(b)* reserves have specific chemical, biological, radiological and nuclear training; how many of these have been deployed to the Gulf; and if he will make a statement. [103432]

Mr. Ingram: All armed forces personnel, including the reserves, are given training to protect themselves in a Nuclear, Biological or Chemical (NBC) environment, as part of their basic training. This is refreshed at regular intervals. The Joint NBC Regiment, which also includes a reserve element, and individuals within other units, receive specialist NBC training.

Mr. Keetch: To ask the Secretary of State for Defence how many *(a)* UK military personnel and *(b)* military personnel of other nationalities have died in military operations in Iraq since 1990; and if he will make statement. [99605]

Mr. Ingram: There have been 25 United Kingdom military operational fatalities in Iraq since 1990, 23 during the Gulf conflict in 1991 and two in 1994.

We do not hold data in respect of other nations.

Medical Facilities (Gulf)

Dr. Fox: To ask the Secretary of State for Defence what assessment he has made of the extent to which British forces will be dependent on hospital and other medical facilities provided by *(a)* the USA and *(b)* other countries in the event of conflict in the Gulf. [102375]

Dr. Moonie *[holding answer 11 March 2003]*: If hostilities were to occur, British forces would have access to a comprehensive range of United Kingdom medical facilities that we have deployed to the region. As is normal practice, we have also agreed reciprocal arrangements with the United States and have arrangements in place to enable United Kingdom personnel to have access to specialist medical facilities in other countries.

Military Forces Training

Mr. Wareing: To ask the Secretary of State for Defence if he will list those countries in which British military forces have provided training since 1997. [103465]

Mr. Ingram *[holding answer 19 March 2003]:* Between January 1997 and March 2003 British Military Forces provided Ministry of Defence endorsed, in country, training to 71 countries. A complete list of those countries is shown in the table.

1	Angola
2	Antigua
3	Argentina
4	Australia
5	Bahrain
6	Bangladesh
7	Barbados
8	Belize
9	Bermuda
10	Botswana
11	British Virgin Islands
12	Brunei
13	Bulgaria
14	Chile
15	Colombia
16	Czech Republic
17	Egypt
18	Eritrea
19	Estonia
20	Ethiopia
21	Falkland Islands
22	Ghana
23	Grenada
24	Guyana
25	Hong Kong
26	Indonesia
27	Jamaica
28	Jordan
29	Kenya
30	Kuwait
31	Latvia
32	Lebanon
33	Lithuania
34	Macedonia
35	Malawi
31	Malaysia
37	Maldives
38	Mauritania
39	Mauritius
40	Monserrat
41	Morocco
42	Mozambique
43	Namibia
44	Nepal
45	Nigeria
46	Oman
47	Pakistan
48	Palestine
49	Philippines
50	Poland
51	Qatar
52	Romania
53	Rwanda
54	Saudi Arabia
55	Seychelles
56	Sierra Leone
57	Singapore
58	Slovakia
59	South Africa
60	South Korea
61	Sri Lanka
62	Swaziland
63	Tanzania
64	Thailand
65	Trinidad
66	Turks and Caicos Islands
67	UAE
68	Uganda

69	Uruguay
70	Venezuela
71	Zimbabwe

Mr. Jenkin: To ask the Secretary of State for Defence what Royal Navy training exercises and planned deployments have been cancelled as a result of Operation Fresco. [103997]

Mr. Ingram: The majority of personnel providing fire cover for Operation Fresco have been taken from ships and submarines undergoing periods of refit or maintenance, or which had returned from operational deployments and were not programmed to undergo further deployments. Only two of the ships from which personnel were taken for fire-fighting duties were prevented from undertaking operational tasks: HMS Manchester was withdrawn from NATO's Standing Force Atlantic, and HMS Lancaster from Atlantic Patrol (South). As a result, HMS Lancaster was withdrawn from the Chilean-hosted exercise Teamwork South 2003.

Although the firefighters' dispute has reduced the number of naval vessels going through operational sea training, there has been no need to cancel joint maritime courses as a result.

Overseas Trips

Mr. Bercow: To ask the Secretary of State for Defence if he will list the overseas trips made by himself and other members of his Ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101491]

Dr. Moonie: I refer the hon. Member to the answer given on 22 January 2003, *Official Report,* column 334W, by my hon. Friend the Minister of State, Cabinet Office.

Scotland

Pete Wishart: To ask the Secretary of State for Defence how many special advisers in the Department *(a)* have left and *(b)* will be leaving to work in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections. [103619]

Dr. Moonie: The rules relating to special advisers' political activities are set out in the Model Contract for Special Advisers. Further guidance in respect of elections for the Scottish Parliament is set out at paragraph 13 of the Guidance on Conduct for Civil Servants in United Kingdom Departments, published by the Cabinet Office on 10 March.

The reasons for a special adviser's resignation are a private matter between the department and adviser, and are therefore exempt from disclosure under Exemption 12 of the Code of Practice on Access to Government Information.

Pete Wishart: To ask the Secretary of State for Defence what plans ministers of the Department have to *(a)* visit Scotland on official business, *(b)* announce public appointments and *(c)* make ministerial announcements in April. [103653]

Dr. Moonie: Departmental business during the campaign period preceding elections to the Scottish Parliament will be conducted in accordance with the Guidance on Conduct for Civil Servants in United Kingdom Departments in respect of elections to the Scottish Parliament and National Assembly for Wales, published by the Cabinet Office on 10 March.

SCOTLAND

Fishing Industry

Annabelle Ewing: To ask the Secretary of State for Scotland when she discussed with the Chancellor of the Exchequer new funding for fishing communities following the EU decision in December 2002 on quota cuts. [103957]

Mrs. Liddell: I have regular discussions with my right hon. Friend the Chancellor of the Exchequer on a wide range of issues.

Annabelle Ewing: To ask the Secretary of State for Scotland when the Scotland Office was first informed of the £55 million EU funding for Scotland's fishing industry; and by whom it was informed. [103959]

Mrs. Liddell: Other Government Departments and the Scottish Executive keep the Scotland Office regularly informed of all important matters relating to the fishing industry.

TRANSPORT

Biofuels

Mr. Jim Cunningham: To ask the Secretary of State for Transport if he will make a statement on the *(a)* number and *(b)* locations of biofuel filling stations in the UK; and what efforts are being made to increase the number of filling stations where biofuels are sold. [103550]

Mr. Jamieson: The Government estimate that there are currently approximately 100 filling stations retailing biodiesel in the UK, with the distribution of outlets largely skewed towards the north of the country. The number and regional availability of these sites is expected to continue to increase as the market develops further, driven by the 20 pence per litre duty incentive, introduced in July 2002, and positive customer reaction to the fuel.

Biofuels are one of the many ways in which companies and individuals can reduce the impact on the environment of their transport decisions. In order to give consumers better access to information on biofuels, the Government have commissioned the Energy Saving Trust to develop its TransportEnergy website (www.TransportEnergy.co.uk) to include helpful advice on biofuels, including the location of UK retailing sites. This information should be on-line shortly.

NORTHERN IRELAND

Brain Injuries

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will include brain injury as a classification sub-heading within the overall published statistics for accidents sustained and injuries treated in NHS hospitals in Northern Ireland. [103239]

Mr. Browne: To routinely include brain injury as a classification sub-heading could be misleading and would not necessarily meet the needs of the majority of the users of the published statistics.

The Department of Health, Social Services and Public Safety is currently working towards the production of detailed statistics to be published on the Internet. These will include tables showing the number of patients admitted to hospital by the type of injury or disease using the International Classification of Diseases (ICD10).

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will list the facilities funded by the Department of Health for post-acquired brain injury rehabilitation. [103240]

Mr. Browne: Information on the range of facilities is not held centrally. Provision of post-acquired brain injury rehabilitation varies widely depending on the clinical needs of the individual. It includes statutory provision and that provided by specialist voluntary sector organisations, which may also be funded by the Department.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many acquired brain injury incidents related to road traffic accidents and other causes there were in each of the last three years, broken down by health board area; and what the survival rates were among such patients. [103241]

Mr. Browne: Details on the number of persons admitted to hospital with an acquired brain injury related to road traffic accidents and other causes by health board area are provided in the tables. Information on their survival rates is not available.

Admissions to hospital with brain injuries related to road traffic accidents and other causes 1999/200 to 2002

Board or Residence	*Related to Road Traffic*	*Other causes*	*All Brain Injuries*
1999–2000			
Eastern	42	176	218
Northern	27	62	89
Southern	40	98	138
Western	39	131	170
Total	148	467	615
2000–01			
Eastern	36	183	219
Northern	24	93	117
Southern	33	64	97
Western	18	85	103
Total	111	425	536
2001–02			
Eastern	41	179	220
Northern	27	101	128
Southern	21	77	98
Western	24	67	91
Total	113	424	537

Figures have been supplied from the Hospital Inpatients System (HIS) for 1999–2000, 2000–01 and 2001–02, the latest three years for which data are available.

Brain injury has been defined as persons suffering from an intracranial injury (SO6 in the international classification of diseases ICD10).

Data are supplied by Health Board of residence.

Discharges and deaths are used as an approximation for admissions.

Ladies' Hockey

Kate Hoey: To ask the Secretary of State for Northern Ireland how much money has been allocated to ladies' hockey in Northern Ireland from *(a)* lottery funding and *(b)* Exchequer funding in (i) 2000–01, (ii) 2001–02, (iii) 2002–03 and (iv) 2003–04; and how much money in total has been allocated to the women in receipt of funding for help in preparation for the 2004 Olympic Games. [103707]

Angela Smith: The total amount of money allocated to ladies' hockey in Northern Ireland from *(a)* lottery funding and *(b)* Exchequer funding in the years listed is as follows:

£

Funding	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Lottery	0	8,850	24,400	Not available
Exchequer	22,000	22,000	26,000	Not available

Note:

The lottery figures take into account awards made from the Talented Athlete, Talented Athlete Next Generation and Talented Junior programmes.

No additional funding is available or has been allocated to ladies' hockey beyond those listed above. Furthermore any funding awarded is to assist ladies' hockey prepare for major competitions in general rather than for specific competitions such as the 2004 Olympic Games.

Local Government Finance

David Burnside: To ask the Secretary of State for Northern Ireland what cash reserves are available to Castlereagh Borough Council; and what statutory requirement there is for local authorities to keep reserves. [103359]

Mr. Paul Murphy: I am not in a position to state the level of cash reserves available to Castlereagh Borough Council. There is no statutory requirement for district councils to keep reserves nor is there any obligation on them to publish annual accounts. There is provision, however, in local government legislation which allows the ratepayers of the district access and opportunity to examine the detail of the accounts of their local council.

David Burnside: To ask the Secretary of State for Northern Ireland what the indebtedness is of the councils in Northern Ireland. [103360]

Mr. Paul Murphy: The latest figures available relating to the level of indebtedness of district councils are at 31 March 2002 and have been extracted from the unaudited accounts for the financial year 2001–2002. The amounts of loans outstanding, per head of population for each district council are set out in the following table.

District council	*Amount (£)*
Antrim BC	232
Ards BC	231
Armagh C and DC	439
Ballymena BC	344
Ballymoney BC	125
Banbridge DC	321
Belfast CC	88
Carrickfergus BC	239
Castlereagh BC	277
Coleraine BC	385
Cookstown DC	55
Craigavon BC	160
Derry CC	188
Down DC	136
Dungannon and ST BC	48
Fermanagh DC	47
Larne BC	167
Limavady BC	265
Lisburn BC	250
Magherafelt DC	2
Moyle DC	310
Newry and Mourne DC	252
Newtownabbey BC	369
North Down BC	200
Omagh DC	209
Strabane DC	73

David Burnside: To ask the Secretary of State for Northern Ireland what level of debt Castlereagh Borough Council has acquired up to the end of the last financial year. [103361]

Mr. Paul Murphy: At 31 March 2002, the amount of loans outstanding, per head of Castlereagh Borough Council's population is 277. This figure has been extracted from the unaudited account for the financial year 2001/2002.

North-South Ministerial Council

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the total cost is in 2002–03 of the Secretariat of the north south ministerial council. [103251]

Mr. Paul Murphy: The 2002–03 budget allocation for the north/south ministerial council joint secretariat (north) is £735,000. Final outturn figures for 2002–03 will not be available for some time.

Pharmacies

Mr. Beggs: To ask the Secretary of State for Northern Ireland (1) what impact he expects the implementation of the proposed OFT recommendations to have upon people employed in community pharmacies; [103329]

(2) what benefits he estimates would be gained by the deregulation of pharmacies as recommended by the OFT investigation into the control of entry regulations for pharmacy contracts; and what studies have been carried out to assess the impact of pharmacy deregulation on the businesses of community pharmacies; [103327]

(3) what effect he estimates *(a)* increased competition in the pharmaceutical industry will have on prescription charges and *(b)* the deregulation of control of entry requirements for pharmacy contracts will have on disadvantaged groups in society; and if he will make a statement; [1[illegible]330]

(4) what effect he expects the implementation of the proposed OFT regulations will have on *(a)* the distribution of pharmacies and *(b)* pharmacist and patient relations. [103328]

Mr. Browne: The Office of Fair Trading examined the UK market for retail pharmacy services in order to consider whether consumers are best served by the current statutory controls under which pharmacies can dispense NHS prescriptions. The OFT conclusion was that they are not and their report therefore recommended abolition of these controls in order to improve competition; reduce prices for over the counter medicines; and improve both access to, and the quality of, pharmaceutical services.

Competition and consumer matters are reserved to the United Kingdom Government in Westminster and the Secretary of State for Trade and Industry is responsible for co-ordinating the response across Government to the report. However, Health Service pharmacy policy is a devolved matter and the regulations imposing controls on pharmacies are a matter for Ministers in each country. The Secretary of State for Trade and Industry is therefore working closely with Health Departments and other Government Departments to make sure that Government's response to the report takes account not only of competition and consumer interests, but widerpublic policy objectives. It is not considered that the report will affect current prescription charge arrangements.

No decisions have been reached on the OFT recommendation and, as yet, there are no proposals for changes to the legislation. We have invited views from a wide range of stakeholders and are considering these carefully. This includes responses from political representatives, the pharmaceutical profession, the Health Service, patient representative bodies and the general public.

Publicity and Advertising

Mr. Laws: To ask the Secretary of State for Northern Ireland how much *(a)* his Department and *(b)* each agency and non-departmental public body sponsored by his Department spent on (i) publicity and (ii) advertising in each year from 1995–96 to 2002–03 (estimated); and if he will make a statement. [92243]

Mr. Paul Murphy: For the Northern Ireland Office it is not possible to disaggregate spend on publicity and advertising. The figures below cover both, for the core Department and its Agencies. Information on NDPBs is not held centrally.

£

	Total
1995–96	2,326,800
1996–97	1,247,400
1997–98	1,077,706
1998–99	2,466,691
1999–2000	695,017
2000–01	591,075
2001–02	1,223,491
2002–03	*1,083,477

* Full year estimate based on spend to date.

Within the Northern Ireland administration it was not possible to disaggregate figures for publicity and advertising in all cases. Combined figures for publicity and advertising for the Northern Ireland Departments, its agencies and NDPBs for each year are set out in the following table.

£

	Total Departments	Agencies
1995–96	3,153,960	1,956,472
1996–97	3,016,797	2,850,578
1997–98	2,938,884	2,955,319
1998–99	4,606,517	2,809,096
1999–2000	4,508,125	3,393,004
2000–01	5,064,446	6,673,867
2001–02	5,223,778	6,177,507
2002–03*	2,265,393	7,229,788

* Estimated.

Royal Prerogative of Mercy

Mr. Donaldson: To ask the Secretary of State for Northern Ireland on how many occasions the Royal Prerogative of Mercy has been exercised in respect of members of terrorist organisations in Northern Ireland in each year since 1998. [85886]

Mr. Paul Murphy: I am sorry for the delay in replying.

Since 1998 the Royal Prerogative of Mercy has been granted 18 times in respect of individuals convicted of terrorist offences relating to Northern Ireland. The breakdown of cases is as follows:

1998: 1

1999: 1

2000: 7

2001: 6

2002: 3

Stevens Inquiry

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the cost was of the Stevens inquiry in each year since its establishment; and which Department is meeting the cost. [102641]

Jane Kennedy: The cost of the Stevens inquiry in each year since its establishment is:

	£
2000–01	1,036,483.57
2001–02	1,932,338.35
2002–03	920,473.42

These costs are being met by the PSNI, which receives its funding through the Northern Ireland Office.

Swimming

Kate Hoey: To ask the Secretary of State for Northern Ireland how much money has been allocated to swimming in Northern Ireland from *(a)* lottery funding and *(b)* Exchequer funding, in (i) 2000–01, (ii) 2001–02, (iii) 2002–03 and (iv) 2003–04; and for which country the two swimmers allocated funding to prepare for the 2004 Olympic Games will be competing. [103708]

Angela Smith: The total amount of money allocated to swimming in Northern Ireland from *(a)* lottery funding and *(b)* Exchequer funding in the years listed is as follows:

£

Funding	*2000–01*	*2001–02*	*2002–03*	*2003–04*
(a) Lottery	43,861	32,828	26,468	Not available
(b) Exchequer	20,000	20,000	23,500	Not available

Note:

The lottery figures take into account awards made from the Talented Athlete, Talented Athlete Next Generation and Talented Junior programmes.

Two swimmers are currently on funding programmes associated with the Lottery Sports Fund and both have as their targeted events, competition at the 2004 Olympic Games. Both athletes, as members of the local governing body for the sport, Swim Ulster, which is affiliated with the national governing body, Swim Ireland, will compete for Ireland if selected for Olympic competition. However, selection for competition at the 2004 Olympic Games has not yet taken place and it would be premature to state that either swimmer will be competing.

CULTURE, MEDIA AND SPORT

Television Licence

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport how many households received free TV licences in *(a)* 2000–01 and *(b)* 2001–02, broken down by type of licence; how many households are expected to receive free TV licences in (i) 2002–03, (ii) 2003–04, (iii) 2004–05 and (iv) 2005–06; and what the cost has been. [103805]

Dr. Howells: The number of free licences issued, by type of licence and in total, in 2000–01 and 2001–02, the forecast total for each of the years 2002–03 to 2005–06 (for which a breakdown by type of licence is not available), and the actual or forecast costs for each year, are as follows.

	Number of free licences issued by type of licence (thousands)				
	Colour	*Black and white*	*Accommodation for residential care*	*Total free licences issued (thousands)*	*Cost (£ million)*
2000–01	2,963	36	154	3,153	323
2001–02	3,348	25	478	3,851	372
2002–03[1]				3,904	390
2003–04[1]				3,927	407
2004–05[1]				3,952	425
2005–06[1]				3,982	448

[1] Forecast

Notes:

Expenditure is in nominal terms and for the United Kingdom.

Numbers and forecasts of licences issued are rounded to the nearest thousand.

Actual and forecast costs are rounded to the nearest million pounds.

Source:

For 2000–01 and 2001–02: Ernst and Young Audit Reports.

For 2002–03 and subsequent years: pre-Budget report, November 2002

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport how many people were *(a)* eligible for and *(b)* in receipt of a free TV licence in each of the last three years in Chorley constituency. [104071]

Dr. Howells: TV Licensing, which administers free television licences for the over-75s as agent for the BBC, is not able to provide geographical breakdowns of the number of free licences issued. However, estimates based on the 1991 Census indicate that there were approximately 5,700 people aged 75 or over living in the Chorley constituency.

Television Programming

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport (1) what recent research her Department has undertaken regarding programming on *(a)* terrestrial, *(b)* cable and *(c)* satellite television channels; and if she will place copies in the Library; [103818]

(2) what recent quantitative research and assessments her Department has undertaken relating to the news content of *(a)* terrestrial, *(b)* cable and *(c)* satellite news programmes; and if she will lay copies of those results in the Library. [103787]

Dr. Howells: My Department has not undertaken any research in these areas.

Museum Funding

Mr. Moss: To ask the Secretary of State for Culture, Media and Sport when she expects that funding will be available for Hubs allocated phase two status in the Renaissance in the Region Museum Funding Initiative; how much funding is available for the *(a)* phase two Hubs and *(b)* the phase one Hubs; what process the phase two Hubs will be required to undertake in order to receive their funding; and whether this process repeats the initial competition for phase one status and funding. [102534]

Dr. Howells: We will be providing £70 million for regional museums from this year until 2005–06, which will represent a 200 per cent. increase in central Government funding by the end of the spending review period. Extra funding will also be made available to the national museums to enable them to work in partnership with regional museums. Additionally, there will be funds from the Department for Education and Skills to support museums' education.

The funds will be distributed through nine Regional Hubs led by major regional museums. The Regional Hubs selected for priority funding are the North East, South West and West Midlands Hubs, but Resource: The Council for Museums, Archives and Libraries will continue to provide a level of support to all nine Regional Hubs.

Resource will put its recommendations to Ministers on funding allocations for all nine Regional Hubs ready for announcement in April. All Regional Hubs will then be asked to submit a detailed Business Plan by January 2004, setting out their programme of work for 2004–06. This will not be a competitive process and will build on information previously submitted.

Scotland

Pete Wishart: To ask the Secretary of State for Culture, Media and Sport how many special advisers in the Department *(a)* have left and *(b)* will be leaving to work in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections. [103621]

Dr. Howells: The rules relating to special advisers' political activities are set out in the Model Contract for Special Advisers. Further guidance in respect of elections for the Scottish Parliament is set out at paragraph 13 of the Guidance on Conduct for Civil Servants in UK Departments, published by the Cabinet Office on 10 March.

The reasons for a special adviser's resignation are a private matter between the Department and adviser, and are therefore exempt from disclosure under paragraph 12 of the Code of Practice on Access to Information.

Pete Wishart: To ask the Secretary of State for Culture, Media and Sport what plans ministers of the Department have to *(a)* visit Scotland on official business, *(b)* announce public appointments and *(c)* make Ministerial announcements in April. [103655]

Dr. Howells: Departmental business during the campaign period preceding elections to the Scottish Parliament will be conducted in accordance with the Guidance on Conduct for Civil Servants in UK Departments in respect of elections to the Scottish Parliament and National Assembly for Wales, published by the Cabinet Office on 10 March.

EDUCATION AND SKILLS

Working Group (14-to-19)

Mr. Damian Green: To ask the Secretary of State for Education and Skills what funding has been allocated for the 14–19 working group. [102298]

Mr. Miliband: The total support required by the working group has not yet been finalised. Administration costs in relation to those staff currently assigned to support the group are expected to be £230,000 in 2003–04.

Aim Higher Scheme

Tony Cunningham: To ask the Secretary of State for Education and Skills what opportunities the Aim Higher scheme will provide to schools to access additional funding; and whether it will be open to schools not eligible under the Excellence Cluster scheme in West Cumbria. [103141]

Margaret Hodge: The Excellence Challenge programme, which will be renamed Aimhigher, provides direct funding to schools and colleges in areas of disadvantage to raise attainment and aspirations of young people. We will be expanding this programme to include Excellence Clusters, including West Cumbria, from this September. Areas which are not covered by this programme may benefit from funding through the Higher Education Funding Council's Aimhigher: Partnerships for Progression initiative.

Ballet Schools

Mr. Gordon Prentice: To ask the Secretary of State for Education and Skills how many ballet schools there are in England and Wales; and what Government support is available to pupils. [103044]

Mr. Miliband: My Department does not keep lists of the many small ballet schools in England. The Council for Dance Education and Training holds a comprehensive list of providers.

There are four independent specialist ballet schools in England offering places to exceptionally talented children aged 11 to 19. They all participate in the Government's Music and Dance Scheme (MDS), which provides means-tested support with fees, and they all provide vocational training alongside a good academic education.

Means-tested support for fees and maintenance is also provided for students aged 16+ by three of the MDS schools and a further four private further education institutions through the Department's Dance and Drama Awards.

Schools issues in Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Connexions Service

Mr. Hendry: To ask the Secretary of State for Education and Skills what grants have been made by the Connexions service to voluntary organisations working with young people for each region in which it operates. [103678]

Mr. Ivan Lewis: Connexions Partnerships make both grant awards and contract payments to voluntary organisations. The latest available data are for the nine months to December 2002. It reflects the different stages of development of the 41 Connexions Partnerships that were operating for all or part of the period. Information from Partnerships suggests that grants awards and contract payments will increase further towards the end of the financial year to March 2003.

Region	*Grant awards £k*	*Contract payments £k*	*Total payments to voluntary organisations £k*
Eastern	149	0	149
East Midlands	138	85	223
London	345	778	1,123
North East	28	0	28
North West	1,141	0	1,141
South East	0	128	128
South West	154	532	686
West Midlands	61	369	430
Yorkshire and Humberside	58	553	611
Total	2,074	2,445	4,519

Mr. Hendry: To ask the Secretary of State for Education and Skills what targets he has set the Connexions service for the level of grants it should be making to voluntary organisations working with young people. [103679]

Mr. Ivan Lewis: There are no targets for the level of grants that Connexions Partnerships should make to voluntary and community organisations.

Under most circumstances, we would expect Connexions Partnerships to enter into a contract with each of their service providers, including voluntary and community organisations. However, in some cases the need for a contract may present a barrier to an organisation's involvement, particularly in the case of some small voluntary or community groups. In such circumstances, Partnerships can allocate up to £30,000 to an organisation as a grant award in any 12-month period. The total amount awarded in this way is subject to an overriding limit of 5 per cent. of the Partnership's DfES grant allocation, although this may be exceeded with the agreement of the local Government Office. While Partnerships are strongly encouraged to make use of this facility, priorities and structures inevitably vary between and within areas, and it is for this reason that we do not set targets.

Mr. Hendry: To ask the Secretary of State for Education and Skills how much has been spent by Connexions, in each region, on *(a)* purchasing property, *(b)* renting property and *(c)* construction and refurbishment work in each year it has been operational. [103680]

Mr. Ivan Lewis: The information requested is not collected in the detail and format requested. The following table gives the expenditure of Connexions Partnerships by region for 2001–02 and the first nine months of 2002–03 recorded as "Premises Costs" in their accounts. This expenditure will include items such as rent, purchase of property, refurbishment, construction, fixtures, fittings, local taxation etc.

Region	*Number of partnerships 2001–02*	*Premises costs 2001–02[1] (£ million)*	*Number of partnerships 2002–03*	*Premises costs 2002–03[2] (£ million)*
Eastern	1	207	5	1,307
East Midlands	1	267	5	1,113
London	2	184	5	1,877
North East	—	—	3	953
North West	3	1,438	5	2,643
South East	1	637	3	862
South West	2	1,258	6	1,654
West Midlands	3	1,459	6	2,586
Yorkshire and Humber	2	899	3	696
Total	15	[3]6,349	41	[4]13,691

[1] 12 months

[2] 9 months

[3] Reflects the total annual expenditure for the 15 Partnerships that were operating for all or part of the year.

[4] Reflects the total expenditure for the 9 months to December 2002 for the 41 Partnerships that were operating for all or part of the period. Although a further three Partnerships began operations during October and November 2002 they were not required to produce accounts for December, so no information is available for them.

Further Education Funding

Ann Keen: To ask the Secretary of State for Education and Skills if he will make funds available for further education colleges to accept year 11 pupils who are without a school place. [103354]

Mr. Miliband: Local Education Authorities are responsible for ensuring all children of statutory school age have access to full-time education. They can use their funding to purchase education for children over the age of 14 from further education colleges, where this is an appropriate way of meeting their needs.

Fire Prevention

Mr. Hendry: To ask the Secretary of State for Education and Skills what funds he has allocated *(a)* for fire prevention measures and *(b)* for the installation of water sprinklers in (i) schools and (ii) PE colleges in 2003–04. [103674]

Mr. Miliband: The Department does not specifically fund either fire prevention measures or the installation of water sprinklers in schools and FE colleges. If the assessment of risks to particular premises identify specific fire prevention measures, including water sprinklers, as necessary then the expenditure would come from normal school, local education authority or FE college budgets, drawing on capital allocations made available to them by the Department.

Foundation Degrees

Mr. Boswell: To ask the Secretary of State for Education and Skills whether all foundation degree students will be guaranteed a future funded year's study in order to upgrade to a full degree. [103113]

Margaret Hodge: As well as being awards in their own right foundation degrees can lead to one or more honours degrees. Foundation degree graduates are eligible to apply for the honours degree. The entry requirements are determined by the higher education institution offering the programme of study.

Primary School Admission Criteria

Chris Grayling: To ask the Secretary of State for Education and Skills whether an LEA is free to set proximity to school premises as the admission criterion for a primary school. [102872]

Mr. Miliband: Yes. Where a LEA is the admission authority for a school it decides on the school's admission arrangements, which must include criteria for deciding which pupils should get places if there are more applicants than places. Proximity to the school is a lawful and acceptable criterion.

School Buildings

Mr. Willis: To ask the Secretary of State for Education and Skills if he will make a statement on the findings of the Audit Commission Report on Improving School Buildings. [101837]

Mr. Miliband: We welcome this report whose conclusions provide an endorsement of our school capital investment programme and our initiative to encourage the development of asset management planning in LEAs and schools. We intend to build upon the progress made in improving the school stock in our new approach to capital investment, for which proposals were set out in the recent consultation paper 'Building Schools for the Future'.

We are discussing with the Audit Commission our approaches to addressing the specific recommendations for Government.

School Sixth Forms

Mr. Chaytor: To ask the Secretary of State for Education and Skills if he will list the average A level points score per pupil for 11 to 18 years schools with sixth forms containing *(a)* 50 or fewer, *(b)* 51 to 100, *(c)* 101 to 150, *(d)* 151 to 200, *(e)* 201 to 250 and *(f)* more than 250 pupils in each of the last three years. [100882]

Mr. Miliband *[holding answer 13 March 2003]:* The average GCE A/AS point score per candidate aged 16–18 in school sixth forms in 1999 to 2001 (the most recent three years for which data are available):

Number of students in sixth form	*1999*	*2000*	*2001*
Less than 50	14.7	15.7	15.3
51–100	14.7	15.1	15.9
101–150	16.7	17.2	17.2
151–200	18.7	18.5	18.8
201–250	19.4	19.9	20.5
More than 250	19.7	19.6	20.2
Total	18.4	18.6	19.1

Schools (Warrington)

Helen Jones: To ask the Secretary of State for Education and Skills how many schools in Warrington, North have, since 1997, had *(a)* new classrooms, *(b)* new dining rooms, *(c)* new toilet blocks and *(d)* other new buildings. [103186]

Mr. Miliband *[holding answer 17 March 2003]*: We do not hold complete information in the form requested. However, in 1997–98 the Government introduced New Deal for Schools (NDS) as a new additional programme targeted specifically at addressing the backlog of urgent repairs in school buildings that had built up after eighteen years of under-funding under the previous administration. This programme was bid-based and was in addition to other capital funds made available to Warrington local education authority (Cheshire local education authority prior to local government reorganisation in 1998–99). NDS ran through four phases from 1997–98 to 2000–01. Table A shows the schools in the Warrington, North constituency which benefited from investment through the original NDS programme for these purposes. From 2001–02 most capital funding available for building improvements in schools has been allocated to local authorities and schools by needs-related formulae. It is for local authorities and schools to decide how their capital allocations are invested and prioritised between projects, in line with their local asset management planning. Also, from 2000–01 every school has received direct capital allocations to address their highest priorities. In addition, each year authorities have been able to bid for Basic Need funding for the provision of new pupil places. Table B shows all capital funding for school buildings allocated to Warrington local education authority (including voluntary aided schools) since 1998–99.

Table A: New deal for schools

				£
		Allocations to schools in the Warrington North constituency		
NDS1 1997–98	St Philip's Westbrook CofE Aided Primary School	Construction of extension to existing teaching area	LEA-wide grant	*971,000
NDS1 1997–98	Warrington St Ann's CofE Primary School	External adaptations to form a new SEN room	LEA-wide grant	
NDS3 1999–2000	St Stephen's Catholic Primary School	Provision of nursery toilet		1,053
NDS3 1999–2000	Beamont Community Junior School	Replacement of dining room	Project including two schools	*386,100
NDS3 1999–2000	Beamont Community Infant School	Replacement of dining room	Project including two schools	
NDS4 2000–01	Woolston Community High School	Science and technology block to replace deteriorating mobiles		424,000

* Denotes allocations made to package projects to the local authority, which will be able to advise the value of projects at schools in the Warrington, North constituency which benefited from these allocations.

Table B: Warrington local education authority capital allocations

	£ million
	Total
1998–99	3.3
1999–2000	4.2
2000–01	7.9
2001–02	8.1
2002–03	8.3
2003–04	8.8
Grand total	40.6

Student Grants

Mr. Cousins: To ask the Secretary of State for Education and Skills if he will estimate *(a)* the sum available in the Higher Education White Paper for student grants for each year of the spending review and *(b)* the cost of the Excellence in Cities Opportunity Bursary schemes in each year; and whether the bursary scheme will remain available to top up grants. [103426]

Margaret Hodge: The Government has earmarked almost £300 million in funds for the new Higher Education Grant. The Grant will be phased in, cohort by cohort, starting in autumn 2004, and therefore, during this spending review period, the costs will gradually build up towards that level of expenditure.

£37 million has been set aside to provide up to 26,000 opportunity bursaries over the three years starting in 2001–02. 2003 is the last year of the opportunity bursaries pilot; it is being replaced by the new grant. Students with opportunity bursaries will remain eligible to receive their payments in years two and three of the course, when the new grant is introduced.

Tuition Fees

Mr. Damian Green: To ask the Secretary of State for Education and Skills what estimates he has made of the extra income that will be received under the proposed £3,000 tuition fee limit; and if he will make a statement. [103358]

Margaret Hodge: It will be for each university and college to decide what fees they charge from 2006 subject to securing an acceptable access agreement. The extra income raised will depend on those decisions.

Teachers

Mr. Burns: To ask the Secretary of State for Education and Skills how many teachers *(a)* left and *(b)* joined the teaching profession in Essex between May 1997 and the latest available date. [103122]

Mr. Miliband: The following table shows the numbers of teachers leaving[1] full-time or part time[2] service in the maintained schools sector and teachers entering or returning[3] to full-time or part-time teaching in the maintained schools sector in Essex.

The DfES annual survey of teachers in service (618G) shows that the number of full-time equivalent regular teachers working in the maintained sector in Essex rose from 10,580 to 10,920 between January 1998 and January 2002.

Essex	*Leavers*	*Entrants/ returners*
1 April 1997 to 31 March 1994[4]	1,190	1,290
1 April 1998 to 31 March 1999	1,090	950
1 April 1999 to 31 March 2000[5]	970	1,040

[1] Leavers are those who were in full-time or part-time teaching in the maintained schools sector immediately before the period shown, who were not in service in that sector at the end of the period shown. Teachers leaving are based on pension returns. Some teachers may have moved from known service to service not recorded on the teacher pension return. Some leavers will be taking career breaks and will return to service at a later date.

[2] Around 10 per cent.–20 per cent. of part-timers may not be included.

[3] Those in service in the maintained schools sector at the end of the period shown who were not in service in that sector in England immediately before the period shown. Includes newly qualified entrants, those who deferred entry and those returning from breaks or transferring from outside the maintained schools sector in England.

[4] Higher than usual numbers of premature retirements, following changes to the retirement regulations, contributed to the high levels of leavers in 1997–98.

[5] The most recent data available at LEA level are for 1999–2000.

Mr. Grogan: To ask the Secretary of State for Education and Skills how many teachers were employed in *(a)* primary schools and *(b)* secondary schools in the (i) City of York and (ii) North Yorkshire education authority in each year since they were established. [103135]

Mr. Miliband: The table provides the full-time equivalent number of regular teachers in the maintained sector, as at January of each year.

Schools	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
City of York						
Nursery/primary	630	610	630	650	650	680
Secondary	600	600	600	640	660	650
North Yorkshire						
Nursery/primary	2,140	2,060	2,100	2,170	2,230	2,270
Secondary	2,340	2,400	2,470	2,550	2,590	2,570

Figures are rounded to the nearest 10.
Source:
DfES Annual Survey of Teachers in Service (618G)

PRIME MINISTER

Operation Ore

Adam Price: To ask the Prime Minister whether he has been informed of the identity of any of the individuals under investigation as part of Operation Ore. [104059]

The Prime Minister: It is Government policy not to comment on ongoing police investigations.

TREASURY

Budget

Matthew Taylor: To ask the Chancellor of the Exchequer on what basis he chose this year's Budget date. [102881]

Dawn Primarolo: Budgets are traditionally held in either March or April.

Landfill Tax

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer pursuant to his statement of 3 February 2003, *Official Report*, column 5WS, on the landfill tax credit scheme, how much transitional funding is available in the year commencing 1 April 2003 through the landfill tax credit scheme for eligible projects falling into Objects C and/or CC in *(a)* the UK, *(b)* England, *(c)* Wales, *(d)* Scotland and *(e)* Northern Ireland. [103633]

John Healey: The transition funding for England comes from England's share of the £100 million that the reform of the LTCS made available for 2003–04, as announced in PBR 2002. The devolved Administrations will be allocated their share of this £100 million according to the Barnett formula and will determine how this is spent.

National Insurance

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer pursuant to his answer of 12 March 2003, *Official Report*, column 283W, on national insurance, if he will publish the estimates made by the Government Actuary's Department regarding changes to benefit rates and contribution rates. [103967]

Dawn Primarolo: I refer the hon. Member to the "Report by the Government Actuary on the Drafts of the Social Security Benefits Uprating Order 2003 and the Social Security (Contributions) (Re-rating and National Insurance Funds Payments) Order 2003", published in February 2003. A copy is held in the House Library.

Service Pensions

Mr. Flook: To ask the Chancellor of the Exchequer what plans he has to delay the payment of service pensions until a serviceman reaches 65 years. [103179]

Dr. Moonie: I have been asked to reply.

The Pensions Green Paper, "Simplicity, Security and Choice: Working and Saving for Retirement" was published for consultation in December of last year and includes a proposal that the age at which unreduced pensions should be payable to members of Public Service Pension Schemes should be raised from age 60 to 65, to reflect increasing longevity and common practice in the private sector. The paper acknowledges that some occupations require a recognised physical capacity which justifies payment of pension at a lower age and the Armed Forces pay an immediate pension as early as age 37. However, for those members who leave before reaching such an age, their pensions benefits accrued through future service from a date to be decided would also be deferred to age 65. The Ministry of Defence will be offering its comments on this and other proposals put forward in the Green Paper shortly.

Special Advisers

Pete Wishart: To ask the Chancellor of the Exchequer how many special advisers in the Department *(a)* have left and *(b)* will be leaving to work in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections. [103625]

Ruth Kelly: The rules relating to special advisers' political activities are set out in the Model Contract for Special Advisers. Further guidance in respect of elections for the Scottish Parliament is set out at paragraph 13 of the Guidance on Conduct for Civil Servants in UK Departments, published by the Cabinet Office on 10 March.

The reasons for a special adviser's resignation are a private matter between the Department and adviser, and are therefore exempt from disclosure under paragraph 12 of the Code of Practice on Access to Information.

Tax Credits

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer how many calls were received by the working families' tax credit and disabled person's tax credit dedicated telephone line for hon. Members and members of the devolved administrations in each year since its creation; and what the cost of the line has been in each year. [103519]

Dawn Primarolo: In October 2000, the Inland Revenue introduced the dedicated Hotline numbers for queries from MPs and members of the devolved assemblies about working families' tax credit and disabled person's tax credit. For the remainder of the 2000–2001 financial year, there were 234 calls to the Hotline. In the 2001–2002 financial year there were 418 calls. Between April 2002 and early March 2003, there have been 314 calls. Advisers on the Hotline also carry out a range of other customer service duties, and so it is not possible to isolate the cost of the Hotlines.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer how many calls were received by the working families' tax credit and disabled person's tax credit public telephone line in each year since its creation; and what the cost of the line has been in each year. [103520]

Dawn Primarolo: The schedule below gives details of the number of calls answered by the WFTC and DPTC helplines since they first opened.

	WFTC Oct 1999 to Dec 1999	*WFTC Jan 2000 to Dec 2000*	*WFTC Jan 2001 to Dec 2001*	*WFTC Jan 2002 to Dec 2002*	*WFTC Jan 2003 to date*
Answered	1,037,915	6,115,528	5,882,380	6,060,443	813,187

	DPTC Oct 1999 to Dec 1999	*DPTC Jan 2000 to Dec 2000*	*DPTC Jan 2001 to Dec 2001*	*DPTC Jan 2002 to Dec 2002*	*DPTC Jan 2003—to date*
Answered	35,935	207,946	227,568	232,389	39,356

An estimate of the staffing cost of the line in each year is given in the table.

Period	*£000s*
1/10/99 to 31/3/00	1,406
1/4/00 to 31/3/01	6,511
1/4/01 to 31/3/02	7,776
1/4/02 to 28/2/03	7,223

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer how much his Department is spending on advertising the new *(a)* child tax credit and *(b)* working tax credit, with particular reference to (i) television advertising, (ii) radio advertising, (iii) leaflets, (iv) factsheets, (v) claim packs and (vi) A3 posters. [103526]

Dawn Primarolo: Spending on the promotional campaign for the new tax credits is currently estimated as follows: (i) media costs for:

	(£000s)
Television advertisements	8,016
Media costs for radio advertisements	876
Leaflets	642
Factsheets	No costs to date
A3 posters	21
The cost of producing claim packs is estimated at:	4,031,000

All estimated costs include VAT. Postage costs are not included.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer if he will make a statement regarding the take-up rate of the new *(a)* child tax credit and *(b)* working tax credit. [103527]

Dawn Primarolo: I refer the hon. Gentleman to the answer given to the hon. Member for Havant (Mr. Willetts) on 19 March 2003, *Official Report*, column 760W.

Mr. Webb: To ask the Chancellor of the Exchequer by what means childless people have been alerted to their possible entitlement to claim working tax credit. [94020]

Dawn Primarolo: The new tax credits—Working Tax Credit and Child Tax Credit—are introduced in April. A high-profile publicity campaign has been running since last autumn to alert people to their entitlement and to encourage them to claim. The campaign has so far included national television advertising, national and local radio advertising, adverts in the national press as well as on-line publicity. Treasury ministers led a series of roadshows across the United Kingdom in September and October. Leaflets and posters have been produced and are being made widely available. The Inland Revenue is also piloting new ways of working with local community groups to maximise take-up. At the same time Jobcentre Plus offices are making sure their clients are aware of the help they can get, through the Working Tax Credit, as they move into work.

LORD CHANCELLOR'S DEPARTMENT

Court of Protection (Portfolio Holdings)

Mrs. Brooke: To ask the Parliamentary Secretary, Lord Chancellor's Department what the average change was in the value of portfolio holdings held by the Court of Protection for minors, over the last four years. [103168]

Ms Rosie Winterton: The Public Guardianship Office (PGO), is the administrative arm of the Court of Protection. It does not maintain detailed historic records of individual investment portfolios. Individual clients' investments are managed by private fund managers—either a panel broker under contract with the PGO, or of the clients' choosing. Brokers hold individual records but do not distinguish between minors and clients.

It could be expected that on average, investment return from equity markets would have been broadly similar to that of the market generally. Over the past four years, the FTSE All Share Index fell from 2825.39 (end of February 1999) to 1731.50 (end of February 2003), a decline of 39 per cent. The performance of individual cases varies according to investments held.

All of the minors have a proportion of their funds retained in the Special Account, a cash deposit account operated by the Court Funds Office, which pays a favourable rate of interest, currently 6 per cent.

European Court of Human Rights

Annabelle Ewing: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans she has to make representations to the Council of Europe to secure an amendment to the European Court of Human Rights rules of procedure to the effect that detailed reasons for its decisions declaring cases inadmissible in committee are given. [103281]

Ms Rosie Winterton: None. Whether reasons are given is a matter for the Court. The Court has ceased to write explanatory letters in these circumstances as part of its attempts to streamline its procedures in order to deal with its backlog of cases (35,000, and rising at the rate of 1,000 per month). Cases declared inadmissible by a Committee of three judges are often vexatious and clear-cut.

PRIVY COUNCIL

Departmental Website

Mr. Bercow: To ask the President of the Council what the total cost of the Privy Council's website was in the last 12 months; and how many hits it received in the same period. [104200]

Mr. Bradshaw: My right hon. Friend the Member for Livingston (Mr. Cook) announced the relaunch of the Department's website (www.pco.gov.uk) on 18 July 2002, *Official Report*, column 453W.

The costs including development and design for the site since relaunch are £49,293.63. Costs prior to this date are not available but were negligible, since the design and content were produced in-house and not charged separately.

Information on the number of hits is as follows:

Number of hits	*March 2002–03*
Unique visitors	232,805
Page impressions	827,998

Since relaunch there has been a fourfold increase in the number of unique visitors and a twofold one in the number of page impressions.

WORK AND PENSIONS

Household Incomes

Mr. Sanders: To ask the Secretary of State for Work and Pensions what the average household income is in each constituency. [100405]

Malcolm Wicks: The information requested is not available.

Zoo-keepers

Norman Baker: To ask the Secretary of State for Work and Pensions how many zoo-keepers have been *(a)* injured and *(b)* killed by elephants in (i) zoos and (ii) safari parks in each year since 1973. [102731]

Mr. Nicholas Brown: The information requested is not available. The Health and Safety Executive's computer systems do not record information from statutory injury notifications at this level of detail.

Adult Disadvantage

Mr. Flight: To ask the Secretary of State for Work and Pensions (1) pursuant to the answer of 4 December 2002, *Official Report*, column 918W, on adult disadvantage, if he will re-calculate the figures to include retirement on 31 December 2002; [97848]

(2) if he will update the three tables to include figures for retirement on 31 December 2002. [99334]

Mr. McCartney: The information requested is in the following tables.

In the answer I gave to the hon. Member on 4 December, *Official Report*, column 918W, data in the final column was in 2000 earnings terms, but was mis-labelled as being in 2001 earnings terms. The column heading has now been corrected. Also, the table headings have been revised so as to, in each case, correctly describe the contents in the tables.

Table 1, includes the data underlying the graph on page 19 of "Modernising Annuities" published by Inland Revenue and the Department for Work and Pensions in February, 2001. Although a stylised model, it is the data in this table that we believe best characterises the investment strategy of many pension funds.

Given recent falls in the stock markets, table 3 (funds invested 100 per cent. in equities in all years) shows the largest fall in pension income when comparing the results for 2001 with 2002. However, it is highly unlikely that an individual fund will actually follow this particular investment strategy.

Investors will also be interested in expected pension income throughout their retirement and not just the income in the first year. The information does not give an indication of how this first figure may have increased for successive cohorts of pensioners due to increased life expectancy.

Some of the results for 2001 are marginally different to those presented in my previous answer. This is because the FTSE 30 and gilts indices for 2001 have since been revised.

The assumptions involved in the current model are the same as those in my previous answer, and re-stated as follows:

A person contributes to a pension fund for 31 years;

Contributions are made at 10 per cent. of gross earnings;

Earnings in each year are £20,000 in 2000 earnings terms. The earnings growth index was supplied by the Office for National Statistics;

50 per cent. of each year's contributions are made at the start of each year and 50 per cent. at the end of each year;

The return on equities is in line with the FTSE 30. The same figures were used in the answer I gave to the hon. Member on 27 June 2002, *Official Report*, column 387, to enable consistency with that answer. The use of the FTSE 30 price index, however, may underestimate the returns on investing in equities, as this index takes account of capital gains/losses but excludes dividend payments.

The return on gilts is in line with the Barclays Capital Total Return Index. The same figures were used in the answer I gave to the hon. Member on 27 June 2002, *Official Report*, column 387, to enable consistency with that answer.

A 1 per cent. fee is deducted at the end of each year

Upon retirement on 31 December of the given year, an annuity is purchased at the prevailing rate in that year, and as indicated in the tables. The source of this is Annuity Direct.

Table 1: Pension entitlement assuming the fund switches from equities to gilts over the last 10 years of growth—an extra 10 per cent. is invested in gilts in each successive year

Year started contributing	*Retire at end of year*	*Years of contribution*	*Lump sum built up (cash terms) (£)*	*Lump sum in 2000 earnings terms (£)*	*Annuity rate in last year of contribution (Percentage)*	*Pension at retirement (nominal terms, weekly) (£)*	*Pension at retirement (2000 earnings terms, weekly) (£)*
1956	1986	31	17,683	38,722	14.1	48	105
1957	1987	31	21,067	42,817	14.0	57	115
1958	1988	31	23,846	44,535	13.7	63	117
1959	1989	31	25,579	43,824	14.0	69	118
1960	1990	31	27,868	43,492	15.2	82	128
1961	1991	31	34,245	49,645	14.6	96	140
1962	1992	31	41,172	56,338	13.2	105	143
1963	1993	31	53,669	71,320	11.7	121	161
1964	1994	31	47,500	60,909	11.6	106	135
1965	1995	31	57,037	70,945	11.3	124	155

Table 1: Pension entitlement assuming the fund switches from equities to gilts over the last 10 years of growth—an extra 10 per cent. is invested in gilts in each successive year

Year started contributing	*Retire at end of year*	*Years of contribution*	*Lump sum built up (cash terms) (£)*	*Lump sum in 2000 earnings terms (£)*	*Annuity rate in last year of contribution (Percentage)*	*Pension at retirement (nominal terms, weekly) (£)*	*Pension at retirement (2000 earnings terms, weekly) (£)*
1966	1996	31	60,722	72,903	11.0	129	155
1967	1997	31	71,045	81,816	10.4	141	163
1968	1998	31	85,603	93,818	9.4	155	169
1969	1999	31	80,173	83,817	8.9	138	144
1970	2000	31	85,445	85,445	9.1	149	149
1971	2001	31	83,563	80,050	8.9	142	136
1972	2002	31	87,400	80,836	7.5	126	117

Table 2: Pension entitlement assuming that 50 per cent. of the fund is invested in gilts in each of the last five years of growth

Year started contributing	*Retire at end of year*	*Years of contribution*	*Lump sum built up (cash terms) (£)*	*Lump sum in 2000 earnings terms (£)*	*Annuity rate in last year of contribution (Percentage)*	*Pension at retirement (nominal terms, weekly) (£)*	*Pension at retirement (2000 earnings terms, weekly) (£)*
1956	1986	31	19,211	42,068	14.1	52	114
1957	1987	31	20,988	42,656	14.0	56	115
1958	1988	31	21,805	40,723	13.7	57	107
1959	1989	31	26,912	46,107	14.0	72	124
1960	1990	31	28,668	44,740	15.2	84	131
1961	1991	31	35,407	51,329	14.6	99	144
1962	1992	31	40,732	55,736	13.2	104	142
1963	1993	31	46,843	62,248	11.7	106	140
1964	1994	31	49,105	62,967	11.6	109	140
1965	1995	31	53,293	66,287	11.3	116	144
1966	1996	31	56,814	68,211	11.0	120	145
1967	1997	31	61,249	70,535	10.4	122	140
1968	1998	31	71,334	78,179	9.4	129	141
1969	1999	31	79,662	83,284	8.9	137	143
1970	2000	31	75,952	75,952	9.1	133	133
1971	2001	31	71,305	68,308	8.9	122	116
1972	2002	31	62,786	58,071	7.5	91	84

Table 3: Pension entitlement assuming the fund remains in equities in all years

Year started contributing	*Retire at end of year*	*Years of contribution*	*Lump sum built up (cash terms) (£)*	*Lump sum in 2000 earnings terms (£)*	*Annuity rate in last year of contribution (Percentage)*	*Pension at retirement (nominal terms, weekly) (£)*	*Pension at retirement (2000 earnings terms, weekly) (£)*
1956	1986	31	20,111	44,039	14.1	54	119
1957	1987	31	25,477	51,779	14.0	68	139
1958	1988	31	23,489	43,868	13.7	62	116
1959	1989	31	29,434	50,428	14.0	79	136
1960	1990	31	29,462	45,980	15.2	86	135
1961	1991	31	33,097	47,981	14.6	93	135
1962	1992	31	34,377	47,039	13.2	87	120
1963	1993	31	41,058	54,562	11.7	92	123
1964	1994	31	44,526	57,095	11.6	99	127
1965	1995	31	46,353	57,656	11.3	101	126
1966	1996	31	52,049	62,490	11.0	110	132
1967	1997	31	57,522	66,242	10.4	114	132
1968	1998	31	67,342	73,804	9.4	122	133
1969	1999	31	74,254	77,629	8.9	128	133
1970	2000	31	69,934	69,934	9.1	122	122
1971	2001	31	58,700	56,232	8.9	100	96
1972	2002	31	43,036	39,804	7.5	62	58

Benefit Payment

Mr. Webb: To ask the Secretary of State for Work and Pensions (1) what plans he has to publish the Office of Government Commerce gateway review into the transfer of benefit payments to automated credit transfer; [91290]

(2) when the Office of Government Commerce follow-up gateway review into the transfer of benefit payments to automated credit transfer will be completed; and what plans he has to publish the results. [91291]

Malcolm Wicks: The Office of Government Commerce issued the results of the April 2002 review into the transfer of benefit payments to payment direct into bank and building society accounts to the Department in May 2002.

The follow-up gateway review is provisionally scheduled for April 2003, one year after the original review, the results of which will again be issued to the Department.

Further dissemination of the review is subject to the Code of Practice on Access to Official Information.

Mr. Todd: To ask the Secretary of State for Work and Pensions what steps he is taking to ensure that financial advice is available to those persuaded to open bank accounts for the first time by the changes in benefit and pension distribution through the Post Office. [101438]

Malcolm Wicks: Government Departments and the Post Office will provide customers with full factual information about their banking options but are not qualified to and must not advise customers on which account is most suitable. It is for customers to choose which account best meets their needs and circumstances. Customers who are having difficulty deciding which account is best for them can seek advice from independent organisations.

Mr. Willetts: To ask the Secretary of State for Work and Pensions how many benefit claimants have migrated from direct payment to automated credit transfer in each month since January 2002, broken down into recipients of each major benefit. [102985]

Malcolm Wicks: The information is not available in the format requested.

Such information, as is available on the number of accounts that have migrated from paper based methods of payment to direct payment into a bank or building society account in each month since January 2002, is shown in the following table.

Benefit	*15 June to 13 July 2002*	*14 July to 10 August 2002*	*11 August to 7 September 2002*	*8 September to 5 October 2002*	*6 October to 2 November 2002*
Jobseekers Allowance	3,144	3,220	3,343	3,246	3,549
Income Support	6,918	6,772	5,938	6,611	6,801
Incapacity Benefit	—	2,851	2,032	—	3,514
Severe Disablement	—	415	302	—	459
Allowance Industrial Injuries	—	47	471	541	531
Widows Benefit	—	273	195	—	321
Bereavement Benefit	—	47	30	—	54
Disability Living Allowance	7,870	2,740	3,343	3,704	4,136
Attendance Allowance	—	770	442	479	541
Invalid Care Allowance	1,108	—	—	—	1,080
Retirement Pension	—	12,799	10,032	—	16,253
Minimum Income Guarantee	3,236	3,089	2,783	2.760	3,014
Child Benefit	7,659	9,296	7,146	7,357	9,373
War Pensions	1,427	—	—	—	—
Total GB Benefit Accounts	31,362	42,319	36,057	24,698	49,626

Benefit	*3 November to 30 November 2002*	*1 December to 28 December 2002*	*29 December 2002 to 25 January 2003*	*26 January to 22 February 2003*
Jobseekers Allowance	3,804	4,149	3,705	5,083
Income Support	7,715	5,087	6,215	9,186
Incapacity Benefit	—	3,665	—	3,920
Severe Disablement	—	602	—	591
Allowance Industrial Injuries	511	462	412	675
Widows Benefit	—	309	—	292
Bereavement Benefit	—	45	—	60
Disability Living Allowance	3,964	2,720	3,047	5,064
Attendance Allowance	495	419	408	612
Invalid Care Allowance	—	—	—	1,173
Retirement Pension	—	18,754	—	20,934
Minimum Income Guarantee	3,455	2,513	2,929	4,403
Child Benefit	7,906	9,572	4,725	8,081
War Pensions	—	2,154	—	929
Total GB Benefit Accounts	27,850	50,451	21,441	61,003

The figures compare information available at one date to the next, and are only available from 15 June 2002.

Some benefit data are received less frequently than four weekly.

Where there are no figures, these will be included in the next period for which figures are shown, as the calculation cannot be done until the data is received.

People in receipt of more than one benefit may have those benefits combined to a single benefit account. Figures are in terms of these accounts.

Mr. Webb: To ask the Secretary of State for Work and Pensions under what circumstances follow-up phone calls are made by his Department to benefit recipients who opt not to receive payment by automated credit transfer into a bank account; how many such calls have so far been made; how many individuals have opted for ACT in response to such calls; how many staff are employed making calls, and at what cost to his Department; and if he will make a statement. [104001]

Malcolm Wicks: We are not currently re-contacting customers who have received letters inviting them to move to direct payment and have responded to opt not to be paid this way. We are, however, following up the invitation letters where customers have not responded. In some cases this is by a follow-up telephone call as part of the work undertaken by the Direct Payment Centre. This centre currently employs around 190 staff. Up until 17 March, 122,704 follow up calls have been made.

The Department set up the Direct Payment Centre to handle the conversion to direct payment. This is a managed service that deals with telephone calls, the distribution of invitation letters and the collation of information when customers details are received. We can therefore not differentiate between these functions to provide costings.

Dr. Cable: To ask the Secretary of State for Work and Pensions pursuant to his answer of 28 February 2003, *Official Report*, columns 761–62W, if he will place in the Library copies of information sent from his Department to benefit recipients. [101289]

Malcolm Wicks: I refer the hon. Member to the reply I gave to the hon. Member for Northavon (Mr. Webb) on 6 November 2003, *Official Report*, column 406W. The latest version of the information will be issued from 1 April and will be placed in the Library thereafter.

Benefit Payment

Mr. Hepburn: To ask the Secretary of State for Work and Pensions how many people collect benefits from post offices in *(a)* Jarrow constituency, *(b)* South Tyneside, *(c)* the North East and *(d)* the UK. [103559]

Malcolm Wicks: Information available on the number of people that receive benefits by a method of payment collectable from post offices as at 25 January 2003 is in the table. Included in these figures are customers paid by Girocheque. Girocheques are encashable either at a post office or they can be paid into a bank or building society account.

Some customers who are paid direct into an account can also collect their benefit in cash at post offices through network banking arrangements at the post office. There are no data available on the number of benefit claims collected in this way.

	Total benefit recipients	*Payable at post offices*
Jarrow constituency	35,911	26,511
South Tyneside	68,886	51,931
North East	1,073,900	747,964
Great Britain	21,641,051	12,456,733

1. People in receipt of more than one benefit may have those benefits combined to a single benefit account. Figures are in terms of these accounts.
2. Figures for Great Britain are for England, Scotland and Wales. Information for Northern Ireland is a matter for the Northern Ireland Office.
3. The 'Payable at post offices' column represents customers who have their benefit paid either entirely by paper method, or at least one of their benefits is by paper if they are receiving a combination of benefits and some are being paid direct.

Mr. Laws: To ask the Secretary of State for Work and Pensions (1) what steps he has taken to inform benefit claimants to be affected by the change in payment method about the steps needed to register for a post office card account; [103510]

(2) what arrangements are in place to cater for benefit or pension recipients who do not specify their preferred payment method at the end of the changeover to the new payment system. [103511]

Malcolm Wicks: The Department is mailing customers affected individually to inform them of the move to Direct Payment. This activity began in October 2002 with mailings to Child Benefit and War Pension customers. In addition to this we are planning to run national and regional press advertising this month and plan further advertising from May onwards. This aims to educate our customers about what is changing, the options they have and the action they should take. It will be up to the individual to decide what the best option for their circumstances will be.

It has always been recognised that there will be a small number of people who will not be able to be paid directly into an account. We are currently exploring alternative ways in which these customers could receive their money.

Mr. Laws: To ask the Secretary of State for Work and Pensions how many benefit claimants in *(a)* each region and *(b)* each local authority have opted to collect their benefit payments using (i) post office card accounts, (ii) basic bank accounts and *(c)* current bank accounts. [103512]

Malcolm Wicks: The information is not available in the format requested.

Information that is available shows that as at 28 February 2003, over 447,226 customers have responded to our letters and opted for payment into a bank or building society account. This is made up of 393,847 child benefit customers, 51,806 veterans agency customers and 1,573 pensions customers.

As at 28 February 2003, 1,218,916 customer invitation letters have been issued. From the invitation letters issued 90,711 customers have responded with a request for a Post Office card account.

Mr. Burns: To ask the Secretary of State for Work and Pensions how many pensioners in *(a)* Essex and *(b)* the West Chelmsford constituency collect benefits from Post Offices. [103124]

Malcolm Wicks: Information available on pensioners as at 25 January 2003 in *(a)* Essex and *(b)* West Chelmsford constituency receiving their benefits by a method of payment collectable at Post Office is shown in the following table. Included in these figures are customers paid by Girocheque. Girocheques are encashable either at a post office or they can be paid into a bank or building society account.

	Number
Essex	122,192
West Chelmsford	7,621

Some customers who are paid direct into an account can also collect their benefit in cash at Post Offices through the network banking arrangements at the Post Office. There is no data available on the number of benefit claims collected this way.

Mr. Burns: To ask the Secretary of State for Work and Pensions how many pensioners in *(a)* Essex and *(b)* the West Chelmsford constituency have migrated from over the counter benefit payments to direct bank transfers in each of the last three years for which figures are available. [103125]

Malcolm Wicks: The information is not available in the format requested.

Such information as is available on pensioners as at 25 January 2003 in *(a)* Essex and *(b)* West Chelmsford constituency, that have migrated to receiving at least one type of benefit, from payments collectable at post offices to payment into a bank or building society account, is shown in the table. The figures are a comparison between those of 25 January and the same records approximately 12 weeks earlier. Included in these figures are customers paid by Girocheque. Girocheques are encashable either at a post office, or they can be paid into a bank or building society account.

	Number of pensioners
Essex	1,317
West Chelmsford	76

Some customers who are paid direct into an account can also collect their benefit in cash at post offices through network banking arrangements at the Post Office. There is no data available on the number of benefit claims collected this way.

Nick Harvey: To ask the Secretary of State for Work and Pensions what steps have been taken to promote the use of *(a)* a Post Office card account, *(b)* a current account and *(c)* a basic account for receiving benefit payments following the introduction of ACT; and if he will make a statement. [103801]

Malcolm Wicks: I refer the hon. Member to the answer I gave the hon. Member for Blaby (Mr. Robathan) on 27 January 2003, *Official Report*, column 662W.

Benefits Agency

Bob Spink: To ask the Secretary of State for Work and Pensions what proportion of claims made to the Benefits Agency were delayed because of papers lost or mislaid by the Agency in the last year for which figures are available. [88534]

Mr. Nicholas Brown: The information requested is not available.

In April 2002, we launched Jobcentre Plus and the Pensions Service, replacing the Benefits Agency. The Department and its Agencies are committed to providing a high level of customer service and have published customer charters setting out the level of service that customers can expect to receive.

Both Agencies treat all post and claim forms as confidential items taking all necessary action resulting from that post, both promptly and accurately. If a customer reports that an item of post has not been actioned, Agency staff will check to ensure that it has not been misplaced within the office. If a claim to benefit is delayed because the Agencies have lost forms or papers they will make every effort to ensure that the customer does not suffer unduly by rectifying the situation as quickly as possible. In a case of maladministration where a customer suffers financial loss, stress or is put to additional inconvenience, the Agencies can, in addition, make financial redress through our special payments schemes.

Business Bureaucracy

Mr. Yeo: To ask the Secretary of State for Work and Pensions if he will list the forms that his Department requires private sector businesses to complete and return. [98090]

Malcolm Wicks: A list of forms that the Department for Work and Pensions, including the Health and Safety Executive requires private sector business to complete has been placed in the Library. This list excludes forms used with contracted providers, and those providing professional services, such as general practitioners, building societies and banks.

The Government's aim is to eliminate unnecessary regulation, and to minimise the burdens imposed by regulation. It is committed to reducing, wherever possible, existing regulatory burdens, and to minimising the impact on business of any new legislation.

Pensions Consul[illegible]n

Mr. John Taylor: To ask the Secretary of State for Work and Pensions when and where the West Midland Regional DWP consultation meeting [illegible]eduled for 3 April will take place; who may atten[illegible] and if he will make a statement. [104058]

Mr. McCartney: The Government are conducting the largest consultation ever mounted on pensions issues. To ensure the widest possible range of views are sought they have established a partnership with Age Concern and the Co-operative Insurance Society to consult on the proposals in the Pensions Green Paper, "Simplicity, security and choice: Working and saving for retirement", Cm 5677. The aim of this tier of consultation is to reach individuals, groups and organisations that may not ordinarily have the opportunity to air their views direct to Ministers. A series of consultation events will take place, one in each of the Government Office Regions in England, one in Wales and one in Scotland.

Arrangements for the whole series of meetings have yet to be finalised. However the event for the West Midlands GOR will be held on 3 April at the Copthorne Merry Hotel in Dudley. Attendance is by invitation only.

Age Concern and CIS will identify and issue invitations to people in the following groups. Some invitations for the West Midlands event have already been issued.

Local business interests and representative groups

Local trade union representatives

Representatives of local ethnic minority groups

Representatives of LA and voluntary welfare rights and advice organisations

Local CAB

Local Help the Aged

Representatives of local older peoples' representative organisations

Local financial advisers

Mothers' Union

Representation from local government

Credit unions

One parent families

Gay/lesbian rights groups

Monetary Advice Trust—Scotland

Regional representatives from the National Association of Pension Funds (NAPF)

Regional Co-op Societies

Regional CBI offices

Other organisations with the Departments prior agreement

A small number of people/organisations will be invited by the local Pension Service.

Departmental Budget

Mr. Laws: To ask the Secretary of State for Work and Pensions what his estimate is of the percentage share of his Department's total spending accounted for by *(a)* pensions, *(b)* disability-related benefits, *(c)* unemployment benefits, *(d)* child benefits and *(e)* housing benefits in each year from 1982–83 to 2002–03, estimated. [96815]

Mr. McCartney: The information is in the following table:

Share of expenditure on type of benefit shown, Great Britain, financial years

Percentage of total

				Child benefits		
	Pensions	*Disability benefits*	*Unemployment benefits*	*Excluding IRB* child elements*	*Including IRB* child elements*	*Housing benefits*
1982–83	47	2	13	12	n/a	10
1983–84	45	2	14	12	n/a	11
1984–85	44	3	14	12	n/a	11
1985–86	44	3	14	11	n/a	11
1986–87	43	3	14	11	n/a	11
1987–88	44	4	12	10	n/a	11
1988–89	45	4	9	10	n/a	11
1989–90	46	4	7	10	n/a	12
1990–91	45	4	7	9	n/a	13
1991–92	43	5	9	8	12	12
1992–93	41	5	10	8	12	13
1993–94	40	6	9	8	12	14
1994–95	39	7	8	8	12	15
1995–96	39	8	7	8	12	15
1996–97	39	9	5	8	12	15
1997–98	41	9	4	8	12	15
1998–99	42	9	3	8	12	14
1999–2000	43	10	3	8	12	14
2000–01	45	10	3	9	12	14
2001–02	46	10	2	8	12	13
2002–03	46	10	2	8	12	14

* IRBs: Income-related benefits—income support, income based jobseeker's allowance family credit and disability working allowance.

Notes and definitions:

(a) "Pensions" includes retirement pension, minimum income guarantee and its predecessors, winter fuel payments and over 75 TV licences. Expenditure on over 75 TV licences includes Northern Ireland.

(b) Disability-related benefits include disability living allowance, attendance allowance, mobility allowance, invalid care allowance, independent living funds and vaccine damage payments.

(c) Unemployment benefits include jobseeker's allowance, unemployment benefit, and income support/supplementary benefit for the unemployed.

(d) Child benefits include child benefit (including lone parent addition), one parent benefit, guardian's allowance and child's special allowance, plus child-related elements of income support, jobseeker's allowance, family credit and disability working allowance in the second of the two columns.

(e) Housing-related benefits include housing benefit, council tax benefit, community charge benefit and rate rebate, including those elements of expenditure financed within local authorities' housing revenue accounts and general funds.

Figures are rounded to the nearest whole per cent.

Source:

Departmental accounts and estimated out-turn underlying the pre-Budget 2002 forecasts.

Domestic Violence

Lynne Jones: To ask the Secretary of State for Work and Pensions what financial support is available for spouses and their dependants who are seeking exceptional leave to remain on the basis of the domestic violence concession. [96889]

Malcolm Wicks: Provided that the Home Office is satisfied that a marriage has broken down due to domestic violence, it can apply a concession to the immigration rules (during the probationary one-year period), giving the victim indefinite leave to remain in the United Kingdom. This provision allows victims of domestic violence to claim social security benefits.

Employers Liability Insurance

Mr. Bailey: To ask the Secretary of State for Work and Pensions what assessment he has made of responses to the consultation on employers liability insurance; and if he will make a statement. [102897]

Mr. Nicholas Brown: I refer my hon. Friend to the written ministerial statement I gave on 12 December 2002, *Official Report*, columns 23–24WS. The Department is in the process of assessing the responses to the consultation undertaken as part of the review of Employers' Liability Compulsory Insurance which is due to report in the spring.

Incomes (Blackpool, North and Fleetwood)

Mrs. Humble: To ask the Secretary of State for Work and Pensions what the average income is in the constituency of Blackpool, North and Fleetwood. [98677]

Mr. Nicholas Brown: The information is not available. Information on average income is available at a national level from the Department's Family Resources Survey but sample sizes and other limitations mean that the information cannot be regarded as robust at regional and sub-regional level.

IT Contracts

Mr. Sayeed: To ask the Secretary of State for Work and Pensions if he will list IT contracts in his Department and its predecessors above £50 million in each of the last 10 years; what the inception date for each system was; when it became fully functional; when it became fully debugged; and what the cost of over-runs has been. [99003]

Mr. McCartney: The information is as follows:

1. Contract: Modernising Employment Service. Employment Services outsourcing its IT work in a partnership agreement with Electronic Data Systems (EDS). This agreement was revised to reflect major new investment in IT and telephony to improve services for jobless people and employers in the Modernising Employment Service (MES) Project.

Inception Dates: August 1998—original outsourcing: October 2000—MES.

Dates fully functional: August 1998

Cost over-runs: None.

2. Contract: ACCORD Strategic Outsourcing Business Allocation (SOBA). The Department of Social Security awarded a contract to outsource all its IT provision. This contract also encompasses business outsourced previously in 1995 under Focus 95 arrangements, and is concerned with the maintenance, development and operation of the Department's existing IT systems.

Inception Date: 8 August 2000.

Date Fully Functional: 1 September 2000

Cost over-runs: None.

3. Contract: Child Support Reforms (CSR). The Department of Social Security awarded the contract, to provide new IT systems in support of the Child Support Agency. From 27 January 2003, new child support claims have been processed on existing rules. Processing claims on new rules is scheduled to begin on 3 March 2003, consequently the system is not yet fully operational.

Inception Date: 8 August 2000.

Date Fully Functional: 27 January 2003

Cost over-runs: The amount the Department will pay has risen by around 7 per cent. over the term of the contract.

4. Contract: Early Office Infrastructure (EOI). These are a series of contracts to replace the desktops and associated equipment for the Departments employees and eventually the support arrangements for that kit. Two contracts of over £50 million have been awarded to date.

i) Mobilisation contract to build the infrastructure for the support.

Inception Date: January 2001.

Date Fully Functional: This is an IT service contract, not an IT development contract. There have been a number of contact changes to build volumes and functionality

Cost over-runs: Unable to identify any true cost over-runs at this stage as project not complete.

ii) Rollout contract to manage the implementation of the kit and associated equipment.

Inception Date: July 2001.

Date fully functional: This is an IT service contract, not an IT development contract. The original contract has been subject to extension.

Cost over-runs: Unable to identify any true cost over-runs at this stage as project not complete.

5. Contract: New Tax Credits (NTC). The contract is for the delivery of new and amended DWP IT to enable joint working with the Inland Revenue on NTC and to reflect the changes in benefit rules resulting from the introduction of NTC.

Inception Date: 13 December 2002.

Date Fully Functional: Expected to be fully functional on 7 April 2003.

Cost over-runs: None

6. Contract: Lots B, C and D. These outsourcing contracts let for support and implementation of Office Services to SEMA Group UK Ltd. (Lots B and C) and International Computers Ltd.

Inception Date: 14 June 1995. Contracts transferred to BT Arcway on 24 August 2000 under the ACCORD framework.

Date fully functional: 14 June 1995. These are IT service contracts, not IT development therefore no formal date for acceptance testing.

Cost over-runs: None.

7. Contract: NOSP WAN. The Wide Area Network business allocation via BT provides network access to the former DSS estate.

Inception Date: 23 November 2000

Date fully functional: Ongoing

Cost over-runs: None.

The information relates to contractual arrangements made by the Department for Work and Pensions, the former Employment Services and the former Department for Social Security.

On the question of "debugging", the view is that no IT system is completely free from "bugs". However, the Department deals with these according to priority, working in partnership with private sector providers to eradicate on an ongoing basis.

A list of IT contracts current at the time of Focus 95 outsourcing is available in the Library. Information prior to 1995 could be obtained only at disproportionate cost.

Minimum Income Guarantee

Mr. Flight: To ask the Secretary of State for Work and Pensions what estimate he has made of expenditure on the minimum income guarantee if there is *(a)* 100 per cent., *(b)* 95 per cent., *(c)* 90 per cent. and *(d)* 85 per cent. take-up of the scheme. [102590]

Mr. McCartney: Expenditure on the minimum income guarantee for 2002–03 is expected to be around £4.5 billion. This reflects the current number of MIG recipients recorded in administrative data and any fluctuations expected throughout the financial year.

The Department does not produce forecasts of expenditure on the basis of different levels of take-up. An indication of the likely expenditure under different levels of take-up can be estimated using the Department's publication "Income-Related Benefits Estimates of Take-up in 1999–2000". This shows expenditure take-up of the MIG for 1999–2000 to be in the range of 74 per cent. to 86 per cent.

Based on the midpoint of this range, and on the strong assumption that recent levels of expenditure take-up continue into the future, the table below provides an estimate of likely MIG expenditure under different levels of take-up. There is likely to be a wide margin of error around these estimates and they should only be used to provide an indication of the likely effect.

Estimated MIG expenditure under different levels of take-up

Expenditure take-up level	*Estimated MIG expenditure (£ billion)*
100 per cent.	5.6
95 per cent.	5.3
90 per cent.	5.1
85 per cent.	4.8

Notes:

1. The assumption has been made that the take-up levels requested relate to expenditure levels and not the case load level.
2. All figures are rounded to the nearest £100 million.
3. Expenditure for 2002–03 is based on PBR 2002 forecasts.

New Deal (Fraud)

Mr. Heald: To ask the Secretary of State for Work and Pensions what has been the *(a)* average annual and *(b)* total level of (i) erroneous payments and (ii) fraud connected with the New Deal to date; how much of this money has been recovered; and if he will make a statement. [88053]

Malcolm Wicks *[holding answer 19 December 2002]:* Since the inception of the New Deals, all allegations of fraud have been followed up and fully investigated if the circumstances warranted it. Information on the level of erroneous payments is recorded by benefit, not by programme. Similarly, the level of fraud committed by participants in the New Deal is recorded by benefit, not by programme. However, in 1998 we established the Jobcentre Plus Contractor and Programme Investigation Unit, as part of the Counter Fraud Investigation Division. The unit's work includes the investigation of all allegations of fraud committed by contractors under the New Deal. The available information is in the table.

Allegations of fraud committed by contractors engaged through the New Deal, April 1998 to November 2002

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*April-November 2002*	*Totals*
Number of allegations	165	283	570	390	461	1,869
Number that went to full investigation	Not available	Not available	62	99	117	278
Estimated loss (£)	Not available	Not available	520,206.25	1,030,894.17	233,471.09	1,784,571.51

Notes:

1. Information on the number of allegations that went to full investigation and on the estimated loss for 1998–99 and 1999–2000 could be obtained only at disproportionate cost.
2. The information concerning recovery of this money is not available.

Source:

Jobcentre Plus Contractor and Programme Investigation Unit.

Occupational Pension Schemes

Jane Griffiths: To ask the Secretary of State for Work and Pensions if her Department will make contingency plans in the case of a shortfall in an occupational pension scheme to prevent a UK subsidiary of an overseas group abandoning the scheme and not meeting any funding shortfall. [103393]

Mr. McCartney: Provisions already exist to prevent companies from abandoning and not meeting any funding shortfall in occupational pension schemes. If a salary-related pension scheme is operating with tax approval, and is subject to the Minimum Funding Requirement (MFR), then a wide range of requirements under the Pensions Act 1995 apply to that scheme. This includes the funding of the scheme as determined by the MFR, and the requirement to maintain a schedule of contributions. The Occupational Pensions Regulatory Authority (Opra) has the power to sanction scheme managers or trustees who fail to take reasonable steps to comply with these requirements.

Also, legislation provides that when a salary-related scheme winds up, or a sponsoring employer becomes insolvent, any deficiency in the pension fund becomes a debt on the employer. This provides a mechanism for the trustees to be able to take action to pursue the debt.

The pensions Green Paper, ' Simplicity, Security and Choice: Working and Saving for Retirement', Cm 5677, published on 17 December, discusses two options (the full buy-out option and the partial buy-out option) for changes to the debt on the employer provisions that might result in more funds being put into a scheme when a solvent employer chooses to wind it up. This would strengthen protection for scheme members, however this needs to be balanced against the costs on employers.

Jane Griffiths: To ask the Secretary of State for Work and Pensions what guidance he gives on protection for members of occupational pension schemes operated by companies whose parent company is listed overseas. [103396]

Mr. McCartney: The Occupational Pensions Regulatory Authority (Opra) produces guides to help pension scheme trustees understand some of the legal and technical issues involving pensions law. It also provides fact sheets for members of occupational pension schemes.

If a salary-related pension scheme is operating with tax approval, and is subject to the Minimum Funding Requirement (MFR), then a wide range of requirements under the Pensions Act 1995 apply to that scheme. This includes the funding of the scheme as determined by the MFR, the requirement to maintain a schedule of contributions and, when a salary-related scheme winds up, or a sponsoring employer becomes insolvent, any deficiency in the pension fund becomes a debt on the employer. That fact that the parent company of the principal employer sponsoring the pension scheme may be listed overseas is therefore not directly relevant.

The protection that people receive if their pension scheme is wound up is important, and we need to do more to protect the rights of scheme members. That is why we are consulting on proposals within the pensions Green Paper 'Simplicity, Security and Choice: Working and Saving for Retirement', published on 17 December, aimed at improving protection for scheme members on wind up. This includes proposals to share out scheme assets more fairly, introduce some form of insurance and strengthen protection for members whose solvent employer chooses to wind up its scheme.

We are consulting on our Green Paper, 'Simplicity, Security and Choice: Working and Saving for Retirement', Cm 5677 at the moment, and the consultation period runs until 28 March 2003.

Parliamentary Questions

Annabelle Ewing: To ask the Secretary of State for Work and Pensions when he will answer written questions *(a)* 97909 and *(b)* 97910 of 12 February tabled by the hon. Member for Perth. [104020]

Mr. McCartney: Answers were given to the hon. Member on 19 March.

Passive Smoking

Mr. Sheerman: To ask the Secretary of State for Work and Pensions what recent assessment he has made of the effects on workers of passive smoking in the workplace. [99358]

Mrs. Calton: To ask the Secretary of State for Work and Pensions what plans the Government have to assess the number of workers exposed to second hand smoke in the workplace. [99982]

Mr. Nicholas Brown: Research by the Department of Health's Scientific Committee on Tobacco and Health (SCOTH) into the general effects of exposure to environmental tobacco smoke is continuing.

The results of a survey on smoking behaviour and attitudes, undertaken by the Office for National Statistics in 2002, are due to be published on behalf of the Department of Health this summer.

Pensioners

Mr. Willetts: To ask the Secretary of State for Work and Pensions what proportion of total public expenditure has been spent on *(a)* retirement pensions, *(b)* winter fuel payments, *(c)* means-tested benefits for pensioners, *(d)* other benefits for pensioners and *(e)* free television licences in each year since 1992–93. [102988]

Mr. McCartney: The information required is given in the table.

Percentage of Total Managed Expenditure	*Retirement pensions*[1]	*Winter fuel payments*	*Income related benefits*[2]	*Other benefits*[3]	*Over 75 TV licence*
1992–93	10.31		2.05	0.05	
1993–94	10.42		2.21	0.05	
1994–95	10.16		2.19	0.05	
1995–96	10.09		2.14	0.04	
1996–97	10.45		2.11	0.05	
1997–98	10.67	0.06	2.08	0.04	
1998–99	10.90	0.06	2.00	0.04	
1999–2000	11.13	0.22	2.02	0.04	
2000–01	10.64	0.48	2.02	0.04	0.08
2001–02	10.78	0.43	2.05	0.03	0.09
2002–03[4]	10.64	0.41	1.98	0.03	0.09

[1] Includes pension age expenditure on widows/bereavement benefits; Severe disablement allowance; and invalidity/incapacity benefit (prior to 2001–02).

[2] Income related benefits include the minimum income guarantee and housing benefit and council tax benefit paid to people aged 60 or over.

[3] Other benefits comprise Christmas bonus (contributory and non-contributory).

[4] Based on forecast expenditure.

Notes:

Percentages have been calculated using total managed expenditure, which includes Government departmental expenditure limits and annually managed expenditure, based on pre-Budget report 2002 figures. Apart from benefits mentioned in note [1] contains no data relating to expenditure on disability benefits.

Pensions Commission

Mr. Frank Field: To ask the Secretary of State for Work and Pensions how many times the pensions commission had met by the latest date for which he has information. [102556]

Mr. McCartney: As of 11 March, the pensions commission has met twice.

Scotland

Pete Wishart: To ask the Secretary of State for Work and Pensions what plans Ministers in the Department have to *(a)* visit Scotland on official business, *(b)* announce public appointments and *(c)* make ministerial announcements in April. [103664]

Mr. McCartney: Departmental business during the campaign period preceding elections to the Scottish Parliament will be conducted in accordance with the Guidance on Conduct for Civil Servants in UK Departments in respect of elections to the Scottish Parliament and National Assembly for Wales, published by the Cabinet Office on 10 March.

Sign Language

Malcolm Bruce: To ask the Secretary of State for Work and Pensions if his Department will make it its policy to ensure that its contract with SchlumbergerSema requires that only registered qualified sign language interpreters are used at medical examinations when making an assessment of sign language users. [103105]

Mr. Nicholas Brown: SchlumbergerSema Medical Services' current procedures adhere to the principle that the provision of interpreters is a customer led one.

Therefore customers are given the option of either requesting a sign language interpreter or arranging for a friend or family member to interpret or sign for them.

In the event that a customer elects for Medical Services to provide a Sign Language Interpreter, Medical Services' policy is to arrange for provision of a Qualified Signer to be obtained through the RNID helpline.

The Department has no current plans to review this requirement.

Malcolm Bruce: To ask the Secretary of State for Work and Pensions what contractual *(a)* obligations and *(b)* targets his Department has placed on SchlumbergerSema medical services for providing sign language interpreters for medical examinations; and if he will make a statement. [102901]

Mr. Nicholas Brown *[holding answer 14 March 2003]:* The contract between the Department and SchlumbergerSema Medical Services defines deafness as a "Special Need" and specifies the following:

> SchlumbergerSema Medical Services shall comply with any reasonable request to accommodate claimants who have special needs
>
> When a special need is identified on the day of the examination appointment and the special need cannot be reasonably accommodated, SchlumbergerSema Medical Services shall use reasonable endeavours to ensure that an alternative appointment is arranged within 24 hours of the special need being identified and shall ensure that the claimant's special needs will be accommodated at the new appointment.
>
> The target that the Department has set for SchlumbergerSema Medical Services in relation to special needs is that 95 per cent. of claimant's requirements will be met.

Social Fund

Mr. Willetts: To ask the Secretary of State for Work and Pensions whether he intends to *(a)* increase the Social Fund budget and *(b)* make other changes to the Social Fund, to cover potential cashflow problems for benefit claimants as they move to automated credit transfer. [100794]

Malcolm Wicks: On 27 November we announced that from April 2003, £90 million will be added to the discretionary Social Fund over the three years to 2005–06. This extra investment will enhance the Fund's ability to help those on low incomes manage their finances.

The size of the gross national Social Fund budget, set at 1 April each year, is dependent on forecasts of the level of Social Fund loan recovery in the coming year. We will announce the 2003/04 budget once we are able to finalise details based on this forecast.

The move to Direct Payment will be phased in over a two year period from April 2003. No changes are being made to benefit payment frequencies so that anyone currently receiving their benefit weekly can continue to do so when they move to Direct Payment. We do not anticipate any increase in Social Fund crisis loan applications because of Direct Payment and therefore have no plans to make any changes to the Social Fund.

Special Advisers

Mr. Laws: To ask the Secretary of State for Work and Pensions how many *(a)* special advisers and *(b)* press officers have been employed by his Department in each year from 1994–95 to 2002–03; and at what cost in each year. [92476]

Mr. McCartney: I refer the hon. Member to the answer given to the hon. Member for Twickenham (Dr. Cable) on 23 July 2002, *Official Report*, column 1038.

The Department for Work and Pensions was formed on 8 June 2001 from parts of the former Department of Social Security, parts of the former Department for Education and Employment and the Employment service. Information on costs for 1994 to 2001 is not held centrally and could be obtained only at disproportionate cost. The Department currently employs 16 (£1,065,233) press officers. A further 13 (£671,702) press officers work in the regions (England, Scotland and Wales) providing specific advice on local services that are now being rolled out.

Last year the Department employed 21 press officers at a cost of £816,725. The cost for 2002–03 is a forecast spend for the whole year and includes the total staff costs in press office and regional network, including admin. staff.

Targeting Fraud Campaign

Mr. Willetts: To ask the Secretary of State for Work and Pensions how much the targeting fraud campaign has cost, broken down into expenditure on *(a)* the television and radio campaign, *(b)* advertising in the press, *(c)* evaluation of the campaign, *(d)* the website and *(e)* other costs. [102987]

Malcolm Wicks: The most recent Targeting Fraud advertising campaign took place between September 2001 and March 2002. The costs break down as follows:

	£
TV advertising	5,061,680
Press advertising	1,119,651
Radio advertising	852,516
Poster advertising	1,006,781
Production	517,379
Research (Evaluation)	257,150
Total	8,833,157

These costs are exclusive of VAT. They include fees for placing the advertisements on the Targeting Fraud website. All design work for the website was undertaken by the in-house team and it is not possible to identify the cost separately.

Violence at Work

Mr. Hepburn: To ask the Secretary of State for Work and Pensions what measures have been introduced to reduce violence at work. [103560]

Mr. Nicholas Brown: The Health and Safety Commission (HSC) is committed to tackling the problem of work-related violence. In March 2000, HSC agreed a three-year programme to help reduce the number of incidents of violence at work. So far the programme has resulted in the publication of new guidance specifically aimed at small businesses; the development of new National Occupational Standards on work-related violence; a programme of inspections in the health care sector; new research to establish good practice for lone workers; and a major conference run jointly by the Health and Safety Executive (HSE) and the TUC to help raise awareness of violence in the workplace.

HSE has published general guidance for employers to help them tackle work-related violence, in accordance with their duties under the Health and Safety at Work etc. Act 1974. HSE has also published sector-specific guidance covering health services, education, retail, banks and building societies.

DEPUTY PRIME MINISTER

Accountancy Services

Mr. Bercow: To ask the Deputy Prime Minister what the total cost to his Department was for accountancy services in 2002. [101565]

Mr. Leslie: The Office of the Deputy Prime Minister was created on 29 May 2002. Between that date and the end of 2002 the amount spent on accountancy services was £359,000.

Departmental Costs

Mr. Laws: To ask the Deputy Prime Minister (1) how many people are employed in *(a)* the devolution and English regions division and *(b)* the international and policy division of the central policy group; what the cost of each was in the last year for which figures are available; and if he will make a statement; [99887]

(2) if he will make a statement on the purposes of the Deputy Prime Minister's Central Policy Group; how many people there are in the Group; and where it is based. [99886]

Mr. Leslie: The Devolution and Constitution Division and the International and Central Policy Divisions form part of the Central Strategy and Resources Directorate in the Office of the Deputy Prime Minister. A total of 24 people are employed and are based in 26 Whitehall. From July 2001 to June 2002 they formed the Deputy Prime Minister's Central Policy Group in the Cabinet Office. The Devolution and Constitution Division oversees the relationship between the UK Government and the Devolved Administrations; the International and Central Policy Division works across the Department on a range of international, regional and domestic policies, and a number of corporate issues, and provides advice to my right hon. Friend the Deputy Prime Minister and other Ministers and officials.

In their current form the divisions have only been in operation since the creation of the Office of the Deputy Prime Minister in May 2002. Therefore there are no comparative figures yet available which cover a full financial year.

Firefighters' Dispute

Mr. Jenkin: To ask the Deputy Prime Minister what discussions he has had with the Fire Brigades Union on the effects of fire strikes on the training and readiness of HM Armed Forces for military operations. [103999]

Mr. Raynsford: My right hon. Friend the Deputy Prime Minister has met the Fire Brigades Union on a number occasions to discuss a variety of topics since the dispute began. He has made it clear that, while the Armed Forces have been, and continue to be, able to provide emergency cover, this has had an impact on their usual duties.

Government Initiatives

Mr. Maude: To ask the Deputy Prime Minister which central government schemes and initiatives since 1997 have required the formation of partnerships with local government to implement them. [103730]

Mr. Leslie: The Government are committed to working in partnership with local government in the development and implementation of policy, a principle enshrined in the Framework for Partnership agreed with the Local Government Association. Accordingly, partnerships with authorities of many different kinds have been involved in the implementation of a wide range of Government policies. The specific information requested could, however, be provided only at disproportionate cost.

Industrial Action

Mr. Bercow: To ask the Deputy Prime Minister how many working days were lost owing to industrial action by staff in *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in 2002. [101507]

Mr. Leslie: There have been no working days lost by staff in 2002 as a result of industrial action in either the Office of the Deputy Prime Minister, its agencies or non-departmental public bodies

Local Government Grant Settlement

Harry Cohen: To ask the Deputy Prime Minister pursuant to his answer of 6 March 2003, *Official Report*, column 1202W, on the local government grant settlement, if he will list the specific and special grants to which he refers; which of them are ringfenced; what amount in cash terms is available for distribution to *(a)* local authorities and *(b)* other organisations for each; when he plans for bids to be submitted to him for a share of each grant; and if he will make a statement. [103323]

Mr. Raynsford: The following table gives up-to-date details of specific and special grants announced for 2003–04. Some grants are bid for and successful bids receive allocations. The majority are allocated to all qualifying authorities by a formula or on an agreed basis. The definition of ring-fencing was updated last year to reflect the types of grant which now exist. Some grants previously classified as ring-fenced are not now classified in this way. The key distinction made remains that ring-fenced grants are those which restrict local authority spending. For completeness the following list includes all special grants inside Aggregate External Finance. Further details of classifications are in an annex to the freedoms and flexibilities announcement of 26 November. Under the terms of the freedoms and flexibilities announcement, from 2003–04, the majority of the grants in the following table are unfenced for excellent performers. Exceptions include those grants which must be passed to schools, and the supporting people grant, where in view of the legislative requirements, different arrangements are in place for removing ring-fencing for excellent performers.

Details of Specific and Special Grant

Specific/Special Grant	*Department*	*Ring-fenced?*	*Bids?*	*Amount available to local authorities in 2003–04 unless otherwise stated (millions)*
Education				
Standards Fund	DfES	Yes	No	1,339
Excellence in Cities	DfES	No	No	219
School Standards	DfES	No	No	800
Teachers' Pay Reform	DfES	Yes	No	745
Childcare	DfES	Yes	No	230
Leadership Incentive	DfES	Yes	No	175
Intervention in Failing LEAs	DfES	Yes	No	5
London Budget Support Grant	DfES	Yes	No	11.29
Personal Social Services				
Carers	DH	Yes	No	100
Training Support Programme	DH	Yes	Biddable Element—£13 million (deadline 25 April)	57
National Training Strategy	DH	Yes	No	25
Preserved Rights	DH	No	No	509
Performance Fund	DH	Yes	No	100
Children's Services	DH	Yes	No	557
Human Resources Development Strategy	DH	Yes	No	10
Access & Systems Capacity	DH	Yes	No	170
Care Direct	DH	Yes	No	5
Children and Adolescent Mental Health Services	DH	Yes	No	51
Young People's Substance Misuse Planning	DH	Yes	No	5
Teenage Pregnancy Local Implementation	DH	Yes	No	24
Deferred Payments	DH	Yes	No	40
Mental Health	DH	Yes	No	134
AIDS Support	DH	Yes	No	17
Police				
Crime Fighting Fund	HO	Yes	No	238
Outer London Pay Lead	HO	Yes	No	10
Rural Policing Fund	HO	Yes	No	28
Police Negotiating Board	HO	Yes	Yes	36
DNA Grant	HO	Yes	Yes	9
Basic Command Units	HO	Yes	No	47
London & South East Allowance	HO	Yes	No	20
London Travel	HO	Yes	No	3
Community Support Officers	HO	Yes	Yes	39
Officer Retention Over 30 Years	HO	Yes	Yes	1
Special Constables	HO	Yes	Part	8
Occupational Health	HO	Yes	No	5
Street Crime Initiative	HO	Yes	Part	25
Reform Deal	HO	Yes	Yes	8
Non Emergency Number	HO	Yes	No	3
National Intelligence Model	HO	Yes	Yes	2
Counter Terrorism	HO	Yes	Yes	58
Airwaves Communication Project	HO	Yes	No	58

Details of Specific and Special Grant

Specific/Special Grant	*Department*	*Ring-fenced?*	*Bids?*	*Amount available to local authorities in 2003–04 unless otherwise stated (millions)*
Environment Protective and Cultural Services				
Council Tax Benefit and Housing Benefit Administration	DWP	No	No	321
Supporting People	ODPM	Yes	No	1,400
Civil Defence	CO	Yes	No	19
Waste Re-Cycling Challenge	DEFRA	Yes	No	40
Personalised Travel Pilots	DfT	Yes	Local Traffic Authorities, Passenger Transport Executives, Transport for London, BAA Heathrow invited to bid for funding in July 2002	0.586
Roadside Vehicle Testing	DfT	Yes	Yes, bids accepted at any time	4
Travel Plan Bursaries	DfT	Yes	No	3
Probation Loan Charges	DfT	Yes	No	3
Neighbourhood Wardens	ODPM	Yes	Yes, every 2½ years, although annual review/performance management takes place	21 (20 per cent. to other organisations—housing associations, charitable groups, police)
Planning Delivery Grant	ODPM	No	No	50 (46.9 to local authorities, 3.1 to regional planning bodies)
Magistrates Courts	LCD	Yes	No	330
Rural Bus Subsidy	DfT	Yes	No	50
Rural Bus Challenge	DfT	Yes	Yes, most bids for funding in 2003–04 have been accepted in January 2003 and in earlier years of the competition, the future of this scheme has yet to be decided.	20
Urban Bus Challenge	DfT	Yes	Yes, most bids for funding in 2003–04 have been accepted in November 2002 and in earlier years of the competition, the future of this scheme has yet to be decided	20
National Parks and Broads	DEFRA	Yes	No	25
Capital				
PFI	ODPM	No	No	340
Neighbourhood Renewal Fund	ODPM	No	No	400
Unallocated				
GLA General Grant	ODPM	No	No	35
LPSA Reward	ODPM	No	No	21

Departmental Travel

Mr. Burns: To ask the Deputy Prime Minister how many times since 2001 he has taken flights within his departmental duties in the UK; how many of these were *(a)* charter flights, *(b)* first or club class and *(c)* by helicopter; and who accompanied him on each trip. [95382]

Mr. Leslie: Since 2001 my right hon. Friend the Deputy Prime Minister has taken three scheduled business class UK flights. one accompanied by one person, another accompanied by two people and the third accompanied by three people. During this period he has taken one chartered helicopter flight accompanied by five people.

All travel was undertaken in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are available in the Libraries of the House.

Mr. Pickles: To ask the Deputy Prime Minister (1) how many overseas trips were undertaken by him and other Ministers since May 2001 itinerary, which officials and dignitaries they met; and what the itinerary was of each visit; [83421]

(2) how many regional visits within the United Kingdom were undertaken by him and other ministers since May 2001; and how many times he has visited *(a)* Wales and *(b)* Scotland since May 2001. [83422]

Mr. Bercow: To ask the Deputy Prime Minister if he will list the overseas trips made by himself and other members of his ministerial team in 2002; and what the *(a)* purpose and *(b)* cost was in each case. [101489]

Mr. Leslie: I refer the hon. Members to the answer given by my hon. Friend the Member for Paisley, South (Mr. Alexander) to the Member for Yeovil (Mr. Laws) on 22 January 2003, *Official Report*, column 334W.

Mr. Laws: To ask the Deputy Prime Minister if he will make a statement on progress in his international work; and what overseas visits he made in the last 12 months. [99888]

Mr. Leslie: My right hon. Friend the Deputy Prime Minister chaired the cabinet committee which prepared the UK's position for the world summit on sustainable development in South Africa and held a number of important bilateral meetings in connection with the summit. My right hon. Friend the Deputy Prime Minister also continues to undertake international work on behalf of the Prime Minister, and has held a number of meetings with visiting Ministers in London.

In addition to his attendance at the summit in South Africa, right hon. Friend the Deputy Prime Minister has also visited Canada, Brazil, China, India, Denmark and Japan.

Social Housing Grant

Mr. Hammond: To ask the Deputy Prime Minister for what reason his Department did not communicate directly with local authorities likely to be affected by the decision to abolish local authority social housing grant from 1 April, prior to the publication of the ministerial statement on 5 March. [102754]

Mr. McNulty: The Office of the Deputy Prime Minister consulted local authorities on the principle of abolishing local authority social housing grant last autumn. In the light of work on the communities plan, we decided to make this reform quickly—provided transitional arrangements were in place to ensure that well-advanced, good quality schemes were able to go ahead.

In addition to two letters circulated to all local authorities in England outlining our decision, officials of the Office of the Deputy Prime Minister held three face-to-face meetings with local authority representatives in February to discuss transitional funding.

Mr. Hammond: To ask the Deputy Prime Minister what assessment he has made of the number of social housing schemes which will not proceed as a result of the abolition of the local authority social housing grant. [103263]

Mr. McNulty: In my statement of 5 March I announced increased provision for transitional arrangements for local authority social housing grant (LASHG). Transitional funding will now support investment in social housing of up to £550 million—£50 million more than we provided in 2002–03 from LASHG, and higher than in any previous year. The number of affordable homes to be built in 2003–04 using this funding will not be known until after 30 June 2003, which is the deadline for both with-debt and debt-free authorities to submit new schemes for 2003–04 to the Housing Corporation.

Standards Board for England

Mr. Gibb: To ask the Deputy Prime Minister what the annual budget is of the Standards Board for England. [101221]

Mr. Leslie: The annual budget of the Standards Board for 2002–03 is £7.9 million.

HOME DEPARTMENT

Immigration Offences

Mr. Peter Duncan: To ask the Secretary of State for the Home Department how many individuals have been detained by the Police Service of Northern Ireland on immigration offences at *(a)* Belfast port and *(b)* Larne port. [103269]

Beverley Hughes: The Immigration Service does not routinely collect the information requested. A check of information which is held by Immigration Service would be time consuming and disproportionately expensive and would not, in any event, represent the full total of police arrests since a proportion of these may have originated, and have been recorded, as matters not related to immigration offences.

Ashfield Young Offenders Institution

Mrs. Brooke: To ask the Secretary of State for the Home Department (1) what estimate he has made of the cost of raising the standards of Ashfield YOI to meet the requirements of PSO4950; and if he will make a statement; [103155]

(2) what offending behaviour programmes are available to prisoners at Ashfield YOI; and if he will make a statement; [103163]

(3) what the capacity of Ashfield Young Offenders Institution is; and how many *(a)* young offenders and *(b)* juveniles are held there; [103156]

(4) what the timetable is for removing juveniles from Ashfield YOI; [103161]

(5) what plans he has to ensure that a resettlement strategy based upon the needs of juveniles and young offenders is put in place at *(a)* Ashfield Young Offenders Institution and *(b)* other YOIs, as recommended in the recent inspection report into Ashfield YOI; [103162]

(6) what special arrangements are in place to accommodate juveniles who have been or will be transferred out of Ashfield YOI following the recent inspection report; [103154]

(7) how many juveniles have been transferred out of Ashfield YOI following the recent inspection report; and to which institutions they were transferred; [103153]

(8) what action he is taking to ensure that the levels of purposeful activity at Ashfield YOI meet the minimum levels specified by the Youth Justice Board and Prison Service Order 4950; [103158]

(9) whether a time-tabled action plan has been put in place to fulfil the recommendations of the recent inspectorate report into Ashfield YOI; and if he will make a statement; [103160]

(10) what plans he has to ensure that *(a)* a written drug strategy and *(b)* a drug strategy group are put in place at (i) Ashfield Young Offenders Institution and *(b)* other YOIs which do not have them; [103164]

(11) what action he has taken following the inspection report into Ashfield YOI to ensure that *(a)* there are adequate staffing levels, *(b)* reception staff are trained

in suicide prevention measures, *(c)* cells are allocated on the basis of risk assessments and *(d)* an anti-bullying strategy is in place. [103165]

Hilary Benn: The authorised operational capacity of Ashfield young offender institution is 400 (303 juveniles (15 to 17 years' of age) and 97 over 18-year-olds). It is currently operating within a reduced capacity of 212 places. On the night of 16–17 March 2003, there were 192 juveniles. There are no prisoners over 18-years-old at the institution. The Youth Justice Board (YJB) has not yet specifically transferred any prisoner out of Ashfield and is seeking alternative accommodation within the Prison Service with the view to fully withdrawing from Ashfield during 2003–04.

An agreed timetabled action plan has been put in place in response to the recommendations of the recent report of Her Majesty's Chief Inspector of Prisons on Ashfield. Some points from this action plan come into effect in April 2003 and monitoring of the plan will then start.

Offending behaviour programmes available to young people at Ashfield include: anger management; prevention of car crime; and Motivating Offenders to Rethink Everything (MORE). A new programme, Strength and Survival (SAS), is due to start in April. This programme focuses on confidence building and assertiveness for offenders.

Staffing levels at Ashfield are now up to complement and are adequate. Stringent monitoring arrangements are in place to ensure the contractor maintains these levels. Additional new staff are being recruited and trained, and experienced staff from other establishments are offering support. Reception staff are trained in suicide prevention measures and this is a core part of the initial training for all new custody officers.

Cells are allocated on the basis of risk assessments. Once allocated, the status of young people in both shared and single cells is reviewed regularly. There is an anti-bullying strategy in place at Ashfield. The strategy was audited by a team from the Area Office for juveniles in February 2003 and was judged to be compliant with national standards.

Purposeful activity levels are carefully monitored and will continue to be monitored. The delivery of purposeful activity has improved significantly in recent months, resulting in an average of 34 hours per week delivery since January 2003. The YJB specifies 30 hours per week. The appropriate contractual action will be taken should levels fall below 30 hours per week.

Ashfield has a written drug strategy in place which is monitored by the establishment's drug strategy group. Ashfield has also received a substantial amount of funding to enable them to increase their delivery of drug/substance misuse intervention programmes through an enhanced Counselling, Assessment, Referral, Advice and Throughcare (CARAT) service. All juvenile establishments have a written drug policy. The juvenile drug strategy is being reviewed by the Prison Service and the YJB and will result in the implementation of a new substance misuse strategy for young people. No cost has been incurred by the Prison Service in raising standards at Ashfield to meet the requirements of PS04950.

Ashfield has a resettlement strategy in place, and is carrying out a needs analysis of the resettlement needs of the young people in order to better support resettlement. However, securing appropriate accommodation on release is proving difficult. The Detention and Training Order is served both in custody and the community. Multi-agency Youth Offending Teams have been established and work with young people in custody and on release.

The YJB is supporting a number of resettlement pilot programmes in the juvenile estate in order to evaluate the most effective way of ensuring young people's resettlement needs are met.

Asylum Seekers

Mr. Wray: To ask the Secretary of State for the Home Department pursuant to his answer of 5 March, *Official Report*, column 1076W, on asylum seekers, what methods of identification and judging the age of unaccompanied child asylum seekers without documentation are used, apart from appearance; and if he will make a statement. [103402]

Beverley Hughes: In the absence of documentary evidence establishing age the judgment as to whether an applicant is under or over 18 is based solely on appearance. If the applicant wishes to obtain a medical assessment of age she or he may do so independently and any such assessment will be taken into consideration. Any age assessment provided by Social Services, based on behavioural and cultural factors, is taken into account.

Mr. Wray: To ask the Secretary of State for the Home Department pursuant to his answer of 5 March, *Official Report*, column 1076W on asylum seekers, what system the Department has in place to locate relatives of unaccompanied child asylum seekers other than use of the Red Cross and other charities. [103403]

Beverley Hughes: The Immigration and Nationality Directorate refers all unaccompanied asylum seeking children to Local Authority Social Services Departments, and they then make use of the Red Cross and other organisations to trace parents. The process of accessing these tracing services rests with the Local Authority.

Mr. Wray: To ask the Secretary of State for the Home Department what measures the Government has in place *(a)* to stop child trafficking for the sex trade and *(b)* to protect child asylum seekers from organised criminal groups when they arrive in the UK. [103404]

Beverley Hughes: The United Kingdom is committed to tackling the trafficking of children for sexual exploitation. Our strategy on trafficking is set out in the White Paper "Secure Border Safe Haven" and focuses on strengthening the law through new offences covering trafficking; providing appropriate support to victims of trafficking in the UK; tackling the criminals through intelligence and enforcement operations through the Reflex taskforce; European Union co-operation and prevention in source and transit countries in partnership with the Foreign and Commonwealth Office and the Department for International Development.

The new Sexual Offences Bill sets out new wide-ranging offences covering trafficking for sexual exploitation to replace the stop-gap offence of trafficking for the purpose of prostitution, introduced in the Nationality, Immigration and Asylum Act 2002. The offence of trafficking for sexual exploitation carries a tough maximum penalty of 14 years. In addition to this, the Bill also introduces a new offence of Commercial Sexual Exploitation of a child, which will protect children up to 18. It covers a range of offences, including buying the sexual services of a child, (for which the penalty ranges from seven years to life depending on the age of the child); and causing, facilitating or controlling the commercial sexual exploitation of a child in prostitution or pornography, for which the maximum penalty will be 14 years' imprisonment.

Child victims of trafficking are referred to social services to receive advice and support based on their particular needs. Under the Children Act 1989, local authorities have a duty to safeguard and promote the welfare of children who are in need by providing a range and level of services appropriate to those children's needs or, where appropriate, by arranging for the provision of services from other agencies. We are working with Department of Health on examples of good practice on how this commitment is delivered.

Joint work is also underway between key agencies at principal entry points to identify children at risk. A Child Protection Pilot Project was launched on 10 March at Heathrow, this is a joint operation between the Metropolitan Police and the Immigration Service.

Correspondence

Mrs. Roe: To ask the Secretary of State for the Home Department when the hon. Member for Broxbourne will receive a reply to her letters of *(a)* 10 October 2002, *(b)* 7 November 2002, *(c)* 5 December 2002, *(d)* 2 January, *(e)* 6 February and *(f)* 5 March relating to her constituent Mr. Bilal Mumtaz Bhatti of Turnford. [101933]

Beverley Hughes *[holding answer 10 March 2003]:* I wrote to the hon. Member on 19 March.

Mr. Lloyd: To ask the Secretary of State for the Home Department when his Department intends to reply to the letters from the hon. Member for Manchester, Central, of *(a)* 23 October 2002, re Ms LB, ref PO 22392/2, *(b)* 29 October 2002, re Ms MS, ref PO 23397/2, *(c)* 1 November 2002, re Mrs. SBA, ref PO 22970/2, *(d)* 4 November 2002, re Mr. ADS, ref PO 23121/2, *(e)* 5 November 2002, re Mr. OOA, ref PO 23029/2, *(f)* 8 November 2002, re Mr. DC, ref PO 23410/2, *(g)* 14 November 2002, re Ms BK, ref PO 24950/2, *(h)* 20 November 2002, re Mr.UA, ref PO 134/3, *(i)* 21 November 2002, re Mr. JM, ref PO 3277/3, *(j)* 22 November 2002, re Mr. HS, ref PO 23397/2, *(k)* 25 November 2002, re Mr.AHS, ref PO 24698/2, *(l)* 26 November 2002, re Home Office Policy, ref 24848/2, *(m)* 11 December 2002, re Mr.TE, ref PO 25612/2, *(n)* 6 January 2003, re Mr.MB, ref PO 512/3, *(o)* 6 January 2003, re Mr.SA, ref PO 508/3 and *(p)* 9 January 2003, re Mr. MOA, ref PO 2050/3. [103484]

Beverley Hughes: I have instituted measures to deal with outstanding correspondence and reach a steady state of replying to letters within target. In keeping with letters from other right hon. and hon. Members I will reply to my hon. Friend's letters as soon as possible.

Sir Michael Spicer: To ask the Secretary of State for the Home Department when he will reply to the letter from the hon. Members for West Worcestershire dated 20 September 2002 for which an acknowledgement card (ref. 19910/2) was sent on 25 November 2002. [103542]

Beverley Hughes: My noble Friend Lord Filkin replied to the hon. Member on 17 March.

Criminal Records Bureau

Mr. Win Griffiths: To ask the Secretary of State for the Home Department if he will make a statement on the level of service provided by the Criminal Records Bureau; and how many applications are waiting to be processed and what the average time taken is, broken down by employment sectors. [103310]

Hilary Benn: Since 11 March 2002 the Criminal Records Bureau (CRB) has received 1,537,968 Disclosure applications and has issued 1,341,679 Disclosures. There are less than 44,000 applications currently outside our three week service standard. This figure has reduced from its peak of 109,000 during the summer of 2002 as a direct consequence of the targeted work that is being done to clear the oldest applications from the system. The current average time taken to process a Disclosure application stands at five weeks.

For the last four months the CRB has issued on average more Disclosures each week than it has received applications for, thereby reducing the number of outstanding cases. The CRB is issuing around 42,000 Disclosures per week, which is over double the weekly output issued by the police under the previous arrangements. There are no IT Procedures at present to extract information from the CRB database by employment sector. It is expected that this functionality will become available in subsequent system releases. No distinction is made in relation to the profession of an applicant as all applications are subject to the same level of service.

London Bombings

Mr. Beggs: To ask the Secretary of State for the Home Department (1) what progress has been made in securing convictions against those responsible for the bomb at the King's Arms public house in Woolwich, London on 7 November 1974; [103442]

(2) what progress has been made in securing convictions against those responsible for the bomb at the Tower of London on 17 July 1974; [103441]

(3) what progress has been made in securing convictions against those responsible for the bomb at Green Park Underground Station in London on 9 October 1975; [103444]

(4) what progress has been made in securing convictions against those responsible for the bomb at the Hilton Hotel in London on 3 September 1975; [103440]

(5) what progress has been made in securing convictions against those responsible for the bomb at Walton's Restaurant, Walton Street, London on 18 November 1975; [103445]

(6) what progress has been made in securing convictions against those responsible for the bomb attack on a coach travelling along the M62 on 4 February 1974. [103443]

Mr. Blunkett: These cases remain open. Should any new evidence or intelligence come to the attention of the police service, in these or other similar cases, it will, of course, be investigated fully.

Ministerial Secretariat and Communication Directorate

Mr. Laws: To ask the Secretary of State for the Home Department what the total *(a)* cost and *(b)* staffing of the (i) Ministerial Secretariat and (ii) Communication Directorate was in each year since 1990–91; what the purpose of each is; and if he will make a statement. [99808]

Mr. Blunkett: The purpose of the Ministerial Secretariat is both to support Ministers and the permanent secretary in their parliamentary and departmental work and the Department in working effectively with Ministers and private office to achieve the Home Office aims. Figures for the Secretariat are:

Year	*Staff numbers*	*Costs*
1996–97	72	3,279,782
1997–98	62	3,340,790
1998–99	79	3,833,174
1999–2000	79	3,754,063
2000–01	79	[1]4,116,973
2001–02	91	4,877,233
2002–03	101	[2]5,089,014

[1] Costs have increased following the addition of two new Ministers and their private offices together with other re-organisation of staff between private office and the rest of the Department.

[2] Estimated figures for year end.

The purpose of the Communication Directorate is to take a strategic overview of Home Office communication activity. This involves setting and facilitating delivery of strategic objectives through effective long-term planning, co-ordination and evaluation. Figures for the Communication Directorate are:

Year	*Staff numbers*	*Communication Directorate costs*	*Publicity costs*
1996–97	100	3,713,192	8,386,880
1997–98	88	4,102,943	1,291,676
1998–99	101	3,960,185	288,174
1999–2000	90	5,580,806	11,451,496
2000–01	117	7,699,620	36,185,911
2001–02	153	9,242,712	22,928,899
2002–03	226.5	9,086,614	[1]17,000,000

[1] Estimated figures for year end.

The publicity costs comprise major campaigns on police recruitment, crime reduction and until June 2001 electoral registration and fire safety.

These staffing figures include press office where numbers have risen following an externally led review of the structure and operation of the press office in 1999. One of the benefits has been that media calls to the press office are being answered within four rings 90 per cent. of the time. Previously there were occasions when up to 40 per cent. of media calls were lost.

Details of costs prior to 1996 are not held centrally and could be collated only at disproportionate cost.

Ministerial Transport

Mr. Bercow: To ask the Secretary of State for the Home Department what the cost of *(a)* ministerial cars and drivers and *(b)* taxis for his Department was in 2002. [101535]

Mr. Blunkett: Responsibility for the provision of ministerial cars and drivers has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. Part *(a)* of this question will be addressed in a letter from Mr. Nick Matheson, Chief Executive of the Government Car and Despatch Agency to the hon. Member.

The cost of taxi fares incurred by the Home Office is not recorded centrally and the information could be provided only at disproportionate cost.

Miscarriage of Justice

Mr. Mullin: To ask the Secretary of State for the Home Department what criteria he takes into account when assessing ex gratia payments for persons whose convictions have been quashed as a result of a miscarriage of justice; and if he will make a statement. [103961]

Hilary Benn: While the Home Secretary decides whether an applicant qualifies for compensation, the assessment of the amount of compensation is undertaken by an Assessor appointed by the Home Secretary under the Criminal Justice Act 1988, currently the Lord Brennan QC. In statutory cases the amount of an award is wholly a matter for the Assessor and the Home Secretary has no power to influence or vary his determination. In ex gratia cases the Assessor's role is to advise the Home Secretary but successive Home Secretaries have agreed to be bound by the Assessor's advice.

In calculating the amount of compensation to be awarded to victims of miscarriages of justice, the Assessor applies principles analogous to those governing the assessment of damages for civil wrongs. The level of compensation is calculated in the same way whether the applicant qualified for compensation under the statutory scheme or the ex gratia scheme. The basis on which compensation is assessed is given in statute (section 133(4A) of the Criminal Justice Act 1988), in the Home Office "Compensation for Miscarriages of Justice—Note for Successful Applicants" (copies of which have already been placed in the Library) and in individual assessments.

Parliamentary Questions

Mr. Burstow: To ask the Secretary of State for the Home Department how many named day written questions were tabled to the Department between 15 October 2002 and 24 February 2003; how many that received a holding answer were given a substantive answer *(a)* within three days, *(b)* within seven days, *(c)* within 14 days, *(d)* within 28 days and *(e)* over 28 days later; and what procedures the Department has in place to monitor performance on answering (i) parliamentary questions and (ii) ministerial letters. [99431]

Mr. Blunkett: 541 named day written questions were tabled to the Home Office between 15 October 2002 and 24 February 2003. 426 received a holding answer. Of these:

163 were answered within three days;

104 were answered within seven days;

96 were answered within 14 days;

40 were answered within 28 days; and

23 took over 28 days to be answered.

The Home Office recognises that its performance in answering PQs is not as good as it should be and is working closely with directorates and its business change and IT partners to improve the situation. We hope to implement a new electronic PQ system by the summer. This should provide us with enhanced methods for monitoring performance and help us to become more efficient in answering the ever-increasing volume of PQs that we receive.

The target for responding to letters from MPs is 15 working days. To monitor performance, management information is produced internally on a weekly and monthly basis to show details of unanswered letters, and plot overall performance against the target. This month, the Home Office is beginning the roll out of a new computer based correspondence tracking system which, as well as enabling the efficient handling of correspondence, will also provide more detailed management information to help monitor performance.

Sex Trade Workers

Rev. Martin Smyth: To ask the Secretary of State for the Home Department what discussions the Government have had with the Government and agencies of the Republic of Ireland about preventing the movement of sex trade workers over the UK border with the Republic. [102433]

Hilary Benn *[holding answer 12 March 2003]:* I am not aware that any discussions have taken place specifically focusing on preventing the movement of sex trade workers between Northern Ireland and the Republic of Ireland.

The issue of the trafficking of those working in the sex trade is one which the Government take very seriously indeed. We have introduced a number of measures to address this.

The Nationality, Immigration and Asylum Act 2002, introduced a new offence that commenced on 10 February 2003 which criminalised the trafficking of a person for the purpose of controlling them in prostitution.

The Sexual Offences Bill, introduced into the House of Lords on 28 January 2003 proposes new comprehensive offences of trafficking for sexual exploitation to replace the stop-gap offence introduced by the Nationality, Immigration and Asylum Act 2002 of trafficking in prostitution. These new offences tackle the movement of people into, within and out of the UK for the purposes of sexual exploitation, and will carry maximum penalties of 14 years imprisonment. The offence relating to trafficking within the UK applies equally to UK nationals trafficked from place to place in the UK, and to foreign nationals brought here and then moved around from place to place within the UK. This is the first time that the trafficking of UK nationals within the UK has been tackled in legislation.

Visas

Mr. Letwin: To ask the Secretary of State for the Home Department how many visas permitting entry without restrictions on work have been issued in each of the last seven years. [102821]

Beverley Hughes *[holding answer 13 March 2003]:* There are a range of ways of entering the United Kingdom, legally, from outside the European Union for employment purposes. The main route of entry into the UK for economic purposes is the work permit scheme, which has recently been modernised, and which requires employees to submit applications on behalf of employees. There are a number of other labour-related entry routes such as the Highly Skilled Migrant Programme and Innovator categories. Other routes such as visitors, students, working holidaymakers and those that exist for family reunion and humanitarian protection, all place restrictions on the applicants ability to work in the UK.

Women Prisoners

Paul Flynn: To ask the Secretary of State for the Home Department how many women received prison sentences in each of the last five years for *(a)* failing to have a television licence and *(b)* other debt. [103092]

Hilary Benn: The information is given in the table.

Number of females received into prison

	1997	*1998*	*1999*	*2000*	*2001*
For defaulting on the payment of a fine for using a television without a licence	61	41	24	12	9
For defaulting on the payment of a fine for other offences	311	285	191	137	64
For non-payment of community charge/council tax	30	11	7	5	5
For non-payment of other debts	0	0	0	0	0

Yarl's Wood

Alistair Burt: To ask the Secretary of State for the Home Department whether the date for the reopening of the undamaged section of the Yarl's Wood Removal Centre for women detainees and their families has been changed; and if he will make a statement. [103954]

Beverley Hughes: We want Yarl's Wood to re-open as soon as possible. However, we are continuing to negotiate with Group 4 Amey International and the insurers about the future of the remaining centre at Yarl's Wood and the claim for losses following the fire. Until these negotiations are concluded, no firm date can be given in respect of when Yarl's Wood will re-open.

HEALTH

Acute Care

Chris Grayling: To ask the Secretary of State for Health if he will list the areas where waiting lists for treatment in acute hospitals have lengthened since 2000–01. [88756]

Mr. Hutton: From 1 April 2002, the maximum waiting time for inpatient treatment has been cut from 18 months to 15 months. The National Health Service are working to reduce waiting times further, so that by the end of March 2003, the maximum waiting time foran inpatient appointment will be cut to 12 months.

Maximum waiting times will continue to fall year on year, so that, by the end of 2005, the maximum waiting time for inpatient treatment will be cut to six months.Information on the number of acute NHS trusts by Department of Health and Social Care in England, which have increased their inpatient waiting list size from end of December 2000 to end of December 2002 has been placed in the Library. The information also shows the number of patients waiting over 12 months for an inpatient admission for these trusts at the end of December 2000 and December 2002, the increase/decrease of over 1 2-month waiters from the end of December to December 2002 has also been provided. Whilst recognising that list size in these trusts has increased the government is committed to ensuring the maximum waiting times are reduced in these and all other NHS trusts.

Civil Defence

Mr. Keetch: To ask the Secretary of State for Health (1) what training and equipment for response to a chemical, biological, radiological or nuclear attack is provided for paramedics and other first-response medical personnel; and if he will make a statement; [103435]

(2) what funding, training and expertise have been made available to ensure acute primary care units are fully prepared to handle *(a)* casualties of a chemical, biological, radiological or nuclear incident and *(b)* mass casualties; and if he will make a statement. [103434]

Mr. Hutton: Since 11 September 2001, national health service preparations have been stepped up to ensure we are as prepared as we can be in responding to a range of possible new threats, such as the deliberate release of chemical or biological agents or incidents associated with radiological or nuclear hazards.

The NHS has increased its preparedness by stockpiling medical equipment, antidotes, antibiotics and vaccines. The Department of Health has issued specific guidance to the NHS on the public health response to the deliberate release of chemical, biological, radiological and nuclear (CBRN) incidents, mass decontamination and mass casualties. New protective suits and associated mobile decontamination units have been for use by ambulance and accident and emergency staff working on the decontamination of patients alongside appropriate training for their use.

The Department of Health has made available through the emergency planning section of its website www.doh.gov.uk/epcu a comprehensive package of guidance for clinicians on dealing with the consequences of deliberate release. This information is regularly updated. The website contains a link to the Public Health Laboratory Service website www.phls.org.uk which provides additional clinical and other information.

General Practitioners

Mr. Burns: To ask the Secretary of State for Health how many *(a)* GPs and *(b)* GP practices there are in Greater London; and how many there were in May 1997. [101249]

Mr. Hutton *[holding answer 6 March 2003]:* Greater London is not recognised as an area for which figures are collected. The area covering the Directorate of Health and Social Care—London is given as the nearest alternative and figures are shown in the following table.

General medical practitioners [1] and partnerships in England and London DHSC as at 1 October 1997 and 31 March 2002

Numbers (headcount)

	October 1997			March 2002		
	All practitioners (excluding GP retainers)	*of which: unrestricted principals (UPEs)[2]*	*Partnerships of UPEs*	*All practitioners (excluding GP retainers)*	*of which: unrestricted principals (UPEs)[2]*	*Partnerships of UPEs*
England Total	29,389	27,099	9,102	30,858	27,956	8,825
of which:						
London DHSC Total	4,532	3,849	1,758	4,549	3,970	1,691

Note:-

[1] All practitioners (excluding GP retainers) include UPEs, restricted principals, assistants, GP registrars, salaried doctors (para. 52 SFA) and PMS O GP retainers were first collected in the 1999 census, for reasons of comparability they have been excluded from the table.

[2] UPEs include CMS unrestricted principals, PMS contracted GPs and PMS salaried GPs.

Source:

Department of Health General and Personal Medical Services Statistics.

We recognise that London has both short and longer term special needs with regard to the recruitment and retention of its general practice (GP) workforce. The NHS Plan target is 255 additional GPs in London by 2004. We are committed to expanding the primary care workforce both through national and local initiatives.

Provisional figures for September 2002 from the Modernisation Board Annual Report show that in England since 1999 there has been an increase 700 GPs.

Mr. Francois: To ask the Secretary of State for Health if his Department will review guidelines surrounding the charging for certificates signed by general practitioners; and if he will make a statement. [101912]

Mr. Hutton: General practitioners are required to issue specified medical certificates, free of charge. However, GPs also provide a variety of other services, which successive governments have regarded as private matters between an organisation and the doctor providing the service and the doctor is free to make a charge for these non National Health Service services if he or she wishes.

Health Visitors

Mr. Drew: To ask the Secretary of State for Health what plans he has to allow direct entry into health visiting rather than through nursing or midwifery. [103515]

Mr. Hutton: The Nursing and Midwifery Council has only the powers to regulate the professions of nursing and midwifery.

Mr. Drew: To ask the Secretary of State for Health what recent discussions he has had with representatives of health visitors. [103551]

Mr. Hutton: Department of Health Ministers and officials hold regular discussions with health visitor representatives. In recent months these have included discussions on health visitor regulation, child protection and the Laming report, the children and maternity services national service framework, the framework for nursing in primary care, recruitment and retention issues and "Agenda for Change".

Mr. Drew: To ask the Secretary of State for Health what plans he has to set up different registers for nurses, midwives and health visitors. [103514]

Mr. Hutton: None. The Nursing and Midwifery Council is the body responsible for making proposals in respect of the parts of the register.

Home Care Charges

Mr. Burns: To ask the Secretary of State for Health which local authorities in England received no income from home care charges in the latest available year for which figures are available. [100129]

Jacqui Smith *[holding answer 28 February 2003]:* In 2001–02, Cumbria, Isles of Scilly, Southwark, Stockton-on-Tees, Swindon and Wokingham councils did not report any income arising from sales, fees and charges from their home care services.

In 2000–01, Cumbria, Slough, Stockton-on-Tees and Tower Hamlets did not report any income arising from home care.

In 1999–2000, Coventry, Cumbria, Hammersmith and Fulham, Stockton-on-Tees and Tower Hamlets did not report any income arising from home care.

Needlestick Injuries

Dr. Evan Harris: To ask the Secretary of State for Health how many needlestick injuries there were in the NHS involving the risk of transmission of a blood borne virus in *(a)* England, *(b)* each NHS region and *(c)* each strategic health authority in each of the last six years. [102852]

Mr. Hutton: The Department does not collect these data centrally but relies on data that are already reportable under current legislation and departmental guidance. Data collected on a voluntary basis from national health service trusts between July 1997 and June 2002 identified 1,550 incidents that involved the risk of transmission of blood borne viruses.

Ministers have agreed that new guidance to be published in autumn 2003 will advise NHS employers that they should collect comprehensive and validated data on the incidence of needlestick injuries, via a standardised surveillance programme.

NHS (International Recruitment)

Mr. Baron: To ask the Secretary of State for Health what *(a)* financial and *(b)* other support is available to overseas nurses in finding suitable accommodation; and if he will make a statement. [103074]

Mr. Hutton *[holding answer 17 March 2003]*: The guidance on international nursing recruitment sets out national health service trust responsibilities when recruiting nurses internationally. Employers should pay for recruits' air fares and either provide trust accommodation or take steps to seek appropriate accommodation.

The NHS housing initiative, organised through NHS Estates, will provide assistance with key worker accommodation.

NHS Trusts

Mr. Dobson: To ask the Secretary of State for Health what the total income was from private charges in each NHS acute trust in the last year for which figures are available. [103998]

Mr. Hutton: The information has been placed in the Library.

Tim Loughton: To ask the Secretary of State for Health how many *(a)* chief executives and *(b)* other non-medical staff of NHS trusts are paid in excess of £100,000. [101077]

Mr. Hutton: The audited summarisation schedules of National Health Service trusts in 2001–02 showed 13 non-medical staff with remuneration over 100,000. This figure excludes directors and chief executives for whom information is not available nationally. Some information on chief executives' and directors' salaries is included in the accounts for individual trusts which are published locally.

Nurses

Mr. Burstow: To ask the Secretary of State for Health what estimate he has made of the cost of agency and bank nurses in *(a)* Sutton and *(b)* London in the last 12 months; and what assessment he has made of the impact of these costs on the respective primary care trusts. [102249]

Mr. Hutton: Expenditure on bank nurses is included within national health service nursing, midwifery and health visiting staff. Expenditure on agency nurses is included within non-NHS nursing, midwifery and health visiting staff.

The following table contains data outlining the expenditure on non-NHS nursing, midwifery and health visiting staff within the boundary of the London Department of Health and Social Care.

Expenditure on non-NHS nursing, midwifery and health visiting staff, within the London DHSC boundary—2001–02

£

Organisation name	*Expenditure on non-NHS nursing, midwifery and health visiting staff*
Epsom and St. Helier NHS Trust	9,304,846
Nelson and West Merton PCT	0
Merton Sutton and Wandsworth HA	0
Total	9,304,846
London DHSC total	229,288,793

Source:

1. Annual financial returns of health authorities.
2. Annual financial returns of NHS trusts.
3. Annual financial returns of primary care trusts.

In December an agreement was awarded to 72 agencies for the supply of agency nurses, midwives, health visitors and health care assistants to the acute and primary care sectors of the NHS across London.

This agreement will introduce new quality standards both in terms of the agency workers and also the services to be offered by the agencies. Furthermore it is anticipated that the cost of these agency workers will be reduced by between £9 million and £18 million across London during 2003–04.

Oldchurch Hospital

Mr. Rosindell: To ask the Secretary of State for Health what progress is being made on meeting targets for Oldchurch Hospital in the London borough of Havering. [101982]

Mr. Hutton: Oldchurch Hospital is part of Barking, Havering and Redbridge National Health Service Trust. It is not possible to differentiate between the two sites as data are aggregated.

The trust met both the 15-month inpatient and 26-week outpatient waiting times targets last year and is working towards achieving a maximum wait of 12 months for inpatients and 21 weeks for outpatients by the end of March 2003.

The trust has also made significant progress on reducing the numbers of beds used by delayed transfers of care over the year.

Mr. Rosindell: To ask the Secretary of State for Health what recent discussions he has had with the management of Oldchurch Hospital in the London borough of Havering; and what plans he has to visit the hospital. [101983]

Mr. Hutton: I have had no recent discussions with the management of Oldchurch Hospital. However, the North East London Strategic Health Authority directors, who, since Shifting the Balance of Power, now performance manage Barking, Havering and Redbridge National Health Service Trust, regularly meet with trust management.

I last visited Barking, Havering and Redbridge NHS Trust on 6 September 2001. I have no current plans to visit the hospital.

Passive Smoking

Mrs. Ann Cryer: To ask the Secretary of State for Health what assessment he has made of the effects of passive smoking in the workplace. [98501]

Mr. Nicholas Brown: I have been asked to reply.

Research by the Department of Health's Scientific Committee on Tobacco and Health (SCOTH) into the general effects of exposure to environmental tobacco smoke is continuing.

The results of a survey on smoking behaviour and attitudes, undertaken by the Office for National Statistics in 2002, are due to be published on behalf of the Department of Health this summer.

Smallpox

Sir John Stanley: To ask the Secretary of State for Health if he will place in the Library a copy of the World Health Organisation's advice on smallpox strategy referred to by the Minister for Policing, Crime Reduction and Community Safety, *Official Report*, column 204WH, in his reply to the debate on civil defence on 4 March 2003. [102501]

Mr. Hutton *[holding answer 12 March 2003]:* A copy of the advice issued by the World Health Organisation in October 2001 has been placed in the Library. This advice followed a review of the WHO guidelines of 1998, and a copy of these guidelines will be placed in the Library.

Teenage Pregnancies

Caroline Flint: To ask the Secretary of State for Health how many pregnancies in girls under the age of 16 there have been in each year since 1995 in *(a)* Doncaster and *(b)* the UK. [103509]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Caroline Flint, dated 20 March 2003:

As National Statistician, I have been asked to reply to your recent question asking how many pregnancies in girls under 16 there have been in each year since 1995 in *(a)* Doncaster and *(b)* the UK. (103509)

The figures requested are given in the table below for 1995 to 2001, the latest year for which figures are available, for Doncaster and Great Britain. Figures for the United Kingdom are not available, as the 1967 Abortion Act does not apply in Northern Ireland.

Conceptions[1] to girls aged under 16, Doncaster and Great Britain, 1995–2001

Numbers

Year	*Doncaster[2]*	*Great Britain*
1995	69	8,819
1996	79	9,697
1997	85	9,077
1998	89	9,235
1999	78	8,648
2000[3]	76	8,816
2001[3,4]	67	8,586

[1] Includes pregnancies that result in one or more live or still births, or a legal abortion under the 1967 Abortion Act. Figures shown in this table do not include miscarriages.

[2] Metropolitan county district

[3] Information for 2000 includes estimated figures for Glasgow Royal Maternity and Western Isles to allow for a shortfall in data. This also applies to Western Isles for 2001.

[4] Provisional data.

Written Answers to Questions

Friday 21 March 2003

HOUSE OF COMMONS COMMISSION

Parliamentary Commissioner for Standards

Tony Wright: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the cost of the office of the Parliamentary Commissioner for Standards was, including staff, in each Session since 1996–97. [103502]

Sir Archy Kirkwood: The costs of the office of the Parliamentary Commissioner for Standards, by financial year, are shown in the following table (the figures by Session are not available), and are mainly direct staffing costs. Most of the general office running costs, including accommodation and IT/IS support, are absorbed by other parts of the House administration and cannot easily be disaggregated.

Costs for financial years 1996–97 to 2001–02

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Staffing etc	149,269	222,902	230,450	267,070	228,994	294,209
Running costs	2,137	1,137	4,178	1,496	6,103	2,003
Total	151,406	224,039	234,628	268,566	235,097	296,212

TRANSPORT

London Underground

Harry Cohen: To ask the Secretary of State for Transport pursuant to his Written Ministerial Statement, on 4 February 2003, *Official Report*, column 10WS, on London Underground, what amendments he proposes to ensure that the operation of London Underground's contracts is not affected when they are transferred from one body to another; whether the PPP Consortia and lenders have a veto over the transfer of London Underground and Transport for London; and if he will make a statement. [103305]

Mr. Jamieson: The Government's proposals for amendments to the Greater London Authority Act 1999 are contained in clause 108 of the Railways and Transport Safety Bill as amended in Standing Committee D, which is available on the House website.

The Secretary of State told the House in his written statement, on 4 February 2003,*Official Report*, column 10WS, that the transfer of London Underground Ltd. to Transport for London will only take place ahead of such amendments to the Greater London Authority Act 1999 with the agreement of the PPP consortia and lenders.

South Central Electrostar Train

Mrs. Dunwoody: To ask the Secretary of State for Transport how much compensation is payable to Bombardier as a result of the lack of power for the South Central Electrostar trains. [98397]

Mr. Jamieson: The Strategic Rail authority is leading an industry wide project to upgrade the power supply in the southern region. Development of the project is advanced and discussions have begun on the project's financial implications for the SRA, Network Rail, train operators and other parties such as the rolling stock manufacturers. Details are still emerging, but any compensation to Bombardier is likely to be a matter between them and their client for the new trains, Go-Via.

TREASURY

Children at Risk

Alistair Burt: To ask the Chancellor of the Exchequer (1) what plans the team looking at the Green Paper for Children at Risk have to recommend a review of educational and social institutions designed to provide a more nurturing environment for children whose lives are fragmented; [103844]

(2) what plans the team looking at the Green Paper for Children at Risk have for joint training for children's professionals in the core skills needed by those who work with children; [103845]

(3) what plans the team looking at the Green Paper for Children at Risk have to support parents in the transition to parenthood. [103846]

Mr. Boateng: The Green Paper on Children at Risk, to be published this spring, is examining the range of services available to children and young people who are at risk of educational failure, offending, victimisation and abuse, and poor health.Whilst its too early to comment on the detail of the Green Paper on Children at Risk, the role of parents, schools and children's professionals in improving the outcomes for children are at the core of the work. The Green Paper is looking at how parents can be enabled to support their children best, from preparing for parenthood, throughout the key early years and as their children grow towards adulthood.

Positive experiences of schools and of after school leisure activities outside of schools, play a pivotal role in building self-esteem and enabling children to succeed, educationally, socially and in employment in later life. The Green Paper is considering how mainstream services and institutions can ensure they are positive and accessible environments for the most vulnerable children and young people.

The Green Paper is also looking at ways to improve common training across the professionals who work with children and young people to ensure a shared understanding of child development and safeguarding children.

Fraud

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what assessment he has made of the cost to British financial institutions in the last two years from *(a)* stolen corporate identities and *(b)* hoax e-mails. [102001]

Mr. Bob Ainsworth: I have been asked to reply.

While there have been incidents of corporate identity fraud in the UK in the last two years which have been investigated by UK law enforcement agencies, these cases have not resulted in any reported loss to the financial institutions concerned. With regards to incidences of hoax e-mails, more commonly known as advance fee or '419' fraud, once again there has been no reported financial loss to UK financial institutions. Losses have been sustained by a number of individual victims of such crime and in the years 2001 and 2002 National Criminal Intelligence Service figures detail reported losses of £19,451,000. This however is likely to be only a small percentage of losses as few victims are prepared to acknowledge their losses to Law Enforcement.

Inland Revenue

Mr. Stunell: To ask the Chancellor of the Exchequer how many tax returns were reported lost or mislaid by the Inland Revenue in each of the last five years. [104103]

Dawn Primarolo: The Inland Revenue do not keep records of the number of tax returns reported lost or mislaid.

Every year the Revenue receive and process around nine million self assessment tax returns. Over 99 per cent. of returns received by the due date (31 January) are processed by 31 March.

Personal Tax

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer if he will make a statement on the recalculation of personal tax liabilities. [103915]

Dawn Primarolo: An individual's personal tax liability will depend on a number of factors including the income tax rates and bands and the level of personal allowances. It will also make a difference if the individual has savings or investment income that is subject to income tax.

CABINET OFFICE

Civil Contingency Planning

Mr. Keetch: To ask the Minister for the Cabinet Office if he will make a statement on his Department's *(a)* responsibilities and *(b)* assets with regard to civil contingency planning; what funds are committed; what action he is taking within his Department to improve such planning; and what action he is taking in collaboration with other departments. [102625]

Mr. Alexander: I refer the hon. Member to the statement my hon. Friend the Home Secretary made on civil contingencies on 3 March 2003, *Official Report,* column 72WS, as part of the debates on the approval of the Anti-terrorism, Crime and Security Act 2001 Order 2003 and the Intelligence and Security Committee report on the Bali bombing. The statement refers to the Lead Government Department Paper which Cabinet Office placed in the Library of the House on 23 July 2002 and which sets out the role of the lead Government Departments in planning for and managing crises.

The Civil Contingencies Secretariat, a part of the Cabinet Office, supports the Home Secretary in co-ordinating the work to enhance civil contingency planning.

Its current objectives are to:

1. lead horizon scanning activity to identify and assess potential and imminent disruptive challenges to the domestic UK and assist in the development of an integrated response. Build partnerships with other organisations to develop and share best practice in horizon scanning and develop the knowledge of the UK's critical networks and infrastructure.
2. ensure that the Government can continue to function and deliver public services during crises, working with Departments and other Secretariats in the Cabinet Office to ensure that plans and systems to cover the full range of potential disruption are in place and exercised. CCS would provide support to the Civil Contingencies Committee which would meet in the case of a specific emergency to co-ordinate the government's response.
3. lead the delivery of improved resilience to disruption across Government and the public sector, including supporting Ministers in developing policy, agreeing priorities and planning assumptions and ensuring that core response capabilities are developed accordingly. This includes the development and promulgation of doctrine.
4. improve the capability of all levels of Government, the wider public sector and the private and voluntary sectors to prepare for, respond to and manage potential challenges, through development of key skills and awareness.

To carry out this role, £39.5 million was allocated to the CCS in February 2003. This included the £10 million administration and capital costs of the Secretariat, the £19 million Local Authority Grant and £10 million to the Met Office. In addition the Office of the e-Envoy has a budget of just over £6. 9 million for the Emergency Communications Network.

External Reports

Mr. Maude: To ask the Minister for the Cabinet Office if he will list *(a)* the title and subject, *(b)* the total cost to his Department and *(c)* the commissioned author or organisation of each external report commissioned by the Cabinet Office in each year since 1997. [103710]

Mr. Alexander: The information requested could be provided only at disproportionate cost.

Scotland

Pete Wishart: To ask the Minister for the Cabinet Office how many times he has visited Scotland on official duties each year since 2000; and what meetings were held on each occasion. [103622]

Mr. Alexander: Since joining the Cabinet Office in June 2002 I have not visited Scotland on Cabinet Office business, but my right hon. Friend the Lord Macdonald of Tradeston had one official Cabinet Office business trip in 2001 and one in 2002.

However in line with exemptions 2 and 7 of the Code of Practice on Access to Government Information, it is not the normal practice of Governments to release details of specific meetings or their content, as some of these discussions may have taken place on a confidential basis.

Pete Wishart: To ask the Minister for the Cabinet Office what plans Ministers in the Department have to *(a)* visit Scotland on official business, *(b)* announce public appointments and *(c)* make ministerial announcements in April; and whether officers in Government Departments are permitted to collate briefings for Ministers for election campaign debates. [103668]

Mr. Alexander: Departmental business during the campaign period preceding elections to the Scottish Parliament, will be conducted in accordance with the Guidance on Conduct for Civil Servants in UK Departments in respect of elections to the Scottish Parliament, National Assembly for Wales and English local authorities, published by the Cabinet Office on 10 March.

Copies were placed in the Libraries of the House.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Award Schemes

Annabelle Ewing: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the award schemes in *(a)* 2001 and *(b)* 2002 promoted by the Department; what their scope was; when the relevant participating organisations are scheduled to be sent results; and whether other parties will be given notification of the results at the same time. [102055]

Alun Michael: None.

Eggs (Marking)

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs which agency will have responsibility for enforcing the EU's proposed rules on the compulsory marking of hen eggs; what resources the Government plans to make available for the enforcement duties; and if she will make a statement. [103760]

Margaret Beckett: In England and Wales, responsibility for enforcing rules on the compulsory marking of hens eggs will fall principally to this Department's Egg Marketing Inspectorate although local authority trading standards officers will be responsible for enforcement at retail level.

This work will form part of the normal enforcement of egg marketing legislation, and as such, no additional resources have been allocated to it.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her answer of 25 February 2003, *Official Report*, column 455W, on egg marking, what assessment she has made of the impact of the new rules for marking on the eggs sold at Women's Institute markets. [103741]

Margaret Beckett: The principal purpose of the new rules on egg marking is to improve consumer information and to provide greater traceability, for example in the event of a possible food borne disease outbreak. This need applies irrespective of the outlet. Where eggs are from a clearly identifiable producer and are sold direct to the final consumer in a WI market, they do not necessarily have to be marked. Otherwise, the normal egg marketing rules will apply.

National Parks

Mr. Waterson: To ask the Secretary of State for Environment, Food and Rural Affairs what figures she collates on traffic flows in national parks. [103909]

Alun Michael: None, but the Department for Transport collects such information on motorways, 'A' roads and many 'B' roads.

DEFENCE

European Security and Defence Policy

Mr. Hancock: To ask the Secretary of State for Defence what discussions he has had with other EU member states on the involvement of *(a)* Canada, *(b)* Russia, *(c)* Ukraine and *(d)* other countries in the European Security and Defence Policy; and if he will make a statement. [103869]

Mr. Hoon: Initial principles for the participation of Canada, Russia, Ukraine and other interested states in the European Security and Defence Policy were agreed at the Nice European Council in December 2000, and arrangements subsequently set out in letters to the countries concerned. They have not been the subject of recent ministerial discussion. Canada may participate in EU operations which use NATO assets and capabilities, if she so chooses, and we expect her to take part in the forthcoming EU operation in the Republic of Macedonia on this basis. Canada may also take part in EU operations without recourse to NATO assets and capabilities, if invited by the Council. These arrangements mirror those for European non-EU NATO Allies. Russia, Ukraine and other interested countries may be invited to participate in EU-led operations on a case-by-case basis.

HMS Nottingham

Mr. Hancock: To ask the Secretary of State for Defence what the predicted cost of the repairs being carried out on HMS Nottingham is; when it will be ready for service; and if he will make a statement. [104225]

Mr. Ingram: I refer the hon. Member to the answer I gave on 4 February 2003 *Official Report*, column 177W, to the hon. Member for Cornwall, South East (Mr. Breed).

Indonesia

Annabelle Ewing: To ask the Secretary of State for Defence what plans he has to release departmental papers from 1975–76 concerning Indonesia, East Timor and the Balebo killings. [103922]

Dr. Moonie: We are not aware of any Ministry of Defence files dealing specifically with this subject. However, two general files have been identified covering wider events from that time. These will be made available to researchers in the Public Record Office in accordance with the provisions of the Public Records Act, 1958 and 1967.

Iraq

Mr. Jenkin: To ask the Secretary of State for Defence when requests were received from the United States for additional infantry for possible military action against Iraq; whether they have been agreed to; and if he will make a statement. [104000]

Mr. Hoon *[holding answer 20 March 2003]:* I have not received any requests from the United States for additional infantry. However, I refer the hon. Member to my written ministerial statement on 13 March 2003, *Official Report*, column 20WS, in which I announced the deployment of the 1st Battalion The Duke of Wellington's Regiment and 202 Field Hospital (Volunteer). Respectively, these will provide additional infantry and medical capability to Headquarters 1 (UK) Armoured Division, so that it can respond to a range of potential tasks and circumstances.

Operational Performance Statements

Mr. Hancock: To ask the Secretary of State for Defence what action the Government will take to ensure that those soldiers, sailors and airmen who have not been able to undertake the work and practice necessary to achieve Operational Performance Statement while covering for the fire strike and therefore will not reach their next promotion level and an increased pay band, do not lose out; and if he will make a statement. [102611]

Dr. Moonie: Every effort is being made to ensure that personnel who covered for the fire strike will not be disadvantaged.

For the Navy, deferral or cancellation of planned training due to Op. FRESCO is recognised as an exigency of service and such delays in individuals' promotion will be considered on a case by case basis. However, the position of individuals who have been withdrawn from career training courses whilst in attendance and have suffered a delay in their promotion as a result, has been recognised as unique. On return to normal duty and on completion of outstanding training, such individuals will be entitled to have their effective date of promotion backdated to the day that they would have been promoted but for Op. FRESCO.

For the Army, Op. FRESCO is also seen as an operational commitment under the terms of Military Aid to the Civil Administration (MACA). Soldiers deployed on operations will receive due credit for the operational experience gained and selection for both promotion and development training will be addressed on a case by case basis. Where individuals have been removed from career courses to participate in the operation, qualifications and benefits will be back-dated to the conclusion of the original course once the training has been completed.

In the RAF, personnel whose courses were delayed, or who were withdrawn from training on courses that affected pay and seniority, will receive pay and seniority backdated to the original date of graduation on subsequent successful completion of the course.

Transportable Surgical Facilities

Mr. Jenkin: To ask the Secretary of State for Defence how many modularised transportable surgical facilities have been procured for the Armed Forces. [103978]

Dr. Moonie: A total of four Modular Transportable Surgical Facility systems have been purchased.

HEALTH

Child Trafficking

Mr. Wray: To ask the Secretary of State for Health what funding is in place for specialist agencies to provide assistance and support to child victims of trafficking. [103405]

Jacqui Smith: We expect that the provision of assistance and support to child victims of trafficking will be secured by local statutory services in response to identified needs, whether provided directly or through specialist agencies. The relevant statutory agencies include the immigration service, the police, social services and health, which have a responsibility to safeguard vulnerable children and to prevent and detect crimes against them.

Child victims of trafficking are likely to be in need of welfare services and in many cases, protection under the Children Act 1989. Social services have a duty to safeguard and promote the welfare of these children following an assessment of their circumstances.

Care Homes

Mr. Rosindell: To ask the Secretary of State for Health (1) how much funding has been made available in 2002–03 for care homes in *(a)* the London Borough of Havering, *(b)* each of the other London boroughs and *(c)* each administrative area for health care in the United Kingdom; [101976]

(2) if he will make a statement on care home funding in the London Borough of Havering. [101978]

Jacqui Smith: In 2002–03, the Revenue Support Grant for the London Borough of Havering made provision for an increase in funding for social services of 5.2 per cent., compared with a national average increase of 4.9 per cent. This represented an increase from £38,514,000 in 2001–02 to £39,890,000 in 2002–03. Councils have discretion to decide their spending priorities and are not required to spend exactly these amounts on social care. It is therefore for each council to decide how much to spend on care homes. In addition, in 2002–03 Havering received a Building Capacity Grant of £1,173,000 which is more than double the amount they received in the previous year.

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 11 March 2003, *Official Report,* column 232W, on care homes, how many letters he has sent to care homes regarding the failure to pass on the free nursing care contribution. [103513]

Jacqui Smith: I refer the hon. Member to the response I gave the hon. Member on 26 [illegible] 2002, *Official Report,* columns 935–36W, in which I made it clear that four providers had been written to about this. Health authorities and primary care trusts will also have written to providers on this subject

Hearing Aids

Mr. Hepburn: To ask the Secretary of State for Health how many *(a)* hearing aid users and *(b)* digital hearing aid users there were in (i) the Jarrow constituency, (ii) South Tyneside, (iii) Tyne and Wear and (iv) the UK on 1 February. [99929]

Jacqui Smith: The Royal National Institute for the Deaf estimates that there are 1.8 million people currently using hearing aids in England. Information is not collected centrally on numbers of people using analogue or digital hearing aids in England or in the localised areas specified. Information related to Wales and Scotland is a matter for the devolved administrations. Whilst the institutions in Northern Ireland are dissolved, responsibility rests with Ministers in the Northern Ireland Office.

Lymphoedema

Dr. Murrison: To ask the Secretary of State for Health what plans he has to promote therapies for people with lymphoedema. [104154]

Jacqui Smith: There is currently no cure but, with appropriate treatment, lymphoedema can be very well managed in the national health service. These treatments consist of a combination of skin care, exercise, massage and compression garments or bandaging. In a few cases it is possible to help surgically, for example by transplanting lymph vessels.

The National Institute for Clinical Excellence has recently updated the Improving Outcomes in Breast Cancer Guidance, and that guidance made some recommendations about lymphoedema. The guidance recommends that cancer networks should agree guidelines for identification and management of lymphoedema and that a lymphoedema service, staffed by nurses and physiotherapists who have experience in dealing with this problem, should be available for all patients who experience arm swelling or discomfort.

Mencap

Mr. Boswell: To ask the Secretary of State for Health if he will meet MENCAP to discuss progress in implementation of the White Paper, "Valuing People", through Local Learning Disability Partnership Boards. [103474]

Jacqui Smith: I have met representatives of MENCAP on several occasions since the publication of the White Paper "Valuing People: A New Strategy for Learning Disability for the 21st Century" (Cm 5086) in March 2001 and have discussed a range of issues. I welcome MENCAP's very positive contribution to the implementation of the White Paper, for example through the current chief executive's membership of the Learning Disability Task Force and their management of the learning disability telephone Helpline. I look forward to meeting MENCAP's new chief executive when she has taken up her post and to working with her as we continue to implement "Valuing People". I should be happy to include the role of Learning Disability Partnership Boards in our discussions.

Mental Health (Salisbury)

Mr. Key: To ask the Secretary of State for Health when mental health service improvements announced in the national service framework for mental health and the NHS plan in respect of *(a)* crisis teams, *(b)* assertive outreach programmes, *(c)* home treatment, *(d)* early intervention in psychosis and *(e)* primary care mental health teams will be launched in Salisbury. [103080]

Jacqui Smith *[holding answer 18 March 2003]:* A mental health national service framework (NSF) was published in September 1999 which spells out national standards for mental health, what they aim to achieve, how they should be developed and delivered and how to measure performance in every part of the country. It concentrates on the mental health needs of working age adults, and covers health promotion, assessment and diagnosis, treatment, rehabilitation and care, encompassing primary and secondary care and the roles of partner agencies.

Work to develop mental health services is ongoing. In order to improve local services the local primary care trust has committed, in its three year local delivery plan, to increased investment in mental health, including investment in services for older people and dementia provision.

The Avon and Wiltshire Mental Health Partnership National Health Service Trust has advised of specific mental health services in place as follows:

Crisis teams and home treatment:

The intensive home support service already provides out-of-hours crisis support in Salisbury and south Wiltshire. Supports run from 9.00 am to 9.00 pm on weekdays and bank holidays and from 10am to 6pm on weekends.

Assertive Outreach programmes:

There is a small team currently seeing 14 clients in south Wiltshire, with the aim of increasing this to serve around 40 clients over the next few years. The programme will be considered under a major data led review of adult mental health services to be undertaken during 2003.

Across the whole Avon, Gloucestershire, and Wiltshire Strategic Health Authority area there have been substantial service improvements in line with NSF Guidance including:

six more crisis resolution teams

eight more assertive outreach teams

at least 12 more community gateway staff

at least 14 more staff to give breaks to carers and strengthen carer support

fully comprehensive community mental health teams in the three Wiltshire LIT areas better services for mentally-disordered offenders including expansion of two court assessment schemes and in-reach provision for prisoners

better services for mentally-disordered offenders including expansion of two court assessment schemes and in-reach provision for prisoners

better medium secure services including advocacy and social care services in keeping with the Lewis Report

increased security High Secure Hospitals

There have also been substantial improvements in the integrated care programme approach, mental health commissioning, and information sharing.

North Cumbria Acute Trust

Mr. Martlew: To ask the Secretary of State for Health what financial package the former chief executive of North Cumbria Acute Trust received following his resignation. [103054]

Jacqui Smith: The former chief executive of the North Cumbria Acute National Health Service Trust has received no financial package following his resignation.

Prison Health Care

Chris Grayling: To ask the Secretary of State for Health what the budget is for prison health care services; and what the total funding allocation to primary care trusts is for 2003–04 for the cost of taking over prison health care services. [103385]

Jacqui Smith: There has not, historically, been a separate budget for health care within overall prison service expenditure. A recent survey of prison establishments established that the full-year revenue cost of health care in English prisons in 2002–03 was around £113 million, excluding privately run prisons.

The Department will assume overall financial responsibility for prison health services from April 2003. However, the Government do not plan to devolve full financial responsibility for these services to primary care trusts (PCTs) until April 2006. Until then, the majority of funding for prison health services will be passed back to the prison service to secure services as now. Allocations to PCTs for 2003–04 take account of existing national health service responsibilities for securing secondary care services for prisoners, along with the development of mental health in-reach teams under the NHS Plan.

Chris Grayling: To ask the Secretary of State for Health what budget provision has been made for the screening of prison inmates for Hepatitis C. [103387]

Jacqui Smith: Prisoners in England and Wales are not routinely screened for Hepatitis C, although individuals may ask to be tested for evidence of the infection. Allocations made to primary care trusts include provision for the costs of such services.

Simon Hughes: To ask the Secretary of State for Health in which prisons condoms are available to prisoners *(a)* through the prison doctor, *(b)* through the prison shop and *(c)* from other sources; and if he will make a statement. [102470]

Jacqui Smith: This information is not available centrally. Prison doctors have been advised that they can make condoms available to individual prisoners on application where, in their clinical judgment, there is a risk of infection from HIV.

Reflex Sympathetic Dystrophy

Mr. Djanogly: To ask the Secretary of State for Health what estimate he has made of the number of people suffering from reflex sympathetic dystrophy in the United Kingdom. [103569]

Jacqui Smith: The Department does not collect statistics on the incidence of individual conditions so we are unable to offer an estimate of the number of people suffering from reflex sympathetic dystrophy in the United Kingdom.

HOME DEPARTMENT

Security Service

Mr. Beggs: To ask the Secretary of State for the Home Department what the operational responsibilities are of the Security Service in Northern Ireland; to whom the Security Service is accountable for its operations and activities in Northern Ireland; and what role Her Majesty's Government has in directing the operational activities of the Security Service in Northern Ireland. [103414]

Mr. Blunkett: The functions of the Security Service are set out in the Security Service Act 1989 as amended by the Security Service Act 1996.

Under the 1989 Act, the Director General of the Security Service controls its operations. While the Security Service acts ordinarily under the authority of the Home Secretary, it will report to the Secretary of State for Northern Ireland for its operations there.

The hon. Member will be aware that it is the longstanding policy of successive Governments not to comment in any way on the operational activities of the Security Service. Such information is outside of the scope of the Code of Practice on Access to Government Information.

Traffic Wardens

Mr. Norman: To ask the Secretary of State for the Home Department how many traffic wardens were employed in each year since 1997. [102254]

Mr. Bob Ainsworth: The total number of traffic wardens employed by police authorities in England and Wales for the last three years are given in the following table:

	Traffic warden strength
1999–2000	2,801
2000–01	2,538
2001–02	2,280

Figures for the years prior to 1999–2000 are not recorded centrally.

The number of traffic wardens has been falling over recent years because increasingly the offences with which they formerly dealt have been decriminalised and dealt with by local authority employees.

Asylum Application Processing Centres

Gregory Barker: To ask the Secretary of State for the Home Department if he will make a statement on Government progress in persuading non-EU countries to host British asylum application processing centres. [104239]

Beverley Hughes: We are still developing our ideas on how we want to advance new international approaches to asylum processing and protection. While there has been media speculation of possible locations for transit processing centres we have not started discussions with any country on the potential as host for such centres.

Chemical Agent Monitors

Mrs. Calton: To ask the Secretary of State for the Home Department how many hand-held chemical agent monitors are available in each police force. [102517]

Mr. Bob Ainsworth: The ability of police forces to respond to a terrorist incident involving the use of chemical, biological, radiological and nuclear (CBRN) materials is being strengthened through the increased provision of specialist police training and equipment. Home Office funding is being made available to meet the full running and equipment costs involved. It would not be appropriate, on security grounds, to give more specific information regarding the CBRN detection capability in each police force.

Civil Defence

Llew Smith: To ask the Secretary of State for the Home Department if he will make a statement on the progress made to update the national civil defence and anti-terrorist emergency plans. [100077]

Mr. Blunkett: I refer my hon. Friend to the Written Ministerial Statements I made on 3 March 2003, *Official Report*, column 72WS, and 20 March 2003, *Official Report*, column 51WS.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letter to him dated 28 January from the right hon. Member for Manchester, Gorton with regard to Nariman Rauf Salih. [103745]

Mr. Blunkett: I wrote to my right hon. Friend on 20 March 2003.

David Winnick: To ask the Secretary of State for the Home Department when he will reply to the letter from the hon. Member for Walsall, North of 4 February regarding a constituent, ref 3664/3. [104350]

Beverley Hughes: My noble Friend Lord Filkin wrote to my hon. Friend on 19 March 2003.

Distraction Burglaries

Tim Loughton: To ask the Secretary of State for the Home Department what budget he has allocated to efforts to tackle distraction burglary in the financial years *(a)* 2002–03 and *(b)* 2003–04. [102733]

Mr. Bob Ainsworth: In 2002–03, we will have spent nearly £328,000 centrally on work to combat distraction burglary, including funding for a project targeting distraction burglary in Leeds, and the work of Distraction Burglary Task Force.

Crime Reduction funding for 2003–04 has mainly been distributed directly to Crime and Disorder Reduction Partnerships to use to tackle local priorities. There is no central Home Office budget dedicated to distraction burglary.

Tim Loughton: To ask the Secretary of State for the Home Department if he will make a statement on progress against the National Distraction Burglary Task Force's action plan. [102734]

Mr. Bob Ainsworth: The National Distraction Burglary Task Force drew up a two year action plan in 2000. It set out a wide range of activities which reflect the Task Force's aim, which is

> "To tackle distraction burglary and thereby improve the quality of life of vulnerable communities through a co-ordinated national partnership initiative within England and Wales".

That action plan was substantially completed in 2002.

The Task Force held 11 regional conferences which were well attended and positively received. The report on the conferences has been published and sent to those who attended, others who work with the elderly and Crime and Disorder Reduction Partnerships.

The Task Force has also produced a range of materials to raise awareness of the issue of distraction burglary among a range of organisations, and to disseminate good practice. Nearly 7,000 toolkits, comprising a copy of a Good Practice Guide, two videos and samples of useful items for making homes more secure were produced for use by those working with the elderly and vulnerable. A leaflet highlighting the message "Stop ... Chain ... Check" has been produced and a series of newsletters for practitioners has been published.

Funding has been provided for two substantial research projects on distraction burglary. These are investigating key factors that affect vulnerability and the ability to resist attempted offences, We hope to publish the report of this research in May 2003.

From April 2003, offences deemed to be distraction burglary will be included in the recorded crime series; incorporated as a sub-heading within the Burglary Dwelling category.

Although the original action plan has been substantially completed, work to reduce distraction burglary is continuing and the Task Force has set up three sub-groups, to consider Communications, Prevention and Partnership. They will look at ways to develop key actions, such as offering advice and training, liaising with utility companies, police forces and others in order to improve the prevention and detection of this crime, and ways of further developing the existing guidance and materials.

Tim Loughton: To ask the Secretary of State for the Home Department what plans he has to create a new, separate classification of distraction burglary for the purposes of recording crime statistics. [102735]

Mr. Bob Ainsworth: With effect from 1 April 2003, we will be collecting centrally from police forces numbers of offences of distraction burglary. These will be recorded as a sub-group of the domestic burglary category and published in the recorded crime statistics.

The definition of distraction burglary we have agreed is:

> "Any crime where a falsehood, trick or distraction is used on an occupant of a dwelling to gain, or try to gain, access to the premises to commit burglary."

Tim Loughton: To ask the Secretary of State for the Home Department how many reported incidents of distraction burglary there were in each of the last five years; and what estimate he has made of the number of incidents of distraction burglary that go unreported each year. [103736]

Mr. Bob Ainsworth: In 2002–03, we will have spent nearly £328,000 centrally on work to combat distraction burglary, including funding for a project targeting distraction burglary in Leeds, and the work of Distraction Burglary Task Force.

Crime reduction funding for 2003–04 [illegible] mainly been distributed directly to Crime and Disorder Reduction Partnerships to use to tackle local priorities. There is no central Home Office budget dedicated to distraction burglary.

Immigration Appeals

Simon Hughes: To ask the Secretary of State for the Home Department how many appeals made from outside the UK were successful in each of the last three years for *(a)* asylum, *(b)* tourist visas, *(c)* work permits and *(d)* British citizenship. [102445]

Beverley Hughes: Under provisions of the Nationality, Immigration and Asylum Act 2002 which came into force on 7 November 2002, a claimant whose asylum or human rights claim has been refused and certified as "clearly unfounded" may not appeal that refusal until they are outside the United Kingdom. No such appeals had been lodged as at end December 2002 (the latest date for which data are available). However, for the small number of such cases for which appeals have since been received and determined, none has been successful.

Prior to 7 November, no asylum applicants were required to appeal from outside the United Kingdom.

There is no statutory right of appeal against a refusal to grant tourist visas or British nationality.

The number of successful non-statutory appeals made outside the United Kingdom for work permits in each of the last three years is as follows: 753 in 2000; 937 in 2001; and 2,123 in 2002. The issue of a work permit does not guarantee the issue of a visa and/or entry to the United Kingdom.

Ministerial Travel

Mr. Don Foster: To ask the Secretary of State for the Home Department if he will list internal flights made by Ministers in his Department in 2002, including in each case the *(a)* cost, *(b)* departure location and *(c)* destination; and of these how many were (i) first class, (ii) business class and (iii) economy class. [103584]

Mr. Blunkett: I refer the hon. Member to the answer provided by my hon. Friend the Member for Paisley, South (Mr. Alexander) on 22 January 2003, *Official Report,* column 334W.

I also refer to the answer provided to the hon. Member for West Chelmsford (Mr. Burns) on 11 March 2003, *Official Report*, column 207W.

Detailed information for all Ministers in respect of United Kingdom travel is not held centrally and could be provided only at disproportionate cost. All travel is undertaken fully in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are in the Library.

On-the-spot Fines

Chris Ruane: To ask the Secretary of State for the Home Department if he will make a statement on the on-the-spot fines pilot project in North Wales. [103398]

Mr. Bob Ainsworth: North Wales is one of five police forces piloting penalty notices for disorder in four police force areas. The pilot in North Wales commenced on 2 September in its central division. Up to 5 January 100 penalty notices had been issued with 53 paid and only one request for a court hearing. 23 penalty notices were within the 21 day payment period with no recorded outcome. North Wales police have welcomed this new option for dealing with low-level disorderly offending and are now extending the pilot forcewide.

Police

Mr. Gibb: To ask the Secretary of State for the Home Department pursuant to his Answer of 24 February, ref 97598, what the role of his Department is in determining policy and guidelines relating to the deployment of police forces. [100063]

Mr. Bob Ainsworth: Under the Police Act 1996, a police force is under the control and direction of its chief officer. Operational decisions, including the deployment of officers, are a matter for the chief officer of police.

The Police Reform Act 2002 provides for the publication of an annual National Policing Plan which sets out the Home Secretary's strategic priorities for the police service and the targets and indicators by which police performance will be measured. Chief officers and police authorities are then required to have regard to the National Policing Plan when preparing their own three-year strategic plan.

From time to time the Home Secretary may also issue regulations requiring all forces to adopt particular procedures and practices in the interests of promoting efficiency and effectiveness. The Home Secretary may for the same reasons issue codes of practice on any function of chief officers and to which a chief officer shall have regard. The Home Secretary may issue guidance to the police on specific aspects of policing. Codes of practice are drafted by Centrex (the Central Police Training and Development Authority) after consultation with the Association of Chief Police Officers and the Association of Police Authorities. The Home Secretary shall also seek the advice of Centrex (who will again consult) in drafting regulations.

The Home Secretary may also direct that an action plan be drawn up where inadequate performance is identified by Her Majesty's Inspector of Constabulary in a force or part of a force.

The National Centre for Policing Excellence (NCPE) has been established within Centrex specifically to advance the professional capacity of the police. It will develop and disseminate knowledge to improve effective policing practice and will focus on priority issues affecting public confidence and risk, including those required by the Home Secretary for incorporation into regulations and codes of practice.

Adam Price: To ask the Secretary of State for the Home Department how much his Department has withdrawn from the National Assembly for Wales police provision to fund centrally managed initiatives. [102762]

Mr. Bob Ainsworth: A number of specific grants and central initiatives are financed from the overall provisions for police grant and for revenue support grant from the Office of the Deputy Prime Minister and from the Welsh Assembly Government. The share contributed by the National Assembly for 2003–04 is £21.26 million. It is based on the Welsh police authorities' share of Total Assumed Spending for police authorities in England and Wales.

Welsh police authorities will receive £355 million in general grant in 2003–04, an increase of 3.6 per cent. over the provision for 2002–03. In addition, they are expected to receive in specific grants sums at least equivalent to the National Assembly contribution.

Chris Ruane: To ask the Secretary of State for the Home Department how many community support officers have been recruited by each police authority in England and Wales, in the last year for which figures are available. [103394]

Mr. Bob Ainsworth: Police forces were first invited to bid for funds for Community Support Officers (CSOs) on 31 July 2002. 27 forces made successful bids. The table sets out the numbers of CSOs recruited up to 17 March in 26 of these forces. Avon and Somerset have not, as yet, employed any CSOs although they hope to have 12 in place shortly.

	Numbers recruited by 17 March 2003
Metropolitan	422
Metropolitan (funded by Transport for London)	83
Greater Manchester	160
Lancashire	72
Merseyside	41 (two part-timers)
Cleveland	40
West Yorkshire	36
Surrey	36
Lincolnshire	32
Gwent	30
Leicestershire	28
Sussex	22
Devon and Cornwall	20
Wiltshire	14
Hertfordshire	14
South Yorkshire	12
Norfolk	12
Northamptonshire	12
Warwickshire	11
Durham	10
Essex	10
Nottinghamshire	10
West Mercia	10
Dorset	7
Kent	9
Cambridgeshire	6
Cheshire	6
Total	1,165

We are on course to meet our target of 1,200 CSOs recruited by the end of March. A new round of bidding has commenced and we hope to announce allocations in May 2003.

Bob Russell: To ask the Secretary of State for the Home Department if he will encourage rail operating companies to extend the free travel on trains available to regular police officers to members of the Special Constabulary. [99643]

Mr. Bob Ainsworth: The Special Constabulary has a vital role to play in reducing crime and providing reassurance to the public. We welcome any contribution that the rail operating companies, and the wider business community, can make to support the work of the Special Constabulary.

Bob Russell: To ask the Secretary of State for the Home Department (1) what plans he has *(a)* to alter and *(b)* to withdraw the subsistence allowance for special constables; [99648]

(2) what the rates of payments made to special constables are for *(a)* boot allowance and *(b)* subsistence allowance; when these figures were introduced; and what plans he has to increase them. [99649]

Mr. Bob Ainsworth: Revised allowances for special constables were set out in Home Office Circular No. 64/89, payable with effect from 11 September 1989.

The Circular set the boot allowance at an annual rate of £30, payable in arrears. A refreshment allowance for a special constable incurring expenditure to obtain a meal was set at the same rate as that approved for payment to regular constables under Regulation 58 of the Police Regulations 1987, as amended.

We are currently reviewing Home Office Circular No. 64/89.

Mr. Don Foster: To ask the Secretary of State for the Home Department (1) what percentage of police resources is allocated to traffic policing *(a)* in the UK and *(b)* broken down by region; [102860]

(2) how many dedicated traffic police officers there have been in each year since 1991, broken down by region and nation; and what percentage of the total number of police officers these figures represent, broken down by region and nation; [102861]

(3) what recent discussions he has had with the Association of Chief Police Officers regarding the number of dedicated traffic police officers; and if he will make a statement. [102859]

Mr. Bob Ainsworth: The following tables give the readily available information in respect of England and Wales. This covers the three years since 1999, in which year the definition of 'traffic officer' used by Her Majesty's Inspectorate of Constabulary changed. The definition is now

> "staff who are predominantly employed on motor-cycles or in patrol vehicles for the policing of traffic and motorway related duties".

This definition excludes those engaged in accident investigation, vehicle examination or radar duties. Policing in Scotland and Northern Ireland is the responsibility of the Scottish Executive and Secretary of State for Northern Ireland respectively.

The importance given to traffic policing should not be measured solely by the number of dedicated traffic officers, and does not depend on increases or decreases in the number of such officers. The adoption of an intelligence-led approach to traffic policing, its integration with other core activities, the increased use of cameras and other technology, and the more effective use of police resources can lead to a reduction in dedicated traffic officers without a reduction in traffic-related targets or enforcement levels.

The importance of roads policing is recognised in the National Policing Plan. This sets out that forces and local authorities should include in their local policing plans targeted and intelligence-led strategies for reducing deaths and injuries on the roads and achieving a safe environment for all road users.

Officials are in regular contact with the head of the Association of Chief Police Officers (ACPO) Road Policing Business Area and his colleagues.

	Traffic police officers		
Region and nation	*1999–2000*	*2000–01*	*2001–02*
Cleveland	68	63	67
Durham	116	113	113
Northumbria	158	158	178
North East Region Total	342	334	358
Cheshire	196	187	194
Cumbria	119	111	108
Greater Manchester	433	423	421
Lancashire	220	217	220
Merseyside	185	130	126
North West Region Total	1,153	1,068	1,069
Humberside	155	145	136
North Yorkshire	96	129	140
South Yorkshire	196	206	208
West Yorkshire	323	326	336
Yorkshire and Humberside Total	770	806	820
Derbyshire	139	136	140
Leicestershire	87	95	86
Lincolnshire	93	88	98
Northamptonshire	52	52	61
Nottinghamshire	167	175	111
East Midland Region Total	538	546	496
Staffordshire	188	35	34
Warwickshire	102	96	95
West Mercia	278	322	325
West Midlands	394	380	385
West Midlands Region Total	962	833	839
Bedfordshire	73	69	69
Cambridgeshire	93	86	78
Essex	245	249	254
Hertfordshire	155	168	149
Norfolk	109	113	114
Suffolk	70	63	68
East of England Region Total	745	748	732
City of London	22	24	25
Metropolitan Police	824	686	602
London Region Total	846	710	627
Hampshire	251	240	240
Kent	103	104	104
Surrey	173	197	110
Thames valley	251	251	247
South East Region Total	778	792	701
Avon and Somerset	200	211	214
Devon and Cornwall	215	202	187
Dorset	83	86	81
Gloucestershire	68	69	64
Wiltshire	93	91	88
South West Region Total	659	659	634
England Total	6,793	6,496	6,276
Dyfed-Powys	93	83	75
Gwent	90	89	87
North Wales	134	146	152
South Wales	224	238	244
Wales	541	556	558
Wales Total	541	556	558

	Percentage of total police		
Region and nation	*1999–2000*	*2000–01*	*2001–02*
Cleveland	4.78	4.424157	4.5859
Durham	7.445443	7.084639	6.992574
Northumbria	4.171067	4.096448	4.530415
North East Region Total	5.053938	4.857475	5.109906
Cheshire	9.146395	9.298856	9.42205
Cumbria	10.97786	10.5916	9.818182
Greater Manchester	6.372333	6.121563	5.833449
Lancashire	6.830177	6.666667	6.658596
Merseyside	4.528764	3.185494	3.054545
North West Region Total	6.705048	6.171627	6.003931
Humberside	8.022774	7.58765	6.634146
North Yorkshire	7.476636	9.832317	9.957326
South Yorkshire	6.216302	6.488189	6.502032
West Yorkshire	6.697077	6.770509	6.872571
Yorkshire and Humberside Total	28.41279	7.188085	7.103257
Derbyshire	7.822172	7.46023	7.575758
Leicestershire	4.365278	4.672897	4.176785
Lincolnshire	8.340807	8.340807	8.180301
Northamptonshire	4.651163	4.486626	5.024712
Nottinghamshire	7.508993	7.688928	4.763948
East Midland Region Total	6.539443	6.428824	5.734767
Staffordshire	8.663594	1.650943	1.593999
Warwickshire	11.33333	10.37838	9.803922
West Mercia	14.70899	16.50436	16.50505
West Midlands	5.460845	5.121294	5.069792
West Midlands Region Total	7.901437	6.709085	6.599025
Bedfordshire	7.101167	6.673114	6.472795
Cambridgeshire	7.512116	6.635802	5.726872
Essex	8.73129	8.604008	8.630649
Hertfordshire	8.77193	8.740895	8.142077
Norfolk	7.892831	7.963354	7.765668
Suffolk	6.108202	5.560459	5.652535
East of England Region Total	7.954303	7.576985	7.414911
City of London	2.98913	3.41394	3.27654
Metropolitan Police	3.236195	2.751153	2.298499
London Region Total	3.229254	2.769327	2.326185
Hampshire	7.341328	6.9869	6.896552
Kent	3.214732	3.134418	3.099851
Surrey	9.691877	9.535334	5.522088
Thames valley	6.709436	6.772801	6.565657
South East Region Total	6.403819	6.323353	5.568353
Avon and Somerset	6.816633	7.047428	6.912145
Devon and Cornwall	7.567758	6.884799	6.125123
Dorset	6.355283	6.304985	5.865315
Gloucestershire	6.104129	5.897436	5.419136
Wiltshire	8.318426	8.125	7.605877
South West Region Total	7.07613	6.877479	6.424807
England Total	79.27616	54.90224	52.28514

	Percentage of total police		
Region and nation	*1999–2000*	*2000–01*	*2001–02*
Dyfed-Powys	8.899522	7.852412	6.619594
Gwent	7.120253	6.985871	6.526632
North Wales	9.689082	10.1108	10.11984
South Wales	7.562458	7.657658	7.67537
Wales	8.130448	8.077873	7.807472
Wales Total	8.130448	8.077873	7.807472

	Number of police officers		
Region and nation	*1999–2000*	*2000–01*	*2001–02*
Cleveland	1,421	1,424	1,461
Durham	1,558	1,595	1,616
Northumbria	3,788	3,857	3,929
North East Region Total	6,767	6,876	7,006
Cheshire	2,011	2,011	2,059
Cumbria	1,084	1,048	1,100
Greater Manchester	6,795	6,910	7,217
Lancashire	3,221	3,255	3,304
Merseyside	4,085	4,081	4,125
North West Region Total	17,196	17,305	17,805
Humberside	1,932	1,911	2,050
North Yorkshire	1,284	1,312	1,406
South Yorkshire	3,153	3,175	3,199
West Yorkshire	4,823	4,815	4,889
Yorkshire and Humberside Total	11,192	11,213	11,544
Derbyshire	1,777	1,823	1,848
Leicestershire	1,993	2,033	2,059
Lincolnshire	1,115	1,202	1,198
Northamptonshire	1,118	1,159	1,214
Nottinghamshire	2,224	2,276	2,330
East Midland Region Total	8,227	8,493	8,649
Staffordshire	2,170	2,120	2,133
Warwickshire	900	925	969
West Mercia	1,890	1,951	2,018
West Midlands	7,215	7,420	7,594
West Midlands Region Total	12,175	12,416	12,714
Bedfordshire	1,028	1,034	1,066
Cambridgeshire	1,238	1,296	1,362
Essex	2,806	2,894	2,943
Hertfordshire	1,767	1,922	1,830
Norfolk	1,381	1,419	1,468
Suffolk	1,146	1,133	1,203
East of England Region Total	9,366	9,698	9,872
City of London	736	703	763
Metropolitan Police	25,462	24,935	26,191
London Region Total	26,198	25,638	26,954
Hampshire	3,419	3,435	3,480
Kent	3,204	3,318	3,355
Surrey	1,785	2,066	1,992
Thames valley	3,741	3,706	3,762
South East Region Total	12,149	12,525	12,589
Avon and Somerset	2,934	2,994	3,096
Devon and Cornwall	2,841	2,934	3,053
Dorset	1,306	1,364	1,381
Gloucestershire	1,114	1,170	1,181
Wiltshire	1,118	1,120	1,157
South West Region Total	9,313	9,582	9,868
England Total	112,583	113,746	117,001
Dyfed-Powys	1,045	1,057	1,133
Gwent	1,264	1,274	1,333
North Wales	1,383	1,444	1,502
South Wales	2,962	3,108	3,179
Wales	6,654	6,883	7,147
Wales Total	6,654	6,883	7,147

RAF Fairford

Mr. Drew: To ask the Secretary of State for the Home Department what provision under the Terrorism Act 2000 he is using to prevent people from protesting at RAF Fairford. [103483]

Mr. Blunkett *[holding answer 18 March 2003]:* The Terrorism Act 2000 is not being applied in the prevention of protests at RAF Fairford. Powers under this legislation are applied solely for the prevention and investigation of acts of terrorism.

Scotland

Pete Wishart: To ask the Secretary of State for the Home Department how many special advisers in the Department *(a)* have left and *(b)* will be leaving to work in Scotland for the Labour Party in the forthcoming Scottish parliamentary elections. [103605]

Mr. Blunkett: The rules relating to Special Advisers' political activities are set out in the Model Contract for Special Advisers. Further guidance in respect of elections for the Scottish Parliament is set out at paragraph 13 of the Guidance on Conduct for Civil Servants in United Kingdom Departments, published by the Cabinet Office on 10 March.

The reasons for a Special Adviser's resignation are a private matter between the Department and Adviser, and are therefore exempt from disclosure under paragraph 12 of the Code of Practice on Access to Information.

Pete Wishart: To ask the Secretary of State for the Home Department what plans Ministers in the Department have to *(a)* visit Scotland on official business, *(b)* announce public appointments and *(c)* make ministerial announcements in April. [103660]

Mr. Blunkett: All business undertaken by the Home Office during the campaign period preceding elections to the Scottish Parliament will be conducted in accordance with the Guidance on Conduct for Civil Servants in United Kingdom Departments in respect of elections to the Scottish Parliament and National Assembly for Wales, published by the Cabinet Office on 10 March.

MINISTER FOR WOMEN

Women's Portfolio Duties

Sandra Gidley: To ask the Minister for Women if she will make a statement regarding the proportion of her ministerial time she gives to her Women's Portfolio duties. [99037]

Mr. Stunell: To ask the Minister for Women if she will make a statement on the proportion of her ministerial time she spends on women's portfolio duties. [103779]

Ms Hewitt: With women making up about half the workforce, setting up a third of new business start-ups and making the majority of decisions as consumers, my roles as Secretary of State for Trade and Industry and Minister for Women are inextricably linked. I do not therefore see the two as separate roles to which time should be specifically allocated or recorded.

My hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) also works on women and equality issues as part of her ministerial portfolio.

INTERNATIONAL DEVELOPMENT

Burundi

Mr. Key: To ask the Secretary of State for International Development what assessment her Department has made of the implications of the forthcoming change of leadership in the transitional Government of Burundi; and what plans she has to provide *(a)* financial and *(b)* political support to enable the deployment of observers and peacekeeping troops to Burundi. [103081]

Mr. Rammell: I have been asked to reply.

With the international community we remain committed to supporting the Arusha process and the transitional government institutions. We have given extensive support to South African Vice President Zuma and his facilitation team. We and our EU partners have committed €1.23 million to finance the African Union Observer Mission in Burundi. We now stand ready to assist financially the deployment of the African Mission, which is central to the success of the 2 December ceasefire. It is important that there is a smooth hand over of power in the Transitional National Government of Burundi. We will continue to monitor the situation closely.

Mr. Leigh: To ask the Secretary of State for International Development what the Government are doing to promote peace in Burundi. [103104]

Mr. Rammell: I have been asked to reply.

The UK continues to monitor the situation in Burundi closely. With the international community, we remain committed to supporting the Arusha process and the transitional government institutions. We have given extensive support to South African Vice President Zuma and his facilitation team. We and EU partners have committed €1.23 million to finance the African Union Observer Mission in Burundi. We stand ready to assist financially the deployment of the African Mission, which is central to the success of the 2 December ceasefire.

Humanitarian Assistance

Judy Mallaber: Asked the Secretary of State for International Development, what additional support is the UK Government providing to humanitarian agencies to help their preparedness and for immediate humanitarian response following conflict in Iraq. [104954]

Clare Short: I have committed £20 million to support contingency preparations by the UN humanitarian agencies, Red Cross/Red Crescent Movement and international NGOs. DFID has set aside a further £70 million for the immediate humanitarian response. The UK Government is considering further assistance in line with emerging humanitarian needs.

DFID also provides 19 per cent. of EC funding for Iraq. The EC has committed 21 million euros to the immediate response, and the UK will support the Commission's request to the budgetary authorities for additional humanitarian assistance to Iraq.

WORK AND PENSIONS

Benefit Fraud

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions what checks he conducts against benefit fraud by members of his staff. [101554]

Malcolm Wicks: The Department for Work and Pensions adopts a robust approach to detection, prevention and deterrence of internal fraud. Local Security Specialists assess risks over a number of key areas and provide managers with assurance on the state of internal security. Management control systems are in place to deter and detect, which includes computer generated random checks on selected accesses by staff of the benefit system. In the event of internal fraud being suspected, specially trained staff are in place to investigate.

Departmental Press Releases

Mr. Laws: To ask the Secretary of State for Work and Pensions how many press releases have been issued by his Department in each *(a)* year and *(b)* quarter from 1995–96 to 2002–03; and if he will make a statement. [92475]

Mr. McCartney: I refer the hon. Member to the answer given to the hon. Member for Bath (Mr. Foster) on 27 February 2002, and the answer given to the hon. Member for North Tayside (Pete Wishart) on 17 June 2002.

The Department of Work and Pensions was formed in June 2001. This involved the amalgamation of parts of the Department for Education and Employment (including the Employment Service) with the Department of Social Security. In April 2000, the BA and CSA Press Offices merged with the DSS team, and consequently from that date all Press Releases were categorised as DSS.

It is not possible to dis-aggregate those press releases issued by DfEE relating solely to employment issues in the period requested. However, the press releases issued by the former DSS and the DWP are as follows.

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
DWP	—	—	—	—	260	335
DSS	291	311	270	411	—	—
Benefits Agency (BA)	60	42	48	—	—	—
Contributions Agency (CA)	50	10	3	—	—	—
Child Support Agency (CSA)	10	4	—	—	—	—

The quarterly breakdown is only available for 2002, as the information on previous years is inaccessible.

	2002
January to March	95
April to June	78
July to September	73
October to December	89

Employment, Social Policy, Health and Consumer Affairs Council

Mr. Hood: To ask the Secretary of State for Health what the outcome was of the Employment, Social Policy, Health and Consumer Affairs Council held on 6 March; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [102212]

Malcolm Wicks: I represented the UK at the Employment, Social Policy, Health and Consumer Affairs (ESPHCA) Council in Brussels on 6 March 2003, together with my hon. Friend the Minister for Employment Relations, Industry and the Regions.

The main business of this Council was a discussion on the proposed Directive on working conditions for temporary workers and the preparation of the Spring European Council, to take place on 21 March.

On the former, following lunchtime discussion, the Presidency concluded that the dossier was not ready for agreement at this point. The UK declared its readiness to reach agreement on a directive, but one with considerably more flexibility than the current draft, and joined the consensus for aiming for political agreement in June.

On the latter, the Council adopted without amendment the Joint Employment Report 2002 and its contribution to the Spring Council, "Key messages on the future of the Employment Strategy". In a public debate, member states were in broad agreement on the priorities for the revised Employment Guidelines outlined in the paper: the Guidelines should be fewer in number, focused on outputs rather than inputs, and linked closely to the Lisbon employment rate targets.

The debate also revealed broad support for the idea of an Employment Task Force, as proposed by the UK, France and Germany. The Council agreed that the Task Force should be a one-off, independent analysis of the measures required to improve Europe's employment performance in the short term. The Task Force should complement the revised Employment Strategy, without creating any new processes.

Council approved Joint Reports from the Commission and the Council on adequate and sustainable pensions, and on the future of health care and care for the elderly. It noted the opinion of the Social Protection Committee on the Commission's Synthesis Report and agreed a key issues paper on social protection to be sent to the Spring Council.

The Commission reassured the Council that its forthcoming Communication on streamlining of social protection would acknowledge that different methods and time scales were appropriate for different areas of work. It would also respect subsidiarity.

The Council noted the work programmes for 2003 of the Employment Committee and the Social Protection Committee.

The Council adopted a decision establishing a Tripartite Social Summit for Growth and Employment, noting the declaration from Denmark and the UK that the agreement was on the understanding that it did not set a precedent for the use of Article 202 as a Treaty base for such decisions.

The Council heard without comment presentations by the Commission on initiatives following the Commission action plan for skills and mobility: European health insurance card, legal basis of the European Employment Services (EURES), and free movement of workers.

Following an orientation debate, the Council agreed on a joint Presidency and Commission proposal for the Council to send an annual report on Gender Mainstreaming to the Spring Council. The Commission agreed with the UK that this would not involve the establishment of a new process.

The Commission reported on progress under the European Year of People with Disabilities and outlined its forthcoming report on the social situation in Europe focusing on health.

No Consumer Affairs items were on the agenda.

No votes were taken at this Council.

Medical Retirement

Adam Price: To ask the Secretary of State for Work and Pensions how many people in Wales under the age of 60 retired early due to ill health in each of the last five years, broken down by county. [102755]

Maria Eagle: The information is not available in the format requested.

Online Sales/Purchases

Mr. Yeo: To ask the Secretary of State for Work and Pensions what *(a)* products, *(b)* goods and *(c)* services were (i) bought and (ii) sold online by his Department in each of the last five years. [97439]

Mr. McCartney: The Department introduced electronic procurement in April 1997 for forms and leaflets direct from contract suppliers. Stationery and computer consumables, paper and general office products were added in April 2001.

Jobcentre Plus has used online processes for travel services and hotel and conference facilities from April 1998. It is intended to pilot these commodities to the rest of DWP beginning June 2003.

The Department also has a number publications, for example research reports, that can be viewed online. Hard copies of these reports have been available for purchase by members of the public and organisations through the Department's web site since July 2001.

Pensions

Mr. Flight: To ask the Secretary of State for Work and Pensions what the replacement ratio is by *(a)* state pension only, *(b)* state pension and SERPS and *(c)* state pension, SERPS and private pension provision. [99980]

Mr. McCartney: An individual's replacement rate depends upon a number of factors, including past saving behaviour, employment history, earnings profile, private pension provision, investment returns and date of retirement. Depending on earnings, income-related benefits are also available such as MIG and Pension Credit. Figure 2.7 in the recent Green Paper (Cm 5677) shows replacement rates from the state in 2050 as a percentage of weekly average earnings. The Government's strategy is to focus resources on those pensioners who need them the most. As a result, those with low lifetime incomes will have higher replacement rates provided by the state.

The Government have no specific objective on earnings replacement. It is the responsibility of individuals, where possible supported by their employers, to determine the level of income in retirement they want over and above that provided by the state system. Given their state income, figure 2.8 in the Green Paper (cm 5677) estimates the weekly contributions an individual and their employers would need to make to a private pension for the individual to retire on either half or two-thirds of their final salary in 2050.

The assumptions underlying figures 2.7 and 2.8 are detailed in Annex 5 of the Green Paper (Cm 5677) and in the figures' accompanying footnotes.

Return to Work (Benefits)

Harry Cohen: To ask the Secretary of State for Work and Pensions what plans he has to ensure that those who enter work *(a)* do not experience delays in obtaining the benefits to which they are entitled and *(b)* are not financially penalised in the time before they receive their first full wage payments. [89290]

Malcolm Wicks: Making the move from benefit into employment can be worrying. In recognition of this we have developed a package of financial help designed to provide real support for people making this transition and give them confidence that they can take up work.

To bridge the gap between leaving benefit and receiving a salary we introduced the Job Grant in April 2001. The Job Grant can provide a one-off tax-free payment of £100 for people aged 25 and over moving into full-time work. We have recently announced our intention to extend and improve the Job Grant to include lone parents and people claiming incapacity benefits. For Lone Parents, this will replace the Lone Parent Run-On that currently provides continued benefit payments for lone parents for the first two weeks after moving from benefits into work.

To assist people with their housing costs we have Housing Benefit and Council Tax Benefit Extended Payments which can provide Housing Benefit and Council Tax Benefit at their pre-work rate for the first four weeks after moving from Income Support/Jobseekers Allowance into work. We have recently announced plans to extend this scheme to include people claiming Incapacity Benefit. People may also be able to continue getting help with mortgage interest payments in the first four weeks of employment through Mortgage Interest Run-On.

The Adviser Discretion Fund, which was introduced in July 2001, gives New Deal personal advisers direct access to funds to remove immediate barriers to employment and help people move quickly into work. Advisers can award up to £300 per eligible client for purchase of anything that will help them obtain a job or, if already offered a job, to accept that offer. The Adviser Discretion Fund is currently only available to New Deal participants though we have recently announced plans to extend its availability to everyone who has been claiming a benefit for six months or more.

Our New Tax credits provide a secure stream of income for families with children, which will be of particular importance during the transition from benefits to work.

This package of measures and the improvements announced in the pre-Budget Report, reduces the risk of people having to return to benefits due to financial difficulties when starting work.

FOREIGN AND COMMONWEALTH AFFAIRS

Correspondence

David Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer of 26 February 2003, *Official Report*, column 593W, on correspondence, when he will provide a substantive reply to the letter from the hon. Member for Walsall, North of 16 December, ref. GV100/79888/NS (98396). [104351]

Mr. Mike O'Brien: My noble Friend Baroness Amos, Minister responsible for nationality and passport matters arising overseas, sent a substantive reply to my hon. Friend on 19 March.

Departmental Properties

Mr. Laws: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what his latest estimate is of the *(a)* market value and *(b)* same use cost of FCO buildings in (i) Riyadh, Saudia Arabia, (ii) Singapore, (iii) Bratislava, Slovakia, (iv) Ankara, Turkey, (v) Atlanta, USA, (vi) Boston, USA, (vii) Houston, USA, (viii) Seattle, USA, (ix) Los Angeles, USA and (x) Bangkok, Thailand; and if he will make a statement; [98379]

(2) what his latest estimate is of the *(a)* market value and *(b)* same use value of the FCO properties at (i) Berlin, Germany, (ii) Munich, Germany, (iii) Accra, Ghana, (iv) Guatemala City, Guatemala, (v) Hong Kong.(vi) Bombay, India, (vii) Calcutta, India, (viii) Madras, India, (ix) New Delhi, India, (x) Naples, Italy, (xi) Rome, Italy, (xii) Kingston, Jamaica, (xiii) Tokyo, Japan, (xiv) Abuja, Nigeria, (xv) Kaduna, Nigeria, (xvi) Lagos, Nigeria and (xvii) Muscat, Oman; and what plans he has to sell these buildings. [98380]

Mr. Rammell: I refer the hon. Member to the answer I gave him on 25 February 2003, *Official Report*, column 430W.

Iraq

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement of the costs associated with the military support being provided to enable the return of the UN arms inspectors to Iraq to the UN; and what arrangements are being made to pay the military costs falling to UN member states that enabled the return of the inspectors. [103808]

Mr. Mike O'Brien: Under UNSCR 1284 UNMOVIC operations are funded by a diversion of funds from the Oil-For-Food programme. Their operations are, therefore, effectively self-financing. Since the return of the UNMOVIC inspectors to Iraq, a number of countries have provided support to their activities. We do not know the costs associated which this assistance. There has been no UK military support for UNMOVIC at the moment.

Saudi Arabia

Mr. Roy: To ask the Secretary of State for Foreign and Commonwealth Affairs how many UK nationals are imprisoned in Saudi Arabia; and what discussions he has had with the Saudi government on their behalf. [101708]

Mr. Rammell: There are currently 12 British nationals detained in Saudi Arabia. Consular staff are in regular contact with the Saudi authorities and we raise issues relating to individual detainees on a case-by-case basis. Consular staff continue to provide all consular assistance they properly can to the detainees.

Scotland

Pete Wishart: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times he has visited Scotland on official duties each year since 2000; and what meetings were held on each occasion. [103608]

Mr. Straw: In respect of the period from 8 June 2001 when I became Foreign Secretary, I visited Scotland on official duties on Tuesday 27 August 2002. I had meetings with the Edinburgh Chamber of Commerce and with First Minister Jack McConnell MSP, and visited Trinity Academy, Edinburgh.

Sudan

Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 11 February 2003, *Official Report*, column 728W, on Sudan, if he will place in the Library an account of the discussions his Department has had with aid agencies regarding the Sudanese air traffic control system; and if he will make a statement. [102995]

Mr. Rammell: We have no formal record of discussions aid agencies about the Sudanese air traffic control system. FCO officials expressed the view that Sudan has a need for a modern air traffic control system. A large number of commercial flights fly over and within Sudan. A modern air traffic control system is crucial for the safety of United Nations and Non-Governmental Organisations' staff involved in the delivery of vital humanitarian aid in Sudan.

LORD CHANCELLOR'S DEPARTMENT

Court Appearances

Mr. Laws: To ask the Parliamentary Secretary, Lord Chancellor's Department how many defendants have appeared before a Court in England in each of the last 10 years; and if she will make a statement. [99829]

Yvette Cooper: The information requested is in the following table. The figures cover cases heard in the criminal and civil courts for which data are available.

Defendants appearing in the High Court (Queen's Bench), Crown, county and magistrates courts in England, 1992–2002

	Defendants—Crown court					*Defendants—County court*			
	Trials	*Sentences*	*Appeals*	*Crown court total*	*Magistrates court total*	*Trials*	*Small claims*	*County court total*	*High Court (Queen's Bench) trials*
1992	118,097	18,457	16,683	153,237	[1]—	24,218	72,657	96,875	6,914
1993	99,264	11,939	20,014	131,217	[1]—	23,588	97,535	121,123	5,612
1994	98,697	10,484	21,691	130,872	[1]—	22,500	65,522	88,022	4,686
1995	102,466	10,979	22,108	135,553	2,171,599	22,971	80,888	103,859	4,508
1996	94,855	11,098	16,986	122,939	2,147,721	18,279	87,308	105,587	4,480
1997	102,801	12,502	13,378	128,681	2,141,386	14,561	90,619	105,180	4,301
1998	89,158	26,201	13,558	128,917	2,200,823	18,988	91,280	110,268	3,628
1999	83,515	28,412	12,597	124,524	2,242,873	20,671	82,775	103,446	2,763
2000	82,977	26,656	11,948	121,581	2,267,721	14,211	52,825	67,036	2,584
2001	84,827	23,901	10,561	119,289	2,265,979	12,353	54,806	67,159	2,317
2002	89,435	26,584	9,809	125,828	[2]—	12,163	52,412	64,575	2,306

[1] Not available

[2] Full year figures not available

Notes:

1. Crown and magistrates court figures—there will be an element of double-counting where some defendants have appeared before the courts on separate charges/trials.

2. County court and High Court figures—these are the numbers of trials and small claims hearings that were heard. An assumption has been made that each hearing involved the defendant's attendance.

House of Lords Reform Unit

Mr. Laws: To ask the Parliamentary Secretary, Lord Chancellor's Department how much was spent on the House of Lords Reform Unit in each year from 2000–01 to 2003–04 (planned); and if she will make a statement. [99830]

Yvette Cooper: Until October 2001, officials dealing with House of Lords reform were an integral part of the Constitution Secretariat at the Cabinet Office and were also engaged in other duties within the Secretariat. On transfer of the functions to the Lord Chancellor's Department, provision of £361,000 was also transferred. This included provision for the purchase of legal advice to the Unit. The lawyers' part of the transferred resources has now been allocated to that part of the Department along with the posts in question. The estimated outturn for the House of Lords Reform unit for 2002–3 is £181,000. However, both the officials in the Unit and the legal advisers have been principally engaged on other duties within the Lord Chancellor's Department. The spending on the House of Lords Reform Unit in 2003–04 will depend on the work needed in response to the decisions made by the Committee on House of Lords Reform. Provision has been made for a budget of up to £273,000.

Immigration Adjudicators

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many immigration adjudicators are *(a)* part-time and *(b)* full-time; and how many vacancies there are. [103219]

Ms Rosie Winterton: There are 146 salaried and 454 fee-paid immigration adjudicators. There are no vacancies, but 30 salaried appointments are pending.

Judicial Appointments

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the recent report of the Bar Council that recommended that the Lord Chancellor should lose the power to appoint judges and QCs. [103259]

Ms Rosie Winterton: Sir Iain Glidewell's report has been issued for consultation until the end of April. His final report will be considered by the Bar Council in June. It would be inappropriate for the Lord Chancellor to make a statement on the document at this stage.

Legal Practitioners

Mr. Kidney: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment she has made of the adequacy of measures taken to ensure that there are sufficient numbers of legal practitioners undertaking publicly funded legal work. [102854]

Ms Rosie Winterton: I am satisfied that adequate measures have been taken to ensure that there are sufficient numbers of legal practitioners undertaking publicly funded legal work. My Department and the Legal Services Commission (LSC) monitor monthly the coverage of publicly funded civil and criminal legal service suppliers. For civil legal services, this is done through analysis of the numbers of contracted firms on a regional basis by the Regional Legal Services Committees. The adequacy of criminal legal services is monitored by the LSC's Criminal Defence Service executive, which has information about the extent of provision through contracts with criminal legal aid suppliers, and which monitors duty solicitor availability through management of duty solicitor rotas.

Lord Chancellor's Apartments

Norman Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department how much public money has been spent each year since 1 May 1997 on *(a)* maintaining and *(b)* improving apartments occupied by the Lord Chancellor. [96416]

Ms Rosie Winterton: As part of a rolling programme of refurbishment throughout the Parliamentary Estate, the Lord Chancellor's State Rooms in the Palace of Westminster were refurbished in 1997–78 at a cost of £580,000. The scheme included the installation of automatic fire detection, fire compartmentation, electrical rewiring, asbestos removal and essential maintenance. The refurbishment was authorised by the House of Lords Administration and Works Sub-committee on 8 July 1997 and by its Finance and Staff Sub-committee on 16 July 1997. The House of Lords Offices Committee submitted a report to the full House which was agreed on 30 July 1997.

Since 1998, only minor routine maintenance has been carried out. The Palace of Westminster does not keep records in such a way that allows such minor expenditure to be quantified in relation to a particular area of the Palace.

At the conclusion of the refurbishment, the Lord Chancellor, for the first time, opened the residence to members of the public for tours and for charitable functions to be held. Tours of the residence and access for charitable functions are provided free of charge. To date, over £5.3 million has been raised for charitable causes.

Ministerial Travel

Mr. Don Foster: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will list internal flights made by Ministers in the Lord Chancellor's Department in 2002, including in each case the *(a)* cost, *(b)* departure location and *(c)* destination; and of these how many were (i) first class, (ii) business class and (iii) economy class. [103582]

Ms Rosie Winterton: I refer the hon. Member to the answer given by the Minister of State, Cabinet Office on 22 January 2003, *Official Report*, column 334W.

Secret Societies

Mr. Mullin: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to require new applicants for the magistrates and the judiciary to disclose membership of secret societies; and if he will make a statement. [102804]

Ms Rosie Winterton: All applicants for the lay magistracy and all those being offered an appointment for the first time to part-time or full-time judicial office are required to declare whether or not they are freemasons.

Works of Art

Norman Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department what works of art are on loan to the Lord Chancellor's Department and are located in *(a)* his apartments and *(b)* his own offices; and from where they have been borrowed. [96420]

Ms Rosie Winterton: Forty-one works of art on loan to the Palace of Westminster are located within the Lord Chancellor's residence and office. In the residence there are two paintings on loan from the National Maritime Museum, six paintings and three sculptures on loan from the Royal Academy, 10 paintings on loan from the Imperial War Museum, six paintings on loan from the Fitzwilliam Museum, four paintings and three sets of prints on loan from the National Galleries of Scotland, and four sets of engravings and one set of plaster casts are on loan from the National Galleries of Scotland.

In the Lord Chancellor's office, there are two paintings on loan from the National Galleries of Scotland and two paintings on loan from the National Maritime Museum.

All works of art are from the reserve collections of these museums. As with all works of art on loan to the Palace of Westminster, these are subject to recall at any time by the lending institutions should they be required for an exhibition.

The Lord Chancellor's residence and offices are used for official purposes in connection with the Lord Chancellor's roles as Speaker of the House of Lords and Cabinet Minister. In addition, the Lord Chancellor's residence has been open to visitors since 1998. About 10,400 people have taken part in guided tours and a further 12,300 people have attended charity functions in the residence. So far, over £5.3 million has been raised for charitable causes from receptions in the residence.

DEPUTY PRIME MINISTER

External Finance

Mr. Maude: To ask the Deputy Prime Minister what was *(a)* the total amount and *(b)* the proportion of aggregate external finance that central Government provided to local government for which local authorities were required to bid in each year since 1997. [103729]

Mr. Raynsford: Tabled as follows are all special grants inside Aggregate External Finance (AEF) that were listed at the time of the Local Government Finance Settlement and the amount for which local authorities were required to bid in each Financial Year. The total amount and proportion of AEF that this represents is at the foot of the table.

£ million

Grants for which local authorities bid	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Education							
Class Size Reduction	—	—	80.3	160.0	183.0	—	—
Education of Travellers and Displaced Persons	—	7.2	—	—	—	—	—
Education Support and Training	27.0	—	—	—	—	—	—
Ethnic Minorities	66.8	77.7	—	—	—	—	—
Standards Fund and Others	—	67.0	49.0	49.0	—	—	—
Travellers' Children	6.9	—	—	—	—	—	—
PSS[1]							
Children and Adolescent Mental Health Services	—	—	—	—	—	2.0	—
Drug and Alcohol Abuse	2.5	2.0	4.7	2.0	—	—	—
Mental Illness	1.6	7.0	2.3	1.4	0.9	0.6	—
Training Support Programme	1.5	3.2	6.6	17.1	14.5	13.0	13.0
EPCS[2]							
Employment Services Programme	—	—	25.5	25.9	—	—	—
Neighbourhood Wardens	—	—	—	—	—	—	17.0
Personalised Travel Pilots	—	—	—	—	—	—	0.6
Roadside Vehicle Testing	—	—	—	—	—	3.9	4.0
Rural Bus Challenge	—	11.4	16.8	21.2	20.5	20.0	20.0
Sheltered Employment	24.9	25.9	—	—	—	—	—
Waste Recycling Challenge	—	—	—	—	—	[3]10.0	40.0
Urban Bus Challenge	—	—	—	—	15.5	18.2	20.0
Police							
Community Support Officers	—	—	—	—	—	—	39.0
Counter Terrorism	—	—	—	—	—	—	58.0
DNA Grant	—	—	—	—	—	—	9.0
National Intelligence Model	—	—	—	—	—	—	2.0
Officer Retention over 30 Years	—	—	—	—	—	—	1.0
Police Negotiating Board	—	—	—	—	—	—	36.0
Reform Deal	—	—	—	—	—	—	8.0
Special Constables	—	—	—	—	—	—	5.0
Street Crime Initiative	—	—	—	—	—	—	6.3
Total grant which required bids	131.2	201.4	185.2	276.6	234.3	67.8	278.9
Total AEF	35,767	37,521	39,545	41,856	44,661	47,503	[4]52,951
Percentage of AEF which required bids	0.37	0.54	0.47	0.66	0.52	0.14	0.53

[1] Personal Social Services.

[2] Environmental, Protective and Cultural Services.

[3] This was announced after the Final Settlement 2002–03.

[4] This includes a £1,400 million Supporting People grant which was announced after the Final Settlement 2003–04.

Grant Payments (Essex)

Mr. Hurst: To ask the Deputy Prime Minister how much in grant monies, excluding rate support grant, was paid to *(a)* Essex county council and *(b)* Braintree district council, in each year since 1990. [104060]

Mr. Raynsford: The information requested is tabled as follows:

Essex county council

£ million

			Central Government		
	Redistributed business rates	*Police grant*	*Capital grants*	*Specific grants inside AEF*	*Total*
1990–91*(a)*	—	46.8	13.6	15.9	76.2
1991–92*(a)*	—	53.9	8.9	25.4	88.2
1992–93*(a)*	—	59.0	9.7	26.9	95.6
1993–94	316.7	64.3	10.8	38.9	430.6
1994–95	292.1	68.9	13.6	45.0	419.6
1995–96*(b)*	283.5	—	7.2	38.7	329.4
1996–97	322.4	—	5.8	34.4	362.7
1997–98	306.8	—	3.2	331.0	340.9
1998–99*(c)*	260.9	—	4.6	36.0	301.6
1999–2000	284.5	—	6.4	49.3	340.1
2000–01	323.5	—	122.9	79.3	415.8
2001–02	318.4	—	23.4	51.1	392.8
2002–03	349.6	—	25.9	110.7	486.2

Note:

Figures are not necessarily comparable between years due to changes in function and responsibility. The main changes are listed:

(a) Between 1990–91 and 1992–93, all redistributed non-domestic rates for shire areas were paid direct to the collection funds of district councils:

(b) Responsibility for policing transferred from Essex county council to Essex Police Authority on 1 April 1995.

(c) The area covered by Essex county council decreased on 1 April 1998 when Southend and Thurrock became unitary authorities.

Braintree district council

£ million

			Community Charge		*Central Government*		
	Redistributed business rates	*SSA reduction grant*	*Preparation grant*	*Preparation costs grant*	*Capital grants*	*Specific grants inside AEF*	*Total*
1990–91*(a)*	26.5	—	—	0.1	0.4	0.2	27.1
1991–92*(a)*	30.7	—	—	—	0.4	01.2	31.3
1992–93*(a)*	30.8	—	0.2	—	0.6	0.2	31.9
1993–94	4.2	—	—	—	0.7	0.3	5.2
1994–95	3.9	—	—	—	0.7	0.4	4.9
1995–96	4.1	—	—	—	0.9	0.3	5.2
1996–97	4.4	0.1	—	—	1.0	0.3	5.8
1997–98	4.0	—	—	—	0.6	0.3	4.9
1998–99*(b)*	4.0	—	—	—	0.8	0.3	5.1
1999–2000	4.4	—	—	—	0.7	0.3	5.4
2000–01	5.0	—	—	—	0.2	0.3	5.4
2001–02	5.0	—	—	—	0.2	0.3	5.4
2002–03	5.7	—	—	—	0.3	0.3	6.2

Note:

Figures are not necessarily comparable between years due to changes in function and responsibility. The main changes are listed:

(a) Between 1990–91 and 1992–93 all redistributed non-domestic rates for shire areas were paid direct to the collection funds of district councils:

(b) The area covered by Essex county council decreased on 1 April 1998 when Southend and Thurrock became unitary authorities.

Mass Decontamination

Mr. Cousins: To ask the Deputy Prime Minister how many protective suits for use in mass decontamination have been provided for the Tyne and Wear Fire Brigade; and what proportion of the Brigade can be supplied with such suits. [103836]

Mr. Raynsford: The extra 4,000 gas tight suits being purchased under the Office of the Deputy Prime Minister 's £56 million New Dimension programme will be deployed flexibly, on the basis of a comprehensive analysis of risk, to meet the needs of all fire authorities including those of Tyne and Wear. This represents a doubling of existing capacity.

Mr. Cousins: To ask the Deputy Prime Minister what finance has been set aside for the funding of new special purpose vehicles for use in mass decontamination; and how many such vehicles, and at what cost *(a)* have been ordered and *(b)* are in the hands of fire authorities. [103838]

Mr. Raynsford: The Office of the Deputy Prime Minister has made available, from its own and Treasury funds, £56 million under the New Dimension programme to finance the purchase of 80 new vehicles and 190 purpose built decontamination units. They will be deployed flexibly, on the basis of a comprehensive analysis of risk, to meet the needs of all fire authorities. Delivery of the equipment for training purposes will take place in the next few weeks.

Mr. Cousins: To ask the Deputy Prime Minister how many new special purpose vehicles for mass decontamination are *(a)* planned for and *(b)* in the hands of Tyne and Wear Fire Brigade. [103837]

Mr. Raynsford: The Office of the Deputy Prime Minister's New Dimension programme will provide 80 special purpose vehicles for carrying mass decontamination equipment. They will be deployed flexibly, on the basis of a comprehensive analysis of risk, to meet the needs of all fire authorities including those of Tyne and Wear. Delivery of equipment for training purposes will take place in the next few weeks.

New Deal for Communities

Matthew Green: To ask the Deputy Prime Minister pursuant to his answer of 4 March 2003, *Official Report*, column 932W, on the New Deal for Communities, in which year the 17 employees had their contracts terminated; in which year the two employees were made redundant; what the total pay-out in financial settlement for each employee was; and how much of each financial settlement came from central government funding, including grants. [102657]

Mrs. Roche: The information requested is not held centrally. It is currently being collected from Government Offices and I will write to the hon. Member as soon as the information is collated.

Matthew Green: To ask the Deputy Prime Minister pursuant to his answer of 24 February 2003, *Official Report*, column 263W, on the New Deal for Communities, what the administrative budget was for each financial year. [102680]

Mrs. Roche: There is no annual New Deal for Communities (NDC) administrative budget. However over the 10 year programme each NDC must not spend more than 10 per cent. of its allocation on management and administration. In the early years NDC's admin expenditure will be a higher percentage of its total spend than in later years. This is because early on each NDC has to set itself and its systems up before it can start getting projects under way.

Objective One

Mr. Ben Chapman: To ask the Deputy Prime Minister if he will make a statement on the amount of Objective One monies spent in Wirral, South in the last 12 months. [103176]

Mr. Raynsford: The Office of the Deputy Prime Minister does not hold information on levels of European funding at constituency level. However the Wirral, South constituency will benefit from £13.5 million European funding to the Wirral local authority area since 1 March 2002. The individual projects are listed in the following tables. As the Objective One programme is Merseyside-wide in scope, a further substantial amount of programme-funded activity will be delivered by organisations that have a pan-Merseyside remit.

European Regional Development fund (ERDF)—(Wirral Local Authority Area) Committed since 1 March 2002

	£
Project	*ERDF*
Merseyside Business Environment Network (Merben)	1,037,500
Lairdside Laser Engineering Centre	600,456
Twelve Quays Campus	992,000
Wirral Waterfront Core Management Services	1,006,008
International Astronomy and Space Centre	3,654,181
Europa House, Europa Boulevard, Birkenhead	764,986
Birkenhead Park Restoration Plan	2,000,000
Barnardos Town Lane Community Centre	50,107
Step Ahead Wirral	33,250
	10,138,488

European Social Fund (ESF)—(Wirral Local Authority Area) Committed since 1 March 2002

	£
Project	*ESF*
Employment Intermediary	92,900
Special Schools Consortium	59,026
Day Programme 2002	55,659
Fresh Start	160,191
Work Experience 2002	45,033
Next Step 2002	40,763
ICT for excluded in Birkenhead	70,681
The Aftercare Project	73,915
Worklink	431,042
Basil Hulme NLC	38,500
PHOENIX	129,290
ILM- Accessing Employment	435,350
Inspiring Women Entrepreneurs	45,000
Pathways Employability Skills 2002	77,801
First Steps	27,410
Employing the Long term unemployed (LTU)—Intermediate Labour Market (ILM) Support	197,600
A Pathway into Employment 2002	181,200
Employability Project	55,428
Community Transport & Care Training	52,160
Pathways Outreach 2002	111,328
Family Learning Move On Project	150,692
7 Waves Radio	75,599
Referral Order	86,571
Move On Project	316,674
Step Ahead Wirral	252,825
Beneficiaries Survey	49,922
	3,312,560

Mr. Ben Chapman: To ask the Deputy Prime Minister (1) if he will make a statement on the amount of Objective One money spent in each Merseyside constituency; [103927]

(2) of *(a)* first and *(b)* second tranche Objective One moneys spent in Wirral, South as a percentage of the whole. [103794]

Mr. Raynsford: Because the Programme is Regional in scope, a substantial amount of Programme-funded activity will be delivered by organisations that have a pan-Merseyside remit. The Office of the Deputy Prime Minister cannot therefore calculate spending in constituencies.

Social Housing Grant

Ms Oona King: To ask the Deputy Prime Minister what the estimated expenditure is on local authority social housing grant in each Government office region in 2002–03. [102319]

Mr. McNulty: Estimated expenditure on local authority social housing grant (LASHG) in each region for 2002–03 (as at 12 March) is shown as follows.

	£ million
London	122.968
South East	167.614
South West	77.411
East Midlands	14.259
East of England	82.288
West Midlands	19.484
Yorkshire and Humber	4.544
North East	0.560
North West	10.872
Total	500.000

Parliamentary Questions

Ms Oona King: To ask the Deputy Prime Minister when he will answer the question from the hon. Member for Bethnal Green and Bow of 7 January, ref 89523, regarding the guidance issued to district valuers about the valuation of properties being sold under the right to buy. [103234]

Mr. Leslie: My hon. Friend will receive a reply from my right hon. Friend the Chancellor of the Exchequer in the next few days.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES SESSION 2002–2003 **VOLUME 401**

10th March—21st March 2003

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
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- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

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- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
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- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

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- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

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  - References consisting of a number by itself indicate material taken on the floor of the House.
  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'ws' indicate written statements.
  - References ending in 'w' indicate written questions.
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  - *Debates Westminster Hall Debates* (covering all debates held as part of the Westminster Hall sittings); and
  - *Written Statements* (consisting of ministerial statements issued in writing); and
  - *Questions* (which includes all written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division
- (HL)=Bill starting in House of Lords
- (SP)=Bill in Scottish Parliament.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
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